

**MTC-00020179**

From: Brian Summers  
 To: Microsoft ATR  
 Date: 1/24/02 1:52am  
 Subject: Microsoft Settlement

To whom it may concern,

I am writing in response to the proposed settlement agreement with Microsoft in the Anti-trust lawsuit. I want to express my severe disappointment and outrage with the proposed settlement agreement. This agreement does nothing at all to Microsoft. All it forces them to do is to follow current law as it already is written. It does nothing at all to remove all the power and influence Microsoft has received by exercising its illegal monopoly over the computer OS industry. How can you even start to believe that this settlement is fair for anyone outside of Microsoft? You are basically giving them a slap on the wrist, and saying, "Ok, we caught you. Don't do this again now. You can go back to your business, but play by the rules now." This action is akin to catching a major drug dealing ring, arresting them, and then letting them go, as long as they promise not to deal drugs again. And not only did you let them go, you gave back all the drugs you confiscated when you made the arrest as well as all their drug money. Microsoft has a clear unfair advantage over any other company in the operating system industry. Microsoft already received enough of the fruits of illegally using its monopoly and has been able to grow to what it is now because of this. Something needs to be done in any settlement that DIRECTLY AFFECTS Microsoft's assets and holdings, as well as its power and influence over the OS industry. These aspects of Microsoft grew out of the direct result of them illegally using its power. As such, anything that was gotten illegally should be taken away, or at least an attempt needs to be made to level the playing field in the industry. This settlement falls very short of what needs to be done so.

One of the major flaws in the settlement is that Open Source projects like the Linux Operating System also should have access to the communication and API protocols that Microsoft's OS's use. Linux is currently the MAIN competition that Microsoft is facing in the OS industry. No allowing Microsoft's main competition access to the protocols simply because the system is Open Source makes no sense at all. Linux is the competition and as such needs to have access to the protocols as well.

Direct compensation needs to be made to the consumers of Microsoft products. Prices on their OS licenses have not changed at all. Because there is no competition, there was no reason for Microsoft to give a reasonable price for their product, simply because people had to use it.

The idea of letting Microsoft possibly make compensation by purchasing computers and software for some of the country's poorest school district does nothing but increase Microsoft's hold over the computer industry. If any deal like this is made, Microsoft should be forced to use the full amount of money in any such action to purchase computer hardware only. The cost of the software to Microsoft would be nothing, if Microsoft software was used. Because

Microsoft has the ability to make an infinite number of licenses of their software, the actual cost of that software to them is nothing, and as such does nothing to hurt Microsoft. All this type of deal would do is create another generation of people to later purchase a Microsoft product. Red Hat Linux had an alternate proposal that I and many others feel would be much more effective. Red Hat proposed that Microsoft purchase only hardware, and that Red Hat would provide the software for the computers. Thus allowing many more computers to be given to more schools and also teaching people that there is more than one choice for a computer operating system. In closing, this proposed settlement does NOTHING but allow Microsoft to continue business as usual. We had a better settlement deal BEFORE Microsoft was found GUILTY then we have with this settlement after their guilt was PROVEN in court. This deal is completely one sided and its side most certainly looks like Microsoft to me. What do I as a member of the computer industry get out of this? What does everyone else who simply had to pay outrageous prices for Microsoft products get out of this? What does the computer industry get out of this other than the fact that Microsoft will still be as powerful as ever? How does this do anything to change the way things are? Well, if you ask me the answer to all those questions above is nothing. And that is what this settlement does, its does nothing.

Brian Summers  
 Unix Network and System Administrator  
 Software Developer/Programmer

**MTC-00020180**

From: Michael Newton  
 To: Microsoft ATR  
 Date: 1/24/02 1:52am  
 Subject: Microsoft Settlement

I am of the opinion that Microsoft is actually \*Winning\* this case with the settlement proposed. It is the equivalent of a slapping a murderer on the wrist. And yes, MS is very much a murderer. A suitable punishment would be to force open all of their API's, an API is the code base used to write the uppermost tier of executable programs. The Win32 API, if open, would not only embarrass the company (with their feeble attempts at programming), but will allow any number of windows programs to run on alternative operating systems. There is a project underway to create an API that mimics the win32 API, called WINE, but life would be so much easier if the code-base was already open. Another part of this is the networking/communications APIs. MS Outlook and MS Exchange Server have a closed protocol. Opening this would pave the way for alternative Office platforms, or actually using MS Office on top of another OS (Beos, Linux, Solaris).

Have you ever really read the Microsoft licensing schemes? They had this one scheme that flopped, not too long ago, that had 3 options:

- 1) You don't sign up for anything special. MS then jacks up the costs of individual licenses.
- 2) You pay a yearly fee, and receive MS upgrades and licenses.

3) You pay a significantly reduced amount if you promise to use ONLY MS products.

Everyone and their brother originally bought MS products because they were cheap, and because they managed to worm into the OEM distribution channels. They have become a defacto standard, even though their OS is worth crap. Let us count the number of security issues Windows XX has had in the past 6 months, and the amount of bandwidth that the entire internet lost because of it. If the Gov't doesn't hold MS's hand while doing business, to ensure that it is done fairly, I will have significantly less confidence in every part of this country. I swear... If you actually need something done right, you can't write to anyone any longer because you will be ignored. How many senators check their e-mail anymore? How much thought will you (the reader) actually give this letter, as well as the thousands of other letters you receive just like this one? We actually need computer literate people deciding on this case, and it is apparent that we do not have that. In their stead, we have a pile of lemmings that have been fed MS gestapo propoganda. Yeah, ironically, I send this via Outlook Express, on the only windows machine I own. I have had to patch this machine 20 times a month, compared to the goose-egg off my two Linux machines.

Go figure.

Mike

**MTC-00020181**

From: RHS Linux User  
 To: Microsoft ATR  
 Date: 1/24/02 1:54am  
 Subject: Microsoft Settlement

I am a student at NOVA in Virginia. I feel the proposed settlement in the anti-trust case United States vs. Microsoft is severely lacking in coverage and effective enforcement. I suspect a symptom of Microsoft's tyrannical behavior, and the lack of restraint, is the flare up of Open Source development. Perhaps this public movement could be used to penalize Microsoft and benefit the public at the same time? Regardless, I've seen Microsoft's tactics over the years, and the current settlement does almost nothing to curb their behavior. Microsoft will have completely evaded the minimal restraints and enforcement within five years and have lost none of its power to elbow competition out in the short or long run.

John Jones

**MTC-00020182**

From: Myles F. Barrett  
 To: Microsoft ATR  
 Date: 1/24/02 1:52am  
 Subject: Microsoft Settlement

The proposed Settlement is outrageously deficient. The Microsoft anti-trust offense is on a scale that boggles the mind. It will only worsen as Microsoft adds new technological sectors to its domination. Any sanction that falls short of definitively preventing this stranglehold from growing is a monumental miscarriage of justice. Please make the remedy definitive by breaking up Microsoft into non-colluding units.

Myles Barrett  
 Software Consultant

Data Exchange Associates, Inc.  
N. Chelmsford, MA

**MTC-00020183**

From: Geni1028@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:48am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Geni Casaletto  
5665 S. Chestnut #8  
Fresno, CA 93725

**MTC-00020184**

From: Robert Riemersma  
To: Microsoft ATR  
Date: 1/24/02 2:02am  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Kegels analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>), namely:

The PFJ doesn't take into account Windows-compatible competing operating systems

Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft  
Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The PFJ as currently written appears to lack an effective enforcement mechanism.

I also agree with the conclusion reached by Dan Kegels analysis, namely that the

Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Sincerely,  
Robert Riemersma  
79 W 18th St  
Holland MI 49423

**MTC-00020185**

From: Fred von Stein  
To: Microsoft ATR  
Date: 1/24/02 1:56am  
Subject: Microsoft Settlement  
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions. Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Fred von Stein  
New York

**MTC-00020186**

From: John McGready  
To: Microsoft ATR  
Date: 1/24/02 1:56am  
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe the current proposal provides adequate remedies for those injured by Microsoft's anti-competitive behavior. Over the decades hundreds, even thousands, of small companies have been driven out of existence by Microsoft's objectionable business practices. As was done with AT&T, Microsoft should be severely regulated, if not subdivided until its market share drops to an acceptable level, perhaps 33 to 40 percent (assuming one of its competitors is now also at 40%). Until this is true of all Microsoft product lines, such regulations shouldn't be realxed. Even after being found guilty of

monopolistic practices, Microsoft's behavior shows a complete lack of respect for the law, a complete lack of remorse for their actions, or even repentance for their crime. Strict regulation of their behavior, coupled with the threat of incredibly severe criminal penalties for noncompliance, is the only remedy that will contain them—for it speaks the only language Microsoft either knows or respects—the language of compulsion and enforced compliance. The market must be able to return to its rightful state—a balance born of countervailing competition. We don't need another Enron. Imagine the damage to the nation should a monopoly like Microsoft were to fail.... or even to have a bad quarter....

The risks of a monopoly are greater than merely the loss of competition. Any benefit of monopoly is far outweighed by its stifling of the great and diverse chorus of voices joined together to form the rich tapestry that is the American Dream. I ask that you not implement the proposal as it is now, but instead fight for the small companies that best express the golden opportunities and freedoms for which our armed forces are fighting even now.... save the towers of this nation's economy from another remorseless attack....

Thank you for your time.  
John McGready  
3604 Drumore Dr. 1st Floor  
Phila., PA 19154

#### MTC-00020187

From: Martin Wolters  
To: Microsoft ATR  
Date: 1/24/02 1:55am  
Subject: Microsoft Settlement

To whom it may concern:

I am very concerned about the ongoing settlement discussion with Microsoft. After following the involved issues since a couple of years from different perspectives (user, interested individual, software professional) I developed a strong opinion on the required action. Microsoft's monopoly has gone too far. Freedom and protection of users in America and around the world need to be taken more seriously. Any proposed settlement must put an emphasize on new alternatives to the current situation. It can be + a push for other operating systems (Mac, open source, etc.)  
+ a clear cut between Windows OS and Windows applications (e.g. browser, office suite, media player)  
+ or steps that ensure open standards when connecting computer and/or exchanging information (e.g. files).

It also should be emphasized that the user is in control of the software on his computer. That he/she can decide, which programs to install or not and that he/she can buy computers from companies that were allowed to freely make those decisions for them. Simply paying some money or donating some of the software under discussion does not solve the problem. I hope the involved government organizations will put an emphasize on the interest of millions of computer users and organizations.

Best regards,  
Matrin W.

#### MTC-00020188

From: Lars Hedbor  
To: Microsoft ATR  
Date: 1/24/02 1:56am  
Subject: Microsoft Settlement

I favor dropping the case against Microsoft—they've done far more good for the economy of our nation than any minor harm that they may have done to their erstwhile competitors. Failing this, however, I would favor the settlement of the suit as soon as possible, with the terms currently proposed under the suit in question.

Thank you for considering my opinion in the decision-making process.

Lars D. H. Hedbor  
14230 S. Beemer Way  
Oregon City, OR 97045  
(503) 722-3849 land  
(503) 781-0227 cell

#### MTC-00020189

From: rjwill246@mac.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:04am  
Subject: Microsoft

The continued abuse of the privilege of operating in an open market by Microsoft must lead to some remedial action that does more than simply "sending a message" to them. The Netscape fiasco is yet another blatant example of Microsoft's idea of how free enterprise works and if Microsoft does not pay substantial damages and does not allow competitors to compete without being threatened, what sort of precedent does that set for the future direction of US business practices? Indeed, the message would be loud and clear that such practices are actually permitted by the government if a corporation is large and powerful enough to be able to convince bodies, such as the DOJ, that any harm to that company might harm the US economy; a specious argument since it purports to show how vulnerable the US economy is... which it is not!! (9/11 has proven just how robust this country is.) Moreover, if other systems such as Apple, Linux etc can be allowed to prosper from their innovations, that is all to the good of the US economy as diversification has always been what has made America different... read successful and strong. The feudal system epitomized in the whole Microsoft ethos is appalling at first blush and outright dangerous in full light. Please show courage and fairness in your deliberations but above all show us that, in the end, the interests of the US, not Microsoft, are what must be protected.

Sincerely  
Robin Willcourt MD  
701 Aspen Trail,  
Reno NV 89509  
775 787-6550

#### MTC-00020190

From: Rommel, Florian  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:56am  
Subject: Microsoft Settlement

I understand that MS is a big company and contributor to your economy but i think this whole windows thing has gone too far... noone will ever read this mail away , i just thought i'd let myself known that MS , even

though setting milestones in personal computing history, is pushing this whole thing too far. it should have been split and get this thing over with..

Quartal O y  
Florian Rommel, Senior System  
Administrator (rommel@quartal.com)

#### MTC-00020191

From: Kristafari@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Peggi Reagan  
4302 Dayton St.  
Omaha, NE 68107-1016

#### MTC-00020192

From: zhenbinx  
To: Microsoft ATR  
Date: 1/24/02 1:58am  
Subject: Microsoft Settlement

It is time to settle! The lawsuit was brought up by the competitors of Microsoft. There is no harm to consumers. I, for one, love what has been integrated into Windows platform—having to install daily use software and configure it correct is simply too painful. Integration is the right thing to do. The competitors want Microsoft die. They don't really think about consumers otherwise they would have been more competent on bring out high quality products. All companies should focus more on innovations and engineering excellences. The information industry needs to leave this behind and have the case settled.

#### MTC-00020193

From: Robert Bain  
To: Microsoft ATR  
Date: 1/24/02 1:57am  
Subject: Microsoft Settlement.

As a professional computer programmer, I've been monitoring the Microsoft Case with a great deal of interest. Like many people who've had MicroSoftWare inflicted upon me over the years, I'm hoping the power of Government can do what the marketplace has so spectacularly failed at: making Microsoft Play Nice with the other children. But I don't think the currently suggested remedies are going to do that.

I still think Judge Jackson had the right idea: Break MS into two companies, one for applications, one for OSs. (I'd add one for

hardware, but that's just me.) If that truly is impossible, I think an equally good idea would be to force MS to reveal ALL their Application Programming Interfaces (APIs) to any programmer who wants to see them. They have a long and proud tradition of using hidden APIs to get better performance out of their own applications, while letting outsiders gimp along with the poorer-performing, better-documented "official" APIs, which sounds like a fairly ringing abuse of monopoly power to me. Good luck coming up with a solution. You'll be flogged if you get it wrong, and you'll get flogged if you get it right. But I've heard it hurts less when you get it right.

Good luck,  
R. Bain.

#### MTC-00020194

From: Robert Womack  
To: Microsoft ATR  
Date: 1/24/02 2:01am  
Subject: Microsoft Settlement

Let Microsoft alone. Note that this came via bellsouth.net and not msn.com. Which means the little icon in windows did not influence me in selecting an ISP. Without Microsoft and Bill Gates, most folks would still be using 5X8 cards.

Robert Womack, 59 Acorn Rd, Rome, Ga, 30161

#### MTC-00020195

From: Eric Nehrlich  
To: Microsoft ATR  
Date: 1/24/02 2:04am  
Subject: Microsoft Settlement

To Whom It May Concern:

I would like to register my opposition to the proposed settlement in the Microsoft antitrust trial. I feel that Microsoft has circumvented such restrictions in the past, and has shown no indication that they will not do so again with the proposed settlement. They have consistently shown no inhibitions about taking any actions necessary to protect their monopoly. If their operating system were being compared to others on a level playing field in terms of stability and usability, Microsoft would lose every time, so it is clear that they are taking advantage of their monopoly position. I believe that the settlement needs to include a recognition of the immense damage that Microsoft has caused to the computer user community over the past ten years. By crushing innovation that could conceivably harm its monopoly, it has held back the progress of the computer software industry. Users have been conditioned to expect that their software should be expected to fail all the time, that their computer needs to be rebooted at least once a day, and that software must be hard to use. The amount of time that the typical computer user (which is almost everybody these days) spends fighting with their computer to get it to do what they want is probably half an hour a day. Add that up, and that could be a 5% drop in productivity that is directly linked to the inferiority of Microsoft's products, products which have only maintained their market position due to Microsoft's abuse of their monopoly status. Any settlement needs to recognize the massive negative impact that Microsoft has

had over the past ten years, and punish Microsoft for their behavior.

Thanks,  
Eric Nehrlich  
758 Kingston Ave. #203  
Oakland, CA 94611

#### MTC-00020196

From: Waldauer  
To: Microsoft ATR  
Date: 1/24/02 2:03am  
Subject: Microsoft Settlement

As allowed by the Tunney Act, I would like to voice my opinion on the past proposed settlement and current anti-trust lawsuit in the case against Microsoft. Previously Microsoft proposed a settlement for the anti-trust trial. Their settlement included roughly one billion dollars worth of software, computers, and technical support to be delivered to schools across the country. This proposed settlement seemed to me to be not much more than a simple public relations trick and possibly even an attempt to EXTEND their monopoly. The facts of the matter are that a 500 million dollar donation of SOFTWARE to schools across the country would actually cost Microsoft considerably LESS than 500 million dollars. A donation of a \$100 product such as a Windows operating system license would only end up costing Microsoft whatever relatively small cost of shipping and packaging. The rest of the \$100 (probably in the range of 90%) makes up the license, which costs Microsoft nothing to donate. Another fact about this proposed settlement is that if it had been passed, Apple Computers would have most certainly suffered a huge blow by losing a large portion of its current market share. Apple Computers make up, by recent estimates, between 40% and 50% of all computers in American schools. Had the proposed Microsoft settlement been passed, many of those computers would have been replaced with Microsoft Windows machines thereby, in all likelihood, permanently displacing Apple Macintosh operating system machines from schools. I think there is an inherent problem with an anti-trust settlement when a monopoly's sole (albeit very small) competitor would be seriously injured. Lastly, I believe that if one billion dollars were to be donated to American schools, I feel that donations in the form of computers, software, and technical support would not be the most useful form. I remember my high school, we had a very full and up-to-date computer lab; unfortunately, we lacked enough teachers and staff to keep the computer lab open after school when the most use can be made of a computer lab. I also remember my high school severely lacking desks and chairs and an ever increasing class size. If one billion dollars is to be donated to American schools, I believe the problems I have laid out should be addressed first.

Although I found the previous settlement proposal to be nothing more than a PR joke with nearly nothing to produce any results in reducing Microsoft's monopoly or compensating the public for abuse of that monopoly, I do believe that there is a solution to the problem. Microsoft's monopoly resides in three software

applications that control three separate markets. First is the Windows operating system itself. The main reason this monopoly lingers and is so difficult to eliminate is because nearly every program on Earth runs on windows, but relatively very few will run on any other operating system. So in order to run your favorite programs, you need to buy a copy of Windows. The best solution to this problem would be to allow someone to run a program written and designed for Windows, but without purchasing a copy of Windows. Every operating system uses a set of API's (application program interface) that allows a programmer to draw windows and objects onto the screen. The API allows for just enough "hooks" for a developer to use, but the API itself is hidden, only a description of what it does is publicly known. Because of this, it becomes virtually impossible to duplicate the Windows API. Step one to eliminating a Microsoft monopoly is to force Microsoft to publish the complete source code to the Window's API thereby allowing other producers to produce operating systems that can run Windows programs and thereby directly compete with Windows.

The second Microsoft application that unfairly monopolizes a market is the Office Suite program, Microsoft Word. Although this program is deemed by many to be the best of its kind, it is not the quality of the program that has given Microsoft an unfair edge in the market, it is instead the format that the program by default saves documents in. The Microsoft Word document format is proprietary, and in order to open a file written in Microsoft Word, a person needs to have Microsoft Word (there are programs that attempt to open Word documents, but these are not complete and usually can only open the most basic Word documents). In order to alleviate this problem, the specifications of the Word document should be released to the public so that a document created by Microsoft Word can be opened and edited or manipulated without the need to purchase a copy of Microsoft Word. Lastly, the third program that has monopolized an entire market is Microsoft's Internet Explorer. Through monopolistic practices, Internet Explorer pushed Netscape's Navigator out of the market. Microsoft also released web authoring tools which produce webpages that can only be correctly viewed with Internet Explorer. When the graphical internet started to become popular, standards were formed on how webpages should be formatted using the HTML (Hypertext Markup Language) code. With a monopoly on web browsers, Microsoft violated these standards in their authoring programs to solidify their monopoly. Although today many alternative web browsers do exist, none of them "work" as well as Microsoft's simply because so many web pages are made to only be viewed in Internet Explorer. As a solution to this, the rendering engine (the part of the web browser that "renders" the HTML code to put the correct layout and text of the webpage on the screen) of Internet Explorer should be made public so that competing web browsers may incorporate into their web browsers code to allow their users to view "Internet Explorer only" webpages.

In all three of the mentioned markets Microsoft has maintained a monopoly by forcing proprietary standards and formats and NOT by producing quality products at low prices. In all three of my solutions Microsoft would lose that unfair edge allowing other companies to step in with competing products like never before. Before a competing product had most of its focus on merely being compatible, take away that edge and time and money can be spent on making quality products at low prices (or free products as the case may very well be, I.E. Linux, OpenOffice, etc.). In my proposal Microsoft would be punished for its abuse, but more importantly, it would take away the edge that Microsoft enjoys in order to maintain their monopoly. My proposal would allow for competition to fairly enter the market and hopefully would result in a better and less expensive computing experience for everyone.

Alex Waldauer

**MTC-00020197**

From: Fred von Stein  
To: Microsoft ATR  
Date: 1/24/02 2:01am  
Subject: Microsoft Settlement

Dear Sirs,

The current proposed settlement (PS) is flawed. Because of many different legal loopholes in the PS, Microsoft will be able to find ways to easily exploit their customers and OEMs to their advantage. Microsoft has already extended, or tried to extend, their monopoly since the start of the trial, such as:

Microsoft .NET and MS's plans to force everybody to sign for a MS Passport (which has already been proven to be a very insecure system)

The failed attempt to turn an educational lawsuit into a way to inject their software into yet another market

Imposing highly-restrictive EULAs and license agreements in XP to try to milk as much money as possible from the end user and businesses, which has already forced other governments (such as the UK and China) to consider other options besides MS software

Using PR stunts to hide the fact that security was never a major concern of any of their products, and never will be (even though recent developments in Windows XP and Internet Explorer have proven this)

Starting petty lawsuits to snuff out competition, in the hopes of running them out of money (such as the recent Lindows lawsuit)

Rigging web polls and writing fake letters (from people already long dead and buried) to influence business and DoJ decisions The government's intentions in the PS are in good faith, but the language puts too much faith in MS's interpretation of it. Dan Kegel has a great analysis of the flaws found in the PS here: <http://www.kegel.com/remedy/remedy2.html> In short, I feel that it's the DoJ's duty to revamped the PS and/or return to the drawing board, as its current revision is not enough to stop Microsoft's anti-competitive practices.

Fred Stein

**MTC-00020198**

From: John Chu

To: Microsoft ATR  
Date: 1/24/02 2:02am  
Subject: Microsoft Settlement

Given the course and time that legal proceedings have taken for the Microsoft Anti-Trust Case, it would seem that Microsoft is winning this war, even if it is losing the battle. States have settled with Microsoft because they can ill-afford the monetary losses that they've indulged into this case. Microsoft lawyers cleverly petition to extend the case, and the Court keeps setting new dealines for hearings. Then there are the settlement offers that Microsoft offers, mere pittances that secretly hold a different agenda, underneath a veil of altruism. Microsoft is both demeaning and insulting the court's ignorance of the Software Industry. Evidence has already been shown that Microsoft has reaped, plundered, and murdered many an honest companies" viable products, and yet it continues to strong-arm many of its competitors today. It would seem that Microsoft's war of attrition is winning out over the Justice Dept. and States. It will win, whether or not it loses this case.

John Chu  
Saddleback College Student

**MTC-00020199**

From: Scott Yates  
To: Microsoft ATR  
Date: 1/24/02 2:01am  
Subject: Microsoft Settlement

I just want to make it known that i believe the proposed anti-trust settlement is a bad idea. Do we simply let any company that gets in trouble now simply BUY their way out?

Scott Yates

**MTC-00020200**

From: Jonathan S Talbot  
To: Microsoft ATR  
Date: 1/24/02 2:02am  
Subject: Microsoft Settlement

I am writing to express my opposition to the proposed microsoft settlement as it currently stands. Let there be no doubt about Microsoft's widespread influence, as evidenced by their popular windows OS. My primary complaint lies with the fact that the problems associated with Microsoft's monopoly are not being adequately addressed in this settlement. For example, in the interest of protecting "intellectual property," Microsoft is not required to reveal protocol or interface information, thereby hampering competing software companies from developing products compatible with Microsoft's windows OS. This is akin to a hypothetical automobile manufacturer who develops a monopoly via an outrageous volume of vehicle sales, and is allowed to produce inferior parts that require frequent replacement (to that company's benefit), while simultaneously inhibiting production of better quality replacement parts by competing manufactures, because the part specifications of the monopolistic company are protected in the name of "intellectual property." Unless Microsoft is required to release such information, without the controlling nature and costs associated with licenses, their monopoly is not limited and is in fact enabled. In the interest of permitting competitors to produce better

"parts" for the omnipresent windows OS, which would better serve the general public AND Microsoft, as well as helping to preserve the viability of such competitors, this settlement must be modified accordingly. Such a change would control costs for consumers and more appropriately restrict the monopolistic influence of Microsoft. Personally, I appreciate the ability to choose new auto parts, at discounted prices, and from a variety of manufacturers, and I would like the same privilege with my computer.

Thank you for your consideration,  
Jonathan S. Talbot  
Longview, TX

**MTC-00020201**

From: Geoff Kuenning  
To: Microsoft ATR  
Date: 1/24/02 2:04am  
Subject: Microsoft settlement

I would like to go on record as opposing the proposed settlement in the Microsoft antitrust case.

The proposed settlement has so many problems that it is nearly impossible to address them in a brief note such as this one. However, I will address two issues:

1. The PFJ does nothing to prohibit anticompetitive license terms currently used by Microsoft.

2. The PFJ does not prohibit Microsoft's historical practice of intentionally modifying its operating systems to introduce incompatibilities with competing non-operating-system software products, with the sole goal of making those other products unable to compete with Microsoft's own non-operating-system products.

Geoffrey H. Kuenning  
Assistant Professor, Computer Science  
Harvey Mudd College  
Claremont, California 91711

**MTC-00020202**

From: hmasoud@arabia.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:04am  
Subject: Microsoft Settlement

Dear reader...

I write this letter to present my opinion regarding the Microsoft anti-trust case. I strongly object this deal, I think it was rushed, all because the justice department was busy dealing with the september 11th attacks against the US. The deal struck between the DOJ and Microsoft doesn't in any way:

1. punish Microsoft of its previous illegal acts.

2. restrict future monopolistic behaviour. Therefore I would love to see a review of the case settlement.

Thanks for your time  
Hashem Masoud  
Citizen of the state of Bahrain

**MTC-00020203**

From: dkbly@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:03am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
D Bryan  
23 La Crosse Ct  
Henderson, NV 89052-6608

**MTC-00020204**

From: Wade Farlowe  
To: Microsoft ATR  
Date: 1/24/02 2:06am  
Subject: Microsoft Settlement

Wade Farlowe  
4301 Wooded Way #18  
Louisville, KY 40219  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

I strongly support your efforts to end the Microsoft antitrust litigation, now of three years in length, and implement the settlement reached by the parties. I think this lawsuit should never have seen daylight. I am not alone in this. The lawsuit is unproductive and disruptive. By putting the suit behind us, the American computer industry will be freed to innovate at the world-leading pace it had held for many years. In order to end that litigation uncertainty and wasteful expense, Microsoft has agreed to, give up some of its rights, and make it easier for other companies to work with its Windows operating system. Microsoft has agreed to make it easier to remove the useful programs it includes in Windows, such as Internet Explorer, Windows Media Player and Windows Messenger. So, if AOL Time Warner wanted to contract with a computer builder, such as Dell, to put Netscape Navigator and AOL Messenger on the desktop and remove Microsoft's offering they could do that. Microsoft has also agreed to have a technical monitoring committee come into its business to check for compliance with the agreement and check out any complaints by third parties. All of these terms show a Microsoft that wants to cooperate for the good of the American computer industry and to move on to better innovations, rather than wasteful unproductive time in legal wrangling. I feel you are taking the right road in supporting the settlement of this case. Thank you.

Sincerely,  
Christopher Wade Farlowe

**MTC-00020205**

From: Michael Watson

To: Microsoft ATR  
Date: 1/24/02 2:04am  
Subject: Microsoft Settlement

"Surgeons must be very careful

When they take the knife! Underneath their fine incisions Stirs the culprit,—Life!" Emily Dickinson wrote that. Or, more bluntly, Robert X. Cringley wrote in a recent article for PBS.org

[1]: "If this deal goes through as it is written, Microsoft will emerge from the case not just unscathed, but stronger than before." In this sense, it is not Microsoft who will die over a matter of a slip of the knife, so to speak, but everyone who chooses to offer serious alternatives to anything Microsoft develops and releases. Easily implementable MPEG (a type of audio and video format) decoding standards for DVD video and audio could be trampled to death if Microsoft is easily and freely able to push its more proprietary formats on the DVD industry [2]. For example, owners of non-Windows laptops with DVD players could be seriously affected in the long term. (What if I can't play some DVD I want because there's some obscure incompatibility in my DVD player? This is just one important question that can be posed.) What may be the worst issue of all is demonstrated by visiting the following URL: <<http://www.microsoft.com/library/shared/deeptree/bot/bot.asp?xmlsrc=/technet/library/1033/toc/tllib/tllib6586—xml>> What you're looking at is a list of just—some—of the major, KNOWN security issues with Microsoft's software. You'll notice I pulled this link from Microsoft.com itself. The dominance of Windows in the United States is becoming a national security threat [3], and will inevitably become worse as they're left more loopholes in court rulings and established case law. Their seedier actions are rooted in the loose and often downright retarded language in legal precedents, and if they aren't provided with precedents that are solid and thought-out, they will, as Mr Cringley wrote, continue obfuscating the intent of courts in which they argue and rulings to which they're told to adhere. I would have little problem continuing on and on, but I am aware of the almost uncountable amount of communication you must be receiving on this subject, and understand that an extremely long-winded, rambling rant would not be in the best interests of anyone but those about whom I seek to write.

Best regards,  
Michael Watson

**MTC-00020206**

From: jchaley@iname.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:03am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft

competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Haley  
1203 West 103rd Street #144  
Kansas City, MO 64114

**MTC-00020207**

From: David Gessel  
To: Microsoft ATR  
Date: 1/24/02 2:11am  
Subject: Microsoft Settlement

Dear Renata B. Hesse,

I oppose the Microsoft Settlement. It is far too weak and does not protect innovation from the stifling effect of Microsoft's monopoly, nor does it protect consumers from Microsoft's pricing. Instead I suggest that all vendors of computer equipment which is to be supplied with Microsoft software be required to offer the same equipment without Microsoft's software and that they be required to offer the same software to anyone at the price difference between the hardware supplied with Microsoft's software and without. This will prevent Microsoft from exploiting their market position to force vendors to keep better and cheaper solutions away from their customers.

Sincerely,  
David Gessel  
Black Rose Technology  
5233 Foothill Blvd.  
Oakland, CA 94601  
510 290-3849 (cel)  
510 536-0105 (fax)

**MTC-00020208**

From: dgmillard@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Doug Millard  
P.O.Box 870351  
Wasilla, AK 99687-0351

**MTC-00020209**

From: Aaron Parker-Fasel

To: Microsoft ATR  
Date: 1/24/02 2:06am  
Subject: Thoughts on the MSettlement

Would it be unreasonable to ask MS to sell technology BACK to the original seller (this, of course, is in reference to the many bought-out companies out there) for \$1 or something to that effect? This would CREATE business and more jobs, not to mention competition, would it not? Another thought: Would it be unreasonable to devise a settlement clause that specifically tries to decrease OS market share? For example, they could pay for advertisements of Apple products.

Aaron

**MTC-00020210**

From: insert random name here  
To: Microsoft ATR  
Date: 1/24/02 3:07am  
Subject: Microsoft Settlement

Microsoft has imposed terrible software on >90% of the market. The truth is, Microsoft products are terrible, and mand illegal actions were made to obtain and keep that marketshare. I'd go into the specifics of why Windows and Office have hurt my buisness, but thats obvious, a plight heard in any office. My platforms of choice, Macintosh and lately Linux, have suffered directly with admittance of intentions from Microsoft. There are new examples every month of Microsoft's impedance of superior technology through illegal business practices. I recomment division into three parts, Operating System, Applications, and Internet software. I also recomment the "open sourcing" of proprietary protocols and formats used to force users into uniformity.

Thank You for your time.

**MTC-00020211**

From: Stephen Kuenzli  
To: Microsoft ATR  
Date: 1/24/02 2:07am  
Subject: Microsoft Settlement

Dear Sir or Madam:

I believe the proposed remedy is neither a commensurate punishment for Microsoft's misdeeds nor even a deterrent to future anti-competitive behaviour. As a software and systems engineer (programmer) at a Fortune 100 company, I bear the burden of Microsoft's sins every day because much of my job is to make things work together. Microsoft has proven time and again that they will use their market penetration to push others out of a competitive market by any means necessary. These means are well documented: secret APIs, embrace-and-extend tactics that allow only Microsoft's clients to talk to Microsoft servers, and closest to my work, the banishment (via click-through licenses on some Microsoft products) of Open Source programs and tools from \*my\* development environment. I urge you to consider making Open Source Software (<http://www.opensource.org>) and Free Software (<http://www.fsf.org>) part of any remedy as these movements empower the users of software. If we, the users of software, are sufficiently empowered, then Microsoft nor any other entity will not be able to run roughshod over us.

Sincerely,  
Stephen Kuenzli

Chandler, AZ

**MTC-00020212**

From: richard pauli  
To: Microsoft ATR  
Date: 1/24/02 2:11am  
Subject: A computer operating system is a form of government

To the Courts,

Concerning the Microsoft Settlement:

I write to offer a single important insight into the Microsoft Settlement that should help you construct a decision.. In the world of digital computers, the computer operating system should be thought of as a form of government. The operating system sets rules and controls the flow of digital data much like a government set rules for a civilized populous. Your charge is to define the limits and structure of that digital government as it must intersect fairly and equitably with our civil government. I urge you to halt the further spread of such a tyrannical digital government—the Microsoft Windows operating system.

Thank you for your time.

Sincerely,  
Richard Pauli  
614 W. Halladay St  
Seattle, WA 98119

**MTC-00020213**

From: dearcheryl@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:07am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
cheryl hannah  
2601 Perkins Circle  
Glendale, CA 91206

**MTC-00020214**

From: Glenn  
To: Microsoft ATR  
Date: 1/24/02 2:07am  
Subject: Microsoft Settlement

Dear Sirs:

I am writing to give my comments on the Microsoft antitrust settlement.

I believe this settlement is counter to the interests of the American public, deleterious to the American economy, and not adequate given the findings of fact in the trial.

Microsoft's anti-competitive practices are counter to the law and spirit of our free-enterprise system. These practices inhibit competition, reduce innovation, and thereby

decrease employment and productivity in our nation. Microsoft's monopolistic practices cause the public to bear increased costs and deny them the products of the innovation which would otherwise be stimulated through competition. The finding of fact which confirmed that Microsoft is a monopoly requires strict measures which address not only the practices they have engaged in the past, but which also prevent them from engaging in other monopolistic practices in the future. It is my belief that a very strong set of strictures must be placed on convicted monopolists to insure that they are unable to continue their illegal activities. I do not think that the proposed settlement is strong enough to serve this function.

Glenn Strauss  
Network Architect and Founder  
Glue Logic

**MTC-00020215**

From: Jason Reich  
To: Microsoft ATR  
Date: 1/24/02 2:07am  
Subject: Microsoft Settlement  
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past actions. Additionally, the proposed settlement does nothing to correct Microsoft's previous actions. Microsoft has been found guilty, but is not being punished by this settlement. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Jason Reich  
San Diego, CA

**MTC-00020216**

From: Jeremy Leader  
To: Microsoft ATR  
Date: 1/24/02 2:08am  
Subject: Microsoft Settlement

I'd like to add my voice to those pointing out the flaws in the proposed Final Judgement in United States v. Microsoft.

1. In the absence of effective means of enforcement, the proposed Final Judgement is meaningless. Microsoft has already been



found to have violated the terms of other agreements; why should they respect this one?

2. If the proposed Final Judgement is modified to include some effective means of enforcements, there would still be numerous loopholes (such as those enumerated in Dan Kegel's Open Letter to the Department of Justice, <http://www.kegel.com/remedy/letter.html>). Several of these loopholes are large enough to allow Microsoft to completely avoid compliance with the intention of the proposed Final Judgement. In short, the proposed Final Judgement is not in the public interest.

Jeremy Leader  
Arcadia, California

#### MTC-00020217

From: John G. Jones  
To: Microsoft ATR  
Date: 1/24/02 2:14am  
Subject: AOL-Netscape

To Whom It May Concern,

My name is John G. Jones, I have been a reseller and consultant for almost 20 years. I was an avid Netscape promoter for several years (1994-1998). We were an ISP (Internet Service Provider) and distributed Netscape Navigator Exclusively for connections to our service (including their dialer software). We paid Netscape something like \$12,000 for this privilege, (for about 2000 users) while most ISP's were providing this for free. Netscape did not update their software with user fixes as often as Microsoft, nor did they continue their dialer software which caused us to re-engineer our Dial-in Modems. We initially had to spend weeks with Netscape engineers to get their software to work with Windows, they finally went with Shiva (a third party, which had mastered this technology) to perform their Dial-up software operations. Microsoft has the BEST products for Internet connectivity and Browsing, and our customers want them. Netscape and AOL products are freely available to ANYONE without much of a hassle (it is as simple as typing [www.netscape.com](http://www.netscape.com) in any browser). It is important that an Operating system has a basic browser and an Internet Connectivity client so a person can get on the Internet and download the software they choose to use.

Much of the premise behind the lawsuit is the fact that Microsoft has taken advantage of their ability to incorporate the Internet Explorer Browser into the Operating System (OS). The fact remains that they did not and have not ever inhibited AOL or Netscape from installing their applications on the Microsoft OS. The fact that AOL and/or Netscape feels as if they deserve recognition or recourse from the industry for their inability to capture the public is a farce. Netscape, for years, made their browser available for free and indiscriminately charged fees to gain recognition and market share for the sole purpose of selling their higher end products. In addition, resellers or OEM's have the ability to add ANY software product they choose to the original installation. It is my understanding that AOL has filed a new Private lawsuit against Microsoft. I wish to make some comparison material for your thought. AOL has the predominant Instant messenger(IM) software

available on the market. It is free! They won't allow other companies to integrate their IM product with theirs. What is the difference between Internet Explorer and Netscape Browsers? Netscape offers an Instant messaging product that is actually AOL's? I am a computer reseller and every computer I have delivered to a customer has had the option of AOL for an Internet provider, as well as, an option for Netscape Navigator to be installed.

I believe that AOL & Netscape have inferior products and are trying to use the legal system and media to win support from the general public rather than have a good product that is easy for the end user to use, and provide cooperation for other companies. Let's spend these dollars we are using for prosecuting Microsoft on legitimate government purposes.

Thanks,  
John G. Jones  
Office (805) 688-8550  
Cell (805) 689-5815  
Fax (805-688-0535

#### MTC-00020218

From: Kurt Semler  
To: Microsoft ATR  
Date: 1/24/02 2:13am  
Subject: Microsoft Settlement

I do believe that Microsoft business practices have not been that considerate of the need for competition, however what business does act fairly in competition? Nobody does. any gain is a positive one in the business world. Without the efforts of Microsoft, we would still be using IBM XT's running only 32Kb of RAM. Microsoft is responsible for the technology revolution. Their practices may not be fair, but their products are top of the line.

#### MTC-00020219

From: THXSparrow@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:14am  
Subject: Microsoft Settlement

To Whom It May Concern—

I wanted to express my opinion in hopes that there might be an appreciation for the value that Microsoft has brought to the market and this country, in particular. I have been designing computer software and hardware since 1981, having received a BSEE at that time. My experience is one of a user and a developer. I would like to begin by referring to several benefits, I personally have received through Microsoft crashing of other companies proprietary offerings.

1. Under Bell Labs' thumb, we were required to pay \$70,000 for the Unix operating system. This was just for the OS. From my perspective, Microsoft, by turning the esoteric into the mundane, has repeatedly produced generation after generation of low cost standardized operating systems. Bells Labs didn't do this certainly, but sought to protect their super high margin software. IBM didn't do this, nor did Digital (DEC). Operating system software performs a magnitude more than it did two decades ago, yet, at \$200 to \$300, costs 1/350th of what it did. Conversely, automobile manufacturers during that same time, raised prices from approximately \$3000 to \$30,000, a ten-fold increase.

2. Under Adobe's thumb fonts and typefaces cost in the neighborhood of \$100 to \$200 per font. After Microsoft repeatedly was unable to get Adobe to open the PostScript Type 1 Font encoding, so others could have reasonably priced fonts, Microsoft created a competing standard called TrueType fonts and made this available to the world. Because of this single act, a thousand fonts can be bought today for \$29, rather than \$100,000. Adobe had the opportunity to act and they didn't. They used their power to extract the maximum amount they could from the customer. Microsoft did exactly the opposite—they exposed the fraud, created a counter standard, and gave it to the world. My first set of 25 Microsoft fonts cost me less than \$15 total, at a time when Adobe was still selling the equivalent PostScript fonts for over \$2500.

3. A lot more credit has been given to the one-trick pony designers of Netscape. Keep in mind that Netscape was formed, based on a single product—a Internet browser. This browser had been developed as a college project, as a variant on an existing freeware Mozilla browser. Microsoft was presumed to have had its heyday and to be in decline by investors, who gave Netscape a valuation of over \$13 billion dollars—more than Microsoft, at the time. This occurred in spite of the fact that Netscape had never had a positive cash-flow in its existence as a company and had only generated a gross revenue—if memory serves me correctly—of \$134,000. Clearly, investors did not have a clue what the technology was. Really, it was only a different way of looking at the same data, comparable to using pie charts instead of text to demonstrate data. Microsoft understood that and integrated the browser into the operating system, as they had done previously with TCP LAN communications, modem support, text editors, memory managers, management tools, and so forth. Virtually every company, like Netscape, like Quarterdeck, like Procomm, like Banyan, each had products that began as one-trick ponies that eventually were incorporated into the Windows operating system. Instead of paying \$100 for the browser, \$240 for the modem software, \$99 for the memory manager, or \$695 for the LAN network software, Microsoft gave you all those things for FREE. In the process, they produced standards to which all companies could write software. In each case, they improved and mass produced was originally was a niche product, then they gave it to you for FREE. Like the breaking of Adobe's hammerlock on fonts, Microsoft also broke Oracle's gouging capability, by producing a competitive relational database product, MSSQL, at less than 100th of the cost of Oracle. If anything, Microsoft, by its competitive nature, has benefited the market and the user—and, yes, this has been at the expense of the one-trick wonders. I could go on—Microsoft's ridiculously low pricing of products, their single-handed rescue of the American economy with super-productive computing tools and open standards, and so forth. Almost fifteen years ago, I heard Bill Gates first explain about Microsoft's vision of how diverse applications should be able to share data. We take this as such a trivial thing



today, but this was such a major undertaking when it was first announced—because it had never been done. Today we routinely swap data between word processors, spreadsheets, Web pages, Photo editing packages, etc. without a thought about the complexities involved. It is all so trivial to accomplish, in many ways. But Microsoft created that, AND gave it away. Technology, by technology, they have had a singular vision of where computing should be going and brought us there, every time making it cheaper for us, the users.

When I started in graphics design, over 20 years ago, we routinely sold systems to produce books and newspaper display ads for \$50,000 to \$75,000 per workstation. Today that same workstation with 1000 times the processing speed and software with a magnitude more capability costs less than \$2,000—complete. This could never have happened with Microsoft's unique standard-setting software. We all have benefited by Microsoft's continued innovations and cost-cutting products. The US economy has been in a dizzying spin, since the day that the Microsoft trials began. (Yes, I believe there is a correlation) The volatility will continue until we begin to allow Microsoft to develop the next computing generation's products, without continual legal harassment, for what is arguably a whirlwind of innovation and competitive business strategies. It is critical for the benefit of the United States economy. It is with enlightened self-interest that the US government should come to Microsoft's defense, because they have for the past 2 years been dangerously wounding the goose that lays the golden eggs.

George Horrocks

#### MTC-00020220

From: fud-qgov@usxchange.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:10am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Cardwell  
235 Crescent N.E.  
Grand Rapids, MI 49503

#### MTC-00020221

From: Lawrence Wade  
To: Microsoft ATR  
Date: 1/24/02 2:14am  
Subject: Microsoft Security, Market

Penetration and The Lawsuit [Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

#### MTC-00020221-0001

Hi,

I want to move my network entirely to Linux or FreeBSD. However, I'm discovering problems in doing so. The biggest one of which is that I must maintain compatibility with Microsoft Office users, and I'm therefore forced into the same regime of upgrading Office to support features that no human being will ever use in order to maintain the ability to read their proprietary \*.doc and \*.xls files.

Or to be able to watch streamed media on the Internet, which is more and more in \*.asf format, "advanced streaming format". ASF is a proprietary format, a slightly modified industry-standard AVI file, and will only play on Windows Media Player. Of course, in order to be able to use Office XP and therefore read files from clients, I need to run Windows. But that's easily enough done, I had to pay for Windows (which I promptly deleted) when I bought a new machine on which to run a Linux webserver. In fact, in the past year, I've paid for Windows four times because the various PC manufacturers won't (can't) remove it from bundles, and yet I still need the machines. (I use Windows on exactly \*one\* machine.)

Needless to say, I'm trapped. I am writing this e-mail on a Windows machine.

Bandwidth, in the computer field, is a commodity like electricity or gasoline. I pay for it as I use it. Every time someone visits my Linux webserver, the communication between the visiting machine and my servers consumes bandwidth, and I pay for it. Every time someone e-mails me, their mail server contacts my mail server, and we consume my bandwidth.

Microsoft software is notoriously poorly written, and full of security flaws which allow (literally) children to write things like the Code Red worm. Code Red, you may recall, attacked Microsoft IIS webserver. Now, by the way Windows installs "features" by default, there are literally thousands of people on the Internet right now, running IIS webserver software without even knowing it. Many who run IIS deliberately don't even know that there are known vulnerabilities and self-propagating programs which exploit these Microsoft flaws.

As a result, my webserver gets lots of visits (below) from people whose infected Windows machines are blindly attempting to infect my Linux servers. And, in the process, that costs me bandwidth. Which costs me money.

You can imagine how much it costs me whenever some jackass writes a Windows e-mail virus, a phenomenon which is nearly impossible in any responsibly-designed operating system.

Companies which produce operating systems \*should not\* be allowed to sell software or other services. And file formats (\*.doc, \*.xls, etc.) should be based on standards devised by consortium using the same RFC ("Request For Comments") processes that brought us HTML and FTP and DNS.

What kind of gas mileage would you expect from your car, if the car companies were owned by the oil companies? If Ford was owned by Exxon, could an Explorer run on fuel from Shell?

I'm a staunch Libertarian, but this is too much: Break up Microsoft.

Lawrence Wade

#### MTC-00020222

From: Silas.Humphreys.01@bristol.ac.uk@inetgw

To: Microsoft ATR

Date: 1/24/02 2:14am

Subject: Microsoft Settlement

Although I am not a US citizen, I feel very strongly that Microsoft should not be allowed to continue in their current position, and am writing this e-mail to make that clear. Although Microsoft's products are very widely used (I am using a computer with Windows running on it to type this), the current situation, with Microsoft supplying both OS and applications, is unethical even if not illegal. This market position allows Microsoft to decide, without any consultation, to alter standards, causing other companies/developers to re-write most of their output, causing inconvenience and lack of competition. Also, Microsoft's near-monopoly on computer Operating Systems leads to a falsely inflated consumer confidence in Microsoft, distorting the free market. I realise that this message may have no effect or legal force, but I wished to make my views known. Thankyou for reading.

Silas Humphreys

#### MTC-00020223

From: LINDA-PETER@att.net@inetgw

To: Microsoft ATR

Date: 1/24/02 2:12am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Peter Davis  
10814 W. Catfish Dr.  
Wills Point, TX 75169-5057

#### MTC-00020224

From: Ryan Krueger

To: Microsoft ATR

Date: 1/24/02 2:21am

Subject: Microsoft Settlement

The proposed settlement with Microsoft is not satisfactory and does not take appropriate action against Microsoft. Microsoft must be prevented from the same abuse in the future

in an aggressive and far-reaching manner. A fine will accomplish nothing.

Ryan Krueger  
555 4th Avenue SW  
Hutchinson, MN 55350  
612-554-4502  
Senior Software Engineer  
Marix Technologies

**MTC-00020225**

From: pdestefa@mouse@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:19am  
Subject: Microsoft Settlement  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Dear Renata Hesse,

I am responding to the call for comments on the revised proposed Final Judgment. I respectfully submit that the proposed settlement is inadequate. Please allow me to elaborate on one of the many flaws of this proposal.

One of the core inadequacies of the proposed settlement is the weakness of provisions J.1 and J.2, which provide Microsoft with opportunities to withhold information concerning interoperability from parties with legitimate rights obtain it. This is a serious oversight considering the Findings of Fact, which demonstrate that Microsoft has used interoperability of products as a weapon against it's competitors. This weakness is also particularly egregious because this type of information—referred to as “interoperability data” sometimes—is a major part of what has made personal computing and the Internet such important influences. When this “interoperability data” is published (and overseen by diverse committees or independent organizations) it is called a standard. Standards are essential to the state of computing technology. The Internet could not exist without them. They are a foundation for further competition in computing technology. More importantly, they make possible rapid innovation in surrounding technologies. In view of this error, I strongly urge you to revise the proposed judgment. A settlement that is congruous to the Findings of Fact must not allow the defendant to exert this type of pressure on the computer industry, again. This flaw, and many others, are explained in greater detail at this Universal Resource Locator: <http://www.kegel.com/remedy/> —

Thank you,  
Paul DeStefano  
Portland, Oregon

**MTC-00020226**

From: Arlie Edwards  
To: Microsoft ATR  
Date: 1/24/02 2:21am  
Subject: “Microsoft Settlement”

I am of the opinion that Microsoft has done nothing but taken advantage of the opportunity that this country offers to everyone who wishes to use their ingenuity to better themselves. Microsoft has done nothing but make its products more attractive

and cheaper. They have done a much better job of that than the automobile manufacturers. If you applied the pricing structure to the auto industry that Microsoft has applied to the computer industry, automobiles would be selling for \$2500 a piece. It is time to stop the witch hunt against Microsoft.

Arlie Edwards

**MTC-00020227**

From: Douglas Martinez  
To: Microsoft ATR  
Date: 1/24/02 2:17am  
Subject: MicroSoft Settlement

I am writing this in regards to the Tunny Act public comment period and the proposed antitrust settlement case in which Microsoft was found guilty of abusing it's power as a monopoly.

As a consumer and a American I am profoundly upset with the current proposed settlement which has made it's way to the public. Microsoft was found guilty of abusing it's power as a monopoly and it must be punished accordingly in order to fix the harm which was done to the PC industry and tech sector as a whole. The proposed settlement will only lead to further abuse by Microsoft and in the long run and it will help Microsoft further establish a even greater strangle hold in the OS market. At the same time Microsoft will more then likely continue to do all it can to stifle competition because it feels that it has the power and means to do so despite the guilty verdict which was handed down by the courts. If government were to seek a solution like making Microsoft to the likes of forcing Microsoft to open it's file formats or if they were to only allow them ( Microsoft ) to use open file formats in their applications I feel this would greatly help fix the damage done by Microsoft to the technology industry along with a few other well thought out measures. All of which when combined together will hopefully open Microsoft up so they would have to really compete on the merits of their products instead of the weight they push around in this industry. Which of course it has used maliciously to intimidate, lie, cheat, and steal all in order so they can maintain their bloated monopoly.

Monopolies like Microsoft only hurt our economy by denying consumers the right to choose and by victimizing/blackmailing OEM and Hardware Vendors and the many Software companies waiting in the wings who wish to offer a alternatives to Microsoft products. All of whom are afraid to so because they fear being bullied by Microsoft because of the power which it wields in the PC world. Let us not forget that whatever Microsoft can't steal ( example : Sun's JAVA, ) it will try to destroy ( Netscape, Lotus, Corel Word Perfect, Corel Linux, and many more software applications and companies ) by using it's control of the OS market to push a Microsoft only solution. I hope that our government would please rethink the propose settlement so that the consumers and our government will not be held hostage by Microsoft and it's dominance in the OS market which it unjustly gained control of through the use of illegal and abusive means as a monopoly.

Sincerely,

Douglas G. Martinez ( A Consumer, A Capitalist and Proud American.)

**MTC-00020228**

From: zapa1a  
To: Microsoft ATR  
Date: 1/24/02 2:18am  
Subject: Why MS Needs To Be Punished

I am a computer programmer and used to be a PC support technician. I support harsh penalties against Microsoft (MS) because of direct experience I've had using their and competitors software. During my work at the Franchise Tax Board/State of California I installed Novell networking client software on Windows NT 4.0 workstations. When you wanted to install TCP/IP and IPX/SPX networking software on the work station, the Microsoft operating system required you to install their version first before you could install Novell's. It seems to me that something was left off the operating system that sabotaged competing software if it was installed directly. Recently, another technician friend installed MS-Office on his new Macintosh. The next thing you know, his Netscape browser was giving error messages and his Works software went dead. This friend is a longtime Mac user and support person and something adversely happened when MS-Office was installed. The fact of the matter is that this type of sabotage of competing software is not surprising when it involves MS software. My friend has now banned MS from his machine. While working at the Franchise Tax Board, I observed management rigging software evaluations in favor of MS. I since have come to learn that this type of favoritism of certain vendors is common among state agencies and certainly does not apply only to MS. I have read how MS is now “lobbying” properly in Washington DC and it looks like they will get the justice they have paid for. Having been raised by a law enforcement officer, it is a shame to see law enforcement personnel having to walk away from a crime. It seems that justice is being denied by the people who are supposed to enforce it. Good luck to you in your fight against crime. It appears that white collar crime is at an all time high so hopefully that means an opportunity to you and your agency.

Here's Hoping.

Ron Deluce

**MTC-00020229**

From: Eddie EDF. Ferrell  
To: Microsoft ATR  
Date: 1/24/02 2:17am  
Subject: Microsoft Settlement

I would like to voice my opinion of the Microsoft settlement. the company has a blatant disregard for fair business practices and must be stopped before it is too late. they have demonstrated time and time again that they practice anti-competitive strategy to keep the other companies in their field at a disadvantage. would you let one company have control over 90% of the gasoline in America and then manufacture cars as well? .....then they could also tell consumers that if you don't buy our cars and our gas, you car probably wont work as well because we have engineered the fuel to get 100 miles to the gallon in our cars, but 15 miles to the

gallon in other companies' vehicles? .....or better yet, maybe the fuel wont work in their product at all. what do you think would happen? that is exactly what Microsoft is doing to the computer industry. please restore some order and good faith to the technology sector.

thank you, Eddie "F" Ferrell  
Untouchables Entertainment Group, Inc.  
Tel: 201 767 6924 ext. 1  
Fax: 201 784 3879

**MTC-00020230**

From: Nikhil Kothari  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/23/02 10:39pm  
Subject: Microsoft Settlement  
Nikhil Kothari  
591 239th Ave SE  
Sammamish, WA 98074  
January 23, 2002  
Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Sincerely,  
Nikhil

**MTC-00020231**

From: ROD DICKISON  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/23/02 11:54pm  
Subject: Microsoft Settlement  
ROD DICKISON  
10833 3RD. S.W.  
SEATTLE, WA 98146  
January 23, 2002  
Microsoft Settlement U.S. Department of Justice,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition

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Thank you for this opportunity to share my views.

Sincerely,  
ROD DICKISON

**MTC-00020232**

From: dmettler@lightspeed.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:18am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
DONAL O. METTLER, Sr.  
5941 EAST TEXAS STREET  
BAKERSFIELD, CA 93307-2353

**MTC-00020233**

From: Frank Rytell  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 12:10am  
Subject: Microsoft Settlement  
Frank Rytell  
6867 Golfcrest Dr Apt 60  
San Diego, CA 92119  
January 24, 2002

Microsoft Settlement U.S. Department of Justice,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the

wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Sincerely,  
Frank Rytell

**MTC-00020234**

From: Steven Lobbezoo  
To: Microsoft ATR  
Date: 1/24/02 2:21am  
Subject: Microsoft Settlement  
Sirs,

I cannot imagine that you really have something to say in this matter. Each and every decent person would allways stop this machiavellian behaviour if he/she had the power and was really working for common interest.

Since i must presume you obviously are doing the last, there must be something wrong with the first. Now, that will not wonder anybody if you take into account what kind of fascistic country the USA is fast becoming.

Glad, i don't live there.  
Yours truly,  
Steven Lobbezoo

**MTC-00020235**

From: Moe Khosrav  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 1:56am  
Subject: Microsoft Settlement  
Moe Khosrav  
NA  
Saint Paul, MN 55101  
January 24, 2002  
Microsoft Settlement U.S. Department of

Justice,  
Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry.

It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into

the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Sincerely,  
Moe Khosravy

**MTC-00020236**

From: Andy Allred  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 12:34am  
Subject: Microsoft Settlement  
Andy Allred

415 newport way  
Seattle, wa 98072  
January 24, 2002

Microsoft Settlement U.S. Department of Justice,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,  
Andy Allred

**MTC-00020237**

From: rharper@galaxynet.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 2:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,

Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robin Harper  
1257 Highland Drive  
Oak Harbor, WA 98277-8004

**MTC-00020238**

From: Marlene Carrico  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 1:22am  
Subject: Microsoft Settlement  
Marlene Carrico

42 Rill Brook Road  
Griswold, CT 06351-3313  
January 24, 2002

Microsoft Settlement U.S. Department of Justice,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,  
Marlene L. Carrico

**MTC-00020239**

From: MJ King  
To: Microsoft ATR  
Date: 1/24/02 3:05am  
Subject: Microsoft Settlement

I am opposed to the proposed Microsoft Anti Trust Settlement. It is far too lenient on Microsoft. Bill Gates and Microsoft have stolen money from nearly every household in America. Bill Gates has practiced predatory business practices while failing to support the user, while failing to produce a secure

operating system, while failing to insure the end user can maintain the back up integrity of their data from upgrade to upgrade.

Bill Gates on one hand has used the lack of regulation and enforcement to his advantage, while on the other hand selling an inherently flawed product and then hiding behind licensing laws that deny the user any protection from buggy, leaky, and generally badly written application and operating software. I believe Microsoft should be broken 4 companies. (1) Consumer operating systems, (2) Internet applications, (3) Application software such as business suites, (4) Network operating systems.

Sincerely  
MJ King  
Big Bear City, CA 92314

**MTC-00020240**

From: happyrockharlan@home.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 2:20am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Harlan Muth  
223 8th Ave  
Marion, IA 52302

**MTC-00020241**

From: Dustin Heywood  
To: Microsoft ATR  
Date: 1/24/02 2:23am  
Subject: Microsoft Settlement

The microsoft settlement is a joke, unless their software is made open source and the beast pays for its crimes there is no justice here. Bill gates and his entire board should be shot and replaced with trained monkeys who could do a better job at following the law than they ever could. WPA should also be forced offline by a court order.

**MTC-00020242**

From: Greg Buhtz  
To: Microsoft ATR  
Date: 1/24/02 2:26am  
Subject: Microsoft Settlement  
To: U.S. Department of Justice  
Re: Microsoft Settlement

The Proposed Final Judgement is seriously flawed and should not be accepted as written.

As long as any judgement permits Microsoft to maintain its monopoly in the PC Operating System (OS) market, Microsoft must be enjoined to treat all OEMs alike, IAPs (Internet Access Providers) alike, and ISVs alike so it does not artificially upset competition in non-PC OS markets in which it does not offer a competing product.

The Judgement treats Microsoft partners and competitors unfairly by singling out "the 20 largest".

In markets in which it does offer a competing product, it must expose to competitors all OS APIs which it takes advantage of in its own products. This requires a definition of what comprises an OS API. I suggest that any program that is bundled with a Microsoft OS as part of a single salable unit or which is required to make the OS functionally complete for its intended purpose, which exposes an interface which can be programmatically accessed (e.g. COM typelibrary, scripting interface, or command-line interface), is an OS API.

The Judgement permits Microsoft to define what is, and is not, part of the OS. Since it is possible to incompletely document APIs, if a Microsoft product ships (becomes available for use by non-Microsoft employees) which uses an undocumented feature of an API, the source code for that specific API must be made publicly available on the Web to: 1. make up for the deficiency in documentation, and 2. remove any inequity between ISVs receiving the information before others. To determine if a Microsoft product uses an undocumented API, the U.S. Government must retain the right to reverse engineer Microsoft properties, and be required to do so whenever a competitor requests.

The Judgement permits Microsoft to continue to take advantage of its monopoly power in the most fundamental ways. There needs to be a concrete definition of when Microsoft ceases to have a monopoly in the PC OS market so that these special requirements can be abandoned. This will encourage Microsoft to permit competition. A minimum requirement is that there appear in the market competing platforms that support a minimum set of functions which do not rely on Microsoft products or services. The functions which are required by the consumer market today are, at a minimum: email, web-browsing (including animation, audio, and video data types), written document authoring, file transfer, spreadsheet functions, action video games, and non-technical maintenance. Linux is getting close, but lacks consumer market momentum. The Judgement lacks a termination clause that is strongly linked to the definition of Microsoft's monopoly power. I'd like to comment on the harm Microsoft has brought to consumers by its anti-competitive actions. We lack security because Microsoft has ignored basic mechanisms introduced in competing technologies (e.g. Java's sandbox security model and provably secure programming languages). We lack choice from highly componentized OS architectures. We lack integration because of proprietary file formats, APIs, and communication protocols.

Since the PC has become a required utility for the American industry and citizenry, and Microsoft has established itself as the gatekeeper for the quality of access to this utility, Microsoft must be constrained to manage that utility in the best interests of the public.

I want Microsoft to be able to profit from its innovation, but not at the loss of innovations which are undermined, not because they are technically inferior, but because they were not Microsoft's.

Yours,  
Gregory S. Buhtz  
(408) 732-0624  
gbuhtz@acm.org

**MTC-00020243**

From: steven.ferguson@transport.alstom.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:28am  
Subject: I am not anti-microsoft as I use there products. But the matter of fact is,

I am not anti-microsoft as I use there products. But the matter of fact is, what they done regarding the browser wars with netscape was terrible to say the least. Myself and many people that I speak to say the same thing, but because it is Microsoft they will get off lightly as usual, or as the saying goes "money talks"

**MTC-00020244**

From: Robert Hencke  
To: Microsoft ATR  
Date: 1/24/02 2:24am  
Subject: Microsoft Settlement  
I am against the proposed Microsoft settlement. As a student in computer science, I take this issue very personally. Microsoft has used its monopoly in the OS market to crush any competing operating systems (e.g. Be (maker of BeOS, a pretty slick OS) was working on agreements with several computer companies to distribute the BeOS along with their computers, but Microsoft used its monopoly to threaten computer manufacturers into not including BeOS. In the end, only one company included BeOS with their PC, and even then it was hidden from the user, most never knew about it. The proposed settlement does not seem to address this issue.

Also, many open source projects (e.g. Samba and WINE) would be threatened by the proposed settlement. Samba is vital for many non-Windows computers to share files on a Windows network (Apple uses Samba in Mac OS X). Section III(J)(2) would give Microsoft the right to effectively kill these products.

This is one of many problems I can find with the proposed settlement. Microsoft has used its presence to bully, shut down and injure many companies and projects. This settlement does not address Microsoft's previous actions, nor does it prevent them from making similar ones in the future. This is an extremely critical decision, one that will have a very strong and lasting impact on the technology industry. I strongly urge you to reconsider your proposal.

Sincerely,  
Robert Hencke  
Box 292 / 100 Institute Rd.

Worcester, MA 01609  
(508) 341-0674

**MTC-00020245**

From: root  
To: Microsoft ATR  
Date: 1/24/02 2:24am  
Subject: Microsoft Settlement

I think that the proposed settlement is a bad idea and does not effectively address consumer interests. Microsoft has not played fair and will not have any incentive to play fair unless firm and strong actions are taken. In my opinion, if Microsoft is not broken into at least three pieces, the industry will continue to stagnate.

Sincerely,  
David M. Karakas

**MTC-00020246**

From: Doug Meyer  
To: Microsoft ATR  
Date: 1/24/02 2:24am  
Subject: Microsoft Settlement

Please show Microsoft that their restraint of trade and monopolistic activities in regards to at least Netscape will be punished financially. Also restrain them from such activities in the future through appropriate rules and legislation. Thank you.

Douglas Meyer

**MTC-00020247**

From: cwf33@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Charles W. Foster  
25652 Dodds Road  
Escalon, CA 95320-9580

**MTC-00020248**

From: dalet@papadocs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dale T. Hedberg  
P.O. Box 368  
Breese, IL 62230

**MTC-00020249**

From: Paul Komarek  
To: Microsoft ATR  
Date: 1/24/02 2:30am  
Subject: Microsoft Settlement

To whom it may concern,

I am a doctoral student in Algorithms, Combinatorics, and Optimization at Carnegie Mellon University. My research involves the fields of artificial intelligence and signal processing. I am professionally and personally tied to the information technology economy as a researcher, administrator, purchasing assistant, and as an ordinary computer user. For this reason I have kept close watch on the most recent Department of Justice v. Microsoft antitrust trial. I have read transcripts from the depositions and trial, numerous court reporters' views, and many related antitrust and computer decisions. In every way reasonable, I have attempted to familiarize myself with the applicable laws, economies, and social structures that surround this and other information technology cases. I do not claim to be a legal expert; however, I am a citizen of this country, a member of this society, and as such appreciate this opportunity to make my views on the proposed settlement known. Two courts have already stated their legal opinions. Both determined that Microsoft is a monopolist in the relevant economies. Both ruled that Microsoft has illegally abused their monopoly position. Furthermore, this isn't the first time that Microsoft's behavior in certain computer markets has been called into question by the Department of Justice. Because the readers of this letter should already be familiar with this background, there is no need for me to recall details. Instead, I wish to summarize my feelings about Microsoft's position in our society, and why I do not believe the proposed settlement will prevent illegal and unacceptable social behavior by Microsoft.

The fundamental purpose of our capitalistic economy is to create efficient markets which serve the needs of the society. The preferred mechanism for creating efficient markets is fair competition. Microsoft's past and present behavior suggest that they have no interest in fair, or even legal, competition. They have been convicted of stealing another company's software (e.g.

Stac Corporation); they have attempted to circumvent law with respect to fair employment practices regarding temporary workers; they have been convicted of violating Java license agreements with Sun Corporation with the intent to destroy the benefits to our society that a platform-neutral programming language might bring; they have purposefully deceived customers with respect to interoperability of their software with competitors' software (e.g. the fake errors reported by Windows 3.0 when run on Digital Research's DR-DOS operating system, as documented by the pre-trial documents in Caldera v. Microsoft); they knowingly and purposefully falsified evidence during the recent Department of Justice v. Microsoft hearings; they have publicly disparaged United States courts, and refuse to accept the guilty verdict received by the lower and appellate courts; they continue to use their monopoly in the operating system market to drive other Microsoft products (e.g. the new Windows Media Player). Clearly I am leaving out many details and further transgressions of the law and appropriate social behavior by Microsoft. My point is that Microsoft is an unsportsmanlike cheater in our economy, has shown and continues to show no interest in reforming their behavior. Microsoft's failure to admit or even accept the courts' guilty verdicts suggests that a strong sentence, or settlement if possible, is needed to end Microsoft's antisocial behavior. It is clear that the proposed settlement is an attempt to bring quick, strong remedy to the ailing markets Microsoft has stifled. However, the proposed settlement is far too complex, with too many exceptions to too many rules, to be enforceable without many long and expensive legal battles in the future. Of particular importance are provisions relating to which programming interfaces do not need to be disclosed. Quoting from the proposed settlement,

"No provision of this Final Judgment shall: 1. Require Microsoft to document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria;" and these programming interfaces may be withheld from any part failing to "meet[] reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, (d) agree[] to submit, at its own expense, any computer program using such APIs, Documentation or Communication Protocols to third-party verification, approved by Microsoft, to test for and ensure verification and compliance with Microsoft specifications for use of the API or interface."

(these sections of the proposed settlement are quoted from an article in an online information technology news service). It is clearly, plainly stupid to allow Microsoft to establish security standards which apply only to products released by their competitors. Not only is this unfair in the

best traditions of Microsoft, but there is no indication that Microsoft is qualified to establish reasonable security standards. Furthermore, this wording can easily be construed as allowing Microsoft to withhold programming interfaces from individuals whose work is not associated with a business. This should not be ignored at this time when the viability of volunteer-driven software projects is being tested in our society. Though easily overlooked, charitable works by computer hobbyists have an important role in our society, and a significant impact on our economy. For instance the Apache webserver software, which currently dominates the web server market, is not owned or controlled by a business. However, it competes directly with Microsoft's commercial Internet Information Server webserver software. It does not require stretching one's imagination to see that Microsoft could use the exceptions above to disadvantage the freely available and redistributable Apache webserver software. Microsoft would only need to identify a programming interface as being related to financial transactions of any sort to invoke the security exemption, and could then deny information about their programming interfaces to the volunteer programmers participating in the development and maintenance of the Apache webserver software.

The proposed settlement is of such complexity that any enforcement will be thwarted by arguments about every fine point. I have already established that Microsoft has repeatedly disregarded the best interests of our society when making their business decisions. It is my belief that Microsoft will use the proposed settlement as a legal defense for future antisocial behavior, by manipulating technical and legal interpretations in a manner that violates the spirit of the proposed settlement. Furthermore, I do not believe that the proposed settlement adequately anticipates this behavior and provides appropriate enforcement provisions. I am not proposing any specific changes to the proposed settlement, as I believe the entire construction is flawed.

That the Department of Justice has agreed to this proposed settlement deeply worries me. In my eyes, it appears that the Department of Justice has grown tired of prosecuting their case, perhaps for political reasons. Therefore, I encourage our government and country to pursue a sentence for Microsoft which is created through thorough, and above all, open proceedings guided by Judge Kollar-Kotelly. I believe that this is our only hope for a sentence which adequately addresses Microsoft's illegal and antisocial behavior.

Sincerely,  
Paul Komarek

**MTC-00020250**

From: Micah Groppo  
To: Microsoft ATR  
Date: 1/24/02 2:28am  
Subject: Microsoft Settlement  
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the

current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Micah Groppo

**MTC-00020251**

From: GAmoore@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:27am  
Subject: Microsoft Settlement

I am AGAINST the proposed settlement with Microsoft. Microsoft has wreaked terribly havoc on the entire personal computer industry, and anything but a strong remedy will only allow more damage to be done, and the existing damage to continue unpunished.

I am concerned about Microsoft sales to schools in general. I'm concerned about the many actions Microsoft has taken to create a monopoly on operating systems. I am concerned about Microsoft being both a competitor and a developer for Apple.

Here is one example. I am a college teacher, and I just got a brochure to buy Microsoft Office for a total of \$44. However, I would prefer to use Wordperfect and Adobe Persuasion—both products which have been discontinued, because competing products from Microsoft are included with MS Office (Word and Powerpoint). Microsoft has killed off all the competition.

Greg Moore  
Huntington Beach CA

**MTC-00020252**

From: Christopher J Grace  
To: Microsoft ATR  
Date: 1/24/02 2:27am  
Subject: Microsoft Settlement

To The Department of Justice,

I have looked up to Microsoft for a long time. I see the measure of their wealth as the measure of the value they have created. I am grateful to them every day I enjoy using their products. I respect the immensity of the task of creating what they have. It feels good to

look up to them. I like to know that there are strong people using their abilities to make life better. Seeing them persecuted in court has been sickening. If they were forcing people to buy their products at the point of a gun, or threatening competitors with acts of terrorism, that would be one thing, but the only wrong I hear them accused of is using their position in the marketplace to their best advantage. Windows did not become dominant because of force. Microsoft, nor the Government, stifled competition. It became dominant because the vast majority of people considered it the best solution. To see such success met with such hostility makes me wonder what kind of world I'm living in, and how high I care to aspire. Am I in favor of the settlement? They don't belong in a courtroom at all. They belong on a pedestal.

Sincerely,  
Christopher J Grace  
1229 S Troy St  
Aurora, CO 80012  
303-750-1000

**MTC-00020253**

From: Christian Brandl  
To: Microsoft ATR  
Date: 1/24/02 8:30am  
Subject: Microsoft Settlement  
IDON'T AGREE

Ing. Christian Brandl  
Salvagnini Maschinenbau GmbH  
Abt. Software  
Industriezone West—Strasse  
5 A-4482 Ennsdorf  
Tel.: +43 7223 885 760  
Fax.: +43 7223 885 199

**MTC-00020254**

From: Lim Swee Tat  
To: Microsoft ATR  
Date: 1/24/02 2:28am  
Subject: Microsoft Settlement

The settlement sucks. I'm amazed Microsoft is just let of the hook for the amount of damage they have done to innovation.

Ciao  
ST Lim

**MTC-00020255**

From: Karol Jamison  
To: Microsoft ATR  
Date: 1/24/02 2:48pm  
Subject: Accept the Settlement!  
January 23, 2002  
Attorney General John Ashcroft  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing today to urge you and the Department of Justice to accept the Microsoft antitrust settlement, which I have never believed to be in the consumer's best interest to begin with. My personal experience with computers has only been possible because of Microsoft's and other's work to integrate technology into a single package. If I had had to assemble my first computer from components and drivers I would still be in the dark ages. I have always thought that this lawsuit stemmed more from vindictiveness or jealousy than real concern for what's best for the consumer. I won't even mention the devastating effects on the technology

industry or the economy as a whole. (Although I agree with the many people that blame this lawsuit for starting the recession)

Microsoft has agreed to a wide range of concessions in order to put the issue behind them. The agreement is fair; the only thing left is for the government to accept its own settlement.

During the negotiations, Microsoft agreed to a wide range of restrictions. They agreed to allow computer makers the flexibility to install and promote any software that they see fit. They also agreed not to enter into any agreement obligating any third party to distribute or promote any Windows technology exclusively or in a fixed percentage. Microsoft also agreed to terms that extended well beyond the problems that actually at issue in the suit.

Microsoft has given up a lot in order to put the issue beyond them. They have made an agreement and are ready to move on. All that is needed is for the government to accept their own agreement. Please accept the Microsoft antitrust settlement.

Sincerely,  
KarolAnn S. Jamison  
403 154th Avenue NE  
Bellevue, WA 98007  
425-649-9292

**MTC-00020256**

From: Brent Tucker  
To: Microsoft ATR  
Date: 1/24/02 2:31am  
Subject: Microsoft Settlement

I think the Microsoft settlement is acceptable as written. Let's not drag the process out any longer than necessary by forcing another series of revisions to an already pointless remedy.

Brent Tucker

**MTC-00020257**

From: Elliot Temple  
To: Microsoft ATR  
Date: 1/24/02 2:31am  
Subject: Microsoft Settlement

i think the proposed settlements are a bad idea

Elliot Temple

**MTC-00020258**

From: HndHvrWolf@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:32am  
Subject: Microsoft Settlement

To whom it may concern:

My name is Aaron Henderson. I am deeply concerned about the upcoming settlement of the Microsoft anti-trust case. I have so much to say about this case that I could not fit it all into a single letter. But there are at least three arguments to be made against the government's case, the practicality of anti-trust and the morality of punishing the able. First, the government claims that Microsoft was engaging in anti-competitive business practices. Exactly what concept of competition do the government and the anti-trust laws hold? As far as I know, when there is a competition, there are winners and there are losers. When Microsoft began bundling Internet Explorer, Netscape had the vast majority of the market. Microsoft turned the situation around without resorting to government intervention. Microsoft was



winning, honestly; consequently their competitors (who were losing because they were unable to compete) are now asking the government to stop Microsoft lest they actually win. This is the equivalent of a golf player, unable to compete with Tiger Woods, who asks someone to break Woods's legs, lest Woods win. Remember, it was the competitors who brought the suit, not the consumers whom they claim to want to protect. Curious, is it not, how their selfless protection of us conveniently removes their greatest competitor?

???But what if they win???? cry our would-be protectors. Well, that means we consumers have received what we wanted. We have voted, with our dollars, to support Microsoft, not their competitors. If the goal of the government is to protect the consumers, should they not be on Microsoft's side? After all, they are the ones who have responded best to the consumer. The less competent losers (henceforward the losers???) in this competition should not be foisted on an unwilling public because they are less competent. What kind of a world would that be? A world where competition is ruled by the less able is a world where people would compete to see who could do the shoddiest job, where the winner of such a contest is the biggest, laziest slacker, whose reward is money extorted at the point of a gun from those who committed the unspeakable crime of being good at what they do. How dare they! How is a law that creates this situation practical?

This leads me to my last, most important point. How is a law that creates the above situation moral? If morality is the sanction of life and a measure of someone's fitness to exist, what sort of life is the one described above? What sort of person would desire to live by the effort they did not exert? If no one else will say it, I will. It is only the unfit, the unsanctified, in short, the immoral who choose to live on what they have not chosen to do. The losers are now asking to be compensated for their lack of ability. It is immoral. To reward failure is immoral and impractical; it violates the rights of consumers and the able, honest producers. Do not, I beg all who have power in this case, do not punish Microsoft. Ability is neither a vice nor a burden.

Sincerely,  
Aaron Henderson.  
Email:Hoverwolf1@go.com

#### MTC-00020259

From: blc24@email.byu.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:36am  
Subject: Microsoft Settlement

Just want to let you know that everyone who played a part in letting Microsoft off scot-free after it was proven that they broke the law, is losing my vote.

Ben  
University Student  
Currently losing faith in the American legal system

#### MTC-00020260

From: coallb@yahoo.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 2:30am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lori Buvinghausen  
590 Armenta  
Santa Fe, NM 87505

#### MTC-00020261

From: jvsaboe@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:33am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jon Saboe  
3506 Grantley Road  
Baltimore, MD 21215-7340

#### MTC-00020262

From: ejayers@pc-intouch.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Edward J. Ayers  
2405 Queenaire Ln.  
Modesto, CA 95350-1939

#### MTC-00020263

From: donnorman  
To: Microsoft ATR  
Date: 1/24/02 2:33am  
Subject: Microsoft suit

Stop the idiotic witchhunt. Let the socialists at AOL, Sun, Oracle etc earn their money the old fashioned way. Earn it, don't try to steal with the help of the government. The state AG's are a bunch of fools.

#### MTC-00020264

From: celarson@silverlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:30am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Cecilia E. Larson  
3201 Pine Rd NE #247  
Bremerton, WA 98310-2189

#### MTC-00020265

From: Thinker  
To: Microsoft ATR  
Date: 1/24/02 2:34am  
Subject: Microsoft Settlement

You asked for commentary, this is mine.. I feel that the Microsoft settlement should include in it a provision that would prevent them from having Windows automatically associate file types with their own applications upon any number of unrelated events.

Having this be the "default" behavior gives them an opportunity to have their software essentially (for many users) "remove" competing products. . making them unusable..

Ideally, Windows should also be a stripped down form with no built-in hooks to web browsers.. They use this to launch IE against people's will, and using Captive-X or other built-in hooks most people don't know about, upload. .essentially exchange privacy-compromising information with their own servers. . This is wrong.

Netscape and Internet Exploiter as well as others should be treated equally and mime types/file associations should be controllable by an external application.

Also they should be prevented from installing what is essentially spy-ware in their software as they seem to be doing now. Barely a week goes by without news of another backdoor that they have built into Windows. Of course they claim that these "Trojan horses" are bugs. But given the fact that the proffered "fixes" often don't fix the holes they purport to repair, and the number..(there have been so many it cannot be simple incompetence.) I think that it's clear that they have criminal intent. They should be prosecuted under the anti-hacking laws for breaking into people's systems.

Thank you, and "good luck",  
Sheldon Pannisi

#### MTC-00020266

From: kjelle@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:34am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Elle  
10428 Longwood Drive  
Las Vegas, NV 89134-5157

#### MTC-00020267

From: hoehand2@mail.ev1.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Jerry Obrian  
903 e. 12 th .st.  
SWEETWATER, TX 79556-2534

#### MTC-00020268

From: kensnowelk@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kenneth E. K. Hodges  
19875 Park Drive  
Saratoga, CA 95070-6445

#### MTC-00020269

From: Thompson, Alan  
To: Microsoft ATR  
Date: 1/24/02 2:37am  
Subject: Microsoft Settlement

How DARE you sell out to Microsoft! The department of justice is supposed to protect the public from companies that illegally maintain and exploit a monopoly. Dump the weak proposed settlement and do something worthwhile with my tax dollars; put some real force into the sanctions against Microsoft. If the appeals court won't go for a break-up, at least force Microsoft to open-source their OS code and provide truly secure products. They have a "gun" to their head and the DOJ has loaded it with blanks!

Alan Thompson

#### MTC-00020270

From: Stephen Nicholson  
To: Microsoft ATR  
Date: 1/24/02 2:31am  
Subject: Microsoft Settlement

I don't know if I as a UK citizen am allowed to comment on the Microsoft Settlement but I shall give it a try and hope to be heard. To be short and simple I say "no". The proposed settlement does not go far enough in my opinion. Harsher penalties should be sought.

Stephen Nicholson  
Technician Manager

#### MTC-00020271

From: dundertwo@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:40am  
Subject: The Suit against Microsoft

Please drop the suit against Microsoft and let them get on with their business, which is serving its customers the best they can. I've never understood why government can't stand to see any company be successful. Of course, the business of government is to prevent force and fraud, but Microsoft was not involved in "force or fraud", apparently. The government attempt to level the playing field inhibits good businesses from doing what they do best: serve the customers. The market will do the right thing if government will get out of the way and quit meddling in the affairs of the market.

If force (the gun) or fraud (as in Enron) occurs, then let the government bring Microsoft to justice and incarcerate the criminals involved. I don't see Microsoft as a proper target for the DOJ and you've been at this too long. Give it up.

Regards,  
Robert D. Sharp  
9006 Patrick Ave.  
Arleta, CA 91331

#### MTC-00020272

From: Robert Dalton  
To: Microsoft ATR  
Date: 1/24/02 2:45am  
Subject: MS proposal

To whom it may concern,

The settlement proposed in the case against Microsoft (MS) will \*not\* resolve the problems that prompted the case. This case was not about saving Sun Microsystems and Netscape from the abuses of MS. These two companies have both in their own way tried to do what MS has in abusing its monopoly position in the market. Netscape was well on its way to destroying all other web browsers when MS came along and did the same to them, so I have ZERO sympathy for Netscape. Sun's efforts to control Java while trying to make it a "standard" are contradictory at best.

The problem that needs to be addressed in the MS antitrust settlement is "how do we make the market more competitive?". Breaking up MS won't work because you'll have 2+ "baby Bills" out there pulling the same shenanigans. The antitrust suit against IBM was dropped (for good reason), because IBM had reformed its practices enough to make the case irrelevant. MS has proven time and again they have zero respect for the "rule of law", and figure they can get away with anything through delay tactics, fake "grassroots" campaigns, PR, and huge campaign donations.

The current MS "abuse of monopoly" is no longer a Windows problem, but is an OFFICE

problem. The Office Suite product line is the MS cash cow, and MS used Windows to create its Office monopoly. MS has control of the desktop OS market, and only time can erode their commanding market share there.

The key to getting MS to behave is force them to make MS-Office run on at minimum 3 other Operating Systems with the same exact functionality as the Windows version for 10 years. Next they must also be forced to stop giving discounts on Windows to OEMs that "play ball" by not promoting non-MS products.

If MS wants to make a donation to the schools as part of any settlement, then it should be "hardware only" for any monetary value. If they also want to donate the software, then it must be completely free and include unlimited usage licenses. This will allow schools to decide if they want MS products for free or Open Source products at the same price.

**MTC-00020273**

From: Thomas B. Cox  
To: Microsoft ATR  
Date: 1/24/02 2:42am  
Subject: Microsoft Settlement

I completely oppose the Proposed Final Judgment tentatively agreed on 06-Nov-2001 between DoJ and Microsoft.

The Proposed Final Judgment has a multitude of weak definitions, leaves several holes where Microsoft's anti-competitive conduct is not regulated, and provides insufficient protections to ISVs who wish to use Microsoft APIs.

I demand that DoJ reject this Proposed Final Judgment and rewrite it in much stronger terms. The comments at Slashdot are a good starting point for this.

Thank you for your time.

Thomas B. Cox

"Saepe in errore sed numquam in dubito"  
tbcox23@yahoo.com <http://www.geocities.com/tbcox23/> "The whole aim of practical politics is to keep the populace alarmed (and hence clamorous to be led to safety) by menacing it with an endless series of hobgoblins, all of them imaginary." —H.L. Mencken

**MTC-00020274**

From: laurent.catinaud(a)worldonline.fr  
To: Microsoft ATR  
Date: 1/24/02 2:45am  
Subject: Microsoft Settlement  
I don't agree  
Laurent Catinaud

**MTC-00020275**

From: HoustonAndBarb  
To: Microsoft ATR  
Date: 1/24/02 2:43am  
Subject: Microsoft Settlement Microsoft was found guilty.

There is nothing in the settlement that looks even remotely punitive. How can this be justice?

Houston Brennan.  
Portland, Oregon.

**MTC-00020276**

From: Kevin Macken  
To: Microsoft ATR  
Date: 1/24/02 2:43am  
Subject: Microsoft Settlement

Dear Sirs

AM extremely disappointed with the provisions of the Microsoft settlement as disclosed in the press. I believe the 9 states who have chosen to pursue Microsoft on their own have a better settlement in mind for the public. Please adopt their stance on this issue.

Personally, I believe the break up of "Office" from the "OS" is the only way to assure competition. Otherwise Microsoft will continue to "embrace and extend" other standards so that we will never have a choice except Microsoft's products.

Please re-introduce competition to the computer market place by supporting the 9 states or breaking up Microsoft.

Sincerely,

Kevin Macken  
Litchfield Park, Arizona

**MTC-00020277**

From: grammshart@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:41am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Grace Alvarez  
P.O. Box 1914  
Twain Harte, CA 95383-1914

**MTC-00020278**

From: Silver, Russell P. JR ( COMMO )  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 2:41am  
Subject: Microsoft Settlement

To whomever, Your recently sell-out to Microsoft in the form of your so called settlement DOES NOT correct nor punish Microsoft. It is worded in such a way to allow MS to continue to behave as it has and continue to reap the benefits. Your settlement caves on all the important areas. Ms will continue to use its influence to bundle more and more into the OS until third party applications aren't needed. Impose REAL regulations on MS. Require them to follow the law—AND don't let them benefit from their past misconduct. In the 90's they used IE to destroy Netscape for control of the Web, they rewrote Java so it would only work on their products. As it stands now, you might as well sit as MS's table because your "settlement" is nothing more than MS's wishlist.

Russell Silver

**MTC-00020279**

From: Alex Johnson  
To: Microsoft ATR  
Date: 1/24/02 2:45am  
Subject: Microsoft Settlement

Dear sir:

I'd like to take his opportunity to comment one of the inadequacies I see in the Proposed Settlement of the Microsoft Case.

Specifically, the Proposed Final Judgment (PFJ) appears to attempt erode the Applications Barrier to Entry in two ways:

1. By forbidding retaliation against OEMs, ISVs, and IHVs who support or develop alternatives to Windows.

2. By taking various measures to ensure that Windows allows the use of non-Microsoft middleware. It omits, however, perhaps the most effective method available to eliminate the Applications Barrier to Entry: making sure that Microsoft raises no artificial barriers to non-Microsoft operating systems which implement the APIs needed to run application programs written for Windows. In fact, Paragraph 52 of the Findings of Fact considers just this possibility. As the owner of an information systems consulting business, I find myself no alternative but to recommend Microsoft operating systems to my clients who must use software written to the Microsoft APIs. Requiring Microsoft to publish these APIs would make it possible for developers of other operating systems to allow the running of these applications. This would provide valid and healthy competition as an alternative to the current Microsoft monopoly.

This letter highlights just one of the many problems I see within the PFJ. I hope that the U.S. Department of Justice will take proactive measures to correct the inadequacies as highlighted by this and other correspondence received during this public comment period.

Thank you-

Alexander M. Johnson, P.E.  
Arete Systems  
242 De Laveaga Park Drive  
Santa Cruz, CA 95065  
phone: 831.420.0772  
fax: 831.420.0838  
e-mail: alex@aretessystems.com  
[www.aretessystems.com](http://www.aretessystems.com)

**MTC-00020280**

From: moosecountry133@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:42am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Betty Zeitler  
1680 133rd Ave. NW  
Minneapolis, MN 55448-7027

**MTC-00020281**

From: Peter  
To: Microsoft ATR  
Date: 1/24/02 2:47am  
Subject: Microsoft Settlement

Hi,  
I've been checking out the case details (a bit) and think that the current Proposed Final Judgment needs to be strengthened. A few of the definition could be strengthened. An example is Section III. A. 2. which should also incorporate computers with a non-Microsoft OS. [<http://www.kegel.com/remedy/>]

This current settlement does not seem to punish Microsoft as noted by Steve Jobs [<http://www.wired.com/news/antitrust/0,1551,48660,00.html>]. The poor practices of this company should stop.

Peter

**MTC-00020282**

From: maryanneheffernan@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:46am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Ann Heffernan  
11171 Oakwood Dr.  
Loma Linda, CA 92354-4807

**MTC-00020283**

From: grashopr@silverstar.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer

icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thiel and Lola Gomm  
Gen Dly  
Smoot, WY 83126

**MTC-00020284**

From: J(038)B Seybold  
To: Microsoft ATR  
Date: 1/24/02 2:50am  
Subject: Microsoft Settlement

While the proposed settlement appears to meet the defined goals, I am very concerned that the definition of "Microsoft Middleware Product" in the "REVISED PROPOSED FINAL JUDGMENT" is far too narrow and restrictive. Specifically, in "Section IV, Definitions", paragraph K.2.b.i, the definition states ". . . is, or in the year preceding the commercial release of any new Windows Operating System Product was, distributed separately by Microsoft (or by an entity acquired by Microsoft) from a Windows Operating System Product. . ."

This definition appears to exclude functionality which was based directly upon or substantially identical in function to the a previous commercial product, but where said functionality was modified by Microsoft. This is a major exclusion, because it is very rare in commercial software for unchanged software to published for two consecutive years. It is common practice for Microsoft to modify software, either by reducing functionality, or by adding functionality, when incorporating the functionality of previously commercial software. Under the provisions of the proposed definition, similar but distinctly different functionality would exclude such modified software from the Microsoft Middleware Product definition. Microsoft could therefore make small or even trivial changes in software that would otherwise be clearly defined as Microsoft Middle Product, and thereby claim that it was exempt from the provisions of this judgment.

Further, the definition of "Microsoft Middleware Product" in the "REVISED PROPOSED FINAL JUDGMENT" carefully excludes new software functionality developed by Microsoft and included as Microsoft Middleware or as part of the Windows operating system, with the intent of competing directly with commercially available software to reduce competition. The pattern shown in the development and release of Internet Explorer, Microsoft's Java Virtual Machine, Windows Media Player, Windows Messenger, and Outlook Express is now being repeated in many other areas. For example, the capabilities of Microsoft Backup has been extended to include the file backup

functionality provided by NovaStor Corporation's NovaDisk, or Veritas Corporation's Backup Exec. Since NovaStor and Veritas have not been acquired by Microsoft, Microsoft Backup does not meet the definition of a Microsoft Middleware Product. Therefore, I suggest that the Proposed Final Judgment does not provide the necessary restrictions to preclude continued anticompetitive conduct by Microsoft to unlawfully protect and maintain its operating system monopoly in violation of Section 2 of the Sherman Act.

I suggest that Specifically, in "Section IV, Definitions", paragraph K.2.b.i, be modified to state "i. is, or in the year preceding the commercial release of any new Windows Operating System Product was, distributed separately by from a Windows Operating System Product,"

Thank you for your consideration.

John B. Seybold

**MTC-00020285**

From: GhassemL@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:49am  
Subject: Microsoft Settlement

To my belief the settlement reached by two parties is fair and it should be finalized as it is written. Microsoft has made a great contribution to the economy of the country and to the communications. It should be praised.

Sincerely,  
Ghassem Ladjevardi  
CC:gl@theriver.com@inetgw

**MTC-00020286**

From: Rkraatz1@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:46am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert G. Kraatz  
24321 Dry Canyon Cold Creek Road  
Calabasas, CA 91302-3209

**MTC-00020287**

From: eva breyer  
To: Microsoft ATR  
Date: 1/24/02 2:50am  
Subject: MICROSOFT SETTLEMENT

It is time to settle this case.

The settlement agreement is very harsh on Microsoft, the company that has been THE major driver of the economic and technological boom of the 90's. By creating a standard Operating System for all personal computers Microsoft has been instrumental in making computers affordable and easy to use. THE CLEAR WINNER HAS BEEN THE CONSUMER.

Microsoft's jealous competitors started this lawsuit because they could not compete with the greatest American company on a fair business basis, even though their business practices have been just as aggressive. We consumers do not want to turn the clock back to a multitude of incompatible Operating Systems that only work on certain manufacturers computers and raise the cost of application software. We want to be free to chose.

Eva Breyer

**MTC-00020288**

From: Jason Pascucci  
To: Microsoft ATR  
Date: 1/24/02 2:59am  
Subject: Microsoft Settlement

As a long time Microsoft user and software developer, and not having particularly benefited because of it, I have several problems with the Microsoft Settlement as it currently exists. I believe that the fundamental problems of Microsoft's worst business practices remain unaddressed. Some of those are:

a) Consistent business practice of taking existing innovations, stripping them down to component parts, and producing a solution that is (usually barely) "good enough" without being "better", where the real differentiator is that they ship a "good enough" solution free. By bundling many software systems that fundamentally do not belong to part of their Operating System, they stifle competition.

The "operating system" of a machine is a defined thing. It never had nor ever should include a web browser, or a media player, or restrictive and incompatible authentication models.

b) refusing to implement interoperable, "open" and compatible solutions (c.f. Sun's Java versus Microsoft's implementation, IE's built-in incompatibility with existing standards (thus impacting Netscape), etc)

c) In Microsoft's quest for market dominance, they are so busy in pursuing market-blocking activities that they fundamentally do not provide sufficient resources to make their own products significantly better. Microsoft does not significantly update products whose competitors do not impinge on their existing, near dominant, market-share. They rely on the fact that the barrier to entry is so high, and that existing problems could be addressed for far less than the cost of full re-implementation, to dissuade competition and avoid making important updates. Fundamentally, the original proposals of splitting Microsoft may have been adequate to level the playing field.

Another option not apparently considered, but the most useful to address the problems, would be merely to force the unbundling of—all—unrelated components: if a user could

buy each component separately, he could price and compare products, and pick the one best suited to his needs. And, in that scenario, Microsoft would be in the same boat as all other competitors: either make better components, or risk losing business.  
JRP

**MTC-00020289**

From: palacie@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:46am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Shirley Kardell  
211 Bell Canyon Rd.  
Bell Canyon, CA 91307-1111

**MTC-00020290**

From: Roberto Mello  
To: Microsoft ATR  
Date: 1/24/02 2:51am  
Subject: Microsoft Settlement  
Sir/Madam,

I am writing this to express my dissatisfaction with the Proposed Final Judgement to the Microsoft Antitrust case.

One of my main concerns with the Proposed Final Judgement (PFG) is that it supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

If these APIs and terms are tor clearly defined, it will leave many loopholes with which Microsoft will have ample opportunity to continue with its anti-competitive practices.

I urge the Department of Justice to take appropriate measures to make sure such injustice does not happen.

Best Regards,  
Roberto Mello  
Undergraduate Computer Science student,  
Utah State University  
Computer Science,  
Utah State University  
<http://www.sdl.usu.edu/>  
Space Dynamics Lab, Developer

**MTC-00020291**

From: Lynn Clark  
To: Microsoft ATR  
Date: 1/24/02 2:56am  
Subject: Microsoft Settlement  
To whom it may concern:

I am writing to express my disappointment about the proposed settlement in the Microsoft antitrust trial.

The proposed settlement will have little, if any, effect in curbing Microsoft's illegal behavior. Having read both Judge Jackson's "Findings of Fact" and "Final Judgement" in the antitrust trial and the appellate court's decision, and having read the proposed settlement, it is difficult to imagine how Microsoft's attorney's were able to so successfully roll the government negotiator, in light of the malicious behavior of which Microsoft was found guilty. The proposed settlement has holes big enough to fly a Microsoft 777 through.

Microsoft is an unrepentant monopolist. Microsoft's past actions have hurt the marketplace and its present actions continue to do so, even after having been found guilty of egregiously violating antitrust laws. For example, after having been found guilty in the antitrust trial, Microsoft has subverted the "open" kerberos security standard in a way that can have only adverse consequences for platform-independent computing, effectively preventing non-Microsoft software from seamlessly interoperating with Microsoft software in a networked computing environment. This decreases consumer choice, thus stifling competition.

The government won the case, and won it bigtime. The proposed settlement is in proportion with neither the magnitude of the government's victory in the case, nor the magnitude of the egregious actions Microsoft took to stifle competition in the marketplace, for which they were found guilty. The proposed settlement must be thrown out and a settlement—which should include a large fine (\$5 billion, at least) and serious restrictions on Microsoft's conduct—should be pursued.

Regards,  
Lynn Clark  
Software Engineer  
599 W Sandbar Circle  
Louisville, CO 80027

**MTC-00020292**

From: dmfisher@internetcds.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:57am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Fisher  
2242 Footh Creek Rd.  
Gold Hill, OR 97525-9711

**MTC-00020293**

From: Dean Antonelli  
To: Microsoft ATR  
Date: 1/24/02 2:55am  
Subject: Microsoft Settlement—Business Practices on Trial

Dear Department of Justice,

Following are my comments in support of the recommendations put forth by the nine non settling states.

Microsoft's predatory, monopolistic, and anti-competitive practices are well documented. They are under legal fire in the United States, China, Brazil and Europe. But, with their enormous monopoly gained resources they are able to buy settlements with nine states, to buy endless legal delays (that promote a denial of justice) while their products and associated proprietary training become ubiquitous, capture the marketplace, and eliminate innovation and competition.

Microsoft is the only large hi tech company to grow their earnings per share EACH quarter in 2001 and to increase their stock price by 30% BECAUSE they are a monopoly and not subject to pricing pressures.

Microsoft's arrogance is magnified in these times when Americans are making sacrifices and responding with unprecedented patriotism to threats against our country and threats against our inherited legal system which protects us all and is the envy of the world.

Microsoft, Enron—the global investment community is watching. America's business practices are on trial.

THIS IS THE TIME FOR OUR LEGAL SYSTEM TO UPHOLD THE LAW FOR THE BENEFIT ALL BUSINESSES, CONSUMERS, INVESTORS, INNOVATION, COMPETITION AND INTERNATIONAL TRADE.

Best regards,  
Dean Antonelli  
19799 Oakhaven Dr.  
Saratoga, Ca. 95070

**MTC-00020294**

From: Ken Rowan  
To: Microsoft ATR  
Date: 1/24/02 2:44am  
Subject: Microsoft Settlement

I support Microsoft all the way. Please stop the needless intervention.

Ken Rowan, CA  
#117—4675 Valley Drive  
Vancouver, BC V6J 4B7  
CANADA

**MTC-00020295**

From: ehano@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:48am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case

against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eva Lano  
8017—212 Street SW  
Unit 5  
Edmonds, WA 98026-7446

**MTC-00020296**

From: eioffe@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Edward Ioffe  
53 Paul St  
#16  
Newton, MA 02459

**MTC-00020297**

From: robert@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:53am  
Subject: Microsoft Settlement

I am writing to comment on what is a seriously flawed "settlement" in this Case. In its current form, this "Settlement" is a giveaway to Microsoft, with flimsy, avoidable "penalties" of no substance whatsoever..it's LOADED with loopholes. Microsoft deserves REAL punishment. I propose three options here:

1. Microsoft must be forced to divulge to the world at large its specs, current and future, for its ".DOC" file format, the one used to create documents in Microsoft WORD..its famous wordprocessor.

2. Microsoft must allow and and ALL Computer Manufacturers whom it licenses to sell its Operating System..the freedom to have SOME machines preloaded with The Other Guy's Product..be it Linux, FreeBSD, IBM's OS/2, or Netware. Certainly Microsoft

will be given its normal Licensing rights via the Computer Maker, regarding how its OWN products are installed, etc..but if the Maker has other machines with a competing Operating System on it? Tough if Microsoft doesn't like it. Give our Computer makers some freedom!

3. Any future "security lapses" TIABLE TO A MICROSOFT SECURITY FLAW should cost them heavily in fines and forced punitive corrective-measures.

Thanks for listening.

Very Truly Yours,  
Robert McMorrow

**MTC-00020298**

From: nrabob@kornet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Hattendorf  
PSC 3 Box 6654  
APO AP 96266-0066, AZ 85351

**MTC-00020299**

From: Trevor Bittinger  
To: Microsoft ATR  
Date: 1/24/02 2:56am  
Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft.

**MTC-00020300**

From: CCheno1015@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:06am  
Subject: Microsoft Settlement  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Subject: Microsoft Settlement

Dear Mr. Ashcroft:

After three long years of costly court battles, Microsoft and the government have settled an antitrust suit that has profound implications for all software publishers, the

rest of the computer industry and consumers. This settlement will surely give a boost to our lagging economy. The settlement, with its new rules, will provide certainty about compliance and thereby ensure that the computer industry can continue delivering advanced technology to the marketplace.

Therefore, no new litigation should be brought to the courts by the "Feds" beyond this agreement.

Sincerely,  
C. C. Chenoweth  
4519 134th PL SE  
Bellevue, WA 98006

**MTC-00020301**

From: Nault, James CDR (C6F)  
To: "Microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 12:45am  
Subject: Microsoft Settlement

Dear Sirs: I am writing this to express my support for Microsoft Corporation and to rise in objection to the government thinking that it has the right to throttle the productive genius of one of America's finest companies. I have chosen to use some Microsoft products at work and at home and find them to be excellent. They have helped me be very productive. We should be rewarding Microsoft for their contributions to our economy, not punishing them. I do not recognize the right of the government to intrude into the business place in this manner. I am in the United States Navy, and I can tell you that it is very disheartening to be willing to give my life to the defense of freedom in America, only to see it eroded from the inside out. I implore you to rethink the position of the government on this issue and give Microsoft the free hand it requires to be as productive as it can be. If you throttle Microsoft's productive ability, we will all lose, including the competitors it has supposedly shut out by force (which I disagree with). No one has put a gun to anyone's head and ordered them to buy Microsoft's products. It is all a matter of choice. Are we to punish corporations now for giving away things free? That is simply too much to believe. I am trusting you to do the right thing. Be strong, America will support your decision. Thanks, sincerely, Jim Nault, CDR, U.S. Navy.

**MTC-00020302**

From: Duane Maxwell  
To: Microsoft ATR  
Date: 1/24/02 3:09am  
Subject: Microsoft Settlement

Dear Sir/Madam,  
I wish to go on record as being opposed to the current proposed settlement in the anti-trust case against Microsoft. As a computer professional for nearly 25 years in various capacities, and as the founder of several software companies, I have witnessed firsthand the stifling effect that Microsoft's dominance and predatory business practices have had on the industry. Many times I have heard from investors that they would invest in a good idea except for the fear that Microsoft would leverage their operating system dominance to co-opt the market once it becomes lucrative. Witness the past situation with the web browsers, disk compression utilities, etc., and the current

battles over multimedia, network services, instant messaging, and handheld computers.

The current settlement does nothing to punish Microsoft for its past behavior, nor does it meaningfully prevent the company from engaging in similar activities in the future. I hope that you will consider much more aggressive remedies in this case.

In particular, I would like to suggest one: Prohibit Microsoft from distributing their OS software preinstalled on any computers for the term of ten years, and prohibit sales of hardware/software bundles and discounts containing Microsoft software. Customers would be required to pay for and install Windows independent of the computer hardware, which may contain other competing operating systems preinstalled. This would allow an opportunity for other current and future operating systems vendors to be able to make a pitch to customers that they offer a viable alternative. Much of Microsoft's dominance comes from their exclusionary practices with regard to preinstallation. It is nearly impossible to buy an Intel-compatible computer without Windows preinstalled, and Microsoft has used illegal business practices to assure that it stays that way. Please give the customers a chance to make the choice denied them in the past.

Sincerely,  
Duane Maxwell  
La Jolla, California

**MTC-00020303**

From: rrstroud50@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:06am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ruth Stroud  
12110 N. Fairwood Dr.  
Spokane, WA 99218-2935

**MTC-00020304**

From: Bryon S Mesarch  
To: Microsoft ATR  
Date: 1/24/02 3:10am  
Subject: Microsoft Settlement  
DOJ,

I am a Value Added Reseller (VAR) in the IT marketplace. I have followed the Microsoft case extensively throughout its history. I

have read the Revised Proposed Final Judgment (RFPJ) agreement and feel that it is fair to both sides. It may be that longtime Microsoft rivals are not satisfied with the agreement, but their view may be skewed by anger and bitterness. While it is certainly fair to argue that Microsoft was wholly unfair in its business practices, they have made long strides in pushing information technology into the consumers' hands. Microsoft may not have originally possessed innovation, but they have brought it forcefully to market.

The Revised Proposed Final Judgment (RFPJ) really takes the teeth out of Microsoft's rough sense of business practices, but at the same time does not cripple this American frontier company. Please remember that Microsoft is keeping America very much ahead in the world of technology.

Please Approve the Revised Proposed Final Judgment (RFPJ) and allow this matter to be settled once and for all.

Bryon S. Mesarch, Vice President  
Silicon Mesa, LLC

**MTC-00020305**

From: Keith A Morris  
To: Microsoft ATR  
Date: 1/24/02 3:11am  
Subject: Microsoft Settlement  
Enough is enough!  
Let's Stop The Microsoft Witch Hunt.  
Keith A Morris

**MTC-00020306**

From: antv@antv.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:09am  
Subject: Microsoft Settlement

To Whom It May Concern:

It seems like the proposed settlement for Microsoft antitrust trial is flawed. Because of many different legal loopholes in it, Microsoft will be able to find ways to easily exploit their customers and OEMs to their advantage.

A great analysis of flaws in the proposed settlement could be found here: <http://www.kegel.com/remedy/remedy2.html>. Below are my main complains about the settlement:

1) Microsoft's APIs, file formats, and protocols. The complete documentation for these must be made public and be updated in a timely manner. Closed APIs and file formats are a major barrier to entry, since virtually no company can afford to convert its existing documents into a new format. Currently anyone using Microsoft products is effectively "locked in" to those products because they cannot be easily converted to another format. While some attempts had been made to produce programs and/or libraries that can read and write files in Microsoft's formats, they are only partially compatible and usually fail on complex documents. The main reasons for this are undocumented changes in Microsoft APIs and lack of complete documentation. Anything that can be done to reduce this barrier can only help to create more opportunity in the market.

2) Microsoft's business practices. Microsoft must not be allowed to enter into deals with OEMs, ISPs, or other businesses that would create disincentives or prohibit those



companies from offering non-Microsoft products or services to their customers. Since the vast majority of the desktop computing world currently uses Microsoft products, OEMs, ISPs, and others must be able to offer those products to consumers. Allowing Microsoft to continue to take advantage of that situation by prohibiting those companies from offering alternatives effectively means allowing Microsoft to continue to hold the industry hostage.

3) Microsoft's attempts to extend their monopoly in new markets \* Microsoft attempted (often successfully) to extend their monopoly in several new markets already, using the same monopolistic tactics. Most prominent examples are:

—Microsoft .NET and MS's plans to force everybody to sign for a MS Passport (which has already been proven to be a very insecure system), and also to sabotage development Sun Microsystems' Java language on Windows platform in favor of their own ".NET" system.

—Audio/Video market, where Microsoft used their OS monopoly to push products like Windows Media Player and gain unfair advantage over competitors such as Real Player and QuickTime

—The failed attempt to turn an educational lawsuit into a way to inject their software into yet another market

If these concerns are addressed by the eventual settlement or court ruling, they should remove most of Microsoft's ability to abuse its monopoly power to the detriment of the industry. I feel that a healthy IT industry should consist of competing products from a variety of companies, all able to interoperate with each other, with no single company able to leverage its dominance in one area to bolster its position in another.

Sincerely,  
Anton Vysotskiy  
Software Developer/Network Engineer  
7108 13 Ave #2F  
Brooklyn, NY 11228

#### MTC-00020307

From: George Petrov  
To: Microsoft ATR  
Date: 1/24/02 3:09am  
Subject: Microsoft Settlement  
the proposed settlement is a bad idea.

#### MTC-00020308

From: ramona.miller@verizon.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:13am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ramona Miller  
1309 Woodbridge Trail  
Virginia Beach, VA 23456-1624

#### MTC-00020309

From: Alex Lewin  
To: Microsoft ATR  
Date: 1/24/02 3:16am  
Subject: the proposed Microsoft settlement is a bad idea

I think the proposed Microsoft settlement is a bad idea.

Sincerely,  
Alex Lewin

#### MTC-00020310

From: C T Archer  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 2:44am  
Subject: Microsoft Settlement  
C T Archer  
24280 SE 1st Place  
SAMMAMISH, WA 98074  
January 24, 2002

Microsoft Settlement U.S. Department of Justice  
Dear Microsoft Settlement U.S. Department of Justice:

I believe every word below absolutely. The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
C T Archer

#### MTC-00020311

From: MMmalak@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Malak  
3909 Prince William Dr.  
Fairfax, VA 22031-3867

#### MTC-00020312

From: Charles Tinsley  
To: Microsoft ATR  
Date: 1/24/02 3:14am  
Subject: STOP IT NOW!

PLEASE PUT A STOP TO THIS WITCH-HUNT AGAINST MICROSOFT!

#### MTC-00020313

From: jrl67@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:17am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Laurence  
3491 Mt. Burnham Place  
San Diego, CA 92111

#### MTC-00020314

From: Rick.Stones@gehis.co.uk@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:18am  
Subject: Microsoft Settlement

So you found them "guilty of abusing their monopoly power but you are going to let them off with the most mild slap on the wrist" is how the settlement reads to almost everyone.

All monopolies that have been broken have resulted in massive benefits for the consumer, and long term the whole economy,

I see no reason why you should think that the Microsoft monopoly is one that should be allowed to continue.

The DOJ has made itself look weak and ineffectual, it won, then allowed Microsoft to walk all over it. What respect can you have if you do not follow through clear court victories with appropriate remedies? At the very very least you —must— remove all the additional clauses that allow Microsoft to not disclose interfacing information, so people can interface to Microsoft operating systems. Microsoft will deem all useful information a “security risk” and not disclose it, and nothing will have changed. The world needs prompt and full disclosure of all networking protocols and file formats, including those for Microsoft office and related products. No exception clauses allowed.

Please think again, and significantly toughen the terms of the settlement.

Rick Stones  
Rick Stones, Systems Architect, GEHE UK  
IT division  
External phone +44 (0)2476 432725,  
internal 2725

**MTC-00020315**

From: skpp1@integrity.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:16am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Skip Paynter  
615 NE 153rd Ave  
Vancouver, WA 98684

**MTC-00020316**

From: Morio Murase  
To: Microsoft ATR  
Date: 1/24/02 3:20am  
Subject: Microsoft Settlement

Before I say anything that might indicate to the contrary, (deep breath) the settlement is a lousy idea!

I am a PC user. Therefore, if I am to do what 90% of other PC users do, I am forced to use Windows. “Nonsense!” cries Microsoft. “There’s PLENTY of competition! Just look at what Linux is doing!” This is precisely why I am forced to use Windows: because Microsoft is so large, they will stop at nothing, ignoring any moral or ethical standards set forth, to dominate their

markets, or, I daresay, the world. They have challenged you, and you cowed to their demands for whatever reason was given to you. You are, as police and district attorneys everywhere would say, giving them a “slap on the wrist”.

Fines are not the answer. Nor is redistributing the wealth that Microsoft commands; neither will slow the pace of this monstrosity that devours any that it thinks will stand in its way. Does this not sound like Standard Oil or Ma Bell? Both were split apart into smaller companies to re-introduce competition and give consumers a greater amount of choices in the marketplace. Yet by this move you allow the largest computer software corporation to exist, with its hungry sights on every computer in operation today.

**MTC-00020317**

From: zan/Charles  
To: Microsoft ATR  
Date: 1/24/02 3:18am  
Subject: Microsoft Settlement

I am writing to express my vehement opposition to settling the antitrust matter with Microsoft in the manner proposed by the company and agreed to by some of the states participating in the suit.

It strikes me as especially bizarre to remedy the hindrance of competitors by bundling free competing products with a dominant product, Windows, by allowing the offending company to give even more free software away. This educational “gift” is especially insidious, because it gives Microsoft an easy inroad into the education market where it still has a competitor in the form of Apple Computer. In Microsoft’s eyes, this is merely another software giveaway that will reap profits further down the line.

Microsoft engaged in illegal, anticompetitive actions and continues to do so. For instance, by recently integrating its MSN internet services with its Internet Explorer browser, Microsoft was able to wrest the position as top web destination for searches from Yahoo! Their tactic: convert the default “page not found” into an MSN search, driving users to their own products and advertisers. Experts note that fully half of Microsoft’s MSN search visitors arrive there via this method.

Users do not try MSN’s search, compare it to other services and favor the best provider; they are sheperded there by default as a result of using other Microsoft products. In a free-market system, I thought the point was to reward innovation and quality, not ubiquitousness.

But Microsoft seems to think that only its own interests matter. Again and again, its tactics are designed for nothing else but the benefit of Microsoft, and are very seldom beneficial to the American consumer. Bearing in mind that Microsoft has been asked before to voluntarily alter its behavior and it has failed to do so, I urge you to reject this ridiculous settlement

Charles Christensen  
Chicago, IL

**MTC-00020318**

From: matthew du puy  
To: Microsoft ATR  
Date: 1/24/02 3:20am

Subject: Microsoft Settlement

I would truly like to understand how Microsoft’s giving of software products they have already produced, to schools and people that would never buy them anyway punishes their monopoly and decreases their market share. The only true cost to Microsoft giving their software to these people is the cost of printing the manuals and CDs. This does nothing to make amends to the millions of Microsoft customers who have suffered overpriced, un-inovative, poor quality products because alternative competing products have been either bought or forced out of business by Microsoft. Furthermore, I would like to understand how training many of the young recipients of this settlement to use Microsoft products helps improve awareness and support of competing products.

As an engineering graduate student, I don’t consider myself a fool but I simply can’t imagine a scenario under which the currently proposed settlement reduces Microsoft’s monopoly of several markets. Maybe I have a poor imagination. I’d very much like to see alternative settlements under which, Microsoft’s competitors and customers are awarded monetary or other creative product replacement settlements such as RedHat Software’s proposal to supply the same underprivileged schools with computers using RedHat’s software at Microsoft’s dime. As a person who is aware of the social/political, technological and economical impacts of this case, I urge you to reconsider this settlement.

Thanks,  
Matthew Du Puy

**MTC-00020319**

From: Ben Chambers  
To: Microsoft ATR  
Date: 1/24/02 3:19am  
Subject: Proposed settlement

Having looked through it, I think it’s a bad idea. The DOJ should push Microsoft to be more fair; as it is, they’re getting a slap on the wrist and won’t change their ways with the current settlement.

**MTC-00020320**

From: Mick Angel  
To: “microsoft.atr(a)usdoj.gov”  
Date: 1/24/02 3:24am  
Subject: Microsoft Settlement  
Sirs,

As a user of Microsoft products (both at home and at work) I feel that the results of the settlement does not go far enough in either:

a) penalising Microsoft for the previous monopolistic tactics— which have seriously (to my mind) reduced the innovation in the desktop and browser market

b) limiting the monopolistic tendencies of microsoft in the future

It is sad to see a toothless anti-trust case which seemed to start with the right intentions but, at its finish, has become a farce and a whitewash.

Regards,  
Michael Angel.

**MTC-00020321**

From: Dr. Martin Stahl  
To: Microsoft ATR

Date: 1/24/02 3:27am

Subject: Microsoft Settlement

The settlement is not a good idea. I DO NOT AGREE. I fear, Microsoft will dominate the software and the internet in future, ending in the bankruptcy of the competitors.

Greetings from the city of the CEBIT

Dr. Martin Stahl

Brunirode 96

D-30880 Laatzen (near Hannover)

Germany

**MTC-00020322**

From: rlynch80@swbell.net@inetgw

To: Microsoft ATR

Date: 1/24/02 3:24am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Personally it is my position that you would do a better job by requiring all companies like Microsoft, AOL, Netscape, etc. To design all future programs to be used by the visually impaired/blind community out of the box.

The blindness community is probably one of the largest consumer groups of computers and the technology therein, but yet we still must struggle to make our adaptive software work with current programs.

Thank you.

Sincerely,

Reagan Lynch

1304 Manor St.

Midland, TX 79703-4935

**MTC-00020323**

From: joaquin

To: Microsoft ATR

Date: 1/24/02 3:25am

Subject: Microsoft Settlement

Dear Sirs,

As an American living overseas and concerned about the monopolistic practices of Microsoft in my country, I have to say that the proposed settlement is not only a very bad idea, it is a farce. Microsoft has been proven extremely guilty and should receive a very stiff sentence instead of the feeble wrist slap that is currently on the table. It is sad that after winning the case so handily, the DOJ has backed down instead of demanding the kind justice that would truly benefit the American consumer.

Joaquin Cruz.

**MTC-00020324**

From: D. G. Cohen

To: Microsoft ATR

Date: 1/24/02 3:21am

Subject: Microsoft Settlement

Dear Sirs,

Although this issue isn't connected directly with US Antitrust laws, I thought you should be aware of Microsoft Israel's ("MSI") behaviour.

Microsoft Israel were announced as a Monopoly by the Head of the Antitrust authority in Israel, Adv. Dror Shturm, a couple of months ago. But such an announcement hasn't made MSI change it's behaviour towards Macintosh users in Israel. For a couple of years now, Macintosh users in Israel are requesting again, and again, that Microsoft Office for the Macintosh would support the Hebrew language. An issue that is taken for granted in the PC platform.

MSI keeps refusing to do so, stating that they do not have the knowledge nor manpower to perform such a task. A deeper investigation of the matter, and discussions between Apple France and MSI, revealed the sad fact that MSI were "ordered" by MS, NOT to localize Microsoft Office to hebrew, no matter what ! Their concern is that people in Israel would actually prefer Macintosh computers, rather than Windows based PCs.

There is alot more to be said about this. But, the bottom line is, that MS and MSI are intensionally damaging the free competition in the Israeli computer software market. Misuse of market power is an Antitrust felony, if I'm not mistaking.

Please consider this issue. I would be glad to provide more information on this matter, by demand.

Dov G. Cohen,

Law Student

Bar-Ilan University

ISRAEL

ICQ#: 17303370

**MTC-00020325**

From: Frobisher1@msn.com@inetgw

To: Microsoft ATR

Date: 1/24/02 3:24am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Verne Kelling

4015 232nd Ave. S.E.

Sammamish, WA 98075

**MTC-00020326**

From: rhaldin@socal.rr.com@inetgw

To: Microsoft ATR

Date: 1/24/02 3:23am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Patricia Haldin

1740 E. La Veta #310

Oange, CA 92868

**MTC-00020327**

From: gardxxl@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 3:22am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Donald Gardner

9459 Geordie Way

Riverside, CA 92509-1060

**MTC-00020328**

From: Jason Campbell

To: Microsoft ATR

Date: 1/24/02 3:28am

Subject: Microsoft Settlement

To: Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington, DC 20530-0001

The proposed Microsoft case settlement is in my opinion fundamentally flawed and wholly inadequate. It should not be adopted without complete revision.

1. Only a separation of the Windows operating system from the Office Suite and from Internet Explorer can "unfetter" the Windows market and allow competitors to emerge. Only such a three-way breakup of Microsoft can end the company's unlawful conduct. This Proposed Final Judgment is completely inadequate because it does not separate control of Office from control of Windows, and control of Internet Explorer from both Office and Windows.

2. The prohibited conduct provisions of the Proposed Final Judgment cannot be effectively enforced with regard to Microsoft due to the extraordinarily subtle ways in which the company can shift and redefine the operating systems environment to the disadvantage of its competitors. Any effective settlement must lay out enforcement provisions and attempt to address these subtleties.

3. The definitions presented in the Proposed Final Judgment for "middleware", "API", and the "Windows Operating System Product" are vague and easily circumvented by Microsoft. The company can trivially evade the intent of the settlement by altering its product naming and/or distribution schemes in obvious ways. Any reasonable settlement must have its provisions continue in force regardless of minor shifts in Microsoft's nomenclature and marketing spin.

4. The Proposed Final Judgment fails entirely to protect potential competitors to the Windows Operating System because it limits the usage of information disclosed by Microsoft under the settlement to use by those producing competing applications software. Any settlement which is to restore competition to the operating systems marketplace must protect competing operating systems, and facilitate their compatibility with Windows.

In summary, this Proposed Final Judgment is not in the public interest and should not be adopted.

Sincerely,

Jason Campbell

Chief Technical Officer, Zack Systems, Inc.  
310 Guerrero Street  
San Francisco, CA 94103

**MTC-00020329**

From: Republicanmom4@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 3:25am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those

supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Lynne White

927 Arabian Ave.

Winter Springs, FL 32708

**MTC-00020330**

From: totlee@webtv.net@inetgw

To: Microsoft ATR

Date: 1/24/02 3:30am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Walter Lee

157 Baltusrol Dr.

P.O. Box 1828

Fairfield Glade,

TN 38558-1828

**MTC-00020331**

From: Jan Vilhuber

To: Microsoft ATR

Date: 1/24/02 3:32am

Subject: Microsoft Settlement

The settlement falls far short from actually making sure a crafty monopolist relents and desists. Microsoft will just continue business as usual (in a slightly different form to work around hard to enforce regulation), and new entrants will still not be able to get a foothold, which is bad for users and the computer business.

Jan Vilhuber

San Luis Obispo, CA

Jan Vilhuber

Cisco Systems,

San Jose

vilhuber@cisco.com

(408) 527-0847

**MTC-00020332**

From: WAYNE KELLAR

To: Microsoft ATR

Date: 1/24/02 3:30am

Subject: It's time to stop!!!!!!!

The Fed. Gov. blackmail of Microsoft and the welfare of Netscape and all the other competitors of Microsoft. This I would expect in the Old Russia or China today, but not here in this Country where the free open market has made this the greatest civilization in history.

It's time to stop the socialist/ communistic approach. I think you have too many still their from the slick willie era and house should be cleaned or you need to go back and retake ecom. 101. You are going to keep screwing around and destroy the most innovative industry to come down the pike in history, who single handily created more jobs than you can tally, my guess would be more than the automotive industry did in it's time. Who is going to suffer? THE AMERICAN PEOPLE and our economy.

The turn down in the economy before September 11, 2001 I'm sure can be tied to you'all suit against Microsoft.

I guess your'all response will be to sit back all smug with your thumbs hooked in your suspenders and say look what we have done HURRAH, HURRAH!!! REMEMBER YOU ARE PART OF THE AMERICAN PEOPLE TOO, SO THOSE hurrah hurrah better be said in a whisper because you are going to look like fools.

Wayne Kellar

120B Highview

Versailles, Ky. 40383

**MTC-00020333**

From: Anthony W. Youngman

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 3:36am

Subject: Microsoft Settlement

Please note that this is a resend, slightly modified, of my earlier document. I've added a mention of OS/2 in the "dual boot" section. Please note also, I understand that the subject of the email has to be "Microsoft Settlement". I didn't realise earlier, and I believe my email had a subject something like "Tunney Act".

Yours

Anthony Youngman

**MTC-00020334**

From: Neto Thong

To: Microsoft ATR

Date: 1/24/02 3:36am

Subject: Microsoft Settlement

Honorable Justice,

We can notice from the lifestyle of those working in Microsoft and we know that they have this absence of fear, a god-like stand, knowing and is assured that MICROSOFT, above all, will withstand the brunt of the wheels of justice running them over.

If you can see, even in our tiny island here in Asia, we can feel how Microsoft is controlling the market of system integration. You must be a "big fish" or a "big player" before they can deal with you, in terms of the licensing fees. If not for this issues, we could have developed an embedded device using WinCE as OS. However, due to the license fee, we moved into Linux and other OS conceivable without paying the high price.

Well, let the voice of the people decide on the fate of the Giant. Will we allow them to continue living at an extravagant lifestyle at our own expense?

Thank you.  
From a small voice,  
Neto Thong

**MTC-00020335**

From: Wong, Mun Hoh  
To: Microsoft ATR  
Date: 1/24/02 3:36am  
Subject: "Microsoft Settlement"

I believe Microsoft deserves harsher penalties than the Department of Justice has proposed because of the business conduct which Microsoft is practising toward consumer as well as competitor to monopolise the market. If this persist, people will lost their freedom to choose and become a slave to Microsoft.

Thanks You.  
Regards,  
Alex

**MTC-00020336**

From: art.zimmer@bigfoot.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Art Zimmer  
Box 1582  
KODIAK, AK 99615

**MTC-00020337**

From: jamie macdonald  
To: Microsoft ATR  
Date: 1/24/02 3:40am  
Subject: Microsoft Settlement  
to whom it may concern,

you have been given the power to do right, take it and make microsoft pay not in software that it can make for free but in money to those it has hurt. do this and we will know you are some what fair and may not riot and distroy you after all maja macdonald

**MTC-00020338**

From: irmtrain@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Earl Dennis  
35246 US 19N  
#304  
Palm Harbor, FL 34684-1931

**MTC-00020339**

From: deljohns@ctlnet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:33am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Del Johnson  
3617 Co. Rd. 19, Box B  
Auburn, IN 46706-9417

**MTC-00020340**

From: davidbeth@ttinational.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Helen-Elizabeth Dunning  
P.O. Box C  
Cosmopolis, WA 98537-2003

**MTC-00020342**

From: Richard Finegold  
To: Microsoft ATR  
Date: 1/24/02 3:52am  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

In the proposed final judgement, Microsoft isn't required to disclose the formats of its various "Office" files. For example, with Microsoft's monopoly, people have become accustomed to sending Word documents in their native format. Microsoft doesn't have a lot of documentation any more for their Word document structure, so competitors must "reverse-engineer" the structure and implement what they can. People might be satisfied with a competitor's software—with the sole exception—of Word document interpretation, and thus might switch to Microsoft's software—solely—on this basis. Thus, a barrier to entry is maintained.

Broadly speaking, most of the proposed settlement doesn't do much to correct or even address Microsoft's past abuses—see Dan Kegel's analysis (<http://www.kegel.com/remedy/remedy2.html>). Microsoft commits crime but is then still able to profit from it. I hope this isn't how the Justice System is intended to work. If it is (right to profit from past crimes), then Kevin Mitnick ought to have a computer (because that would enable him to profit from past crimes).

I am not happy with this proposed settlement, please consider this a "no" vote. A stronger remedy please!

Thanks!  
Richard Finegold  
1400 Bellevue Way SE #4  
Bellevue WA 98004

**MTC-00020343**

From: Barnard En Lai Teng  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 3:52am  
Subject: Microsoft Settlement

I do not believe that the settlement is punishment enough for the illegal practices that Microsoft has performed on others in the industry. The settlement should be more than just a mere, bonus marketing move for Microsoft. You are performing in a case that is crucial for everyone in the Modern world, and allowing such a small punishment to be settled, is unsettling. It will just allow Microsoft to continue to bully.

Barnard Teng.  
B. Arch, NZCAD.

**MTC-00020344**

From: Patrick L. McHargue  
To: Microsoft ATR

Date: 1/24/02 3:51am  
 Subject: Microsoft Settlement  
 Sirs;

Please lay off Microsoft. They have done far more good than harm, and much more good than you can do by pursuing this action. Let the market decide. The government is probably the worst way to pick winners—and that is exactly what this action will accomplish.

Sincerely;  
 Patrick L. McHargue

**MTC-00020345**

From: thomaso@mcsi.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 3:47am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Thomas O'Neill  
 PO Box 689  
 Roseburg, OR 97470-0137

**MTC-00020346**

From: doug@spiretech.com@inetgw  
 To: Microsoft ATR,dennispowell@earthlink.net@inetgw.do...  
 Date: 1/24/02 3:42am  
 Subject: Public comment submission  
 RE:Microsoft Settlement

To whom it may concern Jan 23, 2002  
 Antitrust Division  
 U.S. Department of Justice  
 Suite 1200  
 601 D Street NW  
 Washington, DC 20530-0001

I am opposed to the proposed settlement in the United States v. Microsoft antitrust case in its current form.

As someone who has been involved in the computing industry since the late 80's, I have watched Microsoft rise to dominance with concern for the longer term health of the industry as a whole. While I have often found Microsoft's techniques distasteful and unethical, my primary concern is that everyone involved concentrate their efforts toward a solution better able to deal with future behavior, not one that corrects the mistakes of the past.

Any remedy directed toward past events will be ineffective as rendered due to the rapid pace of change in our industry today. With an eye toward the future, I respectfully submit the following for consideration:

Microsoft should be compelled to fully document and publish file formats and application programming interfaces in a format without restriction for public review. Compulsory RAND licenses allowing the use of the formats will be made available to closed development efforts regardless of size. Open development efforts would be able to make use of the public documents without license provided that the resulting code remain open. Publication of said standards should be made in a timely manner in order to foster competition and innovation among all parties involved. The above provisions, while not precise enough for final rendered judgment, serve as a rough framework intended to achieve a number of goals all contributing to the longer term health of the industry in general and long term benefit to its users.

Competing developers would be able to build applications better able to inter-operate with Microsoft's own, thus enabling competition for common applications on a number of platforms. The average persons choice of computer is sharply limited today because it is artificially difficult to develop viable alternatives. API and file format interoperability is necessary for this to change.

Microsoft's ability to "Embrace and Extend" open standards would be sharply limited by the provisions outlined above. Open standards are often developed either in an academic environment, or through peer review. Use of said standards should remain open. Closing them only benefits Microsoft.

The rapid growth of the Internet as we see it today is due to the open standards upon which it is built. Another facet of the internet that is worth consideration, at this point, is the fact that it runs on a number of different platforms, including those offered by Microsoft. If current behavior is allowed to continue, this will change for the worse. We will end up with one company controlling a very large portion of the Internet also in a position to control its future direction. Given the relative youth of the Internet today, I am not convinced that this is the best outcome.

Almost every computer working today regardless of vintage or make is capable of performing the basic computing tasks most users need, yet the latest Microsoft offerings demand the latest machines. While I clearly recognize Microsoft's need to innovate and take advantage of the latest technology, I also have concern over the lack of alternatives able to make good use of the hardware already available. Open data formats, and applications programming interfaces will enable better solutions to common needs on existing hardware. There is a lot of value in these types of solutions. Longer term, the presence of these solutions also provide a powerful incentive for future development to remain realistic in its hardware demands.

In summary, my primary concern is with the way Microsoft has leveraged its file formats and application programming interfaces to build its business at the expense of everyone, including its own customers. Addressing future behaviour, rather than correcting problems of the past, takes best advantage of the fast pace of technology today.

Thank you for your time and consideration,

Doug Dingus  
 PO Box 30104  
 Portland, Oregon 97294

**MTC-00020347**

From: Scott Jaffa  
 To: Microsoft ATR  
 Date: 1/24/02 3:48am  
 Subject: Microsoft Settlement

Please reinstate the order to split microsoft and and bar the resulting companies from cooperation. Also force them to pay apple computer a fee for every copy of windows sold.

Scott Jaffa

**MTC-00020348**

From: STRMN  
 To: Microsoft ATR  
 Date: 1/24/02 3:49am  
 Subject: Microsoft Settlement

Dear Sirs,

The Proposed settlement (as referred in the media) seems comic. I am definitely opposed to it.

Best Regards  
 Bjo-rn Stro-mns —  
 B. Stro-mns A.S.  
 bjorn@attglobal.net (STRMN)

**MTC-00020349**

From: Christopher Owen  
 To: Microsoft ATR  
 Date: 1/24/02 3:52am  
 Subject: Microsoft Judgment

As an European based consumer and small business I am very concerned at the way that despite the well documented methods that Microsoft used to lever itself into market dominance there is going to be no real remedy. If this was the automotive industry or even in the utilities steps would have been taken to sort out the anti competitive practices and the theft of intellectual property. The only time a small software house tried to get compensation from Microsoft for the illegal use of their intellectual property was when the Stac corporation sued Microsoft for bundling disk compression in MS DOS 6.0. The outcome Stac won the day but as the court did not award costs the cost of the case broke the company so in essence it was an hollow victory. Microsoft has admitted to tactics such as increasing the price of products to a company if they find out any competing products are being used. It was this last tactic that helped pushed Vobis and Escom into history. Recently we had Microsoft posting cereal packets to Novell customers and insinuating that the support would run out soon as far as I am aware this case is still ongoing. The fact that Novell had just announced the release of a new product did not seem to stop the Microsoft marketing machine from trying to convince Novell customers that Novell were leaving the network software market. From a users point of view most of the Microsoft product line is woefully inadequate with constant patching require to get it to work correctly and once the product is stable it is dropped an a new more glitzy product is introduced. Steve Balmer's statement that in time everyone would be paying Microsoft for their Internet uploads and downloads is a cause for concern as Microsoft does not own the

Internet so how can they charge for access to it. In the UK we had the embarrassment of a site set up for the UK government only allowing Microsoft Browsers access, little more than a method of forcing people who needed to access that site to change not only their browser ! but in some cases their platform and OS as well. This last point has now been opened up to other browsers but it still goes to show how Microsoft will try to further consolidate its market dominance to reach the goal of a monopoly. Pricing in Europe is a mess with the K paying the highest prices for Microsoft products and no real reason being given for this, the new Xbox is a prime example made in Europe yet we will be paying 50% more for the product than the Americans an Japanese. Consumers here in the UK did look to the American courts to get Microsoft to play fair. With standard oil, IBM and AT&T remedies were forced on the companies to make them compete fairly yet it seems to view here that Microsoft has placed itself above to law. Has access to the Gates mansion been granted for tax assessment purposes yet? If you are still unsure of the conduct of this company just read a Book called The Microsoft Files it is reveting reading and goes a long way to explaining how market dominance was achieved., or are the methods described in the book standard American practices? For the sake of the little man in the street just make sure that the Microsoft remedy is just and fair to all parties and not a licence for Microsoft to carry on its quest for world domination.

C H Owen  
Shieldwell Computing  
CC:chris.owen@stregis.co.uk@inetgw

**MTC-00020350**

From: Wayne Fisher  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 3:53am  
Subject: Microsoft Settlement

How can you sue a company for putting its own products in its programs. Surely you wouldn't sue Pepsi for putting Pepsi in their own cans, or sue Marlboro for putting their products in their own packaging. Microsoft could not obviously put anybody else's internet browser in their operating system. If you want to sue a company, SUE AOL, for making such useless software, and buying out Netscape and forcing their subscribers for using it. IF Microsoft were forced to supply a bare bones Windows, then myself, and everyone I know (which is a lot of people, being an IT manager.) would transfer the products back into Windows. If I could, for some reason NOT use Internet Explorer (which has to be, by far, the easiest, most secure and reliable browser) I would never, ever use Netscape, but choose a far superior browser than Netscape (which is not hard really!!) called Opera.

My 5 cents.

**MTC-00020351**

From: J.A.Lay@open.ac.uk@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:55am  
Subject: Microsoft Settlement

Please consider a more stringent monitoring of Microsoft's business ethics.

Although it is partly hype, there ARE reasons why MS are hated. They lie, steal and cheat, and \*THIS\* is the problem. If that can be prevented, I have no objection to a large, ETHICAL business.

Jeffery Lay,  
Project Officer for Research Support  
Computing,  
Faculty of Mathematics & Computing,  
The Open University,  
ICQ#6824096, SMS/GSM +447961404144  
(Orange)

**MTC-00020352**

From: Robert Dickson  
To: Microsoft ATR  
Date: 1/24/02 3:50am  
Subject: Microsoft Settlement  
To Whom It May Concern:

On the matter of the Microsoft settlement, I find the remedy proposal as it stands a bad idea. To think that the US Government, of which I am a taxpayer, will allow this company to remain unpunished as a monopoly is appalling. Microsoft time and time again shows itself unwilling to allow the market to choose. Using ceaseless tactics to exclude competition is simply un-American in my view.

It is my hope that this settlement does NOT become implemented and will go back to the courts for a true and real remedy.

Sincerely,  
Robert Dickson

**MTC-00020353**

From: brick@icehouse.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:55am  
Subject: Microsoft Settlement

Hi, I'm just a guy sitting back reading the spins on the Microsoft case, and it seems to me that common sense has never entered into the situation. To me, what Microsoft has done / is doing in terms of their marketing isn't right. It's kind of like magic—pay attention to this hand, so you don't notice what the other hand is doing. What I find difficult to believe is that my government is falling for this. God forbid, that they see what's going on, and are just turning a blind eye. If you were told you could buy any car you want as long as it's a Ford Escort, I don't think you'd go for it. Then if you were told that you had to pay extra for things you didn't want, you might get upset, maybe mad. Well this is just my \$.02 worth. No one from your office reads these things anyway.

Frustrated,  
Jeff Roberts  
Spokane, WA.

**MTC-00020354**

From: Adam Burrill  
To: Microsoft ATR  
Date: 1/24/02 4:01am  
Subject: MS antitrust settlement  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

To Whom It May Concern,  
I am writing to express my dissatisfaction with the Justice Department's settlement over the Microsoft antitrust case.

I am a computer professional who has worked with Microsoft products for 9 years in support environments. I have been quite appreciative of many Microsoft software products over the years (particularly the improvements of Windows 95 and Windows NT over DOS and the introduction of standard GUI interfaces on the PC platform through MS office) but I am quite aware that Microsoft does not play fair in the marketplace. The demise of quality competitors in many markets, including the web browser market, word processing software market, office suite market, operating system market and network environment market; added to unfair licensing of operating systems (requiring PC manufacturers to pay per computer sold rather than per MS OS sold), bundling to eliminate competition (MS Office, Internet Explorer, etc.), intentional bugs to prevent competitor's software from working correctly (Netscape, OS/2, etc..) and a myriad of other dishonest business tactics lead me to believe there will never be an honest Microsoft as they exist today. (Despite the many good things that led me to certify myself as an NT 4.0 Microsoft Certified Systems Engineer and to support many of their products.)

I would encourage you to reconsider this settlement and move to break up Microsoft so that we can restore competition to the software market.

Thank you for your time.  
Adam Burrill  
Technology Consultant  
PMB 737  
1122 E Pike St.  
Seattle, WA. 98122

**MTC-00020355**

From: CE  
To: Microsoft ATR  
Date: 1/24/02 3:58am  
Subject: Microsoft Settlement  
To Whom It May Concern:

In regards to the proposed Microsoft settlement, I do not believe the current proposal provides adequate regulation to keep Microsoft from smothering competition. Many businesses and products have ceased to exist over the last two decades due to Microsoft's business practices. Some examples include companies like Be (makers of BeOS) and products like DR-DOS (currently owned by Caldera).

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of thier actions, with the threat of criminal penalties for non-compliance, is the only remedy that I can believe will curtail them. The market must be able to return to a state of competition.

Our economy is far too fragile, and our society too dependant on computers to allow one company to control a monopolistic share of the market.

Charlie Eidem  
Rohnert Park, CA

**MTC-00020356**

From: Kevin Haidl  
To: Microsoft ATR  
Date: 1/24/02 3:57am  
Subject: Microsoft Settlement  
Dear DOJ,



I understand that the law regards my opinion as relevant at this time. I am happy to state my opinion. I buy Microsoft products because they provide enormous value to me. I have never regarded any of their software distribution or legal practices as harmful to me in the least. Microsoft has consistently delivered the best overall value in mainstream consumer operating systems since the early 1990s.

Professionally, I do use other operating systems. I, unlike most people who comment on this case, am not an unobjective partisan of one OS or another. Each OS offers different values for different niches. But Microsoft, as a company, has consistently outstripped every competitor in serving the markets they target. Nobody can beat their ability to balance the many values users want as they build a single integrated product.

They've earned their success, their wealth, and their market share by one means: delivering superior value.

Kevin Haidl  
Internet Consultant  
Vancouver, BC  
Canada

**MTC-00020357**

From: EDM919@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:00am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ed Michael  
134 Hiawatha Lane  
Dover, DE 19904-2484

**MTC-00020358**

From: Drew, Alan  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 3:56am  
Subject: Microsoft Settlement

Why can't I buy a PC (A PC note, not a mac) without Microsoft software installed? Why don't I have a choice?

frankly I don't care what you do in the settlement the whole world knows that Microsoft is run by crooks and sharks sponsored by crooks and sharks in government over the next few years, people will gradually realise that they \*don't\* have to pay the MS tax, it is possible to do the same thing for free.

This message is for the named person's use only. It may contain sensitive and private proprietary or legally privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you are not the intended recipient, please immediately delete it and all copies of it from your system, destroy any hard copies of it and notify the sender. You must not, directly or indirectly, use, disclose, distribute, print, or copy any part of this message if you are not the intended recipient. CREDIT SUISSE GROUP and each legal entity in the CREDIT SUISSE FIRST BOSTON or CREDIT SUISSE ASSET MANAGEMENT business units of CREDIT SUISSE FIRST BOSTON reserve the right to monitor all e-mail communications through its networks. Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity.

Unless otherwise stated, any pricing information given in this message is indicative only, is subject to change and does not constitute an offer to deal at any price quoted. Any reference to the terms of executed transactions should be treated as preliminary only and subject to our formal written confirmation.

**MTC-00020359**

From: Charles Johnson  
To: Microsoft ATR  
Date: 1/24/02 4:00am  
Subject: Microsoft Settlement

Since the Microsoft quasi-monopoly is already established, the company should be required to publish their file formats and details of their file systems.

Charles Johnson  
Managing Director  
Protean IT

**MTC-00020360**

From: P Howells  
To: Microsoft ATR  
Date: 1/24/02 3:59am  
Subject: Microsoft Settlement

I have just received MicroSoft's latest Freedom to Innovate newsletter, in which they complain about AOL's new lawsuit against them. Since I dispise AOL even more than I dislike MicroSoft, I am inclined to agree with MicroSoft: "This latest legal move appears to be an attempt by AOL to once again retreat from the rigors of competition to the safer confines of the courtroom, where the company is clearly more comfortable."

Having said that, I also must say that the "settlement" to which you are agreeing in the antitrust case against MicroSoft is a case in which the DoJ has dropped it pants, bent over, spread its cheeks, and said "insert whatever you want as deeply as you want." It appears that the "whatever" was a barbed-wire dildo. Unfortunately it is really the taxpayers and consumers that are getting the shaft, not the DoJ. I apologize if the graphic imagery of my metaphor is disturbing, but it is the gentlest one that comes to mind.

I have neither the time nor the inclination to detail my objections to the "settlement." Suffice it to say that since the antitrust suit was filed, MS has released \*two\* new versions of Windows in which they have

blatantly incorporated an application that mascerades as an operating system feature, Internet Explorer. As I recall, the purpose of the suit was to get it out of Windows...hello? is anyone home? It's still there! A browser has no more business as an integral part of an operating system than a word processor does, or porn web site, or Donkey Kong. Furthermore, your lawsuit and "settlement" put the fear of God into them so badly that they felt quite comfortable incorporating Messenger Service and Netmeeting, two more applications, into Windows XP. The competitive pressures that you've brought to bear are so intense that Windows XP is actually more expensive than previous versions of Windows.

They are going to donate a billion dollars worth of software? Bah, I'm not impressed. A chump change tax write off. A billion dollars worth of Windows XP will cost them between 5 and 10 million dollars, if that much, and give them a \$1 billion tax deduction. Not to mention 5 million Windows users to add to their monopoly. Lovely.

Good work guys. MicrSoft thanks you.

Pete Howells  
Reno, NV  
phowells@usa.net

PS: I am not a Macintosh or Linux user that is railing about MicroSoft. My exclusive operating system is Windows XP. Not because Windows is superior, but because the monopoly forces me to conform. My work is with computers and without Windows I lose 90+% of my potential customer base.

**MTC-00020361**

From: kknoff@loganrec.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Keith Knoff  
517 W. Auburn  
Bellefontaine, OH 43311-1101

**MTC-00020362**

From: David Chalmers  
To: Microsoft ATR  
Date: 1/24/02 4:03am  
Subject: Microsoft Settlement  
Hello there.

I have read reports of the Microsoft Anti-trust settlement, that refer to a deal where Microsoft gets to donate fee computers and software to schools and education establishments as part of their reparations. I think most people, myself included would consider this grossly unfair and contrary to natural justice.

Why should a company found guilty of monopoly and anti-competitive practices be allowed to FURTHER entrench their monopoly, by targetting one of the most influential markets for future business. It will cost them a LOT less, as the software is nearly free to them. It is grossly unfair on other vendors selling into the education market (e.g. Apple Computer) as it gives Microsoft market share they couldn't EVER buy otherwise, and only the most perverted sense of justice would see it as anything other than a huge victory for Microsoft and a capitulation by those seeking to curb unethical practices.

I strongly urge those concerned to re-consider this settlement.

Regards

Dave Chalmers

Dave Chalmers, Applications Group Manager  
david.chalmers@st.com  
Imaging Division,  
http://www.vvl.co.uk  
STMicroelectronics  
TINA: 068 6162  
33 Pinkhill, EDINBURGH  
+44(0)131 336 6162 (direct)  
EH12 7BF, UNITED KINGDOM :  
+44(0)131 336 6001 (fax)

**MTC-00020363**

From: Jim Gottlieb  
To: Microsoft ATR  
Date: 1/24/02 4:10am  
Subject: Microsoft Settlement

I would like to register my opinion on the proposed Microsoft settlement. I am not related to any of the parties in the case except that I am often forced to use Microsoft software in the course of my business.

I believe that the proposed settlement is severely flawed. I have personally observed Microsoft's illegal (as presented in the Findings of Fact) behavior and the settlement proposed does nothing to punish them for past abuses nor does it really give them discouragement from further extending their monopoly and using that monopoly to crush any and all competitors.

Armed with this knowledge that they can get away with anything, they will now continue this behavior with impunity. I could spend pages listing the companies they have set out to crush and have largely been successful at. They systematically give away product for free until other companies can no longer afford to stay in business. Then note their recent hefty price increases for the licenses for their products and be certain that this will continue too.

Competition is always good for the consumer. Sure, I would love for my company to have a monopoly in our line of business, but that's not how the free market system works. Our competitors keep us on our toes, forcing us to constantly innovate and to keep our prices in line. We don't try to kill our competition; we believe in fair

play. Microsoft clearly does not, and they are not satisfied with a monopoly in the desktop computer market but are working towards their goal of "Windows Everywhere".

Imagine if all consumer electronics products were as buggy as Microsoft Windows. Despite what Microsoft would like you to believe, Microsoft has not been good for the American consumer. We need real competition in this market and at this point only the U.S. Government can effect this.

At the very least, force Microsoft to open their file formats. They use this not only to squeeze their competitors but to force users to constantly upgrade to newer versions of their product. Imagine if the car you bought two years ago was made incompatible with today's gasoline so you were forced to trade it in. This is what Microsoft does.

I am not knowledgeable enough to suggest many remedies, but I have read many good ideas in magazines and newspapers written by experts in the computer industry and I urge you to listen to them.

Thank you for listening.

**MTC-00020364**

From: MichaelH@Exabyte.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:11am  
Subject: Microsoft Settlement

Dear Sir,

I find it unacceptable that the Dept. of Justice has been bullied and politicised into this mediocre settlement. Therefore I wish to add my name to any list/petition that reaffirms the original requirement that Microsoft should be split. Jackson was right, though his conduct was questionable. Without a major change to restrict Microsoft's leverage on the computer industry, the entire world will suffer poor quality, unchallenged products sold by a monopoly that simply doesn't care about anything other than profit.

Regards

Michael Henry

**MTC-00020365**

From: Matt Hammond  
To: Microsoft ATR  
Date: 1/24/02 4:11am  
Subject: Microsoft Settlement

Please be clear that this is a personal e-mail and therefore does not necessarily reflect the views of my employer.

I wish to express strong concern over this revised settlement between yourselves and Microsoft. I agree with many who feel that many of the statements made within the settlement are insufficiently stringent to make them effective.

Taking the example of the invocation of Microsoft Middleware: "the Windows Operating System Product may invoke a Microsoft Middleware Product in any instance in which: 1. that Microsoft Middleware Product would be invoked solely for use in inter-operating with a server maintained by Microsoft..."

Though a welcome initiative, and though it does specifically exclude web browsers from this context, the detail through this and subsequent paragraphs exposes many simple means by which, for example, microsoft can force the use of its own e-mail client, authentication services etc... Particularly of

note in providing these loopholes are the above exclusion and the active-x related exclusion. On the whole, use of active-x to access such services achieves slick-looking integration, not extra functionality. Many people, including myself choose to avoid microsoft applications providing these services, both through personal preference and through concern over the number of serious security vulnerabilities that have been exposed in these products over the past few years. Allowing Microsoft to take this route may well result in a similar situation to the Internet Explorer v Netscape saga for a host of other services.

Yours sincerely

✓ Matt Hammond

✓ Graduate Engineer, BBC Research and Development, Tadworth, Surrey.

**MTC-00020366**

From: Stephen Borrill  
To: Microsoft ATR  
Date: 1/24/02 4:07am  
Subject: Microsoft Settlement

I've been following the Microsoft (MS) vs DoJ case since the start (many years ago) and agreed with Judge Jackson's conclusions and proposed remedies. MS indeed have a monopoly and have demonstrably proved that they will defend and strengthen that monopoly rigourously. Therefore, I believe that the proposed settlement is and astoundingly accomodating in favour of MS. The Middleware clauses are weak and full of bizarre pro-MS conditions (such as "any replacement middleware should be of similar size and shape to the MS version"). It was proved during the trial that IE was removable and Windows would still function (contradicting what MS alleged), yet the settlement allows IE to merely be hidden from the user, but invoked at any time for the purposes of communicating with MS servers or when alternatives do not implement certain heavily proprietary "standards" such as ActiveX in a MS-designated fashion.

The restriction of the protocol licencing clause to protocols which aren't used for remote administration is extremely worrying. MS could successfully argue that fundamntal protocols such as CIFS/SMB and RDP can be used for remote administration and thus should be excluded from disclosure.

Finally, the complete removal of the clean-room technical disclosure practise proposed by Judge Jackson in favour of a clause which explicitly allows MS to opt out on the basis of some notional potential security compromise (section J 1), is a massive backwards step and provides no consumer protection. This is made all the more insulting because of the proprietary non-disclosed extensions to Kerboros in Windows 2000. In conclusion, I believe the proposed settlement to be heavily skewed in favour of Microsoft and as such it should be rejected.

— Dr Stephen Borrill

Director, Precedence Technologies Ltd

**MTC-00020367**

From: seicy5155@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:08am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Sheri Muckey

7010 hwy 97 N

Terrebonne, OR 97760

**MTC-00020368**

From: Fred McMullen

To: Microsoft ATR

Date: 1/24/02 4:15am

Subject: Microsoft vs the Citizens of American

It appalls me to even be writing this letter. But I feel that it is a necessity, due to the mockery that Microsoft is making of the American Justice System. After being found guilty of being a monopoly, the DOJ has decided to let Microsoft off with no more than a slap on the wrist. The present judgement has no teeth. And Microsoft continues to buy opinions. Even recently, I received a phone call from a Microsoft representative on a champaign to flood this email box with pro Microsoft opinions.

I am an engineer and have been working in the computers industry for more than ten years. I started just before Microsoft began to be a player in this industry and I admit that Microsoft has played a significant role in creating the industry that I am in. The problem is that it is now trying to control this industry. It is killing off competition and stifling innovation. Microsoft claims to innovate, but I have seen Nothing new that Microsoft has created that isn't a Microsoft spin of someone else's idea. One by one I have watched company that have innovated and create fresh new product die off due to Microsoft's anti-competitive practices. They have copied and undersold, made applications required by calling them part of the operating system and not letting them be uninstalled.

To me is just about a ridiculous to have such a meaningless judge against Microsoft as it would be leave Osama Bin Laden alive, in power with his terrorist cells and the Taliban intact and tell him that he did a bad thing bombing America and we aren't ever going to give him a Visa now. Microsoft has continue to demonstrate it's contempt and disregard for the fair competition in the industry by continuing to Kill Netscape Plugins, require Passport for upgrades and even more tightly tie the Desktop to his back-end

Server so that you almost have no choice but to choose a total Microsoft solution. Now that the back-end server market has secured its march on to monopoly, the Database market is next. The next version of the server will require Microsoft Database, and like the Browser wars, if you're going to have to buy Microsoft's Database with their server, then it will be a hard justification to buy other 3rd party database servers, especially since they won't run as well since they are given inferior API calls by Microsoft. I am a believer in the free market enterprise and believe that Microsoft is entitled to the all money that they have made. After all I believe that for Microsoft, this is more about power and control than money. I believe that the most fair way to guarantee increased competition and new innovation is to break Microsoft into two separate companies. Let Microsoft sell off half the company and keep the money from the sale. But make the two companies split between the Desktop

Operating System and the Server Operating System Markets. All Desktop only applications go with the Desktop company and all Software requiring a server go with the Servers Company. Neither company can have a interest in the other company in any way and neither company can re-enter the other platform operating system market for ten years. API calls can be sold, but all API must be open at the same price to any company that wants to buy them. Since the two companies no longer have a vertical monopoly by having both the server and desktop markets, they will be encouraged to build relationships with other companies in order to survive.

Also define for the new Microsoft Desktop company, that an operation system is only the basic software that produces a user interface to hardware devices. Only applications that are basic desktop utilities can be bundled with the operating system as non removable software. Applications such as email clients, servers os clients, web browsers, news readers and not required for a Desktop Operating system to function and should be a users choice. All existing Microsoft Desktop OS should be version frozen and the next released version of the Desktop OS should allow all the Applications to be uninstalled. They can be sold seperately or bundled free, but they must be uninstalleable so that the applications will not interfere with a competitors application if a user chooses to install it. Most all other Desktop operating systems allow this outside of Microsoft. There is NO engineering or software reason that these applications are required outside that fact that Microsoft designed them to be uninstalleable. Due to security concerns and the fact that I do not need to use certain pieces of Microsoft's Software, I have to hack the Microsoft Operating system to delete certain files that Microsoft claim's are required. They are not user un-installeable, but after fooling the operating system long enough to delete them, I have eliminated security vulnerabilities, and Windows still runs fine, which proves that they are not really required.

If Microsoft really does know how to innovate and are as creative as they claim,

then with it's talents and assets split then it should have no problem continuing to produce original software. But with open APIs and an interest in broading the market since their is not longer a financial advantage in vertical monopoly, both new companies will be encouraged working with other desktop operating systems and other Server back-ends.

Give us in America a choice. DR Dos is Dead, Vines is dead, Netscape is almost dead and has filed their own lawsuit. Let Novell, Macintosh, Lindows, Roxio and other survive. Let them compete on an equal playing field.

**MTC-00020369**

From: s.berens

To: Microsoft ATR

Date: 1/24/02 4:18am

Subject: "The Tunney Act. Microsoft Settlement Rejection"

I would like to take this opportunity to express my concerns over the proposed Microsoft settlement. I am of the opinion that it does not adequately address and prohibit the anti-competitive actions of Microsoft against it's competitors or OEM's and it fails to take into account alternate "open source" operating systems. I urge you to reconsider and rewrite the proposed settlement.

**MTC-00020370**

From: Joseph Murphy

To: Microsoft ATR

Date: 1/24/02 4:12am

Subject: Microsoft Settlement

I personally use Microsoft. I'm satisfied with their products. They work for me. They enable me to be productive. I'm not a computer geek therefore I have no outrage against Microsoft. I'm not interested in any other software that Netscape would like to publish.

I do have a MAJOR PROBLEM with the US Government, continually hounding MS for the benefit of Netscape, a company that lost their edge early in the browser wars due to sloppy management and presumption of market share they couldn't maintain through innovation. I object to the legislative effort of elected officials mining the pockets of large companies who have MADE THIS COUNTRY PRODUCTIVE through innovative software development and acceptance of risk in the market place!

The federal and state governments made billions from the tobacco prosecution. That money was supposed to go toward health care for children. Politicians squandered that money, using it for everything other than children's healthcare.

The lawyers are the only ones that benefit from these governmental fiasco's. This governmental vendetta is only to persecute a successful company...easy money that will be wasted by politicians!

Anyone who owns a company or earns a salary or wages... the government already is taking more than they need. Your company and your money is at risk. BTW, the liberals already think all the money is their money.

Do not delay the scheduled tax reductions!

Leave Micorsoft alone.

Joseph Murphy

Leavenworth, KS

**MTC-00020371**

From: Patrick Baltz  
 To: Microsoft ATR  
 Date: 1/24/02 4:13am  
 Subject: Microsoft Settlement

To whom it may concern:

While the proposed final judgement in the Microsoft antitrust case does in general not provide an adequate remedy to Microsoft's abuses, I would like to point out several parts of the judgement that are inadequate. In section III.D, it states that APIs and documentation shall, approximately a year after the release of Windows XP, be provided when a Windows Operating System Product has been distributed to 150,000 or more beta testers. This allows Microsoft to sidestep this requirement through numbers while providing a competitive advantage to develop and market Microsoft Middleware Products and other Microsoft applications before ISVs have even been given access to the APIs and documentation. I would suggest that the APIs and documentation be made available to ISVs at the same time it is made available to Microsoft's own middleware and application development groups. In addition, Microsoft should be required to keep APIs and documentation updated for independent software developers, as updated APIs and documentation are made available for Microsoft's own internal middleware and application developers.

One other issue that the judgement provides no remedy for is the bundling of Microsoft applications and middleware with the Windows Operating System itself. Bundling of applications such as Internet Explorer, Windows Media Player, Outlook Express, and future versions of these programs provides a competitive advantage to Microsoft that puts competitors at a serious disadvantage for adoption of their competing products. These applications should not be bundled with the Windows Operating System itself, but they should instead be made available to consumers independently. This should not however keep non-Microsoft vendors from bundling Microsoft applications with their product in addition to the Windows Operating System if they wish.

Sincerely,  
 Patrick Baltz

**MTC-00020372**

From: Doug Magnoli  
 To: Microsoft ATR  
 Date: 1/24/02 4:15am  
 Subject: Microsoft Settlement

Dear Ms. Hesse:

I am very concerned about what I've read of the Proposed Final Judgement (PFJ) of the Microsoft anti-trust suit. As written, the Judgement would allow Microsoft to continue to use restrictive licensing terms to keep Open Source applications from running on Windows. This hurts the entire Open Source community, and since Open Source applications are, therefore, predominantly used by competing operating systems, it hurts the users of those systems.

In addition to this, I believe that strong language is needed in the Judgement to prevent Microsoft from continuing to discriminate against small Original

Equipment Manufacturers (OEMs). In short, Microsoft continues to harm those elements of the US information industry that are exactly what built this country. We need—more—OEMs, not fewer. We need to encourage OEMs to stay in business, not to help Microsoft to lay them to rest.

As written, the PFJ allows Microsoft to retaliate against any OEM that ships personal computers with a competing operating system and without Windows. This is exactly the opposite of what, in my opinion, needs to be done. OEMs need to be encouraged to ship competing operating systems—this is what keeps a market open and what offers options to consumers.

I truly hope the PFJ will not be accepted and that Microsoft will face some very strong regulating in the future.

Sincerely,  
 Douglas E. Magnoli  
 Pleasanton, CA

**MTC-00020373**

From: Douglas Mitts  
 To: Microsoft ATR  
 Date: 1/24/02 4:14am  
 Subject: Microsoft Settlement

Dear Justice Dept,

I think the government is wrong in settling with Microsoft. After all this is the justice department I am writing, so justice not expedience should be pursued.

At hand is not just Windows OS, but all the other products that Microsoft sells and utilized their advantage as the OS provider for Intel machines to defeat or bankrupt the competition in many 3rd party programs. To function in today's world and exchange files, one must have Microsoft Software no matter what platform—Wintel or Mac. That is a monopoly that hinders competition and better products. What about all the companies that went under and do not have the financial resources because they are bankrupt now due to anti-competitive practices of Microsoft? Where is there justice. They played fair, but they lost to an unfair player: Microsoft. The first clue that the settlement is bad is does Microsoft like it. First of all they are declared a monopoly by the justice department. They should be reorganized and assessed punitive damages to the companies damaged by their illegal activities to ensure their arrival at the status of monopoly. Judge Thomas Penfield was right—Microsoft needs to be broken up. Their OS, Internet Software, and their productivity programs must become independent and unrelated entities.

This is a U.S. Company and needs to be brought to justice by the U.S. Their monopolistic practices are felt in all countries that have access to technology.

Justice should reconsider and give Microsoft a reason not to function the way they do. Moreover, they have never self-policed nor submitted to injunctions of any kind from the government.

There is more to add, but I will leave it at that.

Sincerely,  
 Doug Mitts

**MTC-00020374**

From: Kevin Hine

To: Microsoft ATR  
 Date: 1/24/02 4:14am  
 Subject: Microsoft Settlement

As somebody that will be affected by the outcome of the ongoing litigation between the US and Microsoft I have watched the ebb and flow very closely. Considering the superb performance of the US's team during the District Court and Appellate phase I am demoralised at the current state of the proposed agreement between Microsoft and the US. Feel that the argument for a stronger negotiating position for the US has been well won, but completely unused.

Therefore, I do not feel that the proposed agreement will satisfactorily protect (1) US consumers nor International consumers.

Yours Sincerely,  
 Kevin Hine  
 85 Octavia Close  
 Mitcham  
 Surrey CR4 4BZ  
 Tel: +44 (0) 208 646 5995

**MTC-00020375**

From: jeslo@worldnet.att.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 4:25am  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 James Saulsbury  
 2551 Edgerock Rd.  
 none  
 Reno, NV 89509

**MTC-00020376**

From: Chris Carlin  
 To: Microsoft ATR  
 Date: 1/24/02 4:23am  
 Subject: Microsoft Settlement

The proposed settlement does not go far enough. Microsoft has harmed consumers for many years and will continue to do so. It's activities since the trials began highlight the fact that they have no intention of backing off and playing fair.

My solution: revoke some of their intellectual property rights. They can't use their intellectual property to gain the upper hand if they don't have a monopoly on said property.

The settlement, as is, stinks.  
 Chris Carlin

**MTC-00020377**

From: alpha@alphaspring.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 4:20am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Beth Ann Richards  
 1323 Church Street  
 Indiana, PA 15701

**MTC-00020378**

From: stromanj001@hawaii.rr.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 4:21am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Judith Stroman  
 1823-C Tenth Avenue  
 Honolulu, HI 96816-2927

**MTC-00020379**

From: jcorlett@presys.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 4:17am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

jack corlett  
 p.o. box 2455  
 florence, , OR 97439

**MTC-00020380**

From: Connie Bieber  
 To: Microsoft ATR  
 Date: 1/24/02 4:29am  
 Subject: let our people go!

Dear Sirs:

It is time to end the "witch hunt" on Microsoft. They are being punished for their success and it has gone on long enough.

Respectfully,

Connie Bieber  
 Davenport, Iowa 52806  
 bieberstudio@home.com

**MTC-00020381**

From: lho  
 To: Microsoft ATR  
 Date: 1/24/02 4:30am  
 Subject: Microsoft Settlement

Dear Sirs;

Please ensure that Microsoft systems will accept input and provide output to other programs and systems.

This is in my opinion not agreed to in the settlement. To let any monopoly deny interoperability by defining own formats will seriously hinder communication, as lots of people will be unable to buy unnecessarily expensive software. Internet stands poised to open an age of communication, open exchange of ideas to anybody, from anybody, with little hindrance from poverty, position, race, sex or religion.

I am not sure that the American people will benefit from allowing Microsoft unhindered continue it's monopolistic practise.

A pity it will be, if the rest of the world are able to freely communicate, while the free world's technological locomotive are derailed in a dark tunnel of monetary and legal censorship.

Sincerely yours,

Lars Hornfelt.  
 lho@ffi.no  
 CC:lho@ffi.no@inetgw

**MTC-00020382**

From: Christopher  
 To: Microsoft ATR  
 Date: 1/24/02 4:29am  
 Subject: Microsoft Settlement

I think the proposed settlement is bad idea.

I agree with most of the issues in <http://www.kegel.com/remedy/letter.html>.

Christopher Palow  
 Miami, FL

**MTC-00020383**

From: Patty Lamoreaux

To: Microsoft ATR

Date: 1/24/02 4:30am

Subject: microsoft settlement

Please stop this economically-draining witch-hunt.

I am fed up with this unfounded attack on a healthy and vital company in a capitalistic society. This is suppose to be a free-enterprise system. Every body wants to get paid or thinks they are owed something that they haven't worked for these days. What is wrong with this picture? We are heading down the wrong paths straight toward a socialist-welfare state. Let's spend our resources wisely.

**MTC-00020384**

From: Jerry Roahrig  
 To: Microsoft ATR  
 Date: 1/24/02 4:30am  
 Subject: Microsoft Settlement

Dear Sirs:

After careful consideration of the facts, I think that the proposed settlement with Microsoft is preposterous. The Department of Justice under George W. Bush has simply buckled to the interests of BIG business. Where is the justice?

Over the years Microsoft's business practices have not been just overly aggressive. They have been outright criminal. Microsoft has continually (and illegally) crushed competition and stifled innovation by parlaying their monopoly in operating systems to make themselves the only game in town, not only in operating systems, but increasingly in internet browsers, email programs, productivity software, etc.

Because of its unscrupulous practices, Microsoft controls the desktop PC market and is pushing to make the Internet its sole domain as well. Thanks to your flaccid efforts at pursuing justice, that day is now in the closer than ever. Even more importantly however, once again, as is so typical in the US legal system, a wealthy defendant has apparently purchased the verdict. The lesson learned from this is that, if you're going to be a criminal, be a very successful criminal. Then you won't have to actually pay for your crimes.

Jerry Roahrig  
 732 Golfview Drive  
 Lexington, KY 40504  
 bad328@mac.com

**MTC-00020385**

From: jolong@brightok.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 4:26am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible

precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jo Long  
1512 Wildwood Drive  
Ardmore, OK 73401

**MTC-00020386**

From: qmoto2@miraclenet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:27am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nels Paget  
3031 Sahalee De W.  
Sammamish, WA 98074

**MTC-00020387**

From: Steve Farrall  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 4:33am  
Subject: Microsoft Settlement

Hi,

I'd just like to say that as a consumer and web developer for many years my colleagues and I have favoured Microsoft's Internet Explorer from it's very early days.

I have always been free to download and install Netscape Navigator, as indeed I have on several occasions.

My response has always been to return to Internet Explorer because it's a more solid, user friendly product that is backed up by a first class support network and development framework.

I believe that if Navigator was better then people would have stuck with it. Unfortunately the writers did not manage to innovate quickly enough to capture the attention of the end user and as such Microsoft have gained the majority of the market share. This is definitely a good thing as it is encouraging e-Commerce and e-Business to grow over the web at a fast rate. Without Internet Explorer and Microsoft the Internet would be a much less popular place.

Thanks for reading my thoughts on this matter.

Regards  
Steve Farrall

**MTC-00020388**

From: bigfootbax@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:31am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Baxter Stinson  
11277 SW 72nd Avenue  
Ocala, FL 34476-3911

**MTC-00020389**

From: peter piper  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 3:40am  
Subject: Microsoft Settlement  
peter piper  
932 da st.  
Alb, NM 87111  
January 24, 2002  
Microsoft Settlement U.S. Department of Justice,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
poop

**MTC-00020390**

From: greep@mindspring.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:32am  
Subject: Microsoft Settlement

I believe the Government's proposed judgment against Microsoft is not in the public interest because it is inadequate to remedy the issues raised in the Government's complaint against the company, and does little to address some of the most serious aspects of the company's anti-competitive behavior. In the interest of brevity, I will limit my comments to what I see as the most serious weaknesses in the proposed judgment.

1. Predatory pricing in the form of bundling

Microsoft's attempt to destroy Netscape by giving away a product similar to Netscape's web browser, as mentioned in the Government's complaint against Microsoft, is only one instance of a pattern of anti-competitive behavior on Microsoft's part. Microsoft pushes predatory pricing to an extreme by bundling with each release of Windows various application programs which are by no means necessary for the operation of Windows—i.e. it drops the price of these applications to zero. The only rational explanation for Microsoft's willingness to give away this software, which must cost the company a fair amount to develop and maintain, is that by driving all competition out of business it will eventually be able to raise prices almost without limit. The company's current cash position, and the growth of its available cash (estimated to be over a billion dollars a month), is so large that it can easily continue underpricing (through bundling) even the strongest competitors indefinitely. Antitrust laws were passed to prevent exactly this kind of behavior. The Government's proposed judgment does not address this issue. Even more worrisome is Microsoft's gradual encroachment into the computer hardware business. So far its business has been almost entirely software, but the company could easily leverage its Windows monopoly to take over the personal computer hardware market simply by modifying Windows not to work as well with any competitor's computers. Nothing in the proposed judgment would prevent this. (Microsoft is alleged to have played a similar trick by modifying an earlier version of Windows not to work correctly with a competitor's underlying DOS operating system.)

2. Use of Windows APIs with other operating systems

The Government's complaint prominently mentions the application software barrier to entry for operating systems, but the proposed judgment does not address this issue. A remedy would be to explicitly prohibit Microsoft from acting against anyone who provides an alternative operating system on which Windows applications can run, i.e. an operating system which provides the same APIs as Windows.

3. Open source software as a potential competitor to Microsoft

The wording of section III.J.2 seems almost specifically designed to prevent any open source software from competing with

Microsoft products, even though the open source software movement is one of the most promising developments and appears to be one of the few serious contenders as a Microsoft competitor. Since most open source software is available either free or at a very low cost, customers benefit from the availability of open source alternatives to Microsoft products.

#### 4. Publishing of Windows operating system APIs

Section III.D of the proposed judgment requires Microsoft to publish APIs used by Microsoft Middleware, but makes no mention of other Windows APIs, in particular the operating system APIs ("system calls"). These are not currently published for Windows NT or Windows 2000, although equivalent APIs are published by most other operating system vendors. Microsoft claims that software developers do not need this level of detail because they should be using the published "Win32" API instead. However, there is ongoing suspicion that Microsoft application software has an advantage over competing software because it has access to the more powerful operating system functionality, rather than being limited to the functions provided by the Win32 API. A remedy would be to require Microsoft to publish the operating system APIs. Furthermore, other APIs which are currently published could be changed in future releases of Windows and might then become secret, thus cutting off the ability of competitors to sell applications that depend on the corresponding functionality. A remedy would be to require Microsoft to publish all APIs which are used by any Microsoft applications to perform any Windows function.

#### 5. Description of file formats

Microsoft exploits its Windows monopoly to gain a monopoly in word processing and other "office productivity" software products by keeping secret the description of files created by its software. In particular, the distribution of text documents in Microsoft Word form is so common that many people naively refer to it as a "standard", even though the file format is not published and has never been sanctioned by any standards body. The effect is to require many people to buy not only Windows but also Microsoft Word just so they can read documents sent to them by other people. The result is that Microsoft's operating system monopoly allows it to monopolize the word processing business as well. A remedy would be to require Microsoft to publish the technical specifications of the file formats used by Microsoft Word and any similar products.

#### 6. Definition of operating system

In defending its anti-competitive behavior regarding applications software, Microsoft plays word games by defining "operating system" to include more and more application software. The company has even tried to present its web browser as a necessary part of an operating system—an absurd claim, since operating systems preceded web browsers by decades. Microsoft can circumvent the sections of the proposed judgment regarding middleware simply by defining this as part of the operating system.

#### 7. No punishment for violating the law

It is very disappointing that the proposed judgment imposes no penalties on Microsoft for its past violations of antitrust law. The unmistakable message is that crime pays; the worst that happens is that committing the same crime in the future becomes a bit more difficult, and even that only after years of delay.

Respectfully,  
Steven Tepper  
550 Ashton Avenue  
Palo Alto, California 94306  
CC:greep@mindspring.com@inetgw

#### MTC-00020391

From: jhussey@pcc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
JOHN JOHN  
3354 N. Oconto Ave.  
Chicago, IL 60634

#### MTC-00020392

From: Regina Hoff  
To: Microsoft Settlement  
Date: 1/24/02 3:28am  
Subject: Microsoft Settlement  
Regina Hoff  
34 El Cerrito Dr.  
Chico, CA 95973  
January 24, 2002  
Microsoft Settlement  
U.S. Department of Justice-Antitrust Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over,

companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Regina Hoff

#### MTC-00020393

From: mcv42@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:41am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Marie Viens  
806 Frederick Street #2  
Hagerstown, MD 21740

#### MTC-00020394

From: josephhussey@pcc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:43am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph Hussey  
3354 N. Oconto Ave.  
Chicago, IL 60634

**MTC-00020395**

From: WonderPaint  
To: Microsoft ATR  
Date: 1/24/02 4:43am  
Subject: Microsoft Settlement

If Microsoft can tightly control access to technical information under a court approved plan, or charge fees, and use its monopoly power over the client space to migrate users to proprietary interfaces, it will harm the development of key alternatives, and lead to a less contestable and less competitive platform, with more consumer lock-in, and more consumer harm, as Microsoft continues to hike up its prices for its monopoly products.

The current settlement proposal has numerous holes that will allow Microsoft to continue its monopolistic practices.

Please reconsider the proposal before implementing.

Cordially,  
James Shofstall  
Carterville, Illinois

**MTC-00020396**

From: Gervase Markham  
To: Microsoft ATR  
Date: 1/24/02 4:41am  
Subject: Microsoft Settlement

I'm not impressed. The remedy proposed is in no way proportional to the behaviour for which it should compensate. Microsoft knows this, because their monopolistic practices are continuing—for example, in the case of media players and instant messaging clients.

Gerv

**MTC-00020397**

From: susanhussey@pcc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:46am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Susan Hussey  
3354 N. Oconto Ave.  
Chicago, IL 60634

**MTC-00020398**

From: jhussey@pcc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
JOHN Hussey  
3354 N. Oconto Ave.  
Chicago, IL 60634

**MTC-00020399**

From: shine@ctcweb.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dawn Hendricks  
PO Box 453  
Council, ID 83612-0453

**MTC-00020400**

From: Mike Hitchcock

To: Microsoft ATR  
Date: 1/24/02 4:58am  
Subject: Microsoft Settlement

The proposed settlement with Microsoft is disgraceful and brings the American system of justice into disrepute. Anyone with an ounce of wisdom can see that Microsoft is guilty of malpractice over many years and the settlement should constrain Microsoft from such abuse of their powerful position in the future.

Mike Hitchcock in Cheltenham, United Kingdom

**MTC-00020401**

From: canicheaa@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ann Addison  
13 Archdale Road  
Columbia, SC 29209-2227

**MTC-00020402**

From: fltryfmlly@oz-online.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:51am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.



Sincerely,  
David Flatray  
212 NE Ninth St.  
Abilene, KS 67410-2222

**MTC-00020403**

From: MCHUGHG@MSN.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:58am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
REGG MCHUGH  
91-641 LAUKONA LOOP  
EWA BEACH, HI 96706

**MTC-00020404**

From: CZ  
To: Microsoft ATR  
Date: 1/24/02 4:57am  
Subject: Microsoft Settlement

To whom it may concern,

I just wanted to have one more point go against Microsoft. They have killed off so many great projects, programs, technologies and entire companies using their strong arm tactics. They are a disease to the computer industry, a digital anthrax.

I've spoken with numerous people (clients/friends/etc) that have said they would use competing products if they could, but because of the control Microsoft has on how some technologies work (among other reasons), they can't.

I'll give you an instance of a problem I have regarding one of their products. I have my default browser set to Omniweb, a beautiful browser native only to MacOS X. However, when I choose a link in AOL Instant Messenger or many other places, Internet Explorer comes up. One might tell me to delete IE if I didn't like it, but I can't. I have to keep it around for those web pages that aren't viewable in anything else but IE, and unfortunately there are many. So even when I choose a competing product, I still get stuck with Microsoft. Is this really providing choice to the consumer? I'd say no.

Microsoft's settlement is not only a joke, but an insult. Even if they were to give \$1 Billion in cash (instead of software/etc) to schools, it would not make up for the damage they have done. I agree 100% with Judge

Jackson's ruling to split up the company, in fact, I think it should have gone beyond that. Microsoft's power needs to be limited so they cannot break the law again. I believe the only way to accomplish this is to break them up into 2 pieces, perhaps more. Even then there should be rules so the new parts don't collaborate in ways that would undermine the purpose of breaking them up.

Thank you for your time,  
Chad Kay

**MTC-00020405**

From: Calum Grant  
To: Microsoft ATR  
Date: 1/24/02 5:01am  
Subject: Microsoft Settlement

I believe this is where I can comment upon the legal settlement of the anti-trust case between the DOJ and Microsoft.

My comment is this:

Given the extent to which Microsoft has behaved unlawfully, is the "punishment" really in proportion to the degree of law-breaking? Of course not. Will the settlement prevent Microsoft from gaining entry into other markets by exerting its monopoly of the operating system market? Of course not. By bundling extra "reebies" (although the price of its OS has jumped significantly) into its operating system it can enter any software market it sees fit, and still "massage" its operating system into running its own software better.

In my opinion, the only remedy is to create "Chinese walls" between the operating system kernel, the browser+windowing system, and the applications. This effectively creates 3 sub-companies within Microsoft, but avoids the embarrassment for Microsoft of being "split up". All technical and strategic communication between those three groups must be in the public domain, giving software companies a level playing field to develop software and components for the operating system. Monitors must be put in place with access to every communication between the groups, and judge the relevance of these communications to third parties.

My other opinion is this: I don't think the American legal system is up to the job of dealing justice to Microsoft, especially since there seems to be some "lobbying" to Capitol Hill. I don't think international opinion of the American justice system is particularly high.

Calum

**MTC-00020406**

From: Nicholas Murphy  
To: Microsoft ATR  
Date: 1/24/02 4:51am  
Subject: Microsoft Settlement

Morning,

Don't know if my opinion weighs in any way, me being European and all. However, I do feel that the outcome of this case will directly affect me. I really don't think that the remedies as agreed will change the competitive landscape one iota. The opening of the API's has been written so that only for-profit companies can access them, which directly stops them being used in any open-source solution. As Microsoft deem open-source in general and Linux in particular as "Threat number 1", this remedy is paltry at

best. Giving \$1billion of restored computers and software to needy schools is a way of leveraging Microsoft into a market that they weren't previously the incumbent. At the very least, they should hand over the money and let the schools decide what to do with it, what to buy and what OS to run.

N Murphy  
Nicholas Morrissy-Murphy  
Senior Software Engineer  
WBT Systems  
Block 2, Harcourt Centre,  
Harcourt St,  
Dublin 2,  
Ireland  
www.wbtsystems.com

**MTC-00020407**

From: Dev106502@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:08am  
Subject: Re: Has Your Opinion Been Counted?

Louise N. Deveney  
1610 Islamorada Blvd. A64  
Punta Gorda, FL 33955  
(941) 637-4628  
January 8, 2002  
Attorney General John Ashcroft  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to congratulate you on the settlement that was reached with Microsoft in the antitrust case. Stand firm behind this settlement and do not allow for another day of legal action at the federal level. Microsoft is one of Americas??? most important companies and a very large employer. This company has spent enough time in court.

The settlement is fair and equitable. It gives Microsoft???s competition ample room to maneuver, and does so by broad, strong impositions on Microsoft, such as universal licensing agreements for hardware makers, contingent only on bulk sales, and limitations on contracts that guarantee a certain percentage of software sold.

Regrettably, opponents of the settlement portray this agreement as a concession to Microsoft. This portrayal is wrong. This settlement is very thorough and will require Microsoft to share more intellectual property information with competing companies than has ever been given out by a software company before. After three years in court, having spent millions of dollars and countless man-hours, Microsoft deserves to be let alone, especially since a good settlement is on the table.

Your work on behalf of the settlement and ending this case is greatly appreciated by many Americans. Thank you very much.

Sincerely,  
Louise N. Deveney  
CC:fin@mobilizationoffice.com@inetgw

**MTC-00020408**

From: Paul Klouda  
To: Microsoft ATR  
Date: 1/24/02 5:05am  
Subject: Microsoft Settlement

The proposed settlement is undoubtedly the best way to move forward, way too much

time, energy and dollars have already been spent on this case and further prolonging the case with litigation is unnecessary. It's incredibly unfortunate that 9 states have decided that they know better than the Federal Govt as well as consumers and business who continue to buy Microsoft products not because they are being forced to but because they want to

**MTC-00020409**

From: John R. Diedrichs  
To: Microsoft ATR  
Date: 1/24/02 5:05am  
Subject: Microsoft Settlement

The proposed settlement is a TURKEY!

If the government really wants to end Microsoft's monopoly, why doesn't it simply stop accepting correspondence in Microsoft's "secret" proprietary file formats? If the US government simply declared that it will no longer accept any email attachments in .DOC, .XLS, or .PPT format, people would learn very quickly how to use the "Save As" function. The chief barrier to the adoption of alternative software (ie: compatibility) would be removed, and the monopoly would crumble quite rapidly.

In short, the US/DOJ are being hypocritical, if not duplicitous! How can you claim to be "fighting" this monopoly while you simultaneously REINFORCE it by your use of Microsoft file formats for data storage and communication?! Don't the terms "transparency in government" or "freedom of information" mean anything? The term "Microsoft Tax" becomes much more than a metaphore when government documents are stored and transmitted in proprietary formats! <http://www.osopinion.com/Opinions/JohnDiedrichs/JohnDiedrichs1.html>

Please scrap this so-called "settlement" and DO THE RIGHT THING!

Sincerely,  
John R. Diedrichs  
2804 Walnut  
Cedar Falls, IA 50613

**MTC-00020410**

From: Geoffe Elias  
To: Microsoft ATR  
Date: 1/24/02 5:08am  
Subject: Microsoft Settlement (Geoffe Elias)

To the US Department of Justice,  
I have read the proposed settlement between the Justice Department and Microsoft Corporation. I believe that such a settlement not only fails to stifle the business practices that have brought Microsoft to court in the first place, but also creates a dangerous precedent in which in the future, companies like Microsoft may be allowed to use their dominant positions in industry to shut out competition.

I have been a Microsoft User since Windows 3.11. It was during sophomore year in High School, that I got a computer to use for my schoolwork and computer game play. This was the year 1992.

Now it is 10 years later in 2002. During those past 10 years, I have found that being a customer of Microsoft had been unnecessarily expensive. How? 2 reasons: As a customer, I have had to constantly upgrade to keep my computer able to play current

software, and in the case of MS Office, to maintain file compatibility with other people using MS Office.

The other reason is that Computer makers will always include the latest version of Windows in their products without providing the consumer a choice in Operating Systems from other companies.

**Upgrade Cycle:**

I had started with Windows 3.11. From then on, I have purchased boxed copies of Windows 95, Windows 98, and Windows ME. In terms of MS Office, I have purchased Office 95, Office 97, and Office XP. In the case of the operating system, I worry that support of previous versions of the operating system will cease as Microsoft lends its support and focus on the latest operating system (currently Windows XP). In the case of MS Office, file formats written in MS Office change between each release of MS Office. Thus, I feel pressure to upgrade to the latest version of MS Office in order to maintain file compatibility with my fellow students.

As Microsoft proponents have explained, it is important to have industry standards such as file standards (standards: a common set of rules by which to design a file so that devices or applications following such rules will be able to successfully interact with such a file). Yet, Microsoft uses \*proprietary\* standards where those rules are hidden from the public. Thus, only Microsoft applications can use this secret standard and also, Microsoft is able to use their dominant position in industry to push their standards as the only standard available for use.

\*\*It would be nice if such standards were public so that any company can make software for files written with such public standards . . .

**FORFEITURE OF CHOICE**

MS Windows is installed on every new computer built by a computer company whether the consumer wishes it or not. For example, I had bought a new laptop computer from Dell (Dell Corporation). At the time, the only choices for operating systems to be installed in that computer were either Microsoft Windows 2000 or Microsoft Windows ME. It is interesting to note that the choice to buy a laptop without any operating system installed was absent. Thus, as a consumer buying from Dell Corp. the choices were limited to: buying a computer with Microsoft Windows installed, or buying no computer at all.

Due to what I see as inherent instability, lack of control, and bloat (excessive programming code that makes a program run slower) of Microsoft Windows design, I decided to switch to Linux. However, as a Linux user, if I want to install new hardware (such as a TV Card, Sound Card, etc) into my desktop computer, I must first do research to see if the open source (public) community has created drivers (software designed to make a piece of hardware work under a given operating system) and applications (software designed to allow for the use of the given hardware) for that piece of add-on hardware. The fact is that a significant number of companies only provide driver and software support for only Microsoft. This condition in the marketplace where there is little

hardware vendor support for operating systems besides those of Microsoft provides another unnecessary pressure to consumers to use Microsoft products.

I realize that this letter only provides complaints without proposing solutions. However, I feel that the current settlement does little to change the business practices that have led to a lack of choice for consumers regarding their software solutions.

I would also like to point out that any solution that requires an overseer (a group or person to look over the future business practices of Microsoft and make corrections as necessary) would be an abrogation of responsibility by the US Department of Justice in dealing with the problems that Microsoft's business practices have created. Any solution that is made must itself prevent future attempts by Microsoft to use their dominant position in industry to lessen competition. An overseer would and should not replace the court in deciding what punitive and corrective actions should be applied to Microsoft.

Thank you for your attention.

Geoffe Elias  
AIM: geoffe02  
quote:

"I have lived long enough and had enough success as well as enough failure to tell you that you can never get discouraged, and you can never quit.

. . . Because you can never know when a chance for a miracle will pass you by."

—former President Clinton

**MTC-00020411**

From: Francisco Gayt(00E1)n  
To: Microsoft ATR  
Date: 1/24/02 5:04am  
Subject: the proposed settlement is a bad idea  
The proposed settlement is a \*BAD\* idea.  
Sincerely,  
F.gaytan.

**MTC-00020412**

From: John Hussey  
To: Microsoft ATR  
Date: 1/24/02 4:03am  
Subject: Stop the economically draining witch-hunt against Microsoft!

Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200 Washington, DC 20530-0001  
Dear Ms. Renata B. Hesse,

Please put a stop to the economically draining witch-hunt against Microsoft. This has gone on long enough.

The attorneys general insist that by prosecuting Microsoft for building an Internet browser into their Windows operating system they are somehow helping consumers. Yet the Microsoft suit has been a disaster for consumers, investors, and taxpayers. If the attorneys general prevail, consumers will be forced to pay higher prices for software and lose the benefit of an integrated operating system. Investors—who make up nearly half of all American households—have watched their portfolios plummet. And taxpayers have been forced to subsidize the attorney generals' quixotic three-year legal odyssey. Courts in eight

states have already recognized the flawed nature of the case and thrown out private antitrust suits against Microsoft.

The only benefit of the Microsoft case is that it has exposed the naked ambition of the attorneys general. They should realize that the emperor has no clothes before they do further damage to our economy and legal system.

Therefore, please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John M. Hussey  
3354 N. Oconto Ave.  
Chicago IL 60634  
773-745-9887  
jhussey@pcc.net

**MTC-00020413**

From: steventcox@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:11am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Stephen Cox  
1553 Williamsburg Lane  
Franklin, IN 46131-1952

**MTC-00020414**

From: Jane Dowe  
To: Microsoft ATR  
Date: 1/24/02 5:12am  
Subject: Microsoft Settlement

Microsoft is a great American company. It is not a monopoly. They have won in business by being better than the competition, not cheating the competition. You people need to take care of the business that this country pays you for and leave Microsoft alone.

**MTC-00020415**

From: billwill@triad.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bill Williams  
6580 Shallowford Road  
Lewisville, NC 27023-8651

**MTC-00020416**

From: DRLINN@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:12am  
Subject: Microsoft Settlement

I am against the current persecution of Microsoft. It has been nothing but a vehicle for weaker competitors to use government force to stop Microsoft from doing such an excellent job and offering so much value to customers, so the competitors could get more market share without earning it. Market share should be determined by competition and economics, not by politics.

Please end this case as soon as possible.

Sincerely,  
David R. Linn  
Cape Coral, Florida

**MTC-00020417**

From: Allen Davis Malony  
To: Microsoft ATR  
Date: 1/24/02 5:15am  
Subject: Microsoft Settlement

Dear Renata B. Hesse,

The Department of Justice's tentative settlement with Microsoft of the United States vs. Microsoft antitrust lawsuit is a very poor solution to curtailing the well-documented anti-competitive nature of Microsoft's obvious monopolistic practices. This settlement IS NOT upholding either the antitrust laws for controlling monopolies that prevent other companies from fairly competing, or the spirit of those laws to have fair competition spur technological advancement. Indeed, Microsoft has demonstrated in its aggressive actions towards competitors, wielding its monopolistic weight and power, that it is ONLY concern with maintaining its dominant position for business profit. Its elimination of competitive products while assimilating, with reservation, their technological ideas (if not directly stealing their intellectual property) goes far to explain its lame argument of being an "innovator."

As the tentative settlement stands, it represents a complicity and an approval on the part of the Department of Justice to Microsoft's monopolistic behavior. The precedent that would be set by this settlement is disturbing from the point of

view of the Justice Department's and the White House's role in U.S. business.

Clearly, there is a problem with Microsoft as a monopoly, and this problem continues even now. Please don't be part of the problem. I admonish you not to approve this tentative settlement. Furthermore, I urge you to "do the right thing" and to treat Microsoft as severely as you would any company with so clear and damning evidence against them.

Sincerely,  
Allen D. Malony  
Associate Professor  
Dept. of Computer and Information Science  
University of Oregon

**MTC-00020418**

From: lloyd\_eg@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:05am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lloyd Baldwin  
P.O. Box 6344  
Malibu, CA 90264-6344

**MTC-00020419**

From: Mark Chou  
To: Microsoft ATR  
Date: 1/24/02 5:12am  
Subject: Microsoft Settlement

I have read the Proposed Final Judgment (PFJ), and I am strongly against it in it's current state.

—The PFJ doesn't take into account Windows-compatible competing operating systems

—The PFJ contains misleading and overly narrow definitions and provisions

—The PFJ fails to prohibit anti-competitive license terms currently used by Microsoft

—The PFJ fails to prohibit intentional incompatibilities historically used by Microsoft

—The PFJ fails to prohibit anti-competitive practices towards OEMs (Original Equipment Manufacturers)

—The PFJ, as currently written, appears to lack an effective and meaningful enforcement mechanism. The PFJ, as written, will allow and offer no substantive reduction of anti-competitive practices, will delay emergence of competing Windows-compatible operating systems, and thus not in the public interest.

It should not be adopted without substantial revision to address these shortcomings.

For additional details, please see <http://www.kegel.com/remedy/remedy2.html>

Sincerely,  
Mark Chou  
Systems Programmer  
Portland, OR

**MTC-00020420**

From: Brad Gillette  
To: Microsoft ATR  
Date: 1/24/02 3:17am  
Subject: Microsoft Settlement

The proposed Microsoft anti-trust settlement is completely unsatisfactory. Why? Because again, and again Microsoft has willfully demonstrated its disdain for past injunctions and legal settlements with the US Justice Department. The record and documentation is quite clear else I would recite it once again in this mailing.

It will be a travesty of justice if the current proposal becomes the settlement. Almost as bad, would be the wasted millions in tax dollars that the government has spent to finally get Microsoft "on the ropes", and now have this administration "roll over", allowing MS to get off w/ little more than a slap on the wrist. This will only serve to tell MS that it can get away w/ what ever it likes.

Brad Gillette  
Software Engineer

**MTC-00020422**

From: dave@cranefamily.f9.co.uk@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:25am  
Subject: Microsoft Settlement

Dear Sirs /Madams,

I'm writing to express my concern about the leniency of the proposed settlement of the antitrust case against Microsoft. I am not a US citizen, but I believe that this is an issue of global importance. I believe the public comment period is open until 28 Jan, so here are my comments. Microsoft has been rightly found guilty of abusing its position as a monopoly player. Since the first round of hearings were concluded, it has not tempered its activities.

—With the "Passport" scheme, it is looking to place itself as a central broker in all economic transactions occurring over the internet.

—With .NET subscription technologies and revised pricing models, it is looking to tie users of its software into continually paying.

—With restrictive, non-public OEM licenses on bootloaders, it continues to artificially keep alternative operating systems such as Linux and the now-defunct BeOS from establishing market share, and restrict the freedom of choice of those purchasing computers to Microsoft or Microsoft.

Let me elaborate on that final point. As I understand it, a Microsoft operating system is provided at low cost to a hardware manufacturer on the proviso that they use the Microsoft "bootloader" to launch the operating system when the machine is switched on—despite the fact that other programs not owned by Microsoft (and some freely available) can also accomplish this task just as reliably. The Microsoft bootloader

license allegedly prohibits any other operating system from being launched at the same time, preventing a hardware manufacturer from offering a system that can run Microsoft Windows AND an alternative operating system. I note that no such machines are available on the market in either the US or Europe, and that such a purchase would be both very attractive to many buyers, and the easiest way to gain familiarity with alternative operating systems while still being able to use Windows as well.

In the case of Linux, which is freely available, there would be minimal per-unit cost to the manufacturer in offering this alternative either. The restrictions placed by the Microsoft OEM licenses effectively keep the majority of computer users locked into their state of ignorance about alternatives to Microsoft.

So long as Microsoft controls the only desktop operating system in town (bar Apple, I admit) vendors of application software are forced to play by their rules or else suffer the fate of Netscape. In a world where a diversity of operating systems are prevalent, it would be much harder for Microsoft (or any other single interest) to pitch the rules in its favour in competition between application vendors. A comprehensive solution must begin at the operating system. The increased freedom to compete will then bubble up to the applications, office suites, web browsers, etc.

Personally, I have felt motivated to investigate alternative computing platforms simply to sever any reliance on a company that seems so intent on milking its users as much as it can. I am fortunate in being technically adept enough to do so, despite the unnecessary difficulty of this process arising from the way in which Microsoft has manipulated the market. Freeing the hardware manufacturers from shipping only Microsoft-enabled boxes would extend the freedom that I enjoy to many other computer users.

Please, take real measures to promote diversity in the future of computing. I would single out the bootloader restrictions as the most critical issue to be addressed here, and urge you to:

- prevent any operating system manufacturers from brokering such restrictive deals outside of the public gaze
- prevent any operating system manufacturers from fostering the development of closed hardware standards that will lock out competitors

Thus far, Microsoft's power has been concentrated within the IT arena. Once I switch my machine off, I needn't worry about them. But the influence of IT is becoming more pervasive, and in many ways I see benefits in this, so long as the public retains some control on how information is used. I do not look forward to a situation in which I am forced to license software from a specific vendor in order to be able to shop for my groceries, use the transport system, or other basic aspects of daily life. Such a prediction may sound alarmist, but I do believe it is a distinct possibility. The way in which this settlement is reached will provide a clear signal to Microsoft and other large players in this emerging market as to the

extent to which the US government is willing to concede its role as an international safeguard of human rights and freedom to closed commercial interests that are willing to cynically flaunt the established rules of business, whether that interest be Microsoft or anyone else.

Thank you for listening.

Dave Crane  
IT consultant  
Bristol, UK  
dave@cranefamily.f9.co.uk  
CC:dave@cranefamily.f9.co.uk@inetgw

**MTC-00020423**

From: cinematique  
To: Microsoft ATR  
Date: 1/24/02 5:15am  
Subject: Microsoft Settlement

Hi. I go to school at Kent State University and I have a troubling situation to share with you.

I registered for a class which was described as a course to learn about modern computers. Nowhere in the course description were the words Apple or Microsoft ever mentioned. I assumed it would be a general course about surfing the web, learning to use a word processor, a history over computers, et cetera. In reality, the class extensively teaches how to use Microsoft Excel, Word, and Windows 98.

When I asked the teacher if I could use a Macintosh and Office X for Mac OS X, he said there shouldn't be any problems. This is hardly the case. As a class, we were told that we could purchase Office XP from the campus book store for the modest sum of \$20. I assumed that this meant I could also purchase the Macintosh version of the same software for the same amount. In reality, I can't. In fact, if I want to buy Office X for Mac OS X, the academic price is \$200.

Furthermore, the class website is designed to work only with Windows computers running Internet Explorer 5.5. When I try to use my Macintosh to view the website, parts refuse to load. This leaves me completely unable to accomplish my classwork on my relatively new Apple G4 computer.

Draw your own conclusions.

-Adam Ross

**MTC-00020424**

From: NewAje  
To: Microsoft ATR  
Date: 1/24/02 5:15am  
Subject: Microsoft Settlement

I'm a tech-savvy voter who is opposed to the Microsoft settlement because it does not adequately compensate the people and businesses of the US nor is it strict enough to prevent further uncompetitive behavior

**MTC-00020425**

From: Bill Nugent  
To: Microsoft ATR  
Date: 1/24/02 5:34am  
Subject: Microsoft Settlement

I am writing with respect to the proposed Microsoft settlement and I am against it because it does not go far enough to curb the anti-trust abuses that Microsoft has been and is still engaged in. The browser war has entered into a new chapter with Opera ([www.opera.com](http://www.opera.com)). A few weeks ago I was able to use the Microsoft web site using

Opera but when I tried a few days ago there were delays other problems. Reminds me of the Netscape browser war a few years back. I have read news reports that Microsoft is actively blocking Opera on other web sites as well such Hotmail.com.

I find it ironic that Microsoft does not feel the pressure to write programs that conform to published Internet standards—the Request for Comments (RFC's). Hotmail.com and Microsoft Outlook for years have not been compliant with the email address standards. Other companies scramble to fix these kinds of bugs but Microsoft does nothing—is this not monopolistic behavior?

Microsoft has now dropped support for Java in the latest release of the browser but Java is growth is phenomenal. Would not a truly competitive company continue support for Java? Other browsers such as Netscape, Opera and Konqueror all support Java. Why does Microsoft not feel competitive pressure?

Please abandon the US DOJ proposed settlement. Please join the alternative settlement proposed by the other nine states that actually will punish Microsoft and does more to create a level playing field.

Sincerely,  
Bill Nugent

Please—abandon the current settlement proposal

#### MTC-00020426

From: Chris Weeks  
To: Microsoft ATR  
Date: 1/24/02 5:32am  
Subject: Microsoft Settlement

It's simply unjust. Anyone looking at the situation sees Microsoft as a strong competitor that has strong-armed the alternate markets by leveraging their control of their monopoly in the desktop operating system market and the office productivity market. It is a shame to the justice that Microsoft can behave as they have and walk away as unscathed as they have so far....

#### MTC-00020428

From: Majid Anwar  
To: Microsoft ATR  
Date: 1/24/02 5:31am  
Subject: Microsoft Settlement

Sir/Madam,

There's probably not much more to say than has already been said by many others—Microsoft practices clearly damage the industry and consumers. An unaccountable amount of damage has already been done, but it is not too late to put a stop to this.

MS plans for XP, .NET, Xbox will \*not\* benefit users because they do not provide useful public standards for services. Competition is healthy and necessary and exploitation of a uniquely inherited position to the detriment of society (the impact of all this goes well beyond the IT industry) is plainly unfair in any civilized arena.

It is also ironically unpatriotic to the American ideal and reliance on a single closed standard will make society very vulnerable due to the lack of choice and alternatives.

It must be your duty as guardians of justice to put a stop to this. Millions of people are trusting you to perform your duty and restrict anti-competitive practices, and compensate

those who have suffered because of MS unfair exploitations.

Regards,  
Majid.

Dr Majid Anwar  
Titanium Building, Braehead Business Park  
Fax: +44 141 885 5599  
Kings Inch Road, Glasgow G51 4BP, UK  
Email: majid@picsel.com

#### MTC-00020429

From: Jorge uerra  
To: Microsoft ATR  
Date: 1/24/02 5:36am  
Subject: Microsoft Settlement

I agree with the breaking up of Microsoft. My company is losing sales daily because of their unfair practices. Our developers have even found evidence that MS is adjusting their products not to work with ours. Please stop this company or slow them down.

—By controlling the news content they can shape public opinion by presenting information on a favorable way to their interests.

—By controlling our identities on the Web (ie. Passport) they can track our lives in ways that no government can ever do

—By using sabotage tactics on their competitor's products they are eliminating the consumer's freedom of choice  
Please help the American public, this company will become so powerful that no government will be able to contain it.

Faithfully yours,  
Jorge Guerra  
(D) Miami, FL

#### MTC-00020430

From: vwaulk@gtcom.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:32am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Van B. Waulk  
P.O. Box 1364  
Lanark Village, FL 32323-1364

#### MTC-00020431

From: christopher lease  
To: Microsoft ATR  
Date: 1/24/02 5:38am  
Subject: Microsoft Settlement

Dear Sir,

After hearing of the the proposed Microsoft anti-trust settlement, I've been moved to express my thoughts on the matter... I very idea that Microsoft would "pay" for its anti-competitive errors by "giving" it's own software to schools, to me is an insidious and dangerous .

This action would give Microsoft and helping hand to pillage the one market that they do not yet dominate. What will happen when it's to UPGRADE this software that Microsoft gives our schools? Obviously Microsoft knows that these systems will need to updated at some point and they are betting that a flood of money will return to them, locking out any and all competition.

I've also read from Microsoft press realizes that it defends it's actions as "The freedom to innovate". From every exp that I have ever had with their products, I an attest that they have done very much less than innovate. For every product that Microsoft makes I can name a non-Microsoft vendor who makes a product of the same category which is superior in function to it's Microsoft brand counterpart. Yet the Microsoft product still dominates.... How can that be? Granted, company's are in business to make money and that is the American way. So is fairness and honesty & competition.

Concerned,  
Christopher Lease,  
Baltimore, MD

#### MTC-00020432

From: Sten Sundblad  
To: Microsoft ATR  
Date: 1/24/02 5:37am  
Subject: Settle with Microsoft now

Microsoft is a young company, founded as late as in 1975. It's also a much smaller company than most people assume, employing no more than (I believe) about 30,000 people all over the world. While a number to be respected, it doesn't make Microsoft into anything like a giant. Even though Microsoft is far from being a giant, the company has had an enormous impact on the lives of a very large part of the world population. Microsoft has indeed put computers running Microsoft software on almost everybody's desk, at home and in the office, at least in developed democracies. With products like Microsoft Office, the company has created a de-facto standard, thereby making it possible for people of all nationalities and all races to exchange electronic nicely formed information with each other without hassle. By aggressively supporting Internet standards such as HTML, HTTP, XML and the SOAP protocol, they're rapidly increasing the chance for people to connect over the Internet and exchange information at an even higher level. The cost for computers and for Microsoft software has been kept incredibly low. This must be an indisputable fact, because if it wasn't so, users would have selected other products or possibly even rejected the use of computers in their homes.

Now Microsoft is threatening companies like Oracle and Sun. They do so by going in on domains where these companies have before been able to work with very high prices and profit margins for "enterprise level" IT products. We can already see that

companies start to run their business critical software on Microsoft Windows 2000 with Microsoft SQL Server rather than with Sun's operating systems and Oracle's databases. The reason is cost effectiveness. This means that companies are going to be able to reap the same kinds of benefits with Microsoft products that individuals have already done. Of course, this does not sit well with Microsoft's competitors, but it sits very well with consumers.

The situation for companies competing with Microsoft is now becoming even worse. The new .NET initiative promises a new and even more cost effective world of computing for consumers of the world, be they individuals or businesses. It's now in your power to work against consumers and for back-striding companies that can't keep up with the pace Microsoft is setting. If you select to support these back-striding companies by not settling with Microsoft in a reasonable way now, you won't only work against consumers but also against the majority of IT vendors that do not share the hostility towards Microsoft demonstrated again and again by Sun and Oracle now and Netscape before AOL bought the company.

To conclude, Microsoft is a threat to a very small number of IT vendors with high prices and high profit margins, but not to consumers. Please support the consumers of America and the rest of the free world by giving Microsoft the peace they need to innovate. The world needs that!

Sten Sundblad, ADB-Arkitektur AB  
Microsoft Regional Director, Sweden  
Email: stens@adbark.se

WWW: <http://www.adbark.se> <<http://www.adbark.se/>>

<http://www.adbark.com> <<http://www.adbark.com/>>

Kungsgatan 113, Box 437, 751 06  
UPPSALA, SWEDEN

Phone: +46(0)18-69 51 00 Fax: +46(0)18-69 51 59

#### MTC-00020433

From: michaelhere@cs.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 5:33am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Michael Sheesley  
253 E Kline St

Girard, OH 44420-2623

#### MTC-00020434

From: steven.ferguson@transport.alstom.com@inetgw

To: Microsoft ATR

Date: 1/24/02 5:38am

Subject: Well what can one say, only that it seems that Microsoft can get away with Well what can one say, only that it seems that Microsoft can get away with what ever they want, if they can cover it up, then who is interested in the man in the street ? nobody it seems....

I am now migrating over to Linux, because as far as I am concerned it stinks BIG TIME ! I dare say that some nice little deals are being done on the side to keep people sweet, but as usual these will be covered up as well.....

CONFIDENTIALITY : This e-mail and any attachments are confidential and may be privileged. If you are not a named recipient, please notify the sender immediately and do not disclose the contents to another person, use it for any purpose or store or copy the information in any medium.

#### MTC-00020435

From: go7200@webtv.net@inetgw

To: Microsoft ATR

Date: 1/24/02 5:34am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
david fenwick  
e. cotton hill rd.  
new hartford, CT 06057

#### MTC-00020436

From: Erwan Barret

To: Microsoft ATR

Date: 1/24/02 5:38am

Subject: Microsoft Settlement

Dear Madam, Dear Sir,

As a contributor to many IT magazines, including MacDirectory in the USA, I feel it is my responsibility to contribute to the settlement of the Microsoft case by seizing the opportunity you offer to users. I can remember the time when I was a strong advocate of Microsoft as an application software vendor, when their position did not endanger competition. I insist that in this time, Microsoft was still a company that regularly introduced inventions, thus helping the whole industry to go forward. In my

opinion, it has now been a long time since this happened. My current work, and the jobs of many people in the USA and in the world depend directly from computer products, among which Microsoft product still hold a considerable importance. Everyone I know uses Microsoft at work. We defend Microsoft as a software application company as much as we deplore that they could legally reach such a hegemony in the OS industry.

Therefore I am strongly opposed to the simple payment of a fine. Fines are a penalty for the poor, not for the rich. It is that simple. The other reason is, the application to Microsoft of very clever antitrust laws can only save jobs in the long run, AND make the industry go further, faster and in a more efficient way.

The people who designed Word and Excel are not the same as those who design unsecure, unstable and proprietary operating systems. Laws allow you to part them for the best: excellent multi-platform software applications on one side, and operating systems confronted in a fair market to a clever competition on the other side.

The main goal is supposed to be customer satisfaction. Aforementioned suggestions, no different from those indicated by the law, are an obvious gain to everyone. I'm looking forward to seeing fairly competing Baby Mikes challenge Apple, Oracle, UNIX integrators and many other companies who do compete fairly on the common ground of quality.

Many thanks for allowing users to express their opinion.

Erwan Barret  
ebarret@worldnet.fr

#### MTC-00020437

From: jbaumann@att.com@inetgw

To: Microsoft ATR

Date: 1/24/02 5:32am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Baumann  
402 Alexander Avenue  
Deltona, FL 32725-8302

#### MTC-00020438

From: Computer City Distribution

To: Microsoft ATR

Date: 1/24/02 5:38am

Subject: Microsoft Settlement

About five years ago in Ireland almost every PC builder and re-seller signed a petition and gave it to Microsoft objecting to their anti-competitive & monopolistic behaviour. Everyone has known about this for a long time. Freedom in America has allowed Bill Gates to become the richest man in the world. He is now using his money to take that freedom away from anyone whom he feels may become a threat to his crown. Give the next Netscape it's freedom and split Microsoft up.

Best  
Greg  
Computer City Dist  
Ireland.

**MTC-00020439**

From: jimteeg@telepath.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jim Teegerstrom  
2115 Dakota  
Norman, OK 73069

**MTC-00020440**

From: byrdman@pamlico.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:41am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Byrd Hinshaw  
2402 Trent Road  
New Bern, NC 28562-2020

**MTC-00020441**

From: William Morris  
To: Microsoft ATR  
Date: 1/24/02 5:45am  
Subject: Microsoft Settlement

I believe that the proposed settlement is one of the worst mistakes in the history of antitrust cases. Microsoft is a monopoly, this is a fact. The proposed settlement will do nothing to change that. Microsoft is sitting on one of the largest piles of cash ever held by a corporation. They have control of most of the technology industry. They have control of the OS, they have control of key applications, they are trying to gain control of handhelds, video game systems and cable boxes. Where does it stop? How can anyone compete with a company that has billions in cash to spend taking over new markets?

The settlement as proposed is a mistake.  
William Morris

**MTC-00020442**

From: kf4nbg@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jim Thibeault  
101 Hutson Dr. H 2  
Summerville, SC 29483

**MTC-00020443**

From: verp0349@citlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Vicky Peterson  
P.O. Box 55  
Howell, UT 84316-0055

**MTC-00020444**

From: wasue@icubed.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Sullivan  
7266 West Market St. #138  
Mercer, PA 16137-6633

**MTC-00020445**

From: Richard Knapp  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 5:47am  
Subject: Microsoft Settlement

To Whom it May Concern:

I do not agree with this agreement. You have a company that has done everything in its power to control the PC market. The government has found them in violation of the law two prior times and has come to an "agreement" with them. The company has willfully and blatantly violated both of those agreements. So we are going to draw up another similar agreement?

This settlement seems to be nothing more than a slap on the wrist. To say such treatment is patriotic during these times is garbage. Seems to me, the patriotic thing to do would be to obey the law, not discard it when convenient to do so.

Thank you for your time.  
Richard Knapp

**MTC-00020446**

From: Ben Senior  
To: Microsoft ATR  
Date: 1/24/02 5:51am  
Subject: Microsoft Settlement

Software systems are fundamentally different to hardware systems—ostensibly in their ability to replicate without consuming

resources, and their further capacity for self-(re)definition. That the software industry continues to use a metaphor derived from the era of industrial revolution does not mean that it will last. As a researcher at the cutting edge of Large-Systems construction it is patently apparent that this is so.

The restrictions being placed on the market place, and on the entire conceptual view of "what computer systems are" by microsoft will become the single greatest limitation on the evolution of organisational support systems—which in essence is what large information systems are.

Given that our self-organisation is the basis of our species evolution (it is the only thing we have evolved in thirty thousand years, look at the collective impact and capabilities of our species now), and given that modes of political and social orientation are centrally dependent upon our capacity to organise in novel ways, I would go so far as to say that the monopoly of microsoft is not simply industrial, but intellectual and ideological.

In the terrain of software development Microsoft is so absurdly adept at obliterating any signs of competition precisely because it is able to apply, with great coordination, its myriad departments and products in such a way that they re-shape the commercial terrain pre-emptively before initially under-priced targetting products are used like daisy-cutters.

The single most important thing to do is to prevent Microsoft coordinating its forces. This is the necessary first step. This is precisely what the DoJ is not doing.

Mr T. Senior, Bsc Mrs  
University of Manchester

**MTC-00020447**

From: Alex Hewson  
To: Microsoft ATR  
Date: 1/24/02 5:53am  
Subject: Microsoft Settlement

speaking as a brit... i don't think the current antitrust settlement goes far enough. It almost certainly won't stop Microsoft's attempts to dominate the industry (witness the latest, passport—with it Microsoft hopes to control \*all\* authentication to computers and websites in the world. I for one am not at all happy with seeing a single company (especially one that's already proved itself so untrustworthy) wield so much power. You still have a chance to prevent this from happening—will you take it?

Regards,  
A. Hewson

**MTC-00020448**

From: dlcox@delanet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:46am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other

Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Debra Cox  
1008 Old Baltimore Pike  
Newark, DE 19702-1202

**MTC-00020449**

From: ChaseT1@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:50am  
Subject: Microsoft Settlement

I am writing to register a complaint to the effect that settlement with Microsoft is a bad idea. Its predatory practices has reduced consumer's choice in many software markets, not only that of operating system software. Please consider the future health of the computer marketplace and punish Microsoft to the fullest extent possible in order to help prevent its illegal practices.

Chase Tsang  
Thousand Oaks, CA

**MTC-00020450**

From: JGARTHWA@AOL.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
JUDY GARTHWAITE  
1400 GRASSLANDS BLVD  
UNIT#76  
LAKELAND, FL 33803

**MTC-00020451**

From: WHayesPBSF@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:54am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Hayes  
315 Edwards Lane  
Palm Beach Shores, FL 33404-5720

**MTC-00020452**

From: RJH  
To: Microsoft ATR  
Date: 1/24/02 5:55am  
Subject: Microsoft Settlement

Dear Sir/Madam,

As a user of both Microsoft and Netscape software in the UK, I wish to comment on the proposed settlement of the above case. I will keep this short and only comment as a user of computer software. The terms of the settlement proposed would appear, to the "ordinary man in the street" to be a sudden capitulation by Government to big business, and is effectively allowing Microsoft to walk free without serious penalty or inhibiting it from future offences. This is incredible, after proving that Microsoft was guilty of monopolistic and anti-trust behaviour.

Such a capitulation will ultimately be to the detriment of both industry and the consumer.

Specifically, from my perspective as a user, Microsoft destroyed the Netscape Company and the Navigator browser software and also encouraged the use of unique web server software code configurations, which, to this day makes it difficult to receive Microsoft server data on a Netscape browser, and obliges (forces) the user to use the Microsoft program.

The the user, the very minimum believable remedy would be to oblige Microsoft to separate the operating system software (Windows) from the application software (Internet Explorer, Office etc), which is not difficult.

By this I mean at the software program level—any separation of the Microsoft business activities would be a bonus, by virtue of the additional protection afforded to the consumer of future anti-competitive behaviour.

Regards  
Richard Howes

**MTC-00020453**

From: Jason Lazzara  
To: Microsoft ATR  
Date: 1/24/02 5:55am  
Subject: Microsoft Settlement

I think the proposed settlement really stinks. Microsoft is getting off without much payback to the rest of the world.

—>jason lazzara



**MTC-00020454**

From: peterm@ewol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 5:52am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 PETER MARTINI  
 6773 MYRTLEWOOD RD  
 NORTH PORT, FL 34287

**MTC-00020455**

From: dgandsk@speedfactory.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 5:55am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Dallas Hayes  
 12548 Simmons Road  
 Hampton, GA 30228

**MTC-00020456**

From: pacobel@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 5:52am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Nunzio Nano  
 24 Dingley Street  
 Leominster, MA 01453-1914

**MTC-00020457**

From: Douglas Metcalfe  
 To: Microsoft ATR  
 Date: 1/24/02 6:03am  
 Subject: Microsoft Settlement

This settlement is a roll over by the DOJ—written by Microsoft, for Microsoft. Somebody at the DOJ should stand up for the rule of Law. This is a disgraceful cave in, and political pandering of the very worst kind.

Much worse than simply profiting from it's monopoly, Microsoft continues to strangle innovation in the cradle. What Microsoft can not steal it kills. This had caused untold harm to consumers, who have been deprived of quality products for years by this predatory monopolist's tactics. It is now the DOJ itself that has been perverted by this case. My faith in the American Legal system is solely in the hands of the Judge, if she supports this settlement, then America truly does have the best legal system money can buy.

Douglas Metcalfe  
 Pittsburgh, PA

**MTC-00020458**

From: jcpolcaro@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 5:57am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 john polcaro  
 3495 highway 17n  
 bartow, FL 33830-9241

**MTC-00020459**

From: joel.taylor@gm.com@inetgw  
 To: Microsoft ATR

Date: 1/24/02 6:00am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. nThis is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Joel Taylor  
 PO Box 190206  
 Burton, MI 48519-0206

**MTC-00020460**

From: hbock@remc7.k12.mi.us@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 5:55am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Harvey Bock  
 3347 Starboard Dr.  
 Holland, MI 49424

**MTC-00020461**

From: junk(a)berristead.com  
 To: Microsoft ATR  
 Date: 1/24/02 6:05am  
 Subject: Microsoft Settlement

Justice needs to be seen to be done, and at the moment Microsoft has been abusing the process by serial delaying tactics while it decimates the opposition. I find this grossly disrespectful of the legal system. Legal practice needs to be a whole lot faster if it is not going to be abused in this way. Less juries, more clued up judges. The present (proposed) settlement is a slap on the wrist. It implies an embarrassingly weak judiciary with a heavy Republican hand on its shoulder. Microsoft have been convicted of

destroying other companies by abusing a monopoly. They have probably caused more damage to the US economy and its development than 11/9, but have done it by stealth and obfuscation.

Microsoft have a cash pile of 3bn. Take it, and then divide them as was in the initial plan. They will continue to thrive, but stand more chance of doing so fairly.

Tom Hughes

**MTC-00020462**

From: jcpolcaro@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
john polcaro  
3495 highway 17n  
bartow, FL 33830-9241

**MTC-00020464**

From: Mat Diss  
To: Microsoft ATR  
Date: 1/24/02 6:03am  
Subject: Microsoft Settlement

Dear Sir,

I would like to express my dismay that a proven monopoly such as Microsoft, with a history of manipulation, has been "let off lightly" by the DoJ and will now be able to effectively carry on with its monopolistic pursuits unhindered.

Microsoft makes a LOT of money from giving people no choice but to run its software, perhaps it is time to let the people have their choice by being able to buy PC's with the software they would like to run, not the software that Microsoft dictates they should run. Here in Europe, computer stores cannot sell PC's without Windows on them as Microsoft does not allow it.

Thankyou  
Mat Diss.

**MTC-00020465**

From: christopher  
To: Microsoft ATR  
Date: 1/24/02 6:51am  
Subject: Microsoft Settlement

To whom it may concern,

Firstly I am not an American citizen but do have to suffer the constant barrage of poor products from Microsoft ( It is my profession to alleviate the problems other people have

with Microsoft software ). We constantly see America being portrayed ( by yourselves through your media ) as a land of truth, justice and democracy. America is the torch bearer for the concept that a free economy can heal all the worlds ills. Your decision has shown that all these claims are totally unfounded, money comes before all else and nothing will get in it's way, the end result of a free economy is corruption, consumers/ citizens are only there to be exploited, technology is to be exploited, not for the further advancement of the humanity but for the financial enrichment of a company at the expense of the advancement of humanity.

You have done yourselves proud.  
Chritopher O Connor,  
chris@christopheroconnor.com

**MTC-00020466**

From: Rick Harris  
To: Microsoft ATR  
Date: 1/24/02 6:07am  
Subject: Microsoft Settlement

To Whom It May Concern,

I feel that the proposed settlement will not do enough to correct Microsoft's anticompetitive practices. Microsoft's Windows Win32 API has become the de-facto operating system API for personal computers. The only way to restore competition in the market is to turn support for the Win32 API into a potential area of competition. Microsoft should have to publish the complete Win32 API so that other operating systems could gain the same level of application support that Windows currently enjoys.

Microsoft should be barred from including language in their other product licenses that prohibit the use of their product on non-Microsoft operating systems.

Hardware vendors should be free from retaliation from Microsoft if they choose to sell systems without any Microsoft operating system pre-installed. Microsoft should be heavily penalized in the event of any future discoveries of code in any of their other products that goes beyond the Win32 API specification to verify that it is running on a Microsoft operation system rather than another vendor's implementation of the API.

Thank you for your time,  
Richard Harris  
Bethel Park, PA

**MTC-00020467**

From: rakillmer@top.monad.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible

precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dick Killmer  
221 Woodbond Rd.  
Rindge, NH 03461-3336

**MTC-00020468**

From: rhaver@neo.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Haver  
4169 Kenneth Rd  
Stow, OH 44224

**MTC-00020469**

From: Michael O'Neill  
To: Microsoft ATR  
Date: 1/24/02 6:08am  
Subject: Microsoft Settlement

Microsoft's attitude seems to be like that of an old Imperialist justifying England's Colonial Expansion. "Sure, we might have enslaved a few million, yes we may have held a few economies back and stolen other countries resources to benefit our own so that we didn't have to work too hard, byt he, at least we can all speak English, right?"

Microsoft program and OS writers have proved themselves lazy and incompetent. Having done good some initial work on a GUI, they then generated feature-rich and security poor software over the past seven years, with a disastrous EULA, all in the name of screwing more money out of customers.

Was there a need for WinXP or Me so soon after Win2K? No. There was a need for a secure Win2K, with no Internet Explorer code in the OS code AT ALL!!!

Most of the hacking exploits that Microsoft OSes are prone to are enabled by IIS server code or Internet Explorer Code or simply crappy application code handling of buffer overflows or the damned "interoperability" between Outlook/Outlook Express and other proggies. Microsoft wanted the Internet to itself so it wasted Netscape. It wants its users to remain clueless so it made things so easy

that every two-bit hacker could exploit holes in its badly written OS and applications code. It wants .Net enabled on all systems so it can "rent" applications and "look after" other peoples information [the Hotmail EULA put paid to that...]

Integration of Server and IE code into the OS doesn't just bring the internet to your fingertips, it brings every malicious cracker to your hard drive! Leasing applications and storing information using the internet means the crackers don't even have to get into your hard drive, just the relevant microsoft server, and we've all seen how secure Microsoft are in the last twelve months! Microsofts quest for domination has exposed private and public users and government departments the world over to using insecure installations for sensitive data.

Not only is the Microsoft Settlement flawed, it is illegal in my opinion, the DoJ failing to discharge its duty to the benefit of all consumers which is to encourage free trade and competition. A judgement which limits Microsoft to providing ONLY the Operating System [OS] AND which prevents any sister company the DoJ might set up to produce applications benefitting unfairly from knowledge of the source code is what it needed. That way companies making sucessfully products such as browsers might flourish once again.

But even if the DoJ do nothing, Microsoft's halcyon days are numbered. Apple sought market exclusivity and profiteering by sticking to the hardware like glue. Microsoft has tried to achieve the same thing by bullying and sticking to the Operating System like glue. Nor will Microsoft's quest to dominate the Net last for too long, I'm afraid. Nor will any restrictive approach will work, long term. Open Source and the GPL are here to stay.

Yes, ironically I'm using a Microsoft Operating system with an old version of Netscape to running on it to send this message. I will probably invest in Win2K for a while, but this year makes the changeover to Linux, prolly either SuSE or Mandrake [or both!] and I don't expect to be looking back over my shoulder too often. Star Office /Open Office, with Opera as a browser, here I come!  
Michael O'Neill.

#### MTC-00020470

From: act1901@lvcm.om@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all

sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Diane Reinstadtler  
7500 W. Lake Mead Blvd #9-192  
Las Vegas, NV 89128

#### MTC-00020471

From: Robin Datta  
To: Microsoft ATR  
Date: 1/24/02 6:08am  
Subject: Microsoft Settlement

Dear Sirs:

It seems AOL is trying to revive a putrefied corpse. There is no question that a separate browser apart from IE would never have reached the seamlessness and efficacy of the present system. And even to this date, if one wants, there are several browsers out there that one can download, install and use as an alternate browser. Some of these browsers do serve special needs and I use Opera from time to time.

But to change the venue for competition to the courts from the marketplace is, if anything, uncompetitive. If AOL has a better browser, let it offer the item as a package deal with AOL service to its customers.

At one time I was also an AOLie, when they came out with an easy interface for Windows3.1. However they did not offer internet acces. That was in the days of the net before the web. But I switched to Netcom because I wanted to have Internet access rather than be limited to AOL content and to their restrictive policies (the so-called "Terms of Service". I did not go back to AOL after that. While with Netcom, I had a shell account, and I had perforce to learn how to set up my shell and a bunch of UNIX comlands to get around on the net (no web then). All downloads were by FTP to my shell account and then had to be xmodemed / ymodemed / zmodemed to my hard disk. I am glad that I had the opportunity to learn how to work UNIX, FTP and the x, y, and z modem protocols as well as ARCHIE, VERONICA, and the mailreaders, newsreaders and wordprocessors of the UNIX shells.

And when the web came along, I initially used SlipKnot to access the web through my shell account. Then I used the PPP emulator that originated in Australia. It had to be placed in my shell account and compiled to make it active. I forget its name but I probably still have it on one of my numerous floppies that have long been collecting dust.

With the PPP emulation, I did use the Netscape browser but I never felt it right to have to cough up cash for what I throught should be an integral part of the system: I got the PPP emulator for free. The coming of the internet Explorer changed the situation; the efficiency or lack thereof of the PPP emulator led me to subscribe to a PPP account at Netcom.

Ofcourse Netcom was bought up by ICG and then by MindSpring which merged with Earthlink, and there is where it stands today. I am grateful to Microsoft for making it possible to do things more easily; I reject AOL as an ISP since I want my ISP to be pure conduit and no content. (That's the reason why I do not go with MSN).

I say get off Microsoft's back. Go back to the market and do what you can do. The courts are not a substitute for the market when one falis in the market. We have a good thing going with Microsoft's products and services. AOL did not and does not cut the mustard, at least with those who care to do better.

Robin Datta  
9228 N Stoneridge Ln  
Fresno CA 93720-1210  
robbin@ix.netcom.com

#### MTC-00020472

From: Demian  
To: Microsoft ATR  
Date: 1/24/02 6:09am  
Subject: Microsoft Settlement

Dear Madams and Sirs,

I am writing to let my opinion as a citizen known about the Microsoft antitrust case. As a person who depends on computers for my job, you might imagine that I have strong opinions about this case. Over the past 12 years or so, I have noticed two clear trends in the "WinTel" computer industry:

1) computer hardware has become more reliable, faster and cheaper with more choices

2) computer software has become less reliable, less affordable, and with less choices

Economically—as a consumer and computer user—Microsoft's (now found to be) illegal business practices have hurt me this way. While the hardware market seems rife with cost-savings, innovation and competitive diversity, the software market is expensive, stagnant and utterly without innovation. And—of course—without robust software, the best hardware in the world is as useful as a door-stop.

It seems that anytime someone comes out with a new software concept that could truly return aggressive competition and new ideas to the software side of the equation (i.e., Java, QuickTime, OpenDoc, RealAudio, Netscape, Novell, etc.), Microsoft uses its illegally gained Monopoly to "embrace, make proprietary, or buy-out" such technologies.

I find it quite frustrating that Microsoft—which used illegal business practices to achieve much of its software dominance—is casually using such ill-gotten gains to achieve dominance in far-reaching markets such as News and Media, Entertainment and Gaming, and Cable/Telecommunications. I must urge the DOJ to finally and permanently put a stop to the way in which Microsoft does business: mainly, using monopoly power in one market to create emerging monopolies in other markets.

Like any other guilty criminal entity, I would hope to see Microsoft punished and restrained from acting in a criminal manner in the future in order to bring balance and progression back to the U.S. Software industry. I am very concerned that the current settlement proposed by the DOJ is completely and woefully inadequate in this regard.

Thank you for allowing my input.

-Demian Rosenblatt

-San Francisco, California

"Simplicity is the ultimate sophistication"

#### MTC-00020473

From: irmillican@aol.com@inetgw

To: Microsoft ATR  
 Date: 1/24/02 6:08am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Rebecca Millican  
 6027 Lilli Way  
 Bradenton, FL 34207-4742

**MTC-00020474**

From: Jonathan Riddell  
 To: Microsoft ATR  
 Date: 1/24/02 6:15am  
 Subject: Microsoft Settlement

I am appalled at the proposed Microsoft Settlement. Allowing a monopoly to give away its product is no way to help competition. I am not a US citizen but this settlement affects all computer users. A /far/ better solution is suggested at: <http://www.gnu.org/philosophy/microsoft-antitrust.html>

In short the points are:

- Require Microsoft to publish complete documentation of all interfaces between software components, all communications protocols, and all file formats.
- Require Microsoft to use its patents for defense only, in the field of software.
- Require Microsoft not to certify any hardware as working with Microsoft software, unless the hardware's complete specifications have been published, so that any programmer can implement software to support the same hardware.

This would allow truly free competition.  
 Jonathan Riddell

**MTC-00020475**

From: chicoramirez@att.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 6:16am  
 Subject: Microsoft Settlement

This is to advise you that I believe that I support the governments settlement with Microsoft. The witch hunt of Microsoft has gone long enough!

ER Ramirez

**MTC-00020476**

From: smhaver@neo.rr.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 6:09am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Shirley Haver  
 4169 Kenneth Rd.  
 Stow, OH 44224

**MTC-00020477**

From: Wilson, Gerald  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 6:14am  
 Subject: Microsoft Settlement

Dear DoJ,

For years I have followed closely—or as closely as I can from here in the UK—the antitrust case brought by DoJ and sundry US States against Microsoft.

I realise that, in making a legal case, it can be important to limit the areas of dispute, and to fight on grounds which are reasonably assured. So I am aware that the case brought by the plaintiffs against Microsoft was specific and limited.

As the evidence presented to the initial presiding judge (Judge Thomas Penfield Jackson) accumulated in public view, it became manifest to the common man that the case against Microsoft was simply overwhelming. Judge Jackson himself, in his Findings of Fact, set a new precedent for the clarity of assessment of complicated technical argument. Microsoft had been found demonstrably guilty as charged; all that was required was a punishment fit for the crime.

It was no surprise that Microsoft should choose to appeal Thomas Jackson's judgement, and it was (of course) regrettable that Thomas Jackson, by some of his own ill-advised actions, strengthened the grounds for the appeal. Nevertheless, regardless of any propaganda interpretation, the simple fact remains: the appeal court substantially upheld Jackson's judgement. Microsoft, on appeal, had still been found guilty as charged; all that was required was a punishment fit for the crime.

It falls to you to deliver that punishment; and to make such remedial changes as are needed to prevent that crime from ever being repeated. In drafting the punishment and remedy, it is important to consider the context of the crime. Microsoft's criminal behaviour, as proven by the antitrust case, is not a temporary aberration. Rather it is a chronic condition. There are numerous other examples of anticompetitive behaviour from Microsoft which might equally well have formed the basis of a provable case. For example: actions taken against the product

DR-DOS more than ten years ago; the undermining of Apple Computer's business by withdrawing applications support at the time of the launch of Windows 95; the propaganda campaign to undermine the OpenDoc standard, when it was perceived as a threat to Microsoft's maintenance of the applications barrier to entry. The examples are legion. The effect has been clear. Over more than a decade Microsoft has built a monopoly business by illegal means, and has then sought to protect that monopoly by further illegal means. The damage is felt worldwide. These actions have harmed the interests of consumers, business and the computer industry in general. Because of these actions the world's IT is over-priced, which means that throughout the world products cost more than they need to, schools can afford fewer facilities, hospitals can afford less medical care, and ultimately more people perish from ill-health, malnutrition and starvation. Microsoft is rich because, through its illegal monopoly, it has siphoned money away from everyone else. That, ultimately, is the crime the DoJ has to punish, and the yoke which the DoJ must lift from future generations.

The year 2001 has seen some spectacular demonstrations of the cost to the world of the Microsoft monopoly. Email viruses like SirCam have brought business to its knees. Security experts confirm: these are direct consequences of the world's enforced dependence on shabbily insecure Microsoft products.

I would like to believe that you are up to this awesome responsibility, and are poised to deliver appropriate punishment and necessary remedy. Alas, I don't think you are. From all that I have read about the details of the proposed final settlement it looks like a spineless cave-in. The guilty criminal will go unpunished, and the criminal behaviour will carry on, to plague the next generation as it has plagued this one. This is a time in history when you can make a difference. Are you Makers of Difference? History, I think, will judge Thomas Jackson well. At least he had guts.

How history judges the DoJ's final settlement is unknown. Gutless? We shall see.

Gerald W Wilson  
 Engineering Facilities Manager

**MTC-00020478**

From: EChild0861@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 6:14am  
 Subject: Microsoft Settlement  
 To Whom It May Concern:

I wish to state my sentiments on the antitrust case against Microsoft. As a frequent computer user, Microsoft has given my family and me a great variety of choices and types of applications. I can and do use other programs, including Netscape, but I have been more than pleased with Microsoft products. The truth is that Microsoft products are very high quality, and therefore, the public benefits by using them. Punishing them for having a corner on the software market is simply punishing creativity and enterprise, and the customer is the one who suffers in the end. We as customers can

choose other products if we wish—just because Microsoft products are packaged with a new computer does not mean that every person will choose to use them. Providing a good service to new users for a good price is not a crime, and should encourage the competitors to try to improve their products to attract more customers. Please bring this suit against Microsoft to an end, and allow consumers to have the full range of choices we have enjoyed to this point. Thank you.

Sincerely,  
Eileen F. Childers  
PSC 36 Box 288  
APO, AE 09456  
Phone: 011-44-1985-308809

**MTC-00020481**

From: finnpox@dpc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:17am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
stephen dalton  
stephen  
103 white oak dr.  
morton, IL 61550

**MTC-00020482**

From: glock23@knology.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Lord  
7700 Hillmont Dr.  
Columbus, GA 31909

**MTC-00020483**

From: Roy McPherson  
To: Microsoft ATR  
Date: 1/24/02 6:15am  
Subject: Microsoft Anti Trust Case

**MTC-00020483-0001**

Dear Sir/Madam,

I have decided to write you in relation to this case against Microsoft and add my voice to the millions of other computer users who use the Windows Operating System and want to be able to have a choice.

To make my point blunt and to the point. I want the choice to be able to use another operating system. I also still want to be able to use products that can run on windows as they hold the monopoly. Whether I use Macintosh or Linux, I still need to be able to use Windows products because, everyone else has to too.

I live in Australia. And everything that happens in the United States affects everyone in the world. I respect Microsoft's right to be able to make a product, and make a profit. But I do not respect a company that holds 90% of the desktops around the world, but doesn't let their source code out to the public so all operating systems may be compatible. And that, is where I think my argument comes to its final point.

Microsoft's monopoly would not mean as much if their source code was open to the public. The Company would not have to be split up. If another company out there was allowed to make a word processor that could read Microsoft Word .DOC Documents ect as well as every other file extension or file name.., then every operating system and program could be made compatible and you would have true competition.

Please, Take this last point as the most serious of this letter.

Roy McPherson  
McPherson—roy@hotmail.com  
2/40 Alexandra st  
Rockhampton Old 4701 Australia

**MTC-00020484**

From: Jonathan Tyzack  
To: Microsoft ATR  
Date: 1/24/02 6:19am  
Subject: Microsoft Settlement

Dear Sir/Madam,

I will keep this brief as you have no doubt had many e-mails that already make many of the points I would have normally put forward. However, there is one issue that I would like for you to take into consideration and that is the impact on computing globally if this mockery of a settlement is allowed to proceed. Microsoft has an even greater stranglehold on the majority of non-US computing markets than the one it has in the US. If this settlement, which is so pathetically feeble it beggars belief, is followed through, it will effectively enable MS to dominate the world even more than it does now. So, please take this into consideration when deliberating on your

decision—it affects many, many more people than just the US population.

Yours sincerely,  
Jonathan Tyzack

**MTC-00020485**

From: joballe@attglobal.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:16am  
Subject: Comments on Microsoft Judgement  
Sirs:

The proposed judgement on the Microsoft antitrust case is inadequate to address existing and future problems. I have continually been forced to change my way of doing business as a result of Microsoft's practices. Word processor software, version control software, and many other software forms; the vendors have either been forced out of business, purchased and disbanded, unable to compete with Microsoft products due to inavailability of information of "secret" Window's interfaces.

A much more strict and comprehensive set of damages is needed.

Dr. John O. Ballenthin  
John and Linda Ballenthin  
5 Rolling Lane  
Lexington, MA 02421-7515  
781-862-4179  
joballe@attglobal.net

**MTC-00020486**

From: sweetestbriar@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:12am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Doris Brown  
704 Copper Creek Rd  
BErea, KY 40403

**MTC-00020487**

From: J. Grant  
To: Microsoft ATR  
Date: 1/24/02 6:19am  
Subject: Microsoft Settlement

Hello,

It seems the time is coming close to the settlement date. I would like to protest that Microsoft is getting away without any major changes. They should be broken up, they have hindered the free market too long with their monopoly.

Having one company control 99% of the software and Operating systems market is just not fair on other companys. MS embrace new technology and then modify it so it is incompatible with other companys competing product. Using their Monopoly of the Desktop they are now forcing their way into other areas such as "online media players" and "online chat clients".

Please do the right thing and split MS up. Other companys have been hindered for too long.

Yours sincerely  
Jonathan Grant

**MTC-00020488**

From: zonner33@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William H Matthews Jr  
1236 Highview Rd  
Lantana, FL 33462-5912

**MTC-00020489**

From: Chukwuma Uwakaneme  
To: Microsoft ATR  
Date: 1/24/02 6:26am  
Subject: Microsoft Settlement

It was a shock to hear the settlement proposed by the DOJ in the sense that no significant retribution was handed out to Microsoft in addition to a lax control on future business practices. Microsoft has shown time again that it has no regards to anybody, consumers, competitors, the government and the law of the land. Even as it was going through the legal problems, it continued to do the very things that necessitated the suit in the first place. It seems anything is good as long as it will increase the profit of Microsoft. Whether it is lies and FUD against competitors, irrespective of how little they are, relentless draining of consumer's income because they have very little choice.

In the past several years, the average price of computers went from about \$2,000.00 to \$900.00. This was because of the competition that Advanced Micro Devices was able to build against Intel. If anyone else could build the same competition in the software arena against Microsoft, the average price will drop

further down, where the majority of the populace can afford a decent computer. As a matter of fact Microsoft is the only one that has increased the price of the computer's operating system—Windows's XP.

What may happen eventually is that we will all be charged if we don't use MSN as our ISP. What right do we have to run Windows and not use the ISP of the company that put Windows on your desk top. I am sure they are working on this through the "Passport" or by eliminating all other ISP choices. It worked with Word Processor and the Spreadsheet, after all.

Sincerely  
C.U.

**MTC-00020490**

From: John—J—SMITH/BE/  
ALCATEL@ALCATEL@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:20am  
Subject: Microsoft Settlement

While I am from the EU, I think I can still lodge my complaints about the MS Anti Trust settlement.

I use unix at work, with netscape. MS is trying to dominate the web with its new .NET initiative which means that by sheer market forces, I will no longer be able to browse a large amount of .NET based web sites, and since MS do not release their software for Unix, I will either have to choose between the WWW or using a Microsoft product. This is unlawful abuse of monopoly.

I also wish to buy a laptop. I don't need a new OS for it (my old laptops screen went). So why do I have to buy another version of Windows for it?

I might even install linux on it instead. Yet I still have to pay for it?

I have long since bought factory built PCs because they've forced me to rebuy my operating system each times (I have 2 windows 95 license, and 2 Windows 98 licenses already, I do not want to own 2000/ME/XP or any future MS Operating system). Why should I have to buy all the components to build my PC, rather than buy a pre built one? Because otherwise MS will make me pay for something I do not want or require.

The current toothless settlement of the Anti trust case changes neither of these things, and gives Microsoft leeway to march completely over the rest of the small computer software companies in the world. The settlement has given us a future:

"Either sell your company to Microsoft, or be eradicated".

And I see that as your fault.  
John

**MTC-00020491**

From: alkay99@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Al Kay  
3099 Bridgehampton Lane  
Orlando, FL 32812

**MTC-00020492**

From: Kneeners@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Kneen  
2414 Oak Street  
White Bear Lake, MN 55110

**MTC-00020493**

From: Jon McGuire  
To: Microsoft ATR  
Date: 1/24/02 6:22am  
Subject: Microsoft Settlement  
Gentlemen,

Just a quick note during this public comment period to voice support for Microsoft, and for ending this action once and for all.

I believe the DOJ's case was marked by significant misunderstandings of the general business environment, the needs of consumers, and the technology-related questions in the case. This was further tainted by the very poor quality of testimony provided by members of academia and actions by Microsoft's competitors in what amounts to using the government to further their own business goals.

The government has wasted enough time and money on this ridiculous action, which in my opinion should have never seen the light of day in the first place.

Sincerely,  
Jon McGuire

Senior Architect for a Fortune 50 company

**MTC-00020494**

From: Lexloci8@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:25am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Briggs  
13415 E. 510 Rd  
Claremore, OK 74017

**MTC-00020495**

From: patdarby59@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:25am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Patricia Darby  
416 Old Veechdale Rd  
Simpsonville, KY 40067

**MTC-00020496**

From: Stephen Rowles  
To: Microsoft ATR  
Date: 1/24/02 6:29am  
Subject: Microsoft Settlement

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed.

Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

**MTC-00020497**

From: Herbie Robinson  
To: Microsoft ATR  
Date: 1/24/02 6:28am  
Subject: Microsoft Settlement

I do not think the proposed Microsoft settlement is in the best interest of the American consumers. They have been thumbing their nose at the court through the entire proceeding and will continue to if this settlement goes through. Some examples:

They appear to have been using their monopoly power to inflict the inferior (a widely held opinion) Windows Media Technology on the public: Even though superior, standards based technologies existed long before Microsoft even looked at streaming media on the Internet. They are rumored to have used monopoly influence over OEM computer manufacturers to force them to remove dual boot software that would allow the computers they shipped to run either BeOS or Windows. This kept the manufacturer of BeOS from even giving it away as a promotion! This is just what I happen to know about.

Oh, and they touch enough of the computer industry that most professionals are probably afraid to comment publicly on the settlement (out of fear of retribution or blacklisting). I'm certainly nervous about it. [They have no direct way of getting at me, now, but fortunes often change quickly in this industry—and they are driving just about everybody else out of business.]

Herbert W. Robinson  
116 Carver Rd.  
Newton MA 02461-1338

**MTC-00020498**

From: Peter Wilson  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 6:32am  
Subject: Microsoft Settlement

As a person who writes legal documents from time to time, it seems a bit strange to see MS use the word "reasonable" so many times in their documents to the court.

Please review all Microsoft's documents for the word "reasonable" and treat that word as a suspicious ploy to avoid whatever the outcome of the settlement is.

If you have any questions of problems, please contact me and I will be happy to help.

Sincerely,  
Peter Wilson  
Manager, Software Support Services  
MIDAR Pty Ltd

PO Box 135, Latham ACT 215, Australia  
Office : +61 (2) 6278-6364

**MTC-00020499**

From: tblanc002@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Trina Blanchard  
1203 Tallokas Road  
Crestview, FL 32536

**MTC-00020500**

From: jcorm74@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:26am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
john cormier  
144 jaffrey st.  
weymouth, MA 02188

**MTC-00020501**

From: lynn@wnonline.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

patsy rowzee

p.o. box 323

slagle, LA 71475

**MTC-00020502**

From: Ted Compton

To: Microsoft ATR

Date: 1/24/02 6:42am

Subject: Microsoft Settlement

I'd like to register my dissatisfaction with the DoJ-Microsoft Settlement as it currently stands. I've been a personal computer user for 25 years and an instructor for eight and I've seen countless examples of how Microsoft has acquired and then abused its monopoly power in operating systems. Microsoft's actions have clearly, in my view, hindered, not advanced the cause of innovation. Microsoft has not created but flouted computing and networking standards, to its own individual advantage. It appeared ample evidence of this was presented at trial.

What we are seeing in the current proposed settlement is not "justice," but money at work.

Microsoft should be assessed substantial penalties for its behavior and should be prevented by a fair settlement from continuing to abuse its market position, something it shows, at present, every evidence of meaning to continue.

Ted A Compton

12 Walnut St.

Greenfield, MA 01301

**MTC-00020503**

From: dianedavis1205@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 6:30am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Diane Davis

523 Foxen Drive

Santa Barbara, CA 93105

**MTC-00020504**

From: gates@yannicompany.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:39am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Fred & Ginny Gates

210 Poplar Street

Monroeville, PA 15146-4004

**MTC-00020505**

From: ronald.fabretti@usa.xerox.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:27am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

ronald fabretti

1205 hon falls 5 pts rd

honeoye falls, NY 14472

**MTC-00020506**

From: dianedavis1205@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 6:30am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Diane Davis

523 Foxen Drive

Santa Barbara, CA 93105

**MTC-00020507**

From: sandomcd@mindspring.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:36am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Sandy McDonough

4420 Lorraine

Dallas, TX 75205

**MTC-00020508**

From: phillyfrommanily@aol.com@inetgw



To: Microsoft ATR  
 Date: 1/24/02 6:34am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse,  
 Antitrust Division  
 601 D Street NW,  
 Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

John Maxwell  
 82 Sussex Rd  
 Clifton, NJ 07012-2016

#### MTC-00020509

From: Martin Kiewitz  
 To: microsoft.atr(a)usdoj.gov  
 Date: 1/24/02 12:40pm  
 Subject: Microsoft Settlement  
 Dear DOJ,

I'm a german software developer, so I'm not an american citizen. I don't know, if this matters, but I want to say something about the proposed Microsoft Settlement.

I read a comprehension on another site and I read the whole one.

I noticed that the settlement does not mention the sabotage that Microsoft did some years ago, when releasing Microsoft Windows 95. Those days, they wanted to rule the DOS world. Several other competitor DOS versions were out. Just to mention one: Caldera DOS.

Because Windows 95 was actually running \*under\* DOS, Microsoft installed a little extra API. I mean, API is a huge word. They actually implemented about 400 Bytes of Code (!) that's really tiny in size, to detect MS-DOS 7.0. If this was not found by Windows 95, it gave error messages, as if the underlying DOS wouldn't be able to run Windows 95.

In fact it was. Caldera wrote a little TSR (means a software program that stays in memory and is able to implement another API or fix one) that enabled Caldera DOS users to run Windows 95 under their DOS.

So Microsoft was actually connecting their MS-DOS 7 to their Windows 95, so that other competitors would get out of business and actually they succeeded. Caldera sued Microsoft for this and here is the result:

<http://www.kegel.com/remedy/archive/final4.html>

Quote: "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft."

The PFJ as currently written does nothing to prohibit these kinds of restrictive licenses and intentional incompatibilities, and thus encourages Microsoft to use these techniques to enhance the Applications Barrier to Entry, and harming those consumers who use non-Microsoft operating systems and wish to use Microsoft applications software.

I have another example of mine. I developed a multi-boot-loader, which means an exchange software program that is loaded prior to the Operating System. Currently it's still Public Beta, but that's not the point.

In the last version release, someone tried it out on Windows 2000/NT, but it didn't work. The strange thing was that it works with all Operating Systems available (including BeOS, OS/2, eCS, Microsoft Windows 95/98/ME, All DOS Versions).

Now I found out that their Operating Systems based on the NT-line (which means NT/2000/XP) look for a specific operation code \*AT\* the location of the boot-loader.

It's difficult to explain that one to non-technical experienced people. In fact they check for the first operation code issues in the boot-loader for CLI. CLI disables interrupts on x86 computers and it's of no use.

First I thought that this would be "crazy" and couldn't be. Then I tried it out by inserting that CLI into my programs code and Windows 2000/NT didn't go crazy, but they worked.

This CLI-checking is not listed anywhere. It was found by other boot-loader programmers. Actually it has the only purpose to make it harder for custom boot-loader writers. It's another of those incompatibilities.

The standards of that space on the harddrive is defined and the CLI was not included. If you want to check for yourself, here is the address to download my boot-loader: <http://kiewitz.ath.cx/KiewitzSoft>.

I can send you a program that simply removes the CLI and you could see Windows 2000 going berserk, which actually means it will Load and Save the profile in an endless loop. This behaviour is not in any way related and can not be related directly to the CLI. If I execute the CLI one operation code later, the whole mess isn't changing, so it's really actual checking for this opcode.

These are things that Microsoft does the whole time and I don't want them to continue with that behaviour.

Thank you for reading.

Martin Kiewitz

#### MTC-00020510

From: pberry2  
 To: Microsoft ATR  
 Date: 1/24/02 6:40am  
 Subject: Microsoft Settlement

Pathetic settlement. The 9 states have it right. I object to the settlement, as it does NOT go far enough, and actually opens the new market of schools to the monopoly that is Microsoft.

If we must do a settlement, which I read as a political buy out, at least invest in Open Source (GNU/Linux and the LGPL BSD's) for about 10%, use 20% for infrastructure support, and spend 70% on hardware. Microsoft pays only money, not products.

Microsoft mandates hardware and software upgrades very often, as that is the nature of

a greedy monopoly, to require the consumer to spend more money, often. Microsoft products are bulky, insecure, and contain weaknesses not present, or long since rectified in the Open Source products.

Do your job, and serve the greater need of education, and the public, by encouraging the competitive environment through support of the Open Source movement.

Sincerely,

Patrick T. Berry, USAF (Ret.)  
 1955 Casslewood St.  
 Winter Park, FL 32792

#### MTC-00020511

From: BVINC44889@AOL.COM@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 6:33am  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
 Antitrust Division  
 601 D Street NW,  
 Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

BRET VINCENT  
 3721 IVYDALE DRIVE  
 ANNANDALE, VA 22003

#### MTC-00020512

From: Gary Fisher  
 To: Microsoft ATR  
 Date: 1/24/02 6:43am  
 Subject: Microsoft Settlement

24 January, 2002  
 Department of Justice  
 Antitrust Division  
 RE: Microsoft Settlement

For the sake of our future, please pursue the Microsoft situation vigorously.

While its roots lie in the good soil of hard work and competition, Microsoft has since become overgrown and now depends on the thorns of predatory practices to overcome those who would hope to compete fairly. Many fine companies, and, worse, many talented individuals, have been crushed by Microsoft's willingness to undermine the prices charged by even the most modest competitors; to preemptively strike at consumer and investor confidence in potentially competitive products; and to bully those who survive its other tactics out of the marketplace.

Microsoft did much in the past to help create and build the technology industry, but has since turned from innovation to reaction,

often adopting and ultimately controlling the intellectual developments of others rather than competing on the basis of its own creativity. The dreams of those who might be inspired to develop competing products languish under the pall of Microsoft's demonstrated willingness to prevent competition. The future of the industry, and perhaps of those who depend on it, is in jeopardy if the free market continues to be negated by Microsoft's monopolistic practices.

Gary Fisher  
Pearline, MI. USA

**MTC-00020513**

From: Scott (038) Elizabeth Manning  
To: Microsoft ATR  
Date: 1/24/02 9:36pm  
Subject: Microsoft Settlement

Hi,  
Don't sink Apple! Letting MS provide "free" stuff to a market Apple has a good presence in will result in entirely the opposite outcome—domination by MS. Please make sure the MS does not gain a State sponsored marketing coup!

Thanks  
Scott Manning  
Australia

**MTC-00020514**

From: Richard de los Santos  
To: Microsoft ATR  
Date: 1/24/02 6:43am  
Subject: Microsoft Settlement

I do not agree with the proposed settle that Microsoft has been sentenced to pay. In reality it is not punishment at all. It will only allow Microsoft to tighten its hold on the education market. Many Schools are trying to move to Open Source because of the draconian practices of Microsoft.

What Microsoft needs to do it pay (CASH) large sums of money to a foundation that will properly distribute it to schools that need it. Doing this will allow districts to purchase the hardware and software that they NEED and want.

Look at the schools that are already having problems with Microsoft. For many they are having to pay large fines for "piracy". The piracy is simply a result of not being able to afford the packages Microsoft offers or not being supplied appropriate assistance in using the applications correctly. The country's school systems are bad enough without corporate lawyers breathing down the back of their necks.

**MTC-00020515**

From: Davidson, Gareth (Unknown)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 6:45am  
Subject: Microsoft Settlement

I am completely disgusted with the way that Microsoft has acted over their years of play, so before this feedback period expires I'd like to get my oar in, have my say as it were . . . split em up! here's why I think that Microsoft should be chopped up  
—"nobbling" other DOS systems back in the day (the alpha/beta windows that was fixed so it wouldn't run on a competing, better DOS)  
—selling the most compromised, insecure server software on the planet—with

enough disclaimer legislation to cover their backs so they don't even need to make it any more secure

—trying to kill JavaScript by bringing out "Microsoft Jscript"—LAME!  
—making J++ compiled code unusable in other operating systems  
—killing poor old Nutscape Navigator, just cos they wanted an internet based OS (they knew they'd be sued later)  
—adding all those non-standard features to FrontPage and Iexplore that other browsers couldn't read—effectively making the web harder to browse on non M\$ platforms  
—leaving all those ports open for attack on home systems—why o why?  
—making licensing laughable by providing home users with 50 page UELAs—I mean, who actually reads that stuff any more? (I USED to)  
—making HOME USERS have to pay separate licenses for each home m\$ xp installations . . . now that is a joke—they expect ppl to respect this?  
—killing my Amiga and all the other better os's than windows (ok perhaps this is a personal grudge)  
—they should be chopped for ms c++ alone—making a simple dll file from 2,000 bytes of code is 300,000 bytes long—same code in Borland c++ is 30,000 bytes.  
—the price of m\$ office, and the incompatibilities with any/all other office packages. this is unacceptable.  
there's a million reasons, this is just the ones that irritate me the most. m\$ are unfair, money grabbing scum. I don't care if they rip businesses off, specially if they can afford it—its when they apply the same tactics to home users that really gets my back up thx for hearing this  
Gareth

**MTC-00020516**

From: scalone1@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Ronald Scalone  
124 Farmington Dr  
Woodstock, GA 30188-1834

**MTC-00020517**

From: larryjl-1@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:44am  
Subject: Microsoft Settlement

After hearing of the AOL lawsuit against Microsoft, I decided to send you a few comments. I have been on the internet for a few years now through AT&T World Net service. When I applied I was given a choice of browsers, either Netscape or Internet Explorer. At that time I chose Netscape. While surfing the Internet later I learned that I could also use Internet Explorer to connect through World Net. After using both browsers for an extended period of time, it became evident that the Internet Explorer browser by Microsoft was more dependable and seemed to be more flexible to use. I have been using it for the past two years. My point is that given open competition, Microsoft has proven to be the more superior browser, and I feel that AOL has filed a frivolous lawsuit.

Larry LaGraize  
LarryJL-1@att.net

**MTC-00020518**

From: nqjon  
To: Microsoft ATR  
Date: 1/24/02 6:47am  
Subject: Microsoft Settlement

This is to register a negative opinion on the proposed Microsoft settlement. Most non-Microsoft employees would agree, that as long as any one company retains Microsoft's current monopoly-scale market share in any one of the following industry sectors:

- 1) Office Productivity Suites
- 2) Operating Systems
- 3) Internet Software (Explorer, IIS)
- 4) Programming Languages (Visual Studio Suite)

. . . That company will, under any marginally competent CEO, be able to quickly re-leverage monopoly control of the entire computer industry. For more detailed commentary on the more egregious ways in which the current proposed settlement is completely ineffective, please refer to [www.kegel.com/remedy/letter.html](http://www.kegel.com/remedy/letter.html).

Sincerely,  
Jonathan Newquist  
Kearney, Nebraska

**MTC-00020519**

From: carrierboots@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:43am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph Carrier  
4402 Parker  
Dearborn Heights, MI 48125-2235

**MTC-00020520**

From: ehandley@texas.net@inetgw

To: Microsoft ATR

Date: 1/24/02 6:43am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ellie Handley  
9614 Boonsboro Dr.  
San Antonio, TX 78245-1906

**MTC-00020521**

From: rdef@juno.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:54am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ronald DeFilippo

15 Pine St  
Ayer, MA 01432

**MTC-00020522**

From: Mike Miller

To: Microsoft ATR

Date: 1/24/02 6:53am

Subject: Microsoft Settlement

I do not feel that the penalty phase of the trial adequately addressed the severity of the crime committed.

I do feel that Microsoft is continuing to engage in the same behavior with the bundling of Windows Media Player, et al, in Windows.

I do feel that the penalties from this trial should include a very significant fine for past transgressions and a means to prevent Microsoft from acting in a similar manner in the future.

Give the penalty phase some teeth. Please. Free us from this innovation-stifling corporation.

Thank-you.  
Mike Miller  
24 Cherry Lane  
Bethel, CT 06801

**MTC-00020523**

From: Wilhelm Svenselius

To: Microsoft ATR

Date: 1/24/02 6:50am

Subject: Microsoft Settlement

Department of Justice,

I believe the current proposed settlement to the DOJ-Microsoft antitrust suit is an excellent way to end the case, something which is long overdue. Please do not listen to the misguided souls trying to tell you the settlement is a bad idea.

Sincerely,  
Wilhelm Richard Svenselius

**MTC-00020524**

From: WrittenWord

To: Microsoft ATR

Date: 1/24/02 6:49am

Subject: Microsoft Settlement

Your Honor:

Microsoft is an American success story, the same kind of American success story found in the Horatio Alger tales, which used to be so popular in America. Mr. Gates overcame tremors adversity to make a better "mousetrap." All of us are the richer because of it.

Are we to now seize this man's property, either through outright confiscation of his business or by means of fines, limitations and regulations??? Mr.

Gates—has not forced anyone—to buy his product. People have chosen the MS OS because \*it is better\*—easier to use, relatively stable, supremely flexible, cost effective, etc.—than anything offered by the competition (who, instead of fairly and freely competing with Microsoft, have chosen to complain to the government).

Because of that, Mr. Gates was able to introduce his internet browser, MSIE, to millions of people. Mr. Gates—once again—\*did not force anyone\* to use his browser. We the consumer —chose— to use it because, once again, it was \*overwhelmingly superior\* to the competitions". Placing MSIE in his Windows OS amounted to \*an option\*—not a command—.

Such "options" are what allows the consumer a choice; such "options" are the products of innovation, which we have held as an American virtue since this republics inception, proudly referring to it as "Yankee ingenuity."

Are we to now punish Mr. Gates for that? Are we to now listen to those who, for lack of vision or for want of ambition, could not successfully compete with Microsoft?!

If so, then this is no longer the country of Horatio Alger. This is no longer the nation that lauds achievement; a nation that is no longer the land of opportunity where men and women can "beat a path to the door" of those who make a better mousetrap.

It is no longer a nation of laws that defends the rights of all, —including— the rich; it has become, instead, a nation that rewards the incompetent by looting his superior; that denigrates achievement in the name of envy; a nation that, in short, has come to be ruled by men who, seeking the fruits of men's labor, violate the rights of the rich in the name of the poor—thereby destroying the rights of all, rich \*and\* poor alike.

I am not in any way religious, but I pray to whatever god there may be that you have both the wisdom and the courage to uphold the Jeffersonian principles of our republic and dismiss the case against Microsoft. If you do not, we will all be, not only poorer because of it, but also—and most importantly—no longer free.

Very truly yours,  
Steven Brockerman, MS  
Adjunct Professor of English  
3201-C Oriole Ct.  
Tallahassee, FL 32308  
850-523-0671  
writeby@att.net

"I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man."

—Thomas Jefferson

**MTC-00020525**

From: wssparks@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:45am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Wayne Sparks  
506 Kirkwood Ave  
Winthrop Harbor, IL 60096-1247

**MTC-00020526**

From: dfmon603@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:49am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Monahan  
71 Canton St.  
Manchester, NH 03103-3507

**MTC-00020527**

From: Marsha Harrison  
To: Microsoft ATR  
Date: 1/24/02 6:51am  
Subject: Stop the Lawsuits

Leave Microsoft alone. It's been terrible for the economy and I feel they have done nothing wrong. So, let them hide their browser and be done with them! They have done so much for technology and they have just been punished for their innovations because of jealous companies. Drop the suit and please be done with Microsoft.

Sincerely,  
Marsha Harrison

**MTC-00020528**

From: jerry8it@the-i.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jerome BOLT  
PO BOX 167  
ROCKPORT, TX 78381-0167

**MTC-00020529**

From: ddesmedt@ikindustries.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:58am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Donald DESMEDT  
122 West 14TH Street  
BAYONNE, NJ 07002

**MTC-00020530**

From: John Dawson  
To: Microsoft ATR  
Date: 1/24/02 7:02am  
Subject: GET OUT OF MICROSOFT'S WAY.

THE ONLY "CRIME" COMMITTED BY MICROSOFT IS THAT IT HAS SUPPLIED ITS CUSTOMERS MORE VALUE AT A LOWER PRICE THAN ITS COMPETITORS. SINCE IT DOESN'T USE GUNS, HOW ELSE CAN IT DOMINATE OR CONTROL A MARKET, AND HOW ELSE CAN IT "UNFAIRLY" DESTROY COMPETITORS. PRODUCING MORE VALUE FOR LESS SHOULD NOT BE A CRIME. GET OUT OF MICROSOFT'S WAY.

JOHN DAWSON.  
CC:Dawson@optushome

**MTC-00020531**

From: cwstrand@jamadots.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:00am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carl Strand  
N4125 E Powell Lake Rd  
P.O. Box 510  
Munising, MI 49862

**MTC-00020532**

From: Kathy K.  
To: Microsoft ATR  
Date: 1/24/02 6:59am  
Subject: Microsoft Settlement

MTC-00020532-0001

Enough, enough enough! Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

"This is just another method for states to get free money, and a terrible precedent for the future," states the AOCTP, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen."

This economically-draining witch-hunt has gone on long enough. STOP THE MICROSOFT WITCH HUNT.

Clinton is no longer the President! It is time to move on.

Thank you.  
Kathy and David Kaczmarczyk

**MTC-00020533**

From: fenertyp@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Patrick Fenerty  
PO Box 1310  
Madison, VA 22727

**MTC-00020534**

From: Howard Allen Cohen  
To: Microsoft ATR  
Date: 1/24/02 6:57am  
Subject: Microsoft Settlement

I do not think that the Microsoft Settlement remedies, or will prevent a reoccurrence of, some of Microsoft's business practices that cause the most harm to its competitors and the public. Microsoft should be required to publicly release the APIs to all current versions of Windows and enough of the source code to permit competitors to write computer programs that:

1. Can compete with Microsoft products on a level playing field if they run under Windows. For example, I fear that Microsoft's application programmers get advance or more detailed knowledge of "hooks" or hidden features in Windows so they can optimize their programs better than the competitors.

2. Can run under other operating systems in order to run programs originally written to be run under Windows under those other, non-Windows operating systems. For example, Linux users should be able to run most Windows application programs with the help of Wine (Wine is a project that makes it possible to run Windows application on Linux and is being developed by open source developers—see <http://www.winehq.com/>).

Currently, Microsoft conceals information needed to most effectively do this. And the Digital Millennium Copyright Act (DMCA) may even make attempting to reverse engineer Windows to discover this information illegal.

Also, I note that the trial court's findings of fact define "API" to mean the interfaces between application programs and the operating system, while in the settlement, this term means only the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs. For instance, the PFJ's definition of API might omit important APIs such as the Microsoft Installer APIs which are used by installer programs to install software on Windows. The court's definition should be used in order to implement the suggestion in my paragraph 2 above.

If you have any questions or comments, do not hesitate to call me. Thank you for your consideration.

Howard Allen Cohen, Esq.  
Computer, eCommerce, & Internet Law  
Florida Board Certified Real Estate  
Attorney  
Atkinson, Diner, Stone, Mankuta &  
Ploucha, P.A.  
Hollywood, Florida  
Office E-mail: [hac@atkinson-diner.com](mailto:hac@atkinson-diner.com)  
Weekend E-mail: [fladirtlawyer@yahoo.com](mailto:fladirtlawyer@yahoo.com)

Tel. (954) 925-5501; (305) 944-1882  
(Miami-Dade)  
Fax: (954) 920-2711

**MTC-00020535**

From: [bfleming@ptsi.net@inetgw](mailto:bfleming@ptsi.net@inetgw)  
To: Microsoft ATR  
Date: 1/24/02 7:07am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bob Fleming  
824 S 3rd  
Texhoma, OK 73949-0685

**MTC-00020536**

From: [kathyl@iglou.com@inetgw](mailto:kathyl@iglou.com@inetgw)  
To: Microsoft ATR  
Date: 1/24/02 7:11am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kathy Lowry  
1715 griffin gate road  
Louisville, KY 40205

**MTC-00020537**

From: [jeanberry@bigplanet.com@inetgw](mailto:jeanberry@bigplanet.com@inetgw)  
To: Microsoft ATR  
Date: 1/24/02 7:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
JEAN BERRY  
3172 VIRGINIA ST  
MIAMI, FL 33133

**MTC-00020538**

From: Dale Curren  
To: [microsoft.atr](mailto:microsoft.atr)  
Date: 1/24/02 7:06am  
Subject: Microsoft Settlement

I don't agree!!!  
Do not settle!!

Dale Curren  
Java-Powered Polarbar 1.21 & eCS

**MTC-00020539**

From: [spinelli@netins.net@inetgw](mailto:spinelli@netins.net@inetgw)  
To: Microsoft ATR  
Date: 1/24/02 7:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
david spinelli  
217 w 5th  
po box 427  
aurelia, IA 51005-0427

**MTC-00020540**

From: Polly J. Townsend  
To: Microsoft ATR  
Date: 1/24/02 7:17am  
Subject: microsoft settlement

Dear Department of Justice: Let it be, let it be! The microsoft settlement to hide their Internet explorer icon provides a fair playing field for other servers. Get on with finishing up with this expensive litigation with

Microsoft. The Computer users have had enough.

Polly Townsend

**MTC-00020541**

From: kathyl@iglou.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:12am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kathy Lowry  
1715 griffin gate road  
Louisville, KY 40205

**MTC-00020542**

From: pallasa@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:15am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roberta Jordan  
FL 33594

**MTC-00020543**

From: MSINGEBORG@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:17am  
Subject: Microsoft settlement

we, the people are tired of this endless litigation.

This settlement is good for consumers and the economy and we expect the government to settle as proposed.

Christina Assal  
West Palm Beach, Florida

**MTC-00020544**

From: lmaaweber@busyney.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:12am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lucille Weber  
415 W. Main St.  
Twin Lakes, WI 53181-9220

**MTC-00020545**

From: LGard64514@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:11am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lawrence Gardner  
829 W.6th Ave  
Shakopee, MN 55379

**MTC-00020546**

From: Clickittycat@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:15am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Linda Sorci  
1501 NW 79th Terrace  
Pembroke Pines, FL 33024

**MTC-00020547**

From: Defeese@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Zickefoose  
10314 Washington Drive  
Omaha, NE 68127

**MTC-00020548**

From: tacchi88@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Torello Tacchi  
15312 Cape Dr. S.  
Jacksonville, FL 32226

**MTC-00020549**

From: Michael W. Cocke  
To: Microsoft ATR  
Date: 1/24/02 7:23am  
Subject: Microsoft Settlement

Microsoft has all but destroyed initiative and the drive for technical excellence in the computer industry, and all you're going to do is shake your finger at them and say "bad Microsoft".

Why don't you do something useful? Make them publish, and adhere to the published, APIs? THAT would be a USEFUL punishment!

Michael W. Cocke

**MTC-00020550**

From: prison88@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elizabeth Filiatreau  
1817 Foxboro Road  
La Grange, KY 40031-9246

**MTC-00020551**

From: jnscochrane@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
john cochrane  
443 page st  
orlando, FL 32806

**MTC-00020552**

From: Gert Jan Timmerman  
To: Microsoft ATR  
Date: 1/24/02 7:18am  
Subject: Microsoft Settlement

As consumer and a customer it is my opinion that the settlement reached between the government and Microsoft is a fair settlement. I think that it should stand.

Greetings,  
Gert Jan Timmerman  
The Netherlands

**MTC-00020553**

From: Judson Drennan  
To: Microsoft ATR  
Date: 1/24/02 7:25am  
Subject: Microsoft Settlement  
Microsoft should be split up. There's just no two ways around a monopoly. How hard is that to see?

**MTC-00020554**

From: Pepinj@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joyce Pepin  
10 Jill Alison Circle  
Ormond Beach, FL 32176

**MTC-00020555**

From: Juli(00E1)n Corcuera  
To: Microsoft ATR  
Date: 1/24/02 7:24am  
Subject: Microsoft Settlement

I think the current Microsoft settlement does little or nothing to guarantee that Microsoft will no longer be a predatory

monopoly. I am not an expert in any area of computer science, but it is patently obvious to me that the settlement is woefully inadequate; the current settlement does nothing but endorse Microsoft's current attitude. This case is not about what has happened in the past... It is about what will happen in the future, and suggesting that Microsoft's past actions merit anything but an exemplary punishment bodes ill for the future.

I am a US citizen, but have lived overseas most of my life, and I must say that this kind of a settlement puts the US judicial system in a very poor light. From a foreigner's perspective it seems like Microsoft is above the law.

Juli?n Corcuera

**MTC-00020556**

From: keathr@ameritech.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

There are times that things happen that in the long run are of great help in developing technology and this is one of them.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

I do not see where it has harmed myself in any way as I still use netscape and other outside software and never have any problems so I simply think this has gone on far enough and it is time to stop the states from mooching off me and a large company that has helped to turn the computer into a usable tool.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Keath Rhymer  
5843 Price Ct  
Indianapolis, IN 46254-2819

**MTC-00020557**

From: Vincent Ohare  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 6:30am  
Subject: Microsoft Settlement

Vincent Ohare  
25 heathdene  
London, CA 60603  
January 24, 2002  
Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

You stupid bastards should fuck off and find something productive to do!

Sincerely,  
Vincent OHare (UK)

**MTC-00020558**

From: mikegoben@yahoo.co@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:27am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Goben  
4009 Britt Lane  
Louisville, KY 40219-4313

**MTC-00020559**

From: James Massingill  
To: Microsoft ATR  
Date: 1/24/02 7:30am  
Subject: Microsoft Settlement

Dear Sirs,

I am writing this short letter in order to give a small sample of what the general American Public thinks about the Microsoft anti-trust suit. First of all, I want to make it clear that I am not a big fan of Microsoft, nor do I completely agree with all its tactics. However, Microsoft as a company has a right to give it's customers innovative new software.

The fact that it's operating systems are integrated with a web browser should be a non-player in the lawsuit filed against them. Their goal to have the Operating System and the Internet as one seamless integrated technology is innovative and brilliant as are most of the "forward thinking" the company has come up with. Since their are other Internet Browsers and tools on the market which can be and are purchased separately, there is no real problem here. To build an anti-trust case on this premise is a farce.

As an Operating System, Microsoft does have it's competitors. These competitors include Macintosh, Several Brands of Linux, and Sun OS to name a few. One can not maintain that Microsoft has a monopoly, because this is simply not true. In actuality Linux has been gaining in popularity over the last several years and is a top seller in the software market. Therefore, states do not have a leg to stand on when stating Microsoft is a monopoly.

In the software arena, such as games, utilities, etc Microsoft does not even have huge chunk of sales.

There are many companies and competitors out there and I seriously doubt that Microsoft really wants to edge everyone out of that business, it would be impossible. Realistically, I, as a consumer, believe that the states in this suit do not have a very good case at all. I also believe this suit should end as soon as possible. I believe the states involved should stop trying to punish a company for being innovative, and stop using hard earned tax money for causes such as this.

sincerely,  
James Massingill  
San Antonio, TX

**MTC-00020560**

From: DAVIDMLANDIS@AOL.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
DAVID LANDIS  
147 MEADOW COURT  
SINKING SPRING, PA 19608

**MTC-00020561**

From: Eileen Rochniak  
To: Microsoft ATR  
Date: 1/24/02 7:33am  
Subject: Microsoft Settlement

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Mrs. Eileen Rochniak  
34 Trelawne Drive

Rochester, NY 14622-1424

**MTC-00020562**

From: Mike Stilz  
To: Microsoft ATR  
Date: 1/24/02 7:29am  
Subject: Microsoft Settlement

A comment on the proposed settlement—

I personally firmly think that the Government is being far to soft on Microsoft. That company has done more from it's position of power to limit growth in the PC industry and slow (or stop) the introduction of innovative, better, technology solutions then anyone can ever imagine ... even with what's come out in the trial. No one company should be in such a position, not to mention that the industry, the US economy, and my shares of MS stock would be far better off if they were broken up into several businesses.

Mike Stilz  
3120 Helmsdale  
Lexington, KY. 40509  
speaking for myself

**MTC-00020563**

From: smr71@aolcom@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:26am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Steven Royer  
R.R.1  
Tipp City, OH 45371

**MTC-00020564**

From: hifran69@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:33am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.



This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Horace Francis  
6937 Lovers Lane  
Portage, MI 49002-3609

**MTC-00020565**

From: Owen O'Leary  
To: Microsoft ATR  
Date: 1/24/02 7:40am  
Subject: Microsoft Settlement

I disagree with the proposed settlement in the Microsoft antitrust case, I feel that the proposed settlements will only increase Microsoft's monopoly standing.

Owen O'Leary  
2550 3rd Ave #621  
Seattle, WA 98121

**MTC-00020566**

From: stephensonnorman  
@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Norman Stephenson  
176 Five Oaks Lane  
Hickory, NC 28601

**MTC-00020567**

From: shhaynes2@netzero.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:33am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel

going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Stephen Haynes  
5300 Ocean Blvd.  
Apt 904  
Sarasota, FL 34242-3325

**MTC-00020568**

From: Robert Veenstra  
To: Microsoft ATR  
Date: 1/24/02 7:36am  
Subject: Microsoft Settlement

After reading through the proposed final judgement, I believe it leaves out some crucial points and narrows some definitions to the point that Microsoft can effectively "work around" the ruling.

There is no consideration given to licensing issues pertaining to running Windows programs on Linux.

Thank you for your time,  
Rob Veenstra  
Software Engineer II  
Siemens Dematic

**MTC-00020569**

From: Terry Lambert  
To: Microsoft ATR  
Date: 1/24/02 7:37am  
Subject: Microsoft Settlement

Microsoft is already in violation of stipulation 2 with regard to H. of the REVISED PROPOSED FINAL JUDGEMENT with its shipment of Windows XP.

Specifically, it is not possible to deinstall all Microsoft Internet Explorer middleware components from a Windows XP system, since this middleware is used in order to force user registration with Microsoft of the computer, including disclosing information about the computers configuration, and other private information of the user.

A Windows XP system with these components removed will operate for a period of thirty (30) days, after which it will cease operation.

This is clearly non-compliant with Section III.H.1. (removal of Microsoft Middleware by the user) and Section III.H.2. (Substitution of non-Microsoft Middleware by the user).

— T

**MTC-00020570**

From: msmit357@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other

Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Marilyn Smit  
1425 Eagle Ridge Road  
Glencoe, MO 63038-2419

**MTC-00020571**

From: wwidenor@uiuc.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:33am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Widenor  
1919 Robert Drive  
Champaign, IL 61821-6026

**MTC-00020572**

From: snadge  
To: Microsoft ATR  
Date: 1/24/02 7:28am  
Subject: Microsoft Settlement

Hi there,

just a voice to add to many: Microsoft bundle useless and resource grabbing components to an operating system which shouldn't happen, these "add ons" should be optional extras in any sane world. The Netscape issue is disgusting, Internet Explorer is part of the operating system and whatever is said can't be removed, only upto 98me have you any chance of having a windows free of IE or it's drivers, for that you must purchase 3rd party software even then some shadow of it's install still rears it's ugly head.

If Microsoft are not to be broke up you are sorely failing in your jobs, where are we supposed to get legal support against these coporate monopolies forcing no choice amongst people, yes you can install an alternative media player into windows to play your media clips but media player is still installed and booted up forcing "the operating system" to load all it's drivers and codecs (wasting system resources),

once again this is another element of monopolisation. After the anti trust trials we now have windows XP with everything and it's brother embedded into the operating system, just look now you have cd writing software aswell embedded into the operating system, surely Microsoft are now taking the mick out yourselves because they can. Did they listen at all?

I now have no faith at all with the law, it seems you have far to much power against the person with nothing yet allow corruption in high places, next job maybe you will tell the RIAA to go and jump with their ridiculous demands and also sort out the mindfield of intellectual property which at the moment is pointless and also do nothing except cost people more money see Microsoft patenting years old ideas for their own gain and charging ridiculous licenseing fees, I think not, the corporations make you scared don't they, far to much power and money to pay for fancy word weasels.

regards John

**MTC-00020573**

From: fz@parvati.elstead.  
argogroup.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:40am  
Subject: MS antitrust

Dear Sir/Madam

I am dissapointed in the proposed settlement. It does not go far enough in preventing Microsoft restrict the freedom of its users.

Yours

Stephen Foster

**MTC-00020574**

From: pegnbob@gwi.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against

Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Robert Garrett

27 High St

Guilford, ME 04443-0205

**MTC-00020575**

From: Steve Faure  
To: Microsoft ATR  
Date: 1/24/02 7:17am  
Subject: Microsoft Settlement

I am a US citizen opposed to the proposed anti-trust settlement with Microsoft Corporation.

Their actions have damaged opportunities in the computer industry.

-Steve Faure

Austin, TX

**MTC-00020576**

From: econnor@cfl.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Pamela Lawler

1010 John Anderson Drive

Ormond Beach, FL 32176

**MTC-00020577**

From: joelang@pineland.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Joe Langley

9 Beaver Dan Rd

Kite, GA 31049

**MTC-00020578**

From: tsgrady@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:38am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Thomas Grady

69 Gallup Hill Road

Ledyard, CT 06339

**MTC-00020579**

From: Michelle A. Hoyle  
To: Microsoft ATR  
Date: 1/24/02 7:40am  
Subject: Microsoft Settlement

The proposed settlement is a slap in the face of the supposed ideal of the fairness of justice. Turning around and giving Microsoft the legal blessing to force themselves into a market where they're not currently dominating is not a punishment; it's a reward. Hurt them financially and hurt them hard, by making them: —pay real money, not useless software which doesn't cost them anything to give away. —divorce their operating systems division from the rest of their software enterprises.

If this were a telephone company, they'd have been long gone by now.

Yours truly,

Michelle A. Hoyle

Michelle A. Hoyle, VP Web Technologies,  
Canada

10714 106 Ave, Edmonton, Alberta,  
Canada T5H 0R1

N. America: 1-888-429-2363 √ UK: 020  
7529 1465

International: +1 780 429 2363

**MTC-00020580**

From: Lee Sherrell  
To: Microsoft ATR  
Date: 1/24/02 7:43am  
Subject: AOL Bullshit ! Typical

The only reason that I am writing this letter is due to the fact that I can not stand AOL! I have used AOL before and found it to be nothing but a money-grubbing over rated search engine. There are many search engines out there that are a much better service and they are free! If the DoJ wants to go after a company that clearly looks after one thing and it is not the consumer, it's themselves! They overcharge for a service that is not as good as they like to project. The last time that I used AOL I downloaded their program onto my computer and used it for a while. I did not like the way it worked and quit the service, at least I thought I did. For months

after I left the program they tried to charge me for services I never used and never would have used. I tried to get their program out of my computer and it took 8 months and several trips deep into my hard drive to find all of the little cookies and things embedded. I had to go to a computer specialist to finally get all of it removed from my HD. I have heard this same story from many of my friends and customers of my business.

I believe in the free enterprise system. I own my own company. I have always believed that a company has to EARN the profits that it goes after not have it given to them from the government. Honest, fair trade, consumer confidence, are words of the free enterprise system that generate a successful business. AOL does not do that. They are losing their customer confidence, honest business practices is not in their game plan and fair trade is a concept that never passes through the front doors at AOL. Any time a company tries to do a little competition with AOL they either buy them out or try to destroy them or as with the Microsoft affair, they hit the courts first with all of the legal crap to blind everyone to just what they are really up to. I think that the good ol' paid off government officials need to really do the job they were elected into by the tax payers and start looking the other direction. Look right at AOL and the other companies like AOL. Leave Microsoft alone and let them get back to doing what they do- develop software!

I am one of a quite large group that remember what happened back when cable TV came over the horizon and tried to make it where there was not going to be any more free TV. Congress finally said that the tax payers had years invested in the system and they had a right to free TV. So free TV stayed around. We believe the same thing. The consumers (taxpayers) have invested years and many dollars in the phone lines, cable lines, telephone poles, those fancy little things floating around up there in space that help TV and Telephone and cell phones around the world. We are working for the need of free internet service, congress will need a little help to realize this as they needed help on the TV issue.

AOL makes very nice profits. They need to have a little good old fashioned competition. Learn how to cut back in the proper areas to make profit work in their favor. Not go out and use the government and the fools in the government to remove their competition so that they can have a government induced monopoly. As a Tax Payer and consumer and small business owner, I am very sick and tired of these Billion dollar companies crying and whining about losing money because another company is just competing against them. These Billion dollar companies get the government to take away their competitors, so they can make more profits. They get millions from the government in subsidies to help them make more profits.

They get the government to force the consumer into a corner so the consumer is forced to buy their products at very inflated prices.

All I am trying to get across to you in the DoJ is look the other way. Start looking at AOL and the others that forced the suit against Microsoft.

Thanks

A concerned and frustrated tax payer  
Get more from the Web. FREE MSN Explorer  
download :

<http://explorer.msn.com>

**MTC-00020581**

From: herbmiller@usa.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:40am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. Maybe you haven't noticed, but AOL (representing Netscape) has brought suit against Microsoft. This is the way it should have been in the 1st place instead of using tax payer dollars to settle this alleged grievance.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Herb Miller  
175 Bellevue Road  
Taft, TN 38488

**MTC-00020582**

From: dcdc25@pacbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:41am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dan Cochran  
774 B Street  
Yuba City, CA 95991-4926

**MTC-00020583**

From: Aaron Petry

To: Microsoft ATR

Date: 1/24/02 7:43am

Subject: Microsoft Settlement

The proposed "remedy" will do nothing to improve the situation. If the DOJ prosecuted accused terrorists like the are prosecuting Microsoft, they'd create a solid and unassailable case proving that the accused are guilty, then recommend that they be let go, as long as they promise to only blow up half as many buildings. MS is a monopoly. Treat it like one and protect the citizens of the United States from their illegal and anti-competitive practices. Or, to phrase it differently, do your job instead of being a Microsoft patsy.

**MTC-00020584**

From: richard sumner  
To: Microsoft ATR  
Date: 1/24/02 7:43am  
Subject: microsoft settlement

**MTC-00020584-0001**

It is time you, our government start letting our society operate as it was intended by the signers of the Constitution.

You now need to stop finding ways to penalize and tax business like microsoft because they were making money.

The justice department has stepped over the line by trying to make laws that the only reason is to add money to the coffers.

To honestly be able to do that, it needs to be able to show us the population where every dollar taxed went. It could very easily reduce itself by two percent a year for the next ten years and, still give the same services given now. What is being said is that the government is way out of whack and, it is the corrupt entity here.

01/29/2002 9:48 1

**MTC-00020585**

From: JOrth85291@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Orth  
8812 Chartwell Cir  
Wichita, KS 67205

**MTC-00020586**

From: inre@home.com@inetgw

To: Microsoft ATR  
 Date: 1/24/02 7:41am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Bill Bull  
 210 Cedar Road  
 Vista, CA 92083-5119

#### MTC-00020587

From: Maynard, Garth  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 7:44am  
 Subject: Microsoft Settlement

To Whom It May Concern,

I am not a big fan of the findings of fact in the Microsoft case. However, the proposed settlement does not address the issues that brought the case to trial, and it does not address the findings of fact. I do not know if Microsoft is truly a monopoly, but I do know that the proposed settlement has the effect of negating the courts previous findings. In essence, if the settlement is allowed to go forward, it will not change the situation any more than if the higher courts had reversed the lower courts ruling. To address the ruling that Microsoft used its monopoly status to unfairly harm competition, it should be forced into two actions. First, Microsoft must make their OS source code available to everyone, without restrictions, at the same time it makes the source code available to the application programmers within its own company. Second, it must agree to bundle anyone's software in the same virtual location that they bundle their own, for any software developer who requests it. In other words, if MS wants to bundle their IE browser on the desktop with the release of their new OS product, then anyone who wishes, such as Netscape for example, must be given the opportunity to include their browser on the desktop as well. This way, any competing product will have the same chance as the MS product. If MS fails to comply, it must either pay damages to the company that was left out of the release or pay the reasonable expenses for advertising that would allow the competing product to gain an equivalent advantage to being bundled with the OS.

The issue at hand only deals with products that are not a part of the core OS. As such, MS would not be harmed by making the non-

competing portions of their OS available to the public. By allowing all developers the same access to the operating system, and equal access to the consumer on the desktop, Microsoft will be stymied in any further attempts to use its position as a monopoly to discourage competition.

Garth Maynard  
 2745 Trotters Walk Trail  
 Snellville, GA 30078

#### MTC-00020588

From: microchip@decaturnet.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 7:46am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you. Sincerely,  
 Carlton Worthman  
 6805N 750E  
 Ossian, IN 46777-9210

#### MTC-00020589

From: drenex@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 7:43am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Rex & Renee Lancaster  
 260 Clymer Road Hiawatha, IA 52233

#### MTC-00020590

From: cynterb@iopener.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 7:45am

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 John T. Bozarth  
 1014 Center Street  
 Lockhart, TX 78644

#### MTC-00020591

From: drenex@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 7:43am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
 Rex & Renee Lancaster  
 260 Clymer Road  
 Hiawatha, IA 52233

#### MTC-00020592

From: pmitch10@tds.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 7:43am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Pamela Mitchell  
PO Box 267  
Salisbury, NH 03268-0267

**MTC-00020593**

From: bill-goeltz@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Goeltz  
10102 E. Paseo San Bernardo  
Tucson, AZ 85747

**MTC-00020594**

From: Maanum, Dale A  
To: Microsoft ATR  
Date: 1/24/02 7:53am  
Subject: Microsoft settlement  
To whom it may concern,

This settlement is a bad idea. It certainly looks as though Microsoft is buying their way out of this one.

Providing PC's and software in lieu of some other means of settlement is just perpetuating their monopoly.

Dale Maanum  
3205 38 Av S  
Minneapolis MN 55406-2144

**MTC-00020595**

From: Rick Robino  
To: Microsoft ATR, rrobino@  
wavedivision.com@inetgw  
Date: 1/24/02 7:51am  
Subject: Microsoft Settlement  
To whom it may concern:

I am writing this letter to you from a Windows computer, as a computer professional. My qualifications provide me with an insight that might not be common among the general public, yet I believe they

are pertinent to the case settlement pending for Microsoft.

In the interest of brevity, I will state my comment briefly: Microsoft has broken the spirit of many of our laws with it's implicit and consciously strategized monopolistic practices, and where there is no law yet in areas of emerging technology they have taken advantage of their absence, to the detriment of users, businesses, and government. Microsoft has managed to escape all responsibility for the weak Security it has created.

Microsoft apparently believes it is above the law and too influential to be prosecuted. A settlement that involves the U.S. government in aiding Microsoft to expand and continue these practices by eliminating the competition which has heretofore kept their products from leading in the Education market would be an absolute shame. Microsoft has hurt the advance and prosperity of every other business in the computer industry, simultaneously forcing the choices of nearly every computer user in the U.S. towards their own products. Our country depends on innovation and competition, and our citizens depend on government to ensure a truly free marketplace for the benefit of all. Our country has the technological upper-hand for the moment, among all of the other countries in the world. However, all of those countries realize that their future, whether or not they will be prosperous, is staked on technological superiority. Stagnated competition in one country will give an edge to other countries wherein competition still provides the impetus to improve the quality, availability, and price of technology products.

I urge you to consider these factors and punish Microsoft for abrogating competition, especially through the very proceedings brought about to deal with their behavior. Please act in a way that encourages a varied landscape of technology, especially computing, by at least requiring that interfaces (not the actual source-code) to the Windows operating systems be made available to all, where both the content and price are the same for all parties—Microsoft included. A break-up of the company where the operating system only is developed by a single company, and other products are developed in other Microsoft companies with no more access to the API's than any other competitor would promote this idea. Please, in no case create a settlement which aids and abets the decline of competition, security, privacy, and diversity in the U.S. technology market. Rewarding Microsoft by giving them a strong foothold in the Education sector, at the expense of Apple, Sun and others, is clearly not the correct course.

I hope that your organization remains without corruption and remembers that the U.S. government is by, with and for the —people— of this country. We are counting on your agency as our representatives to be firm and truly fair, for this is a critical moment in regard to our collective future.

Sincerely,  
Richard T. Robino  
Proprietor  
Wave Division Consulting

**MTC-00020596**

From: asmith6559@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eugene Smith  
59 Middleline Road  
Ballston Spa, NY 12020-3405

**MTC-00020597**

From: Adrian.Juergens@shell.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Adrian Juergens  
10523 Huff  
Houston, TX 77031-1816

**MTC-00020598**

From: raganzel@circuitchem.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:51am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Ganzel  
12952 Red Fox Rd  
Rogers, MN 55374

**MTC-00020599**

From: wt.catch1  
To: Microsoft ATR  
Date: 1/24/02 7:48am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
TN 37601

**MTC-00020600**

From: cjones@dixie-net.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:47am  
Subject: Microsoft Settlement

I am very much opposed to the proposed settlement. The specifics have been well stated in an open letter by Dan Kegel at [www.kegel.com/remedy](http://www.kegel.com/remedy); I will not repeat them here. Thanks for the opportunity to comment,

CR Jones  
20 CR 661  
Walnut Ms 38683

**MTC-00020601**

From: Carl Mannino  
To: Microsoft ATR  
Date: 1/24/02 7:54am  
Subject: Microsoft Settlement

I believe Microsoft has hindered more than helped the technology world. Companies like Apple, etc have had to play second fiddle, protect the future of technology and US consumers, do the right thing.

Carl Mannino  
cmannino@mac.com

CC:tunney@codeweavers.com@inetgw

**MTC-00020602**

From: chf1949@cox.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Clark Fuller  
4926 York St.  
Metairie, LA 70001-1036

**MTC-00020603**

From: David Personette  
To: Microsoft ATR  
Date: 1/24/02 7:51am  
Subject: Microsoft Settlement

I believe that the settlement allows Microsoft far too much latitude in defining the terms of their settlement (IE what a "bundled" application is). It further provides no firm means of enforcing the vague rules imposed on Microsoft.

David Personette-  
mail:dperson@techie.com

**MTC-00020604**

From: ajulian@adelphia.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:51am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lillian Julian

1184 Satellite Circle  
Upper St. Clair, PA 15241-3619

**MTC-00020605**

From: Thomas Allger  
To: Microsoft ATR  
Date: 1/24/02 7:53am  
Subject: Microsoft Settlement

Dear Sir/Madam, I feel that the Microsoft settlement is unfair to the taxpayers and the corporations of the U.S. To allow a monopolist such as Microsoft to have complete control over its own marketplace is simply wrong.

A free market economy does not exist merely to allow everyone to do as they please. A free market economy requires the rule of law to allow freedom of entrance and exit to markets. It requires transparency of information, something which the current settlement does not require of Microsoft.

As a practical matter, the government's fumbling has allowed Microsoft to establish a monopoly over a segment of the economy that is crucial not only to the economy as a whole, but to national security. If they were at least competent at writing software, we wouldn't have the current level of insecurity with respect to computer security. Not only has the government allowed its antitrust laws to be violated, it has even allowed them to be violated by a company whose software is dangerous. And then to allow this company to lie in a federal court and construct a settlement with no teeth after the company has been convicted leads one to suspect there is collusion between Microsoft and the government. And it is your fault.

The settlement should at the very least break Microsoft up so that it can no longer threaten the software industry. Its officers should held in contempt charges before U.S. courts for lying to a federal court. The Justice dept has become a laughing stock among those of us familiar with technology and not in thrall to Microsoft, and that again is your fault.

You ought to be ashamed of yourselves, the rest of the technology industry certainly is.

**MTC-00020606**

From: Gordon Doc  
To: Microsoft ATR  
Date: 1/24/02 7:53am  
Subject: mirosoft settlement

It would be a positive settlement for everyone to get this behind the DOJ. While there is certainly some truth in allegations against MS, it is akin to the tobacco settlement and prosecution which, while altruistic in public scope, was really not much more than a way for states and lawyers and the Gov. to get extra money to balance their budgets.

Please understand that most people think that it has gone far enough and that there are probably more relevant things with which to concern yourself at the DOJ.

Sincerely,  
JC Gordon

**MTC-00020607**

From: Lionelblum@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lionel Blum  
22311 Armes Road  
Saucier, MS 39574

**MTC-00020608**

From: debelynn@gte.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:52am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Deborah Roisen-Care  
101 Grant Street  
Silverton, OR 97381

**MTC-00020609**

From: nana0106@cox.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:52am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nancy Fuller  
4926 York St.  
Metairie, LA 70001-1036

**MTC-00020610**

From: Loretta.Gibson@usa.xerox.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:52am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Loretta Gibson  
1004 Vera Ct  
Irving, TX 75060

**MTC-00020611**

From: mlryan@praeses.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:53am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Linda Ryan  
435 Irving Bluff Rd.  
Shreveport, LA 71107

**MTC-00020612**

From: Steve Sielaff

To: Microsoft ATR

Date: 1/24/02 7:55am

Subject: Microsoft Settlement

I have worked in the technology field for years. I have seen Microsoft crush the choices out of the industry. They have such a strong share of the market that the prices have gone through the roof for operating systems and programs. Now Microsoft is intentionally losing millions to start taking over the home entertainment industry through the X-box which costs \$100 more to produce then they are selling it for. I have seen the majority of dangerous and costly viruses attacking the worlds computers because the Microsoft programs are not secure, until it hurts market share.

I have seen Microsoft try to squash any movement of the people that may move the country into a position of having choices. For example I have read articles on how they sent internal memos out to destroy java as a programming language.

I have also witnessed Microsoft's tactics of not conforming to standards if they are the owners of a product that is predominating in the market so they can further crush competition. For example internet explorer does not conform to all the html standards and Microsoft continually tried to institute new and Microsoft only coding standards for web sites. At the same time they have publicly criticized America Online for not creating and following strict standards making sure they can take over the instant message programs by including it in the operating system.

Microsoft is a giant that destroys competition. If they can do it with a good product, well that is free enterprise. But it is my personal feeling that they destroy competition through all means, legal and otherwise. I feel that the economy will suffer long term if Microsoft is not broken up. Also I think that flooding out schools with Microsoft computers only ensures that they will have much more future sells and is no good deal for the American people.

Steven Sielaff

**MTC-00020613**

From: Edward G. Robinson

To: Microsoft ATR

Date: 1/24/02 7:54am

Subject: Microsoft Settlement

Public Comment:

To Whom It May Concern at the Justice Department:

As a citizen 70 years old arriving in cyberspace about 8 years after retiring, I suggest the settlement with Microsoft be as stringent upon them as much as the law will allow. If the evidence supports the charges as made, the maximum penalty should be issued and enforced. As a relatively new comer to the use of computers, I became aware of their absolute monopoly very early in simply trying to decide whether or not my first computer should be an Apple or a "IBM PC" type. I did a little research for the available software and found the variety, cost and quantity of programs available to me for purchase to be in a non scientifically estimated ratio of about 8 to one in favor of

Microsoft products. In my opinion this could not have happened if Microsoft had not intentionally cut corners in the applicable law concerning buying and selling by making illegal arrangement with certain software manufacturers. They cornered the market on software and once done with that, proceeded to tighten and enlarge the scope of their control by tying up manufacturerers to the extent that as a novice and new purchaser, any machine I bought came fully equipped with factory installed Microsoft programs which if given a choice ( probably denied by agreements and conditions of sale between Microsoft and the leading hardware mfgs) I might have , could have , etc. decided on a competitive product . Case in point "Netscape Navigator" browser rather than "Internet Explorer". I bought and paid for Netscape Navigator because I was sore at being forced to except not only Internet Explorer for openers, but other MS programs throughout the then present time and following years-that list of pre loaded MS programs grew to include such programs as "works, Money, and later AOL connections, etc. all of which became "monster" widely used programs particularly by new users which were increasing at exponential rates every year. Further, these programs could not be deleted and they consumed most of the available hard drive space. As far as I was and am concerned, this literally was a fraud committed on the public by a company committed to commanding the market by any means possible. I say, if you have the facts which according to facts made public-they should fined or "punished" to the applicable limits of the law in the most practical way possible on behalf of the millions of consumers so thoroughly screwed by these people. The money fines should be turned over to the Treasury and EARMARKED (not spent for anything else such as Congressional pork barrel projects-and huge gifts made to, let me suggest the Salvation Army and the United Appeal and the Federal disaster relief fund /FEMA organization.

I hope someone actually reads these comments and seriously takes them into consideration.

Sincerely,  
Edward G. Robinson  
2406 Oakwood Way  
Smyrna, GA 30080

#### MTC-00020614

From: Warren Beck  
To: Microsoft ATR  
Date: 1/24/02 8:05am  
Subject: Microsoft Settlement  
Re: the Tunney Act

In my opinion, the proposed Microsoft settlement is not acceptable. Microsoft has and continues to act in a predatory manner that damages competition in nearly all areas of high-technology/computing. It continues to work towards a comprehensive stranglehold over all areas of software, including desktop productivity (word processing, spreadsheets, presentations, databases, email and scheduling) and operating systems. Small software companies that are truly innovative (for instance, Netscape in its initial form) are either squelched or acquired. Further, the software

that Microsoft sells in its currently monopoly-like state is bug-ridden and full of security problems that compromise the work of the consumer in a broad range of professions that depend on Microsoft's software (being that there is essentially only one supplier). Microsoft has no incentive due to competition to fix the bugs in its software, and it uses the promise of fixing bugs as an incentive to the consumer to purchase upgrades. In short, without valid and vigorous competition in all areas of software development/sales, Microsoft will eventually harm the economy through its malevolence and incompetence.

Accordingly, the proposed settlement must be rejected.

Thank you,  
Warren Beck

Disclaimer: the opinion stated in this email is a personal one; no representation of the opinion of my employer, Michigan State University, is intended.

Professor Warren F. Beck  
Department of Chemistry  
Michigan State University  
3 Chemistry Building  
East Lansing, Michigan 48824 USA  
517-355-9715 x213  
517-353-1793 (fax)  
beck@cem.msu.edu  
<http://www.cem.msu.edu/beck>

#### MTC-00020615

From: mbrid@ffb.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
MARIE RIDDER  
508 WOODCREST AVENUE  
LITITA, PA 17543

#### MTC-00020616

From: the—martins2@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carl Martin  
1401 NW 79th Street  
Kansas City, MO 64118

#### MTC-00020617

From: george.hasenbein@motorola.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
GEORGE Hasenbein  
4460 Suwanee Dam Road  
Suwanee, GA 30024-1984

#### MTC-00020618

From: bhutson@swbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bill Hutson  
406 Lincoln  
Deer Park, TX 77536-6250

**MTC-00020619**

From: bstefan@intelos.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Donna Stefan  
Rt.2; Box 21A  
Bristol, WV 26332

**MTC-00020620**

From: Paul A. Kittle  
To: Microsoft ATR  
Date: 1/24/02 7:57am  
Subject: Microsoft Settlement  
012402 @ 8:00 AM EST—  
Comments—

I believe the US Government has expended large sums of money in a wasteful manner chasing Microsoft in what is obviously a competitor induced legal travesty—not even considering the new AOL suit (just jumping on the bandwagon). Everyone concerned should be interested in accepting the pending settlement, telling the other states AGs to "do something worthwhile and forget Microsoft" and allow the DoJ to concentrate on things that really matter, like anthrax, terrorist, airline and infrastructure safety. I really doubt that anything Microsoft might do could compare to the 9/11 attacks, so please put your emphasis where it will do some good for citizens, not Oracle, Sun Microsystems, and AOL.

Thank you.  
Regards,  
Paul A. Kittle  
foamman@aquaf foam.com  
http://www.aquaf foam.com  
Phone—610-804-0100  
Fax—909-257-8266

**MTC-00020621**

From: hcrossfieldjr@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:55am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Henry Crossfield, Jr.  
1158 5th Avenue  
New York, NY 10029-6917

**MTC-00020622**

From: mdixon9679@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:57am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Marcus Dixon  
3 Ridgewood Road  
Glen Rock, PA 17327-9794

**MTC-00020623**

From: jaccort@mercury.uwe.ac.uk@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:59am  
Subject: Microsoft Settlement  
Dear Department of Justice,

I realise as a UK resident, my opinions probably mean nothing to you, however, I would appreciate it if you would hear me out. How the "final solution" to Microsoft's monopoly position is played out will have a crucial effect on the future of computing. No matter what Microsoft may claim, they have never "innovated" anything—almost every single product of theirs can trace roots back to a former rival. Unless drastic action is

taken, Microsoft will be in a position to continue this behaviour—and in the future it will be with the DOJ's implied blessing. There are fewer competitors to Microsoft now than there were 15, 10 or even 5 years ago. If things carry on in this vein, it is conceivable (though I pray to God unlikely), that \*every\* vaguely computer-oriented device on the planet—every mobile (cellular) telephone, every PDA, every PC, every server, every games console, every cable decoder, every Internet-enabled fridge, even the computer built into your car—will rely on Microsoft software within 10 years.

Please consider this when you finally agree the nature of the solution.

**MTC-00020624**

From: Iain Farthing  
To: Microsoft ATR  
Date: 1/24/02 8:03am  
Subject: Microsoft Settlement

As an ex-employee of Microsoft, I'm still staggered at how you have let the company off the hook.

The incredibly predatory and arrogant way that Microsoft goes about trying to kill off any competition surely has to be stopped. I was at the company when the "Kill Novell", "Kill NetScape", "Kill Oracle", ad infinitum, emails were flying around. No matter what your role was within the company, you were tasked to focus on how you could hurt the competition. Not a nice environment to be working within, especially as working in The Channel, I had a number of close friends working for those companies. Is it not to the benefit of the customer that there are at least 2 companies/vendors/manufacturers working in any given area? This breeds competition, and ensures that the product/s is/are constantly reviewed and improved upon. It also gives the customer choice. Is that not the fundamental basis of democracy?

It is sad to see, from this side of the pond, that you, the government of the leading capitalist country in the world, cannot take to task one of your own that has clearly operated in such an illegal manner for 25 years. I look forward to some good finally coming from these proceedings, that have frankly taken far too long already.

Please do not publish my name attached to these comments. I still have friends that work at Microsoft, and they would be mortified if they knew what myself and fellow ex-employees really thought of the company that they serve.

With kind regards  
Iain Farthing  
General Manager, Europe  
NetTasking (Europe) Ltd  
Suite 602  
1 Exchange Tower  
Harbour Exchange Square  
London  
E14 9GE  
Mobile +44 (0)7764 608010  
Office +44 (0)207 863 2300  
Fax +44 (0)207 863 2301  
Web www.nettasking.com

**MTC-00020625**

From: bart dirkson  
To: Microsoft ATR  
Date: 1/24/02 8:00am

Subject: Microsoft Settlement  
I don't agree!

**MTC-00020626**

From: ripradcliffe@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:58am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Radcliffe  
2032 Middleton Dr  
Wheaton, IL 60187

**MTC-00020627**

From: Shane Massey  
To: Microsoft ATR  
Date: 1/24/02 7:59am  
Subject: Settlement Agreement

Microsoft's competitors couldn't keep up with Mr. Bill Gates in terms of customer satisfaction so they decided they would try and use the police force of government to achieve their goals. And apparently they are making progress. The government has yet to prove that Microsoft harmed any consumer. Microsoft does not force people to purchase their products. People enter into a transaction volitionally. That, my friends is called Capitalism. This entire case has been a fraud.

Shane Massey  
President  
Lexicon Technologies, Inc.  
www.lexicontech.com  
Tel. (770) 602-1858  
Fax. (770) 602-1833

**MTC-00020628**

From: MTNMEM@COMP2GO.NET@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:00am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
DAVID KEATING  
385 CHANCEY DRIVE  
HIAWASSEE, GA 30546

**MTC-00020629**

From: jason.pranger@zondervan.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jason Pranger  
5680 Irving Rd  
Hastings, MI 49058

**MTC-00020630**

From: jsands@gofast.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:00am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jerry Sands

12224 Larch Circle NW  
Coon Rapids, MN 55448

**MTC-00020631**

From: Blanco (a) IO.com  
To: Microsoft ATR  
Date: 1/24/02 8:19am  
Subject: Microsoft Settlement

I do not support the Microsoft Settlement for the following reasons:

- \*Punishment does not fit the carnage they wrought over the last eight years
- \*Lack of a remedy for ongoing unsecure code development

- \*Continued effort to promote only closed systems without integration across multiple platforms —

Blanco

"What we do not understand, we do not possess.." Goethe

**MTC-00020632**

From: ken.hearld@ifrsys.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:58am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kenneth Hearld  
1807 Everett St  
Wichita, KS 67213-2805

**MTC-00020633**

From: slclschiess@gbis.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:59am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
STEVE SCHIESS  
10655 SILVER KNOLLS BLVD.  
RENO, NV 89506

**MTC-00020634**

From: MARYGRELL@  
OPTONLINE.NET@inetgw

To: Microsoft ATR  
Date: 1/24/02 8:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
MARY GRELL  
24 EAGLE LAKE  
FARMINGDALE, NY 11735-5908

**MTC-00020635**

From: agduz@ifriendly.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 8:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Geraldine Duzenack  
3307 179th Ave NE  
Redmond, WA 98052-5813

**MTC-00020636**

From: Peter  
To: Microsoft ATR  
Date: 1/24/02 8:03am

Subject: Microsoft Settlement  
This settlement is bad for the people.

**MTC-00020637**

From: twright@talktotucker.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:03am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tom Wright  
3759 Barrington Drive  
Carmel, IN 46033

**MTC-00020638**

From: djohnston@anderson  
chemical.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Johnston  
1854 Maynards Mill Rd  
Forsyth, GA 31029

**MTC-00020639**

From: neifergolt@digitalexp.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Anne Ryan  
143 South McGarigle Road  
DeFuniak Springs, FL 32435

**MTC-00020640**

From: wilcoxj@western.k12.mi.us@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:03am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jan Wilcox  
605 S. Durand  
Jackson, MI 49203

**MTC-00020641**

From: pfk  
To: Microsoft ATR  
Date: 1/24/02 8:08am  
Subject: Microsoft settlementmnt.

Stop the witch-hunt! Its time to get off Microsoft. This company has done more good for the country through their own talent and effort then most. If you want some real fish to fry, go after Enron and the sleaze that got rich at the poor mans expense. PFKnopp Greensburg, PA.

**MTC-00020642**

From: damrob@frontiernet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Sincerely,  
Paul Damrau  
9640 Summit st. rd.  
43 Main St.  
Leroy, NY 14482-8971

**MTC-00020643**

From: dcutler  
To: Microsoft ATR  
Date: 1/24/02 8:04am  
Subject: microsoft settlement

I am against the proposed Microsoft antitrust settlement. The settlement does little to address and correct Microsoft's anticompetitive monopolistic practices. The settlement should require Microsoft to make redress for damages done and should guarantee future software interoperability. Also, that product tying (e.g., Internet Explorer and Windows) does not continue in the future.

Debra Cutler  
602 Cottage St  
Vienna, VA 22180

**MTC-00020644**

From: t.babich@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
Thomas Babich  
39-46 Wenonah Drive  
Fair Lawn, NJ 07410-5421

**MTC-00020645**

From: dans@inin.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 8:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
Dan Skinner  
847 Winter Court  
Carmel, IN 46032

**MTC-00020646**

From: Ken Spencer  
To: Microsoft ATR  
Date: 1/24/02 8:05am  
Subject: Microsoft Settlement

Dear Sirs,

I have been appalled at the way the government has handled the Microsoft case for 4 years now. The case was trumped up against Microsoft and played out with resources that I as a tax payer pay for when those resources could have been used to stop 9/11 or many other things.

I am a business person in the computer industry. I have ran a small company for over 10 years and worked with companies such as IBM, Oracle, Sun, Microsoft, and more. Who has the most underhanded tactics that are hurting the competition? In my book, its Sun and Oracle. I refuse to work with them because of the low down tactics and business practices.

On another note, if it were not for Microsoft, we would be paying many times more for operating systems and software today. In fact, there would not be PCs in most peoples homes because they could not afford the software. Don't take my word for it, just do the research on software prices from the days before Microsoft entered the field and became successful with Windows and Office.

It saddens me in this time and economy to see resources wasted on this case. Especially when the people pushing it are doing it for monetary gains for their companies (Oracle / Sun) or for political gain for themselves (Sen Hatch).

Settle this case and lets get back to business before you destroy the economy.

Ken.  
32X Tech Corporation—Bringing  
Technology into Focus  
visit us at <http://www.32x.com> <<http://www.32x.com/>>

**MTC-00020647**

From: deb@infonline.net@inetgw

To: Microsoft ATR  
Date: 1/24/02 8:06am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Don Burnette  
505 North Buhl Farm Drive  
Hermitage, PA 16148

**MTC-00020648**

From: Rumpbunny@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:05am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
LaVada Davis  
6870 Deatrick Rd SE  
Elizabeth, IN 47117-9150

**MTC-00020649**

From: MKBar@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Morrie Kleinbart  
75 East End Avenue  
Apt 2D  
New York, NY 10028

**MTC-00020650**

From: MKBar@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Morrie Kleinbart  
75 East End Avenue  
Apt 2D  
New York, NY 10028

**MTC-00020651**

From: David Beck  
To: Microsoft ATR  
Date: 1/24/02 8:08am  
Subject: When is this is done

I think that Microsoft as a company is getting robbed by their competitors and the states that remain in this fake lawsuit should pack it up and go home. The settlement is fair to me, a consumer and I hope that the benefits that Microsoft provides me will not be hindered in the future. David Beck

**MTC-00020652**

From: Preston, Anthony F (N-AS(038)T)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:08am  
Subject: Microsoft Settlement  
Sirs,

It is my opinion that the DOJ settlement with Microsoft is a politically motivated and will not prevent any of the problems caused by Microsoft from happening again and again. It is having the Fox watch the Hen

house. Please reject the settlement as insufficient punishment of Microsoft.

Thank you,  
Anthony Preston  
Tony Preston  
SR. Principal Engineer/Scientist  
Atlantic Sciences and Technology Corp.  
Lockheed Martin NE&SS  
Threat System, Modeling & Simulation  
Analysis  
Building 13000 A205-L  
phone: 856-638-7023

**MTC-00020653**

From: allenrtaylor@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Allen Taylor  
5448 West Mission  
fresno, CA 93722

**MTC-00020654**

From: Pete Toscano  
To: Microsoft ATR  
Date: 1/24/02 8:11am  
Subject: Microsoft Settlement  
Hello,

I am writing to voice my opposition to the Proposed Final Judgment for the Microsoft antitrust case. I feel that the PFJ does little to encourage competition, in some parts, even further hurts competition, lacks any true enforcement mechanisms, and does not in any way punish Microsoft for its already established anti-competitive practices. If true competition in the computer industry is to ever return, a new punishment and enforcement plan must be determined.

Sincerely,  
Pete Toscano  
Fairfax, VA

**MTC-00020655**

From: Tim Utschig  
To: Microsoft ATR  
Date: 1/24/02 8:10am  
Subject: Microsoft Settlement

Hello, my name is Tim Utschig. I am a student studying Computer Information Systems from Campbell, California. I would like to submit to you my comments on the revised proposed Final Judgment in the antitrust case against Microsoft Corporation.

It is my opinion that section III.J can be used by Microsoft to be exempt from III.D and III.E. Microsoft would claim security concerns in any circumstance and avoid releasing documentation necessary to develop an interoperable product. Also III.D and III.E do not go far enough to open up documentation for Microsoft's secret APIs and Protocols. Without documentation of all APIs and all protocols, Microsoft's illegal monopoly will remain entrenched, continue to gain power and eliminate all possible competition.

Without free, open, public standards for communication protocols Microsoft will continue to put their secret protocols in place of those that are public until there are only two choices; Use Microsoft software, or cease to communicate.

Microsoft did exactly that with their MSN internet service, and with 500,000 subscribers of the ISP Qwest last November. The Qwest subscribers were given two options. Start using Microsoft Outlook for E-Mail, or find a new ISP. This is due to the introduction of Microsoft's secret "Secure Password Authentication" into MSN's and Qwest's E-Mail servers. Use of which is mandatory if you want to read your E-Mail. Only Microsoft E-Mail clients know how to use this secret authentication mechanism. The Final Judgment should be revised to ensure that this, and any future such mechanism will have free, public documentation.

It should be made clear that security does not come from keeping the algorithm a secret. Security comes from a secure design, and making that design public does not compromise its security. Security through obscurity is not security at all. Making the design free and public encourages competition, and that is why Microsoft avoids it.

I hope, for the sake of the economy, that some good comes out of this antitrust case. Many competing companies employ significantly more people than a single company with a monopoly.

Sincerely,  
Tim Utschig

**MTC-00020656**

From: rtidd@twcny.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:07am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rod Rod  
6409 Fantail Lane  
Cicero, NY 13039

**MTC-00020657**

From: Teri Kincheloe  
To: Microsoft ATR  
Date: 1/24/02 8:10am  
Subject: Microsoft Settlement

To whom it may concern:

I am writing to tell you that I, as a taxpayer in good standing in this wonderful country, am tired of the government and most especially the supposedly Justice Department, going after Microsoft and Bill Gates.

If it weren't for men like Mr. Gates, we wouldn't have the user friendly format known as Windows and the amount of revenue he has generated for this country. Yes, he made money for himself, but I thought that was the American way. He also gives away more money than just about anyone in this country also.

This entire lawsuit is about sour grapes and I wish you people would find better things to do than chase after a legitimate entrepreneur. If Mac can't make it against Microsoft, oh well! That's the breaks of doing business.

Please find another horse to flog....this one is deader than the proverbial doornail.

Sincerely,  
Teresa Kincheloe  
Teresa Kincheloe  
12121 SE 44th St  
Choctaw, Ok 73020

**MTC-00020658**

From: james—hodnett@netzero.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:07am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Sincerely,  
James Hodnett  
3821 Watt Ave.  
Waco, TX 76710-5348

**MTC-00020659**

From: marine@stic.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:07am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Sincerely,  
Dennis Sherman  
5335 Vista Glen  
San Antonio, TX 78247-4601

**MTC-00020660**

From: gregory.salamon@neg.pge.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:09am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Sincerely,  
Gregory Salamon  
87 Sheraton Avenue  
Somerset, MA 02725-1129

**MTC-00020661**

From: petuniapatch@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Sincerely,  
Teri McNeal  
1619 E. Grauwlyer Rd., #102  
Irving, TX 75061

**MTC-00020662**

From: davidnading@axs4u.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:07am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Sincerely,  
David Nading  
118 Quail Run  
Seguin, TX 78155-0836

**MTC-00020663**

From: johnd@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:12am  
Subject: Microsoft Settlement

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

MTC-00020663-0001

Ladies and Gentlemen of the US Department of Justice, This is a long one, but please stick it out to the end. As an IT professional I come into contact with both Microsoft and other vendors' software every day.

I have both a Windows 2000 and a Red Hat Linux desktop computer on my desk. I use third-party software for both.

In the past year, I have kept an eye out for security alerts for both sets of software, and, obviously, spotted trends relating to both. I have seen the various issues relating to the trial in the news on a variety of sources, from cnn.com to slashdot.org, encountered pretty much the entire spectrum of feelings about the case, from pro-MS to alt.bin.billgates.die.die.die—there's a lot of strong opinions out there.

In my job I have to liaise with several companies who produce hardware and software. Some work with MS, some against them, most, both with them and against them.

Never, in any dealings with any vendor, have I encountered one so awkward, monomaniacal, unhelpful, unrepentant and secretive as Microsoft. They produce, in my experienced, half-baked products, rich in features stolen from other places, and generally tie their software into their operating systems to create a mesh of lock-in. They have leveraged their overwhelming desktop monopoly to subvert web standards, forcing intermediate devices to conform lest their owners receive a wealth of complaints about broken service. Let me give you an example. Many users complained that, using our dial-in service, a particular website was broken. This spread until a whole range of websites seemed to be broken—if, and only if, a user dialled in through our service. Some investigation turned up that all of these websites ran new versions of IIS. A little investigation, into only a small set of the users, revealed that all of the users who answered were using IE 5, new at the time.

Our dial-in service uses proxy servers, and the ones quoted as ‘working’ didn’t. So clearly it was our proxy servers and we approached the proxy vendor about this. Investigation by them yielded the following result. IIS served, in some circumstances, broken (ie, against the HTTP standard) responses to some requests that involved an object having been moved. IE5 expected this broken behaviour. The proxy server, in the middle, noticed this broken behaviour and corrected it. IE5 then didn’t understand the answer. So users complained to us that ‘our’ service (standards compliant) was broken. The users don’t know the difference and, due to 00020663—0002 extensive marketing from Microsoft, are disinclined to believe that IE is at fault, and certainly would never believe that Microsoft conspired—or just happened to—break IIS standards compliance and then stick with that broken behaviour in IE.

The resolution was an ugly hack in the proxy—if IE was talking to IIS, allow standards to be broken—which, while on the surface seemingly harmless is perhaps a distinct case of the ‘rot’ setting in Now, Netscape users going to these sites would have, at the time, found the site broken. They would complain to the site admin, or, more likely, their ISP. But using our dialup service, they would find the site worked, because the proxy gave Netscape behaviour it expected. But Microsoft could simply point out that most normal sites worked in both browsers, and some sites didn’t work in Netscape, therefore use IE.

This is the sort of insidious tactic that is a constant in MS products. Never before have we seen this sort of power, wielded in this sort of way. Other companies have held monopolies for sure, and held customers and governments to ransom. But the computer market is a more dangerous battleground because such a great deal of normal everyday functions are coming to depend on them. And while this battle is painful enough for those opposing the giant now, in 5 or 10 years it will be \*much, much\* worse.

So those who have had demonstrated to them the duplicitious, greedy and disagreeable nature of MS in the trials to date—I note that the first finding of fact stated both a monopoly and the use of the monopoly to exclude Netscape’s product, and the fact that MS were caught lying in court (their demonstrations were later shown to be rigged, as I recall) - should now take what is probably the last opportunity that will arise to prevent MS becoming even more arrogant and even more domineering. While I would not begrudge a company the right to either success or to protect its interests, when you are dealing with the new mode of communication for people around the world, this is not territory to divvy up. When there’s other ways, when there’s alternatives, \*that’s\* something worth fighting over. But when the position has been reached that most users are unable to avoid Microsoft, that they have entangled themselves in the industry to such a degree that, like an alien parasite they cannot be removed with killing the patient, a company like that must start to demonstrate a sense of responsibility.

It is as though MS had almost made themselves ‘the government of the desktop computer’. They can control what you can put on it, unless you ‘emigrate’—hard work and likely to cut you off from your friends, with whom you can no longer share documents. With the upcoming Windows XP they can coerce you to their will through their updates system—simply by 00020663—0003 bundling a necessary security update with some other change \*they\* wish to make and you don’t.

Yet they do not accept this responsibility. Imagine if the US military gave up its responsibilities and started acting like Microsoft. They would go round to people’s homes, wave guns and them, and suggest that the people might want to make a ‘contribution’ in order for them to take risks to guard that citizen’s home. Else a stray round might go that way, know what I mean, gov’nor? They would decide it wasn’t profitable to protect Florida, all that way, stuck out on a limb, needs lots of men to guard basically beaches and swamps... barely worth it. And the people of Florida? Small minority, not worth the business.

It has been said that politics is about pettiness but leadership is about greatness. Sadly, you must not only endure but \*win\* the pettiness in order to gain leadership—where you somehow have to put aside years of pettiness and wheel out the greatness you have been storing up. But likewise, capitalism encourages bitter fighting amongst companies, lowering prices, bundled packages, promises of security and interoperability in the case of computers. However, it runs on the premise that there will not be one monopoly and a bunch of little players, springing up only to be roundly killed off by the giant. There is no significant competition—therefore no market forces.

So, Microsoft has exited the period of pettiness and competition and now entered the realm of leadership, but not shown any signs of having thrown away that pettiness in favour of greatness.

That is why the DoJ has to step in. If they will not act like leaders, then the only power

that stands above them must \*make\* them behave responsibly. And if that is not permitted, then only one option remains. The monster exists, and exerts its influence. By lobbying, contributing, all the things that help make politicians decide they aren’t an issue, MS sees to it that it cannot be killed. So it must be tamed, and other companies must be given the chance to re-introduce the market forces that keep everything in balance.

MS does not have the great products they claim. Their products are at best mediocre. The number of security alerts alone denies greatness. But they did have smart marketing, and introduced lock-in early on, and did subvert standards to their own ways, and did hide the open interoperability information from other companies, and did specifically block out competitors’ products. Ask IBM about that. So, break them up. Their OS division, without the ability to interoperate so secretly with their software division, would find it more profitable to open up their API’s so that other third-party software worked better. 00020663.0004

Many people buy an OS because it runs a particular application—it now benefits MS—OS to work with all applications. Similarly MS—SW, it’s profits are maximised by working better with all operating systems, not just Windows.

Break the giant—into pieces which each have competitors which can influence them. Break them into a number of pieces, perhaps OS, browser, Office, Hardware, Other.

Don’t accept this ridiculous solution they offer—let’s see, in penance for monopolistic behaviour we’re going to give Windows to one of the few segments of society that cannot afford (yet) to buy it—poor kids. How stupid do they think we, and you, are? Fining them is no good—fining companies is rarely any good. No-one has the guts to levy a 10 or 20 billion dollar fine, enough to force a break-up and major changes. While this case is nominally about browsers, what exists is the one chance the government will get to stop what has happened. History will look back at this and wonder how it came to pass that most people were held in sway by one company, forced to accept the sub-standard products that result from the company still frantically working to deadlines, putting nice, GUI widgets before basic operation, making sure they shut out every possible competitor.

Microsoft has said that it takes security most seriously now. And of course, this isn’t just another marketing ploy. Honest. No really. So, naturally they will put their core code up for peer review, as pretty much everyone who is serious about security does... I don’t think it’s worth us holding our breath until that moment. Well, let them fix the problems with their products. After all—that means better products. But if they are broken up, their products will have to compete on a level playing field (for the first time for many of their products) and then we’ll see how much work they have to put in on security, stability, etc.

You know what you have to do. All that remains is for you to summon up the courage to do it, in the face of what will be bitter and underhanded resistance from Microsoft. This isn’t about the law. The law is just the means.

This is about creating a suitable environment for the computing industry to advance. Everyone, including Microsoft in whatever form(s) they take, will benefit from that. 00020663—0005

No-one benefits from the continued existence of a monopoly whose self-preservation is best served by lock-in, secrecy about problems, and success marketing. The DoD runs military operations on computers. The Treasury calculates the budget on computers. The State Department maintains records on Americans on computers—social security, etc. The DoJ maintains criminal records on computers.

How will it be in 10 years time, when MS is more or less free to do anything, and still does not have the greatness to do the hard work to make good, value-for-money products that are secure. How will it be when serious compromises of every government department are weekly news—because no secure OS's are easily interoperable. Will we use firewalls? How about Cisco firewalls, which are secure 'because only 12 people have seen the source code'. Cisco is another large company, with growing market share, but that's not the problem today. Their day will come, in both senses.

No, this case provides opportunity to do what would otherwise be impossible—MS would make enough legal noise that no-one could break them up without having caught them at something major, and I doubt they'll be stupid enough to get caught like this again. They've learned—learned to hide things better.

Now is the time. You know what to do.  
John  
John Denholm Cachemaster  
Team Leader, Content Distribution and Storage,  
Core Systems, Energis Squared Tel: +44  
113 207 6357  
00020663—0006

#### MTC-00020664

From: Kewchick  
To: Microsoft ATR  
Date: 1/24/02 8:11am  
Subject: Microsoft Settlement

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you. Robert and Renee Joyce 522 S Cortez Rd Apache Jct AZ 85219

#### MTC-00020665

From: dans@inin.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dan Skinner  
847 Winter Court  
Carmel, IN 46032

#### MTC-00020666

From: David S. Isenberg  
To: Microsoft ATR  
Date: 1/24/02 8:09am  
Subject: Microsoft Settlement

To whom it may concern:

I object to the Microsoft Settlement.

I want to see a settlement with teeth, not one that is part of the Microsoft-standard business plan.

David S. Isenberg, Ph.D.  
David S. Isenberg isen@isen.com  
isen.com, inc. 888-isen-com (inside US)  
<http://isen.com/> 908-654-0772 (from abroad) —The brains behind The Stupid Network—

#### MTC-00020667

From: Bobby Hays  
To: Microsoft ATR  
Date: 1/24/02 8:12am  
Subject: Microsoft Settlement

I am writing to voice my concern over the proposed Microsoft settlement. There are so many things wrong with it that I won't be able to list them all here. The worst part is that it does absolutely nothing to stem the growing abusive monopoly that is Microsoft. Computing has become one of the most important aspects of our Nation. It affects everything we see and do. Lack of competition, and having a single product forced down our throats, flies in the face of what America stands for. Was not America founded so that people can live their life free from the monopolistic powers of the church and monarchy? Where will we turn when we are all forced to worship at Microsoft's feet. And will our government be nothing more than Bill Gates' lackeys? Please hear our voice and make Microsoft responsible for their power.

Thank you,  
Bobby Hays  
Covington, GA

#### MTC-00020668

From: dudleytl@hosemaster.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:10am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tom Dudley  
25560 Bryden Rd  
Beachwood, OH 44122-4165

#### MTC-00020669

From: Norman Smith  
To: Microsoft ATR  
Date: 1/24/02 8:14am  
Subject: Microsoft Settlement

Lets please leave Microsoft alone. They have paid dearly (as have us in the economy) for the highly selfish, greediness of a few politicians and lawyers.

Norman Smith  
3601 Woodlark Drive  
Roswell, GA 30075  
770-998-1054

#### MTC-00020670

From: libsew@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:11am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Connie Orr  
756 Samantha Dr.  
Palm Harbor, FL 34683-6200

#### MTC-00020671

From: bburgdorff@samedan.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:11am



Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Burgdorff  
5107 Rivertree Lane  
Spring, TX 77379-6029

**MTC-00020672**

From: pete@bedford.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:10am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Pete Weaver  
301 East Penn Street  
Bedford, PA 15522

**MTC-00020673**

From: Willem

To: Microsoft ATR

Date: 1/24/02 8:14am

Subject: Microsoft Settlement

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Willem Dykstra

**MTC-00020674**

From: tggatti@home.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:10am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
tony gatti  
14904 landmark  
louisville, KY 40245-6525

**MTC-00020675**

From: tggatti@home.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:11am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
shelley owens  
14904 landmark  
louisville, KY 40245-6525

**MTC-00020676**

From: donceil@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:13am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Don Trammell  
2186 Horseleg Cr. Rd., SW  
Rome, GA 30165-8524

**MTC-00020677**

From: John Slater

To: Microsoft ATR

Date: 1/24/02 8:15am

Subject: Microsoft Settlement

The proposed settlement is a Joke.

John Slater

**MTC-00020678**

From: RHO3957870@AOL.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 8:13am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
RICHARD HOWELL  
PO BOX 232  
DALLAS CITY, IL 62330

**MTC-00020679**

From: papaw75@juno.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:13am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Orbin Sexson  
105 Patterson Dr.  
Auburndale, FL 33823-2323

**MTC-00020680**

From: Tim Scoff  
To: Microsoft ATR  
Date: 1/24/02 8:15am  
Subject: Microsoft Settlement

Good morning,

My feeling about any settlement or judgement against Microsoft in the anti-trust case is a simple one. They have been found guilty of abusing their monopoly to drive other companies out of business. They have appealed and the appeals court found that they were indeed guilty of abusing their monopoly to drive companies out of business.

Microsoft needs to face a penalty which will put a stop to this behavior. It would be nice if somehow all of the small businesses which have been driven out of business as a result of their tactics could be brought back and their employees and owners compensated. However that is probably impossible. Instead Microsoft needs to face a penalty which will keep them from doing this in the future. Anything which doesn't result in them behaving in an ethical manner is a waste of every penny spent prosecuting them over the last few years.

I don't have any suggestions as to what an appropriate penalty should be. However if talking about the penalty does not result in Microsoft turning on its propaganda machine, sending large quantities of fake "grass-roots" letters such as this one, buying advertising, etc.... in opposition against the penalty then it isn't harsh enough.

Tim Scoff  
tim@scoff.net  
(724) 342-3173  
Cell-(724) 866-7862  
556 Tamplin Street  
Sharon, Pa. 16146

**MTC-00020681**

From: rcmyers@cmuonline.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:12am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Myers  
821 Fairlane Dr.  
Chillicothe, MO 64601

**MTC-00020682**

From: David Withington  
To: Microsoft ATR  
Date: 1/24/02 8:14am  
Subject: Microsoft Settlement

Dear D.O.J.:

Concerning the Microsoft Settlement I firmly believe Microsoft should be lauded with praise for a company that has brought vast innovation to the marketplace and consumers. Through Microsoft's efforts we now have more affordable options in computing that we did not have before Microsoft. These efforts have made the consumer and businesses more productive and increased our standard of living.

Microsoft has excelled at what they do and should not be punished for it by government antitrust laws. The good should not be punished for being good. Microsoft plays tough and that is that and there is nothing inherently wrong with that fact regardless of what envious competitors want.

Sincerely,  
David Withington  
69 Grand Avenue  
Ridgefield Park, NJ 07660

**MTC-00020683**

From: James Bouklas  
To: Microsoft ATR  
Date: 1/24/02 8:18am  
Subject: Microsoft Settlement

I'd like to say that I am against a Microsoft Settlement.

**MTC-00020684**

From: oldfashionmama@ivillage.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
TAMI LEWIS  
P.O.BOX 714  
ESTERO, FL 33928

**MTC-00020685**

From: danmhp@fmctc.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Daniel North  
809 Quince Rd.  
Harlan, IA 51537

**MTC-00020686**

From: aandcotte@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Andy Otte

7031 S. 38th #86  
Lincoln, NE 68516

**MTC-00020687**

From: Bob Tancredi  
To: Microsoft ATR  
Date: 1/24/02 8:16am  
Subject: Microsoft Settlement

Department of Justice United States of  
America

Hello,

Please stop your actions against Microsoft. Today in America, even the dead can sue. The fact that AOL can sue Microsoft on behalf of Netscape long after AOL bought Netscape, promotes open season suing in the courts by anybody, against anybody for any reason.

A prudent court, and governing body, should end this legal licentiousness instead of promoting it. As for some moral stand presumed necessary against Microsoft's dominance of operating systems, the concept of "restoring competition in the marketplace," is dead wrong in principle, and an excuse for also rans to avenge themselves against winners.

A prudent court should not promote the use of government force, fines, threats of imprisonment, or enforced dismemberment of companies based on an arguable and contradictory set of rules. This is America, Land of the Free, Home of the Brave.

To pursue a remedy against Microsoft promotes the ascension of naked, brute power over argument, force over reason, barbarity over rule of law. Unclear, arguable law is by nature an oxymoron. Law is principle. Principles are simply stated and immediately grasped by reasonable men. Sherman Antitrust does not qualify.

Microsoft, headed by Bill Gates, helped to spark the boom of the last quarter century in this country. What thanks we give to his achievements by destroying the very tool that created wealth for our and future generations.

Put a stop to this US sanctioned encouragement of legalized destruction, please.

Sincerely,  
Bob Tancredi  
Portland, Maine

**MTC-00020688**

From: David Vincent  
To: Microsoft ATR  
Date: 1/24/02 2:18pm  
Subject: Microsoft Settlement

Hi,

I'm from Switzerland, but you may be interested in our comments...

- 1st, we do not like Microsoft and their policy, those guys have NEVER invented anything, they just rub other company and pay in the court, but still make 90% of profit.

- 2nd, when they say that they invented something, it's because they bot the company who invented, if I have money, I can do the same

- 3rd, we think here in Europe, if MS get a monopole, which they have, this will be a very bad thing for any computer business, and in the futur for any business

- 4st, we don't know any MS products without bugs, security, etc... So if MS still keep those monopole, nothing in the

computer world can be protected against Hacker

- 5th, MS have never done anything for the Internet, just made it very difficult for the developer around the world, they want to impose the way to do, you can see many complain about this

- 6th, we think that all this is only a question of money, almost of the US Government is corrupt, if MS is here to day it's because they pay for it, only this, so if you want to give to anyone the same chance, STOP Micro\$oft and their monopole, then we can think that the write Justice have been made

- 7th, you can see the last month that MS laugh about you and the justice, they made a new Game Machine (XBox), bot more that 10 company, try to get larger monopole by buying SGI licence (Microsoft Trying to Kill OpenGL, Microsoft has acquired key 3D patents from SGI), etc... etc...

- 8th, there is not one day without you can read that MS is going to court for seeking damages... "an attempt to get justice." from those company, you should think about this... (only bad people go's to court every day), so what you waiting for ???

- 9th, if you do not stop MS today, the future of the world will be very bad, MS will have more power as any government in this world

- 10th, etc... etc... we can talk about this day's

- 11th, please fix Micro\$oft

Best regards

David

PS: sorry for my bad English

—

Just do it different

<http://www.dvdesign.com/>

**MTC-00020689**

From: barbara@idapm.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Matz  
24 Cherry Tree Ln.  
Kinnelon, NJ 07405

**MTC-00020690**

From: wculp@cnetics.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:15am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Harold Culp  
1665 Maple Ridge Drive  
Loganville, GA 30052-3802

**MTC-00020691**

From: robby@solutionreources.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:16am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Robertson  
5415 Britwell Ct  
Tampa, FL 33624-4176

**MTC-00020692**

From: Cowlshaw, James  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:18am  
Subject: Microsoft Settlement

Dear Sir / Madam,

It is important to the health of the software industry in general and competition in particular that you require and enforce the cessation of boot loader / licensing issues which are currently imposed (threatened or otherwise) by Microsoft.

Diversity is the best way to foster improvement and innovation. Please take

necessary steps to return diversity to the desktop operating system market.

Thank you,  
James Cowlshaw  
170 Walkley Lane  
Sheffield S6 2PA  
South Yorkshire  
UK

**MTC-00020693**

From: jdenton151@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:16am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jennifer Denton  
217 North Congress St  
Mendenhall, MS 39114

**MTC-00020694**

From: WGlihga@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:15am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carol Walenga  
704 Valley Brook  
Mt Juliet, TN 37122

**MTC-00020695**

From: psharpe@flmech.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:17am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Patricia Sharpe  
7615 Hovering Mist Way  
Jacksonville, FL 32277

**MTC-00020696**

From: bdemska@qcinet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:16am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lynn Demska  
1976 Catlin Drive  
Rochester, MI 48306-4596

**MTC-00020697**

From: mlmiles424@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:16am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Margie Miles  
9993 Hwy 165  
Pollock, LA 71467

**MTC-00020698**

From: Carlos S. Del Castillo  
To: Microsoft ATR  
Date: 1/24/02 8:20am  
Subject: Microsoft Settlement

Dear Department of Justice,

I am writing to you to express my total disapproval at the way that this case is being handled by your department.

I am a Manager of Information Technology, for a small firm and was wrongfully believing that now that my government has stepped into this fray, my rights as a consumer and an American would be protected. Apparently we must change our name to United States of Microsoft. I cannot understand how your organization can go on insisting that the Microsoft organization is broken up to a settlement that reminds me of swiss cheese.

Everything I have read so far, shows me how this administration has basically told your department to go easy on Microsoft. How can I come to this conclusion? Pretty simple, prior to our new President taking office, your office was seeking the breakup of the company and would not settle for anything so "slap on the wrist" as what your seeking now. Making Microsoft a legal monopoly would only enhance their ability to squash competition. Have you forgotten that they have been reprimanded before and like a small child they returned to their previous practices within months. Your job is to protect us, the American citizen. I understand that you also must consider the right of the corporation, but this should never be at the expense of the consumer.

If your looking for examples of how Microsoft believes the technology world should function, just look at their recent activities with regards to Linux. First they begin by releasing to the public outright lies and scaring programmers into believing that using Linux or free software will allow everyone to use their software free of charge. When that didn't give them the results they were looking for, they then made it illegal for a programmer to use any Microsoft product to create free software. Now they are attempting in making it illegal for a programmer to release software free of charge (see the recent changes to UCITA). Microsoft has not been known to advance technology but actually to hold technology back. If their is a product that is better than what they currently offer, their general response is either to purchase the company or give away their version until the competitor goes belly up.

I do not feel that the remedies proposed in your settlement go far enough to protect the

American consumer. You should return to the pre-Bush proposals, break the company up into different entities so that the people of America are given the choice to decide whether they want Microsoft or not. I fear that if we continue in this direction, we will end up not only isolated from the rest of the World, but a country that technologically speaking belongs to a corporation.

Sincerely  
Carlos S. Del Castillo

**MTC-00020700**

From: Arona Ann Pearlstein  
To: Microsoft ATR  
Date: 1/24/02 8:21am  
Subject: Microsoft Settlement

Hello.

My name is Arona Ann Pearlstein and I am a computer programmer.

This e-mail regards the Proposed Final Judgment in the Microsoft Anti-Trust lawsuit. As per the Tunney Act comment process, I am providing comments about this settlement.

The proposed settlement is, simply put, a bad idea. In reviewing the proposed settlement, two issues stand out the most:

1) According to the settlement, Microsoft cannot retaliate against vendors (OEMs, ISVs and IHVs) who support or develop alternatives to Windows. But, the settlement does not provide any assistance to these vendors. Providing assistance to these vendors would encourage healthy competition in the Intel-compatible operating system market.

Even worse, the vendors are restricted to writing software whose sole purpose is to interoperate with the Windows operating system. They are thus effectively prevented from writing operating systems that can interoperate with Windows programs.

2) The proposed final judgment does not provide any means for enforcement. While there are suggestions for a technical committee and such, no enforcement plan of action has been developed.

The proposed final judgment must have some legitimate plan for enforcement; it is not enough to leave the job up the legal system. If no enforcement plan is provided, the judgment's affect upon Microsoft will be negligible at best, a proverbial slap on the wrist.

Although I currently live overseas in Geneva, Switzerland, this issue is extremely important to all American citizens, as well as to anybody (regardless of his or her nationality) involved in the computer industry. Switzerland's neighbors in the European Economic Union (EEU) are currently discussing similar legal action against Microsoft. They are no doubt examining the proposed final judgment carefully.

Thank you for your time.  
Sincerely,  
Arona Ann Pearlstein

**MTC-00020701**

From: Ryan Layton  
To: Microsoft ATR  
Date: 1/24/02 8:19am  
Subject: Microsoft Settlement

Dear Sirs,

The proposed Microsoft settlement is much way too lenient for a case of this magnitude. Microsoft was found guilty and the punishment must fit the crime. You need to go ahead with the original proposal to break Microsoft up so that it will no longer be able to leverage its monopoly for pure greed and profit.

Microsoft is still brazenly indulging in these anticompetitive practices even though it has been embarrassed and exposed—capitalism can only go so far. Make the computer field a more level playing field for others in the market. Windows isn't the best operating system out there, yet it is the most popular. Microsoft reached this market dominance through unethical and unfair business practices. This must stop.

As a citizen of the United States of America, I request you to do all you can to ensure Microsoft is punished in a manner that will make them think twice about indulging in monopolistic and greed-motivated practices in the future. Force them to sell a version of Windows without a web browser, split up the company, and so forth. Don't let them walk away from this, or they will just get WORSE.

Thank you,  
Ryan Layton  
5430 Truckee Court  
Las Vegas, NV 89122

**MTC-00020702**

From: dochutson@webworkz.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Hutson  
48 Waldorf Pl.  
Brasstown, NC 28902

**MTC-00020703**

From: fredcathey@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
Fred Cathey  
5024 Mt. Carmel Rd  
Hampstead, MD 21074-2926

**MTC-00020704**

From: Wilson Jones  
To: Microsoft ATR  
Date: 1/24/02 8:20am  
Subject: Microsoft Settlement

I don't agree! They're the worst predator since T-Rex!

**MTC-00020705**

From: pat.bruss@stratus.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:17am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Sincerely,  
Patrick Bruss  
19364 Woodcrest  
Harper Woods, MI 48225-2059

**MTC-00020706**

From: Dave Solon  
To: Microsoft ATR  
Date: 1/24/02 8:20am  
Subject: Public Comment on MS Settlement

Let my comments state that I think the current settlement in the Microsoft case is an absolute farce. The current settlement simply helps Microsoft get more of a footing into another market that they want to "rule": education. Proposing that MS give equipment and software to schools is like rolling out a red carpet and letting them walk right in with absolutely no competition. This settlement only perpetuates their abhorrent behavior of squashing the "little guy" with unlawful business practices. If this settlement goes

through, it only shows that our government is more concerned with the welfare of big business and that they don't really care about the consumer.

If MS really wants to help education, let MS give them the cash and let educators decide what type of computer and operating system they want to purchase to help their schools and students. Don't limit their creativity by imposing even more MS products on them.

Thank you for the opportunity to comment.

Sincerely,  
David Solon—Consumer, Educator,  
American.  
465 Mallard Drive  
Manheim, PA 17545

**MTC-00020707**

From: Andrew McNair  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:23am  
Subject: Microsoft Settlement

I think the Microsoft settlement is a good idea.

Andrew McNair  
TechServices  
Web Development Group  
(260)490-8324  
<http://www.techservices.net> <<http://www.techservices.net/>>  
Recently completed...  
<http://www.recognizeit.com> <<http://www.recognizeit.com/>>

**MTC-00020708**

From: Jeff (038) Sharon Wikstrom  
To: Microsoft ATR  
Date: 1/24/02 8:22am  
Subject: Microsoft Settlement

It is high time to stop the wheels of the Microsoft Settlement. Let free enterprise take place. These guys were just Hippies in the 70's, computer nerds who became successful. Let it be. Leave them alone.

Jeff Wikstrom

**MTC-00020709**

From: jkbob10@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Judy Patterson  
681 Oakcrest Dr.

Wadsworth, OH 44281-8605

**MTC-00020710**

From: Crgjil@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:26am  
Subject: Stop it!

Isn't enough enough with Microsoft! Why, when someone has an idea and perpetuates it to success, can the losers of this world get away with fighting to undo it!

**MTC-00020711**

From: Bingham, Bruce  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:17am  
Subject: Microsoft Settlement

This settlement does nothing to curb the abusive power that microsoft holds over the marketplace.

Bruce Bingham

**MTC-00020712**

From: dlhromas@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Hromas  
5210 Aylesworth Ave  
Lincoln, NE 68504-3164

**MTC-00020713**

From: twoknuds@metc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:23am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Maurice Knudsen  
4428 Main Street  
Elk Horn, IA 51531-2000

**MTC-00020714**

From: Rick Berg  
To: Microsoft ATR  
Date: 1/23/02 10:12pm  
Subject: Microsoft Settlement

I am writing you to encourage that you re-evaluate the proposed Microsoft settlement terms.

I am not really anti-Microsoft. I work with their products every day and feel that many of their products offer a good value, are smartly designed, and frequently do more than I ask of them. It would be easy for me to say that if it weren't for Microsoft, my job would be much harder.

An operating system to a computer is like paper is to a book. Without paper, it would be difficult to publish a book. The paper really has little to do with the content of the book or, what the book is used for but it is a necessary and integral part of the book. Paper manufacturers are free to make paper however they wish. Some use cotton, others use rags, most use wood. But they all need to make the paper so that it can be handled by the machines that make the book and they need to concern themselves with how the paper works with the ink, the presses, and the shears that cut the paper.

Their recipe for how they make the paper may be a secret but, they meet the specifications demanded by the industry that uses their product and they publish the specifications of their paper. This is where my analogy fails and where Microsoft has failed the industry. Their failure has stifeled creativity and given them unfair advantages over other companies. They have played the game but held the choicest cards back for themselves. This has helped them gain market share against competitive products (Like Netscape Navigator, Lotus SmartSuite and countless others). Their dominance in the market has allowed them to bully not only their competitors but their business partners as well. A computer manufacturer would have a hard time selling a computer without being able to offer Microsoft Windows and everyone knows it. Microsoft's reach is long, they supply the tools to developers and administrators as well.

Recently, Microsoft filed suit against a small start up company that is using the name "Lindow's." For some reason, Microsoft feels that name is too close to their trademark "Windows." Their claim is that the term is confusingly similar. I am not a lawyer, I may be wrong, but I see a clear difference and can not see how someone would confuse the two names. What I see is a company that has clearly not learned it's lesson. They are still playing the bully and will use their considerable clout and fortune to hurt a company that they see as a threat in a manner that I find morally and ethically repugnant. How can we not expect them to interpret the settlement in a similar fashion? I already

expect that they will find loophole after loophole and will exploit each and every one of them. I do not expect that they will fully publish every hook that their other applications use to the operating system nor do I expect that they will provide the necessary support documentation available that would make this information beneficial to developers (and in some cases, the public). They will continue to build their monopoly and abuse the public's trust.

Microsoft has all but destroyed one of the most innovative companies to come along in a long time. They did this by giving away their browser which was the product Netscape made popular. This shows the depth that they will sink to to destroy anyone who tries to garner a piece of their market. Any settlement that the DOJ reaches with Microsoft must without a doubt require proof from Microsoft that they are in total compliance with the agreement and that they will permit external auditors to verify this. Any agreement with Microsoft must contain provisions that will severely restrict their business practices should they be found in non-compliance. Any agreement with Microsoft should require Microsoft to internally separate its operating systems development from other development teams. This is the only way that Microsoft can truly prove that they will comply with the agreement.

**MTC-00020715**

From: Roland Steorts  
To: "microsoft.atr@usdoj.gov"  
Date: 1/24/02 8:32am  
Subject: Microsoft Settlement

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roland S Steorts  
216 Hampton Way  
Penfield, NY 14526  
(585)586-0138

**MTC-00020716**

From: Jim Skinner  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:26am  
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. . . . please do the right thing.

Jim Skinner  
Port Charlotte, FL

**MTC-00020717**

From: bwfalcon@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:26am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brian Witwicki  
3179 Teal Bay Court  
Aurora, IL 60504

**MTC-00020718**

From: jkbob10@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:23am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bob Patterson  
681 Oakcrest Dr.  
Wadsworth, OH 44281-8605

**MTC-00020719**

From: Erika Chang  
To: Microsoft ATR  
Date: 1/24/02 8:32am  
Subject: Microsoft Settlement

Dear Sir or Madam,  
Re: the settlement between the US Department of Justice and Microsoft  
I believe the settlement is woefully inadequate and will continue to allow Microsoft to penalize consumers like me who are dissatisfied with Microsoft products, but are forced by the Microsoft monopoly to use them nonetheless.

The Microsoft monopoly also encourages most businesses to discriminate against me if I choose not to use Microsoft products. For example, many web sites will not be accessible if I am not using Microsoft Windows operating system and Microsoft Internet Explorer web browser.

Additionally, I'm forced to purchase Microsoft products against my will, as in when I purchase a new computer I am not allowed to purchase one that comes with alternative operating systems or even without any operating system at all (so I can install my own choice of operating system).

While Microsoft may argue that the close integration of its various technologies and its insistence on being pre-installed on new computers benefits the consumers in "ease of use", fact is I have no say in what is considered easy to use and I lose control of my computer to Microsoft.

I cannot easily chose a competitive products that suit me better to use instead of Microsoft's products, because Microsoft's tight integration of its products prevents me from removing some of Microsoft's products without damaging the Microsoft operating system. I also have to pay for product that I don't want to use and I am not free to choose competitive products.

I believe Microsoft is extremely anti-competitive and deserving of severe restriction on its operations. It should not be allowed to continue with tight integration of its products without opening the source up to competitors so that they too could implement better integration with the dominant Microsoft operating system. No Microsoft products should be allowed unfair advantages over their competitors by virtue of being part of the company that owns the dominant operating system.

If the Department of Justice fails to curtail Microsoft's anti-competitive, anti-consumer practice, then it has failed the capitalist system and our democracy. Please do not let Microsoft get away with its anti-competitive and anti-consumer practices.

Thank you for your attention to this matter.  
Sincerely,  
Erika W.L. Chang  
New York & London

**MTC-00020720**

From: Jeremy Lunn  
To: Microsoft ATR  
Date: 1/24/02 8:27am  
Subject: Microsoft Settlement

I am not sure if the Tunney Act applies to non-US citizens so if it does I apologise for wasting your time. This issue concerns me because Microsoft holds a global monopoly which is just as bad here in Australia as other parts of world. No monopoly could be worse than Microsoft.

Using APIs, File Formats and Networking Protocols Microsoft is effectively locking any potential competitors out of the Market. The only real solution that I can see to stop this is to break the company up into different parts. If I had my way then they would be broken up into three parts. Operating Systems, Applications and Internet Services (MSN, Hotmail etc).

Consumers need a choice in which operating system and applications they can

use. They shouldn't be locked into using particular software because it's the only way they can communicate with others. My main concern with the proposed Settlement is that it explicitly denies access to individuals, not-for-profit organisations and government organisations for API, Documentation and Communications Protocols. This information should be available to the public at no charge. Preferably on the web.

The following examples have been quoted from: <http://www.pbs.org/cringely/pulpit/pulpit20011206.html> 'Section III(j)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: ". . . (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, . . ." ' "Section III(D) takes this disturbing trend even further. It deals with disclosure of information regarding the APIs for incorporating non-Microsoft "middleware." In this section, Microsoft discloses to Independent Software Vendors (ISVs), Independent Hardware Vendors (IHVs), Internet Access Providers (IAPs), Internet Content Providers (ICPs), and Original Equipment Manufacturers (OEMs) the information needed to inter-operate with Windows at this level. Yet, when we look in the footnotes at the legal definitions for these outfits, we find the definitions specify commercial concerns only.'

This conditions mentioned would limit the ability of open source projects such as WINE and Samba to take off. Open source is the best way to give users choice.

Thank you for your time,  
Jeremy Lunn  
447 Station St  
Box Hill VIC 3128  
Australia  
Jeremy Lunn  
Melbourne, Australia  
<http://www.jabber.org/>—the next generation of Instant Messaging.

#### MTC-00020721

From: MichelleParker@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:23am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Michelle Parker  
1447 Old Pecos Trail  
Santa Fe, NM 87505

#### MTC-00020723

From: Glen Bicking  
To: Microsoft ATR  
Date: 1/24/02 8:30am  
Subject: Microsoft Settlement  
To Whom It May Concern,

I would like to express my opinion regarding the antitrust suit against Microsoft Corp. I fully support Microsoft. There plenty of option for consumers to choose from and the choice they usually make is Microsoft. They do this because Microsoft makes the best products. They have created countless jobs and opportunity for millions of people and I shudder to think what might have been if the government had clipped the wings of Microsoft in it's early stages. Please leave Microsoft alone and let them continue to be a leader in their industry.

Thank you.  
Glen Bicking  
Network Administrator  
Green Bay Packaging Inc.  
gbicking@gbp.com  
Voice: 920.433.5329  
Fax: 920.438.5329

#### MTC-00020725

From: lorna\_atwood@standardandpoors.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:25am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Lorna Atwood  
8207 So. High Court  
Littleton, CO 80122-3222

#### MTC-00020726

From: sdburgardt@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:33am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Susan Burgardt  
878 Scenic Court  
Shoreview, MN 55126-9120

#### MTC-00020727

From: bountiekmd@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:31am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Katherine Donlon  
2382 SE Bounty Ave  
Port St. Lucie, FL 34952-6508

#### MTC-00020728

From: jcox102@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:26am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.



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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jeff Cox  
6 Oakmont Lane  
Littleton, CO 80127-3527

**MTC-00020729**

From: USABrSHU@AOL.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 8:31am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Hill  
722C Jamestown Dr  
Winter Park, FL 32792

**MTC-00020730**

From: hrsmnsrltr@msn.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:23am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

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Sincerely,  
Michael Paul  
2073 S. Perry Park Rd.  
Sedalia, CO 80135-8545

**MTC-00020731**

From: greg7383@ev1.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:23am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
SHERWOOD GREGORY  
5507 ASPEN  
HOUSTON, TX 77081-6603

**MTC-00020732**

From: eve.kantner@usonology.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:26am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eve Kantner

12209 Freemont Lane

Raleigh, NC 27613

**MTC-00020733**

From: R. Michael Litchfield

To: Microsoft ATR

Date: 1/24/02 8:32am

Subject: Microsoft Settlement

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

**MTC-00020734**

From: plange@snet.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:30am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Peter Lange  
59 Chase Road  
Thompson, CT 06277

**MTC-00020735**

From: Pete

To: microsoft.atr(a)usdoj.gov

Date: 1/24/02 8:17am

Subject: Microsoft Settlement

Sir

The proposed settlement with Microsoft will perpetuate a vicious monopoly that has already cost IT consumers billions of dollars in lost productivity from poorly coded software and severely restricted their choices of tools in the workplace.

Microsoft's behavior in court, its willingness to evade, deceive, bully and cajole is identical to its behavior in the marketplace. The settlement currently proposed by the Department of Justice will send a message to Microsoft and its peers that this kind of behavior is not only acceptable, but profitable. If this settlement goes through, the damage done will be incalculable. I strongly urge you to send a vibrant message to the entire computer industry by holding Microsoft strictly accountable for its illegal, anticompetitive actions: scrap this settlement and pursue the course that the dissenting states have adopted. Anything less is woefully inadequate.

respectfully,

Pete Grubbs  
Senior Editor  
OS/2 e-Zine!  
www.os2ezine.com  
petegrubbs@yahoo.com

**MTC-00020736**

From: kridley@if.rmci.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:31am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Kay Ridley

P.O. Box 268

Macks Inn, ID 83433-0268

**MTC-00020737**

From: Jennifer.Carter@tx.usda.gov@inetgw

To: Microsoft ATR

Date: 1/24/02 8:31am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jennifer Carter

1518 S. 43rd St.

Temple, TX 76054

**MTC-00020738**

From: torchiacco@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:30am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Frank J Torchia

Oakmount Dr

Las Vegas, NV 89109

**MTC-00020739**

From: wgube@mpinet.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:33am

Subject: Microsoft Settlement

Ms. Renata B. Hesse,

Antitrust Division

601 D Street NW,

Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

I couldn't agree with you more about the Microsoft situation. This outfit, with slick Willy Gates at the head, has done more to stifle competition and try to take over the world of PC software. They have bribed and threatened computer manufacturers with varying degrees of non-support should someone want to purchase a system without the Microsoft OS. All you need to do is go to a computer store or a manufacturer and try to buy a home system with OS/2 or Linux or Unix or whatever operating system you want. You just can't get it and it isn't because Microsoft has the best OS. It's because all the manufacturers and resellers have a deal with Microsoft. . . . not because they want to but because they have to or they won't get the MS OS at the same cost as the other dealers. Keep up the good work

Sincerely,

William Gube

5447 Grove Manor

Lady Lake, FL 32159

**MTC-00020740**

From: marthashrugged@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:32am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Martha Chumney

78650 42nd Ave 1701

Indio, CA 92201

**MTC-00020741**

From: rjljr@fyi.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:36am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Robert Lokar

3300 Oaknoll Road

Gibsonia, PA 15044-8483

**MTC-00020742**

From: acarneck@ibb.gov@inetgw

To: Microsoft ATR

Date: 1/24/02 8:37am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Al Carneck  
7213 Princess Anne Court  
Warrenton, VA 20187

**MTC-00020743**

From: LLTMAT@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
MaryAnn Thompson  
205 Seneca Ct  
Franklin, TN 37067

**MTC-00020745**

From: Pandora844@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eileen Novosel  
1703 Lansdale Avenue  
Bethlehem, PA 18017

**MTC-00020746**

From: Stan Barnes  
To: Microsoft ATR  
Date: 1/24/02 8:38am

Subject: Microsoft Settlement

To whom it may concern,

I must express my doubts about the proposed settlement between Microsoft and the US Department of Justice. Microsoft has for years used a policy of copy and destroy, taking other companies ideas and then propagating their own inferior knockoff through the use of the wide deployment of their operating system. Initially, they are compliant with existing standards, but eventually (and always) come out with their own proprietary "improvement" which then kills competition. In the settlement, they are allowed to decide who they share such proprietary "improvements" with and this is insatisfactory.

The settlement leaves too much power in the hands of Microsoft, and they have shown themselves to be merciless in the welding of such power. To allow an unapologetic monopoly to continue in its actions, largely unchecked, is harmful to the consumers. Because Microsoft does not truly have to compete, they are relaxed in things which should be a priority, the strongest example of which is security. Microsofts security attitude has resulted in billions of dollars of damages because of exploitable holes in products such as internet explorer and outlook express. In part it is the homogeneity of the system which makes such holes especially dangerous. And it is their power as a monopoly which prevents the diversification necessary for growth. They are the potato crop of Ireland and we are now headed for the plague. How many will starve? Only measures allowing true competition and therefore diversification can allow prosperity. It is the government's job to serve the people, and allowing microsoft to continue unchecked, or barely checked as this settlement would do, is an inadequate service.

Thank you for your time  
stan barnes  
thekaleideion@yahoo.com

**MTC-00020747**

From: garbear2@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

gary hays  
6542 w tonopah drive  
glendale, AZ 85308

**MTC-00020748**

From: Jeff Harvey  
To: Microsoft ATR  
Date: 1/24/02 8:41am  
Subject: Microsoft Settlement

I just want to buy an operating system. According to <http://whatis.techtarget.com/definition/0,289893,sid9-gci212714,00.html>, "An operating system (sometimes abbreviated as "OS") is the program that, after being initially loaded into the computer by a boot program, manages all the other programs in a computer. The other programs are called applications or application programs. The application programs make use of the operating system by making requests for services through a defined application program interface (API). In addition, users can interact directly with the operating system through a user interface such as a command language or a graphical user interface (GUI).

An operating system performs these services for applications:

a.. In a multitasking operating system where multiple programs can be running at the same time, the operating system determines which applications should run in what order and how much time should be allowed for each application before giving another application a turn.

b.. It manages the sharing of internal memory among multiple applications.

c.. It handles input and output to and from attached hardware devices, such as hard disks, printers, and dial-up ports.

d.. It sends messages to each application or interactive user (or to a system operator) about the status of operation and any errors that may have occurred.

e.. It can offload the management of what are called batch jobs (for example, printing) so that the initiating application is freed from this work.

f.. On computers that can provide parallel processing, an operating system can manage how to divide the program so that it runs on more than one processor at a time. "

I don't want any programs on the operating system. This includes Web Browser, Media Players, Mail Readers, Newsreaders, Picture Viewers, Firewalls, Games, etc.. Paint, Notepad, Wordpad and Calculator I can live with as long as they can be uninstalled. Microsoft's Problem is they also put applications on the Operating System and don't let you uninstall them. I don't mind that they are producing these applications but the fact that they are including them for free ALONG WITH the Operating System gives them an unfair advantage with respect to their competitors who also make programs. I don't want to feel like I'm contributing to putting these smaller companies out of business and that's how I feel when I buy Windows. I have used programs such as 98Lite and IEradicator (<http://www.98lite.net/>) and Revenge of Mozilla (see <http://www.webattack.com/get/ros2se.shtml>) all of which REMOVE Internet Explorer from Windows and they work great. Microsoft has put Windows File Protection into Windows

2000 SP2 and Windows XP so that these programs will not work. They don't want the browser uninstalled because they want to use the browser to make money (ie. ".NET"). In XP there are also some folders that you cannot delete from your own hard drive, such as Movie Maker, MSN Gaming Zone, Netmeeting, xerox and Microsoft Frontpage. It's MY hard drive and I should be able to delete anything I want!

Here's a summary of what changes should be made:

1. Release an "operating system" only. It should be free as part of the settlement to anyone who can prove they purchased any previous version of Windows.

2. In this operating system, Windows File Protection must be easily shut off for those who do not wish to use it.

3. This operating system must not include any of the programs such as Internet Explorer, Outlook Express, Image Viewer, etc., etc.

4. Microsoft can include these "extras" on the CD if they want, but they must be installable and useable INDIVIDUALLY and also uninstallable INDIVIDUALLY.

5. All evidence to Microsoft's web influences must also be removed, such as Online Services, MSN, MSN Gaming Zone...anything where they use the operating system to link to the web to make money.

6. I would like the source code of this basic operating system to be released.

7. The basic operating system must be released for the Windows 98 kernel even though it may soon be "obsolete" and also for the most recent kernel (ie. XP) Any new Windows versions must also be released with the free "light" version (at the same time).

The "light" version must be a "full version" in that it needs not to be installed OVER TOP OF an existing version. For proof that one has owned a previous version of Windows, any Windows CD-ROM issued since Windows 95 can be inserted at the start of the installation and then the Windows Operating System can be installed on a freshly formatted drive.

8. Someone in authority must be able to suspend all sales of the full Windows versions if the "Basic Operating System" version is not compliant or deliberately issued in an unuseable condition or inferior to the full release.

9. The basic operating system version must be released promptly with the threat of suspending all full version sales if not released promptly. I think they should be able to easily do the 98 kernel release within 6 months, the XP kernel release within 6 months, and as I mentioned before any new version of Windows must have the "basic version" released at the same time.

Thank you for your consideration.

J. Harvey

#### MTC-00020749

From: Mike Delano  
To: Microsoft ATR  
Date: 1/24/02 8:29am  
Subject: Microsoft Settlement

Allowing Microsoft to provide used technology to poor schools, with no plans for long term support, seems more like a reward than a punishment. This company already

monopolizes the market—Do we really need to help them take more of the market share?

Regards,  
Michael Delano

#### MTC-00020750

From: elizabeth jones  
To: Microsoft ATR  
Date: 1/24/02 8:39am  
Subject: settlement  
Leave Microsoft Alone!  
Fight terrorism, not our great companies.  
E. Jones

#### MTC-00020751

From: jimc@mybizz.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Carroll  
294 Rowe Rd.  
Selkirk, NY 12158

#### MTC-00020752

From: Grant Shearer  
To: Microsoft ATR  
Date: 1/24/02 8:33am  
Subject: Microsoft Settlement  
Dear Sir/Madam:

Just thought I would throw my two cents in. I'm sure you've heard this several (thousand) times before, but Microsoft is a monopoly. If you don't believe it, just try to stop using their product in your home or office. It is virtually impossible and not because their products are so great, but because it is "what everyone else uses". So, hardware manufacturers only write drivers for Windows and software manufacturers only write code for the Windows OS.

This isn't necessarily Microsoft's fault, but the fact that they use their power in the market to try to force other people to use their products is their fault.

Getting PC Manufacturers to only ship their operating system, making their websites (msn.com in particular) unavailable to people who aren't using their Browser, forcing people to upgrade their Office suite for the mere sake of compatibility with the latest files....these are all reasons why Microsoft's business practices are less-than-ethical. As if their monopoly wasn't enough, they are now allowed to advertise in U.S. Postal Offices?

<http://www.macintouch.com/postoffice.html>

I think this is going in the wrong direction. I hope my comments have helped in some way. Thanks for the opportunity to share.  
Sincerely,  
Grant Shearer

#### MTC-00020753

From: gaijin99@cox-internet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:38am  
Subject: Microsoft Settlement  
Sir,

I am not a lawyer, but I am a computer professional. Microsoft has, since its release of Windows 95, consistently behaved in a predatory, and anti-competitive manner. The sort of slap on the wrist that the Department of Justice is proposing will do nothing to solve the problem, and doubtless will be interpreted by MS as a license to do worse in the future.

Only harsh measures will prevent MS from behaving in a monopolistic manner. Ultimately, I have grave doubts that anything short of a breakup will work. At the very least MS should be prohibited from acquiring any more of their competitors for an indefinite period. Simply demanding that they improve their behavior, with no penalties if they don't, and no checking to ensure that they do, will accomplish nothing.

Thank you for your time,  
James Jackson

#### MTC-00020754

From: Hynds, Patrick  
To: "Microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:42am  
Subject: Microsoft Settlement

I understand that we are now in the public comment period of the Microsoft Settlement case. I would like to register my informed opinion that finishing this matter as negotiated is the best course for all of us. I work in the technology sector with a range of technologies from IBM, Sun and Microsoft. This matter has distracted a major part of our economy that when left to its own devices produces miracles of innovation. The time has come to move on. I have followed the case since the first and while I don't agree with every turn of events, I do strongly feel that the current proposal is appropriate so long as the matter ends.

As a background I would like to submit one further comment. I am of the opinion that much of this case has from the beginning been the device of strong lobby efforts by a few companies competitive with Microsoft. I served in our armed forces as an Infantry Platoon leader in the Gulf War not to defend the right of lobbyists and lawyers to punish those they can't beat in the market, but to ensure that our country remained free and economically strong. It pains me to see us waste so much time, opportunity and money on the pretenses that have been offered.

Thanks  
Patrick J. Hynds  
Captain, USA Retired  
31 Emerald Drive  
Derry, NH 03038

#### MTC-00020755

From: Mark Osbourne

To: Microsoft ATR  
Date: 1/23/02 10:02pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. The current proposed settlement does not go far enough in punishing the illegal actions of the past, nor does it adequately prevent those actions from being committed in the future.

I am especially concerned by the way that OEMs and competitors is defined which seems to exclude non-profit, not-for-profit and charitable organizations from accessing the information about the application programming interfaces. Microsoft seems to have incorporated into the settlement the ability to block alternative operating systems (for example, Linux, FreeBSD, NetBSD) from providing compatible interfaces.

This settlement, while it reaches a conclusion of the proceedings, does little to penalize Microsoft for their actions, nor will it effectively prohibit them from similar monopolistic actions in the future. As another writer has said: "A wrong that is not corrected is compounded".

Sincerely,  
Mark Osbourne  
171 Pleasant Hill Drive  
Centerville, Ohio 45459  
mark+atr@osbourne.org

**MTC-00020756**

From: E. Kurtok  
To: Microsoft ATR  
Date: 1/24/02 8:42am  
Subject: Microsoft Settlement  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

"This is just another method for states to get free money, and a terrible precedent for the future," states the AOCTP, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen."

This economically-draining witch-hunt has gone on long enough.

**MTC-00020757**

From: joebuff159@qwest.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft

competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph D Buffington  
12033 S Paiute St  
Phoenix, AZ 85044-2116

**MTC-00020758**

From: Tuomey, Steve  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:43am  
Subject: Microsoft Settlement  
Judge Colleen Kollar-Kotelly,

Please do not accept this offer from the Department of Justice. This offer gives no relief to the consumer, and does little to prevent Microsoft from continuing its predatory ways. Force Microsoft to compete on a level basis with the other software makers, and allow software growth to once again fuel the American Economy. Force Microsoft to develop/market/sell a "non-bundled" version of it OS. This would allow users like myself to use the OS that has the most stable drivers, with the browser that has the most features, and the Instant Messenger with the most security ...

Steve Tuomey

**MTC-00020759**

From: Baker, Gary (STP)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:43am  
Subject: Microsoft Settlement

The proposed settlement is a bad (very bad) idea.

Gary

**MTC-00020760**

From: Mitchell, Edmund  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:39am  
Subject: Microsoft Settlement

To whom it may concern:

I would like to officially add my voice to the list of those expressing the need for significant revisions to the Proposed Final Judgement (PFJ). The current PFJ is so weak as to be a waste of taxpayer money, and I find that offensive. There are so many weaknesses it's hard to know where to start, so I'll just mention what I think is the area in direst need: the failure to prohibit anticompetitive license terms currently used by Microsoft. Please refer to: <http://www.kegel.com/remedy/letter.html> for documentation of these problems.

Thank you for your time, and please act for the benefit of the entire industry.

Edmund Mitchell  
Programmer/Analyst  
Micro General Corporation  
918 Ulster Ave  
Kingston, NY 12401  
1/24/02

**MTC-00020761**

From: rol21@webtv.net@inetgw

To: Microsoft ATR  
Date: 1/24/02 8:39am  
Subject: Microsoft Settlement Ms. Renata B. Hesse, Antitrust Division 601 D Street NW, Suite 1200 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
virginia lawyer  
21 wellington dr.  
endicott, NY 13760

**MTC-00020762**

From: unity2@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:40am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Betsy Salunek  
30 Potter St.  
Haddonfield, NJ 08033

**MTC-00020763**

From: Gary T Downing  
To: Microsoft ATR  
Date: 1/24/02 8:45am  
Subject: Microsoft Settlement  
Folks,

The proposed settlement with Microsoft is a bad idea. —

Gary Downing  
215 Chester Street  
Menlo Park, CA 94025  
Work : 408.878-1936  
Home : 650.322-1514  
Email: garydowning@mac.com

**MTC-00020764**

From: vulcan@lightlink.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:44am  
 Subject: Microsoft Settlement  
 To: microsoft.atr@usdoj.gov  
 From: vulcan@lightlink.com  
 Subject: Microsoft Settlement

The proposed settlement of the Microsoft anti-trust suit is a give-away to Microsoft. It does way too little to stop Microsoft's continuing unfair practices. In particular:

- The settlement as currently written appears to lack an effective enforcement mechanism.
- It allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.
- Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which \*could\* run a Microsoft operating system—even for computers running Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)
- It allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.
- Microsoft currently uses restrictive licensing terms to keep Open Source applications from running on Windows. Many APIs are only available as add-on SDKs which conventional commercial developers are allowed to ship with their software (and most software includes some of these, it's the cause of the so-called "Windows DLL Hell"), but this is denied to Open Source developers.
- It does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents?
- It fails to prohibit intentional incompatibilities historically used by Microsoft.
- Microsoft currently uses restrictive licensing terms to keep Windows applications from running on competing operating systems.

I urge you either reject the agreement or amend it in light of the above problems.

Marty White  
 US Citizen & Resident, Computer Programmer, Computer Systems Administrator  
 vulcan@lightlink.com  
 390 West Candor Road  
 Candor, New York 13743

**MTC-00020765**

From: Joshua Hatch  
 To: Microsoft ATR  
 Date: 1/24/02 8:39am  
 Subject: Microsoft Settlement

I wish to comment on the proposed Microsoft settlement. To let Microsoft in any way benefit from their misdeeds would undermine anti-trust legislation, and this is

exactly what would happen if it donated its own software and Windows-running computers to a market that it does not yet dominate. The only equitable method of settling this dispute would be for Microsoft to make any donations in cash (and without any say in how that cash is spent) so that the receiving parties are free to determine the best way to improve their technological situation.

Thank you.  
 Joshua Hatch  
 1354 North Carolina Ave. NE  
 Washington, DC 20002  
 (202) 546-7309

**MTC-00020766**

From: Mike Koenig  
 To: Microsoft ATR  
 Date: 1/24/02 8:38am  
 Subject: Microsoft Settlement.

I have been a member of the technology community since 1972, and have watched Microsoft in action since it

**MTC-00020767**

From: richard.mccandless.aof1@statefarm.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:41am  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Richard McCandless  
 7 Bluff Park  
 Montrose, IA 52639

**MTC-00020768**

From: bhagnell@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:41am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Sincerely,  
 Byron Bagnell  
 1381 Winder Lane  
 Salt Lake City, UT 84124-1448

**MTC-00020769**

From: kierland@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:41am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Peter Schiffke  
 365 Rte 111  
 A13  
 Smithtown, NY 11787-4761

**MTC-00020770**

From: billsfan4ever@yahoo.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:43am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Robert DuFrane  
 3143 Readsborough Court

Fairfax, VA 22031-2617

**MTC-00020771**

From: Chris Corwin  
To: Microsoft ATR  
Date: 1/24/02 8:54am  
Subject: Microsoft Settlement

I wish to voice my opinion in this matter. It is \*not fair\* that a company with the practices that Microsoft has been proven to be engaged in can continue to go on as if no crime has been committed—or eve that a \*little\* crime has been committed. As a web developer, I see the effects of their 900 pound guerilla tactics everyday—making my job harder, unnecessarily.

Microsoft ought to be broken up into three divisions:

- Operating System (sans browser)
- Business Software (Office, Money, IIS)
- Entertainment software (Browser, Games, Media Player) Sent using the Entourage X Test Drive.

**MTC-00020772**

From: alae1000@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:43am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elizabeth Puente  
659 NW 38th Ave.  
Deerfield Beach, FL 33442-7337

**MTC-00020773**

From: R. Duke Schnolis  
To: Microsoft ATR  
Date: 1/24/02 8:47am  
Subject: Microsoft Settlement

Hello,

I'd like to make a quick comment about the government settlement with Microsoft in the Antitrust Case. I think it's a shame that a company like Microsoft can continually illegally practice such deplorable business as they do. To abuse the power of a monopoly, as they surely have, is counter to good of our society. We need fresh competition that can develop a good product over time without getting cut out of the market by a company who can afford to take a multi-year loss or coerce potential supporting technology companies into flying only the microsoft standard. It's bad business for the US and for the world, because we have no choice but to

keep paying microsoft for their continually degrading software, while they have no accountability and no competition to keep them honest. A quick check of the lack of security of the internet through microsoft software has cost companies and individuals billions of dollars in the last few years alone, and is a frightening harbinger of worse things yet to come. Something must be done about it. The settlement with Microsoft is not strict enough. Please do something to help the American public and the world escape the shadow of the monopoly that is Microsoft. Free the intelligent, enterprising individuals that make up our society to compete fairly and openly.

Thank you.

R. Duke Schnolis  
IT Analyst and Database Designer  
CC:R. Duke Schnolis

**MTC-00020774**

From: Jud Leonard  
To: Microsoft ATR  
Date: 1/24/02 8:46am  
Subject: Antitrust settlement

I am very disappointed in the proposed settlement between the DoJ and Microsoft, which seems to me to offer no meaningful punishment for Microsoft's many flagrant violations of antitrust law, and no effective restraint against further abuses.

Judson S. Leonard  
TLW, Incorporated  
2276 Washington St  
Newton, Ma. 02462  
(617) 964-3336  
CC:Jud Leonard

**MTC-00020775**

From: csigtermans@brwnald.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carole S  
105 Schrempp Lane Ext.  
Pine Bush, NY 12566

**MTC-00020776**

From: MACKy  
To: Microsoft ATR  
Date: 1/24/02 8:42am  
Subject: Microsoft Settlement

I am writing to let you know that I don't think Microsoft should get off with just a slap of the wrist. There is no question that they are guilty, and I don't want to see them buy thier way out of this.

The company has shown how much contempt they have for the law and this whole trial. I feel the original idea to break the company up is still the best idea. Thanks for your attention.

Mike McCormack.

**MTC-00020777**

From: Erik Smith  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:44am  
Subject: Microsoft Settlement

I think the proposed settlement is a BAD idea. Microsoft obviously has NOT learned their lesson. Just a week ago they announced how they have managed to get DVD set-top manufacturers to support playback of their highly proprietary WMA (windows media audio) files in lieu of the globally standard MP3 (MPEG Audio Layer 3) format supported by every platform and architecture internationally. Sounds a lot like the original scenario that led to this lawsuit/settlement doesn't it? The settlement does not do enough to reprimand the obviously guilty party.

My tax dollars went to pursue this case of illegal behavior. My tax dollars found them guilty. If you do not take a firm action you will have not only wasted the tax dollars of all Americans but will waste them AGAIN as new lawsuits will emerge for the EXACT SAME illegal behavior. To sum up in a metaphor; it's time we spank our child for being the playground bully. Lectures have failed and a 10 minute timeout is not going to stop a kid that feeds on the pains of others.

Erik Smith  
Network Engineer  
Systems Administrator

**MTC-00020778**

From: andyboyd@dol.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:42am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Andrew Boyd  
13 Fieldstone Rd.

Elkton, MD 21921-8402

**MTC-00020779**

From: branagan@erols.com  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 8:47am  
Subject: Microsoft Settlement

I am troubled by the Microsoft-DOJ settlement, as it appears that expediency rather than corrective actions has been the principle concern of the DOJ. It is my opinion that current government computer policy provides preferential treatment for Microsoft. I feel that one way to change Microsoft's behavior and encourage competition is to use the immense purchasing power of the government, at all levels.

I suggest that the DOJ consider banning the sale, use and purchase of Microsoft software and hardware by all federal, state and local governments for an extended period, say 10 years.

I suggest that all contracted products not require the use of Microsoft software. By this I mean that when the government wants to distribute a database on a CDROM, that the viewing of this database require no runtime versions of Microsoft software on that CDROM or in a personal computer.

I also suggest that all data stored at government (all levels) computer sites, all data purchased by all levels of government be stored in generic, non-proprietary, non-Microsoft formats. The use of Microsoft data formats in currently distributed government, such as Access essentially requires the public to purchase a Microsoft product and further solidifies an ever expanding Microsoft monopoly.

Michael F. Branagan  
10207 Green Holly Terrace  
Silver Spring, MD 20902

**MTC-00020780**

From: Peter Doege  
To: Microsoft ATR  
Date: 1/24/02 8:59am  
Subject: Microsoft Settlement

Hello—

I think that the proposed settlement agreement is not adequate to curb Microsoft's behavior in the future and is not sufficient punishment for their behavior in the past.

Peter Doege

**MTC-00020781**

From: Sean Woods  
To: Microsoft ATR  
Date: 1/24/02 8:46am  
Subject: Microsoft Settlement

To whom it may concern,

I have been following the Microsoft Antitrust case since the beginning. I feel that the settlement reached between the Justice Department, et al, and Microsoft is not in the public interest. I cite the following:

1) The settlement's enforcement mechanism relies on having people paid BY MICROSOFT police its behavior.

2) The settlement leaves loopholes that have the effect of negating the spirit of the agreement.

2) Microsoft was proven to be a monopoly, and also had proven to abuse its status as a monopoly. It should not be dictating the terms by which the law will be enforced.

Thank you for your time,  
Sean Woods  
Senior Network Engineer  
The Franklin Institute  
email: swoods@fi.edu  
vmail: 215-448-1089

**MTC-00020782**

From: hollowpoint@mindspring.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:43am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Leroy Blondeau  
90 Waters Bridge Cir  
Covington, GA 30014

**MTC-00020783**

From: eber4940@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elden Brauer  
221 Stuarton Dr.  
Wheaton, IL 60187

**MTC-00020784**

From: reavesdarrel@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Darrel Reaves  
1295 Anchor Lane  
Merritt Island, FL 32952

**MTC-00020785**

From: christine.amirault@delta-air.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Christine Amirault  
106 Sprucewood Court  
Bonaire, GA 31005-0317

**MTC-00020786**

From: d j  
To: Microsoft ATR  
Date: 1/24/02 8:49am  
Subject: Microsoft Anti-Trust case

Dear Sir/Madam:

I have writing software for almost 20 years, much of that time I have been using products from Microsoft. I have attained several of Microsoft's certification levels and I do believe they employ some highly-talented people.

Sadly, it is also evident Microsoft has resorted to business practices that leave a great deal to be desired. I say sadly because I feel their products are more than able to compete and win on merit alone, yet in their



apparent quest and greed for total market domination, they have crossed the over from competitor to tyrant.

I earnestly implore you to consider with great care the impact your decision will have not so much on the present, but on the future. History is rich with examples of too much power consolidated in one place and few of them are pleasant. If others are not given a level playing field to compete upon, then we deserve what we get—no choice but one.

Microsoft should not be prevented from competing; this would be wrong. They should be made to play by the same rules as everyone else and penalized justly—as should anyone else—when they violate the rules.

Sincerely,  
Dexter W. Jones

**MTC-00020787**

From: amillerjr@usa.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Adam Miller Jr.  
1248H Balthis Dr.  
Gastonia, NC 28054

**MTC-00020788**

From: toddr22@excite.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Todd Richard  
1904 Knob Hill  
Plano, TX 75023

**MTC-00020789**

From: yves-gablin@ifrance.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:48am  
Subject: Microsoft Settlement

Hello,

Microsoft has a habit of killing alternatives. I don't know if that's allowed or not in the USA. I guess it is; after all, it's their business.

However, they do it with bad practices. One example is this article (<http://www.vcnet.com/bms/features/3d.html>), at the end of which it is clearly explained what is usually Microsoft's strategy, otherwise known as “embrace-extend-extinguish”.

Not only do they often lie, but they also silently work on crushing opposition at the same time (see <http://lindows.com> for example).

I also resent Microsoft's long-practiced FUD (the term means “Fear-Uncertainty-Doubt”): they tell lies to the public, so that we are (or should be) inclined to fear alternatives to Microsoft's products (Windows and others).

A simple example of this is the ever-changing way they talk about Linux, never telling the truth. One day it is nothing, the other day their biggest challenge, and they even dare to tell that Linux (a Unix clone) is not secure (!), and they shamelessly tell that security lies in the usage of their Windows products! They say each version is more secure than the last, whereas last version (XP) “features” a security hole, such as has never been seen before in Windows: you \*only\* have to connect to the Internet (no need to read mail, connecting is enough) to endanger your PC!

Microsoft products, in my opinion, have the right to exist as any others. I even think that integrating Internet Explorer inside Windows, as they did, is acceptable, in the light of recent computer-desktop evolutions.

What I will never accept, though, and what I think Microsoft should be condemned for, is their way of exercising pressure, and of leveraging their presence on the PC desktops for ensuring their growing monopoly on more and more areas: first operating systems, next web browsers, then web languages (HTML extensions, Javascript different from standard...), then multimedia formats and protocols (streaming protocols...), and now they try the next last two steps: servers (web, mail...) and internet applications (.NET).

Those issues are mostly from the point of view of a simple computer user, which I am.

But I am also an engineer in computer-science, and as such I stay on touch with news regarding MS-related issues. I won't enumerate all the problems Microsoft behaviour is causing, because Dan Kegel did it very well in his petition. That's why I suggest you read his petition (<http://www.kegel.com/remedy/letter.html>), to which I am a co signer.

Regards,  
Yves Gablin  
yves-gablin@ifrance.com  
Cannes—France

**MTC-00020790**

From: ceray@netsbest.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jessie Ray  
Box 861  
180 Sunshine Lane  
Columbus, NC 28722

**MTC-00020791**

From: brjabbott@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Abbott  
5409 Kimberly Rd  
Minnetonka, MN 55345

**MTC-00020792**

From: Liz Romney  
To: Microsoft ATR  
Date: 1/24/02 9:47am  
Subject: Microsoft Settlement

Dear Sir,

Please reject the proposed settlement between the United States and Microsoft. It

doesn't not provide sufficient protection to the public from Microsoft's predatory practices.

Sincerely,  
R. Steven Romney  
4259 Marquis Way  
Salt Lake City, UT 84124

**MTC-00020793**

From: Craig Bellcurren  
To: Microsoft ATR  
Date: 1/24/02 8:51am  
Subject: Microsoft Settlement

I understand that the public are able to comment on the Microsoft case using this address. I would like to briefly summarise my opinions of Microsoft. My name is Craig Bellcurren, I am a self-employed consultant and programmer for government bodies through-out the south-west of the United Kingdom.

I have been using computers for a long time. My mother bought me one for my third birthday, within a couple of weeks I was already learning the programming language, BASIC. I grew up with computers, some may say that my personality reflects this in many ways. Having grown up with the things, I've been able to see the evolution. I've seen them go from technical toys to productive solutions.

Microsoft have been around for a long time. I was aware of PCs and the variants of DOS running on them. I was still stuck in the land of Commodore and BBC Micro though. When Commodore died, it was time to look to a new platform. I used PCs. I used various versions of Unix available to me, I used DOS, and basically it was still a time when computers were only for techies. Then Windows 3.0 came along, soon followed by 3.1. The world was blown away. When Windows 95 came, packing more features and technology, and a better user interface, PCs were finally ready for general consumption.

With each new version of Windows, we see more features, more functionality. There are those that argue that by including all these features, Microsoft makes it harder for competitors to get their product to market. Personally, whenever I see a new feature in Windows, I wonder which lucky company is getting a license fee from Microsoft for inclusion of their technology. I see the integrated features bringing ease of use to the end user. Not everyone grew up with computers like I did, so I don't expect everyone else to find them easy to use. With all the efforts of Microsoft, end users finally are able to reach levels of productivity that were previously unimaginable. The best bit is that they do not need hours, days or months of training. They can teach themselves using the resources supplied with Windows.

Instead of targeting Microsoft for uncompetitive behaviour, I personally would like to thank Microsoft for making computers accessible to the general public.

Thankyou for your time,  
Craig Bellcurren

**MTC-00020794**

From: Peter Olsen  
To: Microsoft ATR  
Date: 1/24/02 8:50am

Subject: Microsoft Settlement

Ladies and Gentlemen,  
I am writing to express my unhappiness with your settlement with Microsoft.

I have been involved in scientific computing for more than 30 years. During the last eight years, I have found it more and more difficult and expensive to do my job.

I believe this difficulty and expense can be traced directly to Microsoft's effective monopoly in operating systems. For example, I had based a significant amount of work on Digital Research's DR-DOS because of some small, but significant, technical advantages. When I bought it, my Microsoft software, such as Word, worked with it easily. But when I upgraded to newer versions, my new Microsoft software would work no longer.

The Microsoft customer service response was simple: they told me that if I wanted to use their applications, I would have to buy their operating system. At the time, Microsoft explained this as a "technical incompatibility." We now know that Microsoft designed this incompatibility intentionally, with the specific purpose of forcing consumers onto the Windows platform. Microsoft's conduct injured me directly. It certainly increased my cost and reduced my time. I believe it was intentional. I believe it was illegal.

And I know it was disproportionate to the remedy for which you have settled.

Peter Olsen  
P.O. Box 410  
Simpsonville, MD 21150  
410-997-8584

**MTC-00020795**

From: WKUBEC@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
BEVERLY KUBEC  
27543 RIVERBANK DR.  
BONITA SPRINGS, FL 34134

**MTC-00020796**

From: StackDoloresH@  
JohnDeere.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:48am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dolroes Stack  
5850 Dodds Drive  
Bettendorf, IA 52722

**MTC-00020797**

From: William Hegarty  
To: Microsoft ATR  
Date: 1/24/02 8:50am  
Subject: Microsoft Settlement

To whom it may concern:

First of all, I find it ironic that I needed to go to a British website, [www.theregister.co.uk](http://www.theregister.co.uk), to find out that my Department of Justice is soliciting comment on this matter. That said, I shall move on to the matter at hand.

The proposed settlement is no more than a slap on the wrist that will do little to introduce competition into the software business. Although cutthroat competition in the hardware arena is resulting in price slashes and improved products, the software business remains at least unchanged, if not worse.

The average consumer is stuck with the software which comes with the computer for any improvements are prohibitively expensive. Not only that, they are usually bundled with other products that are not desired or wanted.

For example, I recently completed library school. For one course I wanted to index an old local magazine in the local library. Since the library uses Access, Microsoft's database program, to index the local newspaper I thought it would be good to do the same. However, my computer came with Microsoft Works, not Office. I had to buy Access if I wanted to do the project. So I went to Staples. I had a choice. I could buy Access as part of the Office package, or I could buy it alone. I ended up doing neither because both were too expensive. What irritated me though, was that Access alone was perhaps half as expensive as the entire Office package. In other words, to buy the components of Office is almost twice as expensive as the entire bundle.

Since I already have the operating system and some Microsoft applications such as Word preloaded into my computer my preference is to get more (for some reason non-microsoft programs are extremely buggy

on Microsoft computers but we won't go there). The bundled pricing of the Office programs makes that preference even stronger, to the exclusion of Microsoft's competitors. I would be more likely to buy the entire package even though I might prefer some other presentation software to Powerpoint, or organizing software to Outlook and so on.

It seems to me that Microsoft has not learned its lesson. For that reason I am opposed to the settlement.

Sincerely,  
William Hegarty

**MTC-00020798**

From: Dennis Roitt  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:52am  
Subject: Microsoft case

Attn: Department of Justice,

The fact is, this anti-trust case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future. Money sent to the states will be squandered, as we have seen with the tobacco settlements. Our state is just using it to bloat the already bloated bureaucracy.

The Clinton Administration's obsession with this case was a precipitating factor in collapse of the Tech stocks. Bundling a browser into operational software is no different than an automobile manufacturer including a spare tire and jack with each new car. It may be harder to sell aftermarket jacks and spare tires, but that is free enterprise. Netscape does not have some God given right to sell a "spare tire" product without the "car." End this witch hunt. Stop prosecuting Microsoft.

Dennis J. Roitt, Sr.

**MTC-00020799**

From: ferguson@nji.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
R A Ferguson  
1102 Weldon Road  
Oak Ridge, NJ 07438-9517

**MTC-00020800**

From: mikey  
To: Microsoft ATR  
Date: 1/24/02 8:48am  
Subject: MS Settlement

I believe the Microsoft has stifled development by its practices and policies. They have worked hard to put any and all competition out of business. Microsoft should not be allowed to force contracts on other computer makers that requires inclusion of only Microsoft software.

Also Microsoft has a policy of discrimination that needs to be stopped. The discrimination is in the form of FAVORITISM. Primarily of a religious nature. People of a specific religion are allowed special favors that others of different religions are not permitted.

Microsoft publishes RULES people are supposed to adhere to in associating with Microsoft, for instance with their News Groups. This aforementioned discrimination is evident here as well. Since people of a particular religion are allowed to violate these rules on a regular basis by special permission from people of the same religious preference.

If Microsoft is going to publicly publish rules then all people should be required to adhere to them regardless of religious preference.

mikeyhsd@cox-internet.com

**MTC-00020801**

From: John Kellems  
To: Microsoft ATR  
Date: 1/24/02 8:53am  
Subject: Microsoft Settlement

To Whom It May Concern,

I feel that Microsoft is being treated as if it were a cocaine-snorting celebrity, rather than a multi-billion dollar monopoly.

Federal Judges have found Microsoft to be guilty, and instead of taking meaningful action, which may prevent further abuses, you have decided to ask them, politely, to please refrain from doing that again. This is a travesty. This settlement allows Microsoft to continue its business practices undeterred. At a time when the DoJ should be sending a clear messages that this conduct will not be tolerated by any business, you are sending an engraved invitation for further abuse of power

I urge all the folks at the DoJ to reconsider this settlement. With it you are undermining the faith the American people have put in you, to do what is right. Microsoft needs to be punished, not given a "get out of jail free" card.

Thank you for your time,  
John J. Kellems  
Trapper@Speakeasy.org

**MTC-00020802**

From: HRus9827@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This

has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Harry Russell  
9827 Walnut N103  
Dallas, TX 75243

**MTC-00020803**

From: info@cileather.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Greg Burke  
1220 Broadview  
Estes Park, CO 80517

**MTC-00020804**

From: Judy Sawyer  
To: Microsoft ATR  
Date: 1/24/02 8:51am  
Subject: Microsoft and Litigation

Please cease this litigation which can only slow our economy and hurt not help the tax paying public. We need innovation to keep this country on the right track not litigation.

**MTC-00020805**

From: Silviu Trofimov  
To: Microsoft ATR  
Date: 1/24/02 8:52am  
Subject: Microsoft Settlement

Microsoft should leave the US politics and come to the Canadian economics—the US economy is currently a medium for politicians not for engineers—best example is Enron case, and I bet this is only the tip of the iceberg to come.

Leave Microsoft alone—it is your only hope.

Silviu Trofimov. PhD  
Toronto

**MTC-00020806**

From: Jeff Harvey  
 To: Microsoft ATR  
 Date: 1/24/02 8:55am  
 Subject: Microsoft Settlement

I would like to add the following to my previously mailed comments: 10. When issuing a basic operating system for previous Windows customers, the operating system MUST NOT have "product activation".

Since it will be free, it can be installed on any number of computers as long as a previous version of Windows can be supplied as proof. 11. Sales of all new PC's with full Windows versions pre-installed must include the "basic operating system" version on CD as a condition of sale.

On Thursday January 24, I wrote: I just want to buy an operating system. According to <http://whatis.techtarget.com/definition/0,289893,sid9-gci212714,00.html>, "An operating system (sometimes abbreviated as "OS") is the program that, after being initially loaded into the computer by a boot program, manages all the other programs in a computer. The other programs are called applications or application programs. The application programs make use of the operating system by making requests for services through a defined application program interface (API). In addition, users can interact directly with the operating system through a user interface such as a command language or a graphical user interface (GUI).

An operating system performs these services for applications:

a. In a multitasking operating system where multiple programs can be running at the same time, the operating system determines which applications should run in what order and how much time should be allowed for each application before giving another application a turn.

b. It manages the sharing of internal memory among multiple applications.

c. It handles input and output to and from attached hardware devices, such as hard disks, printers, and dial-up ports.

d. It sends messages to each application or interactive user (or to a system operator) about the status of operation and any errors that may have occurred.

e. It can offload the management of what are called batch jobs (for example, printing) so that the initiating application is freed from this work.

f. On computers that can provide parallel processing, an operating system can manage how to divide the program so that it runs on more than one processor at a time."

I don't want any programs on the operating system. This includes Web Browser, Media Players, Mail Readers, Newsreaders, Picture Viewers, Firewalls, Games, etc.. Paint, Notepad, Wordpad and Calculator I can live with as long as they can be uninstalled. Microsoft's Problem is they also put applications on the Operating System and don't let you uninstall them. I don't mind that they are producing these applications but the fact that they are including them for free ALONG WITH the Operating System gives them an unfair advantage with respect to their competitors who also make programs. I don't want to feel like I'm contributing to

putting these smaller companies out of business and that's how I feel when I buy Windows. I have used programs such as 98Lite and IEradicator (<http://www.98lite.net/>) and Revenge of Mozilla (see <http://www.webattack.com/get/ros2se.shtml>) all of which REMOVE Internet Explorer from Windows and they work great. Microsoft has put Windows File Protection into Windows 2000 SP2 and Windows XP so that these programs will not work. They don't want the browser uninstalled because they want to use the browser to make money (ie. ".NET"). In XP there are also some folders that you cannot delete from your own hard drive, such as Movie Maker, MSN Gaming Zone, Netmeeting, xerox and Microsoft Frontpage. It's MY hard drive and I should be able to delete anything I want!

Here's a summary of what changes should be made:

1. Release an "operating system" only. It should be free as part of the settlement to anyone who can prove they purchased any previous version of Windows.

2. In this operating system, Windows File Protection must be easily shut off for those who do not wish to use it.

3. This operating system must not include any of the programs such as Internet Explorer, Outlook Express, Image Viewer, etc., etc.

4. Microsoft can include these "extras" on the CD if they want, but they must be installable and useable INDIVIDUALLY and also uninstalleable INDIVIDUALLY.

5. All evidence to Microsoft's web influences must also be removed, such as Online Services, MSN, MSN Gaming Zone...anything where they use the operating system to link to the web to make money.

6. I would like the source code of this basic operating system to be released.

7. The basic operating system must be released for the Windows 98 kernel even though it may soon be "obsolete" and also for the most recent kernel (ie. XP) Any new Windows versions must also be released with the free "light" version (at the same time).

The "light" version must be a "full version" in that it needs not to be installed OVER TOP OF an existing version. For proof that one has owned a previous version of Windows, any Windows CD-ROM issued since Windows 95 can be inserted at the start of the installation and then the Windows Operating System can be installed on a freshly formatted drive.

8. Someone in authority must be able to suspend all sales of the full Windows versions if the "Basic Operating System" version is not compliant or deliberately issued in an unuseable condition or inferior to the full release.

9. The basic operating system version must be released promptly with the threat of suspending all full version sales if not released promptly. I think they should be able to easily do the 98 kernel release within 6 months, the XP kernel release within 6 months, and as I mentioned before any new version of Windows must have the "basic version" released at the same time.

Thank you for your consideration.

J. Harvey

**MTC-00020807**

From: emduf853@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:53am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Emilie McLaughlin  
 10 Winterthur Court  
 Greer, SC 29650

**MTC-00020808**

From: Michael Charrier  
 To: Microsoft ATR  
 Date: 1/24/02 8:55am  
 Subject: Microsoft Settlement

To Whom It may Concern:

I wish to register my vote AGAINST the current proposed settlement in the Microsoft Antitrust Trial. I have had the chance to read many letters, essays, and articles that are freely available on the web that more than adequately explain the "for" and "against" issues. Many people have adeptly explained the technical issues with how Microsoft can pervert the current settlement to their own ends. I believe that they have very good points and I will not attempt to repeat what has already been so well explained.

I have a few questions for you to consider as you make your judgement on whether or not to alter the proposed settlement:

1. In a country that was founded "by the people" and "for the people", does not the interest of "the people" come before the interest of a corporation? Corporations are made up of people, but a corporation is not a person itself. Is this not a case of the NEEDS of the many outweigh the WANTS of the one?

2. Why does Microsoft continue to lie to the justice department? Microsoft has, in the past and present, attempted to sway both the public and the courts with "astroturf" campaigns (see: <http://www.newsfactor.com/perl/story/13046.html>) where they pay people to influence our government and courts to their ends. Why must they generate a false grassroots movement to push their viewpoint? Would not customers who were satisfied with their products be the ones running such a campaign, not Microsoft?

3. Has not Microsoft continued it's anti-competitive practices during the trial and settlement phases? It seems they have with the introduction of Windows XP and the new

licensing agreements that they are currently trying to enforce on other corporations.

My concern is that Microsoft has become an entity that the current administration and justice department is unwilling (not unable) to control. It seems that our government and judicial system are for sale to the highest bidder by allowing corporations to continue to override the will of "the people". "The people" (a.k.a. consumers) will continue to be at the mercy of Microsoft's monopoly if the current proposed settlement is accepted as-is. Please, do NOT let this happen.

Sincerely,  
Michael Scott Charrier  
President—Charrier Consulting  
International

**MTC-00020809**

From: dphillipsmith@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mr. David Smith  
1927 Queenswood Dr.  
Apt. E101  
York, PA 17403

**MTC-00020810**

From: almotes@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Al and Zeda Motes  
1615 Palace Court  
Valrico, FL 33594-4819

**MTC-00020811**

From: jd.bryant@honeywell.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:51am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
JD Bryant  
2123 W Hawken Way  
Chandler, AZ 85248

**MTC-00020812**

From: clint—tittsworth@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:52am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Clint Tittsworth  
655 Red Feather Lane  
Woodland Park, CO 80863

**MTC-00020813**

From: Curtiss Hammock  
To: Microsoft ATR  
Date: 1/24/02 8:51am  
Subject: Microsoft Settlement

Greetings,  
As a Macintosh user and new media developer, I feel I have a certain interest in the Microsoft case. It only goes to show what kind of business practices Microsoft engages

in when they propose a settlement that costs them little (are they really using the retail cost of their software to gauge the value of the settlement?) and gains them more market share. Good heavens! I thought they were supposed to be punished?

If this settlement is allowed to stand, it will be a travesty, pure and simple. I hope that the US justice system will not be so mocked.

Sincerely,  
Curtiss R. Hammock II —  
eKetchum  
A Ketchum Technology Company  
curtiss.hammock@ketchum.com  
404-879-9116  
Visit our website! www.eKetchum.com

**MTC-00020814**

From: lsuehupp@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lillian Hupp  
2909 White Oak Lane  
Bedford, TX 76021

**MTC-00020815**

From: qualitysys@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Laurie Lusk

1005 Begonia Ave.  
Costa Mesa, CA 92626

**MTC-00020816**

From: jaywoodcook@sitestudio.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:57am  
Subject: Microsoft Settlement

As a small business owner, I would like to make sure my voice is heard regarding AOL's (and other party's) poor treatment of Microsoft. This latest suit from AOL Time Warner is a CLEAR indication that they are simply lashing out! The failure of Netscape's browser is related to inferior technology, rather than harmful business practices by outside companies. They opened themselves up for this when they went the route of end-user patching & open source. Time Warner knew full-well what they were buying in AOL... and did this based on the traffic it would bring into their RoadRunner/Cable system. (In fact, Time Warner STILL encourages use of Internet Explorer, based upon the fact that Microsoft's product is better suited to what people really want in a web browser.)

Time Warner received much business through this merger and were in no way harmed by ANY outside company. Microsoft has been MORE than helpful & willing to assist in improving inter-operability of their products with 3rd parties, while companies like AOL have continuously worked (wrongly) to thwart those efforts, in order to protect (and miserly hoard) their private "club" mentality of not allowing their customers free access to the rest of the internet & its related technologies.

It is NOW time to leave Microsoft alone & let them continue their quest of building quality software that helps businesses like ours succeed right along with them... If ANYONE is harming other businesses, it's NOT Microsoft.

Dynamically,  
Jay D. Woodcook  
SiteStudio.communications  
CC:msfin@microsoft.com@inetgw

**MTC-00020817**

From: qualitysys@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Laurie Lusk  
1005 Begonia Ave.  
Costa Mesa, CA 92626

**MTC-00020818**

From: bonski@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:52am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bonnie Faughn  
Box 7  
Benton, KY 42025

**MTC-00020819**

From: David Gibson  
To: Microsoft ATR  
Date: 1/24/02 8:58am  
Subject: Microsoft Settlement

If, I write software, comparable to Windows and I have a similar Internet access program, then I expect to put it's icon on to the computer desktop. If it offends or is not going to be used, then delete it from the desktop. The software program for MSIE doesn't take up that much room. At one time, years ago, I ran Netscape and paid for it too. This whole thing is becoming a farce.

Dave Gibson  
Scottsdale, AZ

**MTC-00020820**

From: Justineplf@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Pauline Flynn  
P.O. Box 6273  
Abilene, TX 79608-6273

**MTC-00020821**

From: Ed Lorenzen  
To: Microsoft ATR  
Date: 1/24/02 8:56am  
Subject: Microsoft settlement

It is way past time to drop this nonsense! Microsoft is the acknowledged industry leader. Please stop trying to protect a bunch of "also rans" by hampering Microsoft. The others will soon be out of business because they deserve to fail.

BE Lorenzen  
Prescott Valley, AZ

**MTC-00020822**

From: rango@mail.riverview.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Virginia Smith  
4165 Croton-Hardy Dr.  
Newaygo, MI 49337-9509

**MTC-00020823**

From: qualitysys@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Lusk  
1005 Begonia Ave.  
Costa Mesa, CA 92626

**MTC-00020824**

From: chill@sybase.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
J. Charles Hill  
233 Jackson Circle  
Louisville, CO 80027

**MTC-00020825**

From: dpierce@tycoelectronics.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dana Pierce  
217 Hunters Way  
Angier, NC 27501-7639

**MTC-00020826**

From: eswans0923@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eugene Swansboro  
230 Adams Drive  
Salix, PA 15952

**MTC-00020827**

From: paulandjuliep@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Paul & Julie Patterson  
369 Gun Club RD. #76  
Woodland, WA 98674

**MTC-00020828**

From: patriciac@psafinancial.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Patricia Calise  
4106 E. Northern Pkwy.  
Baltimore, MD 21206

**MTC-00020829**

From: jspruill@samedan.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Janice Spruill  
5100 S. Carter Street  
Ardmore, OK 73401

**MTC-00020830**

From: Mr Bleakley  
To: Microsoft ATR  
Date: 1/24/02 9:01am  
Subject: Microsoft settlement

Sirs: Please add this one voice as in favor of the Microsoft settlement plan. The public confidence in The DoJ has been severely tested over this continued persecution concerning the supposed Microsoft monopoly. Please allow us all to get back to our primary reason to exist. To sell products and make a profit without government interference.

Mr. Bleakley

**MTC-00020831**

From: qualitysys@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jonathan Lusk  
1005 Begonia Ave.  
Costa Mesa, CA 92626

**MTC-00020832**

From: qualitysys@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Daniel Lusk  
1005 Begonia Ave.  
Costa Mesa, CA 92626

**MTC-00020833**

From: dennis.aksamit@compaq.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:58am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dennis Aksamit  
198 Walton Street  
Portland, ME 04103-3310

**MTC-00020834**

From: deborahmaness@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:57am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Deborah Maness  
204 Whippoorwill cove  
Georgetown, TX 78628

**MTC-00020835**

From: Blash Ed  
To: Microsoft ATR  
Date: 1/24/02 9:00am  
Subject: Microsoft Settlement  
January 21, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

Microsoft and the Department of Justice, after three years in the federal courts, have finally managed to hash out the terms of an agreement and are prepared to settle. I am utterly relieved. This has gone on for long enough, and, while I believe the settlement deals too harshly with the Microsoft corporation, I would rather see it settled now than have it drag on interminably. The competitors of Microsoft appear to be sore losers and are seeking legal remedies to save their failures in the marketplace. Microsoft does not deserve the kind of treatment it has received, especially considering that its actions were not detrimental to the consumer. I am a very satisfied Microsoft consumer and I believe that the DOJ actions has gone on long enough and that it is hurting the economy.

Microsoft has made a number of concessions in the agreement to its competitors. Some of the terms agreed upon extend to policies and products that the Court of Appeals did not find to be in violation of antitrust legislation. The terms themselves are designed to prevent future antitrust infringements and to allow for a greater degree of competition within the technology industry.

Microsoft will, for example, share information with its competitors regarding the internal working of the Windows operating system. This will allow the competitors to place their own programs on the Windows platform and compete on Microsoft's own "turf." Clearly, this settlement is more than just a slap on Microsoft's corporate wrist.

Sincerely,

Ed Blash  
9735 Redd Rambler Drive  
Philadelphia, PA 19115  
cc: Senator Rick Santorum

**MTC-00020836**

From: rogerh@frontiernet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:58am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roger Halfpop  
108 2nd St NE  
Belmond, IA 50421-1029

**MTC-00020837**

From: mnichols51@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Nichols  
374 County Road 249  
Athens, TN 37303-6902

**MTC-00020838**

From: qualitysys@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:57am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001



Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Alexis Larios  
1005 Begonia Ave.  
Costa Mesa, CA 92626

#### MTC-00020839

From: Phil Stevens  
To: Microsoft ATR  
Date: 1/24/02 9:00am  
Subject: Microsoft Settlement

Please add my comments, as prescribed by the Tunney Act, to the consideration of Proposed Final Judgment in the matter of Microsoft's antitrust settlement.

I do not believe that the PFJ goes one-tenth as far as it needs to in order to bring a semblance of competitive behaviors to the computing marketplace. Without considerably more stringent measures to punish and deter Microsoft from its entrenched tactics, consumers will suffer the effects of a stunted operating system monoculture for the indefinite future. The implications of this monoculture are already staggering, measured by the millions in lost productivity in the past year from the spread of malicious code—exploits of the poor design and ubiquity of Microsoft platforms and applications.

Phil Stevens  
Systems Engineer  
Tucson, Arizona

#### MTC-00020840

From: roymp@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:59am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roy Roy  
2036 Lambert  
Plano,, TX 75075

#### MTC-00020841

From: Moshe Weitzman  
To: Microsoft ATR  
Date: 1/24/02 9:00am  
Subject: Microsoft Settlement

Dear Justice:

The Microsoft Anti-Trust case matters to me. I'm worried that the proposed remedy is insufficient medicine for the abuses purported by Microsoft in the past. Microsoft has abused its monopoly power in the OS market, to quench competition in other markets. I know that they will continue to do so, if the remedy lacks \*teeth\*. Please impose a remedy which truly restricts Microsoft, and returns to the software industry a fair and honest marketplace.

#### MTC-00020842

From: Tnm252@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:00am  
Subject: "Microsoft Settlement"

It is time for the Government to stop hounding Microsoft. The vast amount of monetary resources taken from the U.S. taxpayers can be better utilized elsewhere. The Federal Govt. does not have a Constitutional duty or right to meddle in the free market and to do so hurts the business market which we consumers have to ultimately pay for on top of paying for prosecution. If Netscape can't manage itself for profit than it either needs to change its strategy or leave the browser market and above all, it needs to quit whinning and blaming others for its incompetence.

Tom McMillan  
Kennewick, WA

#### MTC-00020843

From: Jones, Stephen (S.C.)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:12am  
Subject: Microsoft Settlement

I am strongly opposed to the proposed DOJ settlement with Microsoft. The original settlement decree by Judge Jackson was in my opinion totally justified. I believe that Microsoft's actions over the past decade including the actions to monopolize the browser have served to cost the American and world public in both economic terms and in reducing the amount of innovation and choice afforded by restricting the number of new products available. By reducing the proposed settlement any from the original severe penalty in both structure of Microsoft and economics constitutes implicit approval of Microsoft's tactics which I cannot accept. Presently Microsoft's integration of products makes them a monopoly in the computer products marketplace, Microsoft must be split up to enable fair competition in the marketplace.

Steve Jones  
Supervisor, Electrical Electronic Controls  
Engineering  
TH!NK Technologies, Ford Motor  
Company

#### MTC-00020844

From: cholmer@ciholmer.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:00am  
Subject: Microsoft Settlement

After reading over much of the documentation on the proposed Microsoft Settlement, I find many disturbing issues, loopholes, and contradictions. I strongly urge the DOJ to have a formal and public review of the entire document. Here are some (definitely not all) of the issues I had while reading the documents.

For example, the definitions used in some of the wording in Part VI of the PFJ differ quite radically from the Findings of Fact and how those terms are used in every day language in technical circles. Being a technology agnostic developer, I find these issues quite disturbing.

For example, the Findings of Fact define 'Application Programming Interface' ('API') to mean the interfaces between application programs and the operating system. This is fairly accurate, but could also include how other programs interact with that program. However the PFJ's Definition A defines it to mean only the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs. This is crazy, nuts, and way too contorted. A frequently used and widely understood term such as API should either remain the same as the Findings of Fact or be closer to the real world or public definitions of "API". For example [www.techtarget.com](http://www.techtarget.com) defines API as:

"An application program interface (API—and sometimes spelled application programming interface) is the specific method prescribed by a computer operating system or by an application program by which a programmer writing an application program can make requests of the operating system or another application.

An API can be contrasted with a graphical user interface or a command interface (both of which are direct user interfaces) as interfaces to an operating system or a program" (<http://searchwin2000.techtarget.com/sDefinition/0,,sid1—gci213778,00.html>)

Another Example would be the definitions of "Microsoft Middleware" and "Microsoft Middleware Product". The Findings of Fact define "middleware" to mean application software that itself presents a set of APIs which allow the users t write new applications without reference to the underlying operating system. This is close to the true meaning of middleware and I guess in the context of the Microsoft case, true.

Definition J of the PFJ in no way shape or form comes even close to this definition. There are many ways that Microsoft could side step this definition and still continue with its practices. If the DOJ was serious about improving Microsoft's conduct, it would not allow such a narrow explication or definition. Defining such a broad term in such a narrow light is laughable and amounts to a mosquito attacking an elephant. This should be reworded to more closely follow the Findings of fact or the more accepted definition:

"In the computer industry, middleware is a general term for any programming that

serves to "glue together" or mediate between two separate and usually already existing programs. A common application of middleware is to allow programs written for access to a particular database to access other databases." (<http://searchwebservices.techtarget.com/sDefinition/0,,sid26—gci212571,00.html>)

The use of such explicit wording of version numbers for "Microsoft Middleware" should be completely dropped. There is no standard or regulation governing the use of version numbers and creates way to large of a loophole. More acceptable would be the use of time instead of version numbers. For example a period of 3 years is closer to reality instead of "the next two versions". What's to prevent them from changing their versioning numbering to sidestep this definition? The use of delivery method should either be dropped or reworded to include all modern methods for delivery of software (for example downloading from the web sites) and other electronic means.

The use of such a restrictive list of "products" in Definition K of the PFJ is also laughable. Given the above definition of "Middleware Products" be subject to the same definition as the rest of the world and not individually listed. If the DOJ was serious about leveling the playing field, it would apply the same definition to Microsoft's other products, that the rest of the programming world. To use the definition found the Findings of Fact, "Microsoft Middleware Products" would be anything that they produce that is not the Windows Operating System. Not just the products listed in Definition K. Thank you for your time and attention in this matter, please feel free to contact me at any time regarding this matter.

Curt Holmer  
CLP, MCSD  
Mobile: (703) 627-5453  
Office: (703) 421-7282  
Fax: (571) 434-8672  
Internet: cholmer@ciholmer.com  
AIM: ciholmer  
Groove: cholmer

#### MTC-00020845

From: qualitysys@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:57am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ruth Sawyer  
1005 Begonia Ave.  
Costa Mesa, CA 92626

#### MTC-00020846

From: Neal Laur  
To: Microsoft ATR  
Date: 1/24/02 9:00am  
Subject: Microsoft Settlement

I believe this has dragged on way too long now and all it is doing is costing we taxpayers money. It is time to tell these other companies like Netscape et al to stop their trying to drain Microsoft to fill their own coffers. They say it is to help the computer users, but they will be the ones to get any money from this, not the computer users. I can see no way that Netscape has been harmed. I used to use Netscape when they had a better program than did Microsoft, but now that the Microsoft program is better I use it. Tell Netscape to get over it and if they want to get back to where they once were, then come up with a better program again. There is nothing that stops people from using Netscape if they want to. I believe they just don't want it. I will tell you right out that I am no big fan of Microsoft as I have just quit their broadband internet service, or as I call it, their Non-service.

Sincerely, Neal Laur US Taxpayer  
1608 Alder St. S. E.  
Lacey, WA 98503  
nekela@scattercreek.com

#### MTC-00020847

From: Lionel Woog  
To: Microsoft ATR  
Date: 1/24/02 9:02am  
Subject: Microsoft Settlement

To whom it may concern:

The Microsoft settlement value was best appreciated by the capital markets, that is as a huge win for Microsoft. It is a travesty of justice to present this settlement as a reasonable answer to Microsoft's monopoly. Nothing will ultimately prevent the company to, among other things:

- Leverage their newly acquired SGI 3D patent portfolio to gain monopoly power in what is now a very competitive field of 3D APIs.

- Continue leveraging gains from Monopoly power to enter the console market with the X-Box, that will cost MS upward of 2 Billion dollars before any profits roll in (isn't that a direct violation of the Sherman Act?)

Those are only minuscule example of what the company is bound to do. We are drifting into a world where consumers will be caught between Microsoft and AOL, a rock and hard place. With this settlement the DOJ will kill innovation in the field, as no one will venture capital to any venture they know will be killed by Microsoft if it grows to any size deemed threatening.

Regards,  
Lionel Woog, Ph.D.

#### MTC-00020848

From: Scott Prive  
To: Microsoft ATR  
Date: 1/24/02 9:03am  
Subject: Microsoft Settlement

I am completely against the Microsoft settlement under review.

The playing field is not level, and the new proposal gives Microsoft entirely too much wiggle room, and fails to punish them for the laws they already broke.

Scott Prive  
978-459-8191  
registered voter

#### MTC-00020849

From: Richard Fryer  
To: Microsoft ATR  
Date: 1/24/02 9:08am  
Subject: Microsoft Settlement

Microsoft overcharging? Operating systems cost FAR less now than ever in the past and have much more functionality. Check the prices during the 1990's at SUN, SGI, IBM, etc.

I suspect the monopoly law is badly flawed in the technology based market we now have, but regardless of that, think that the price of MS products is incredibly "fair" and a huge value. Our current technological progress would be severely hampered without this family of products.

My company depends on Linux for it's product line, but when WE want to get work done internally, we use MS products, and are VERY HAPPY with the prices, choices, and capabilities. You get letters at all extremes. My extreme is that DOJ attorneys seems to hate success! Why not focus on companies like Enron that are doing truly bad things to their customers, employees and society?

Richard Fryer  
897 Oak Park Blvd. #313  
Pismo Beach, CA 93449  
CEO, Beomax, Inc.

#### MTC-00020850

From: Casey Kolehmainen  
To: "Microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:59am  
Subject: Microsoft Settlement

To who it may concern,

I believe the proposed United States versus Microsoft Settlement does not "level the playing field" between Microsoft (the monopolist) and other computer software vendors as any settlement should. I feel that any proposed settlement or court remedy should entail Microsoft:

- > to fully comply with software community open standards in their respective markets.

- > for those Microsoft products where their isn't a community open standard, Microsoft should sponsor in an independent standards organization, a new standards body. Microsoft shouldn't lead such standards body unless the majority of the voting members elect Microsoft without regard to financial or other direct compensation by Microsoft.

By this remedy, I feel the software community in general will have a "level playing field", while yet allowing Microsoft an opportunity to innovate as long as its above and beyond the community open standard. Over time the community open standards will evolve to include new features, of which Microsoft will have to comply, and yet still have an opportunity to innovate by restarting the cycle of incorporating changes that go above and beyond the community open standard.

Thanks for your time.

Casey  
Casey Kolehmainen  
Systems Administrator  
Tantivy Communications, Inc.  
Melbourne, FL 32901  
(321) 956-8846—office  
(321) 863-0165—cell  
ckolehmainen@tantivy.com

**MTC-00020851**

From: roger pittman  
To: Microsoft ATR  
Date: 1/24/02 8:58am  
Subject: Microsoft Settlement

I strongly oppose the proposed settlement. Even if the many loopholes were plugged it does far too little to encourage and restore a competitive market environment, to punish Microsoft and its management for the illegal acts for which they have been convicted, or to discourage Microsoft from further anticompetitive and illegal activity.

**MTC-00020852**

From: thetis75@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:59am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Stacy Ryan  
1451 Beach Park Blvd  
#220  
Foster City, CA 94404

**MTC-00020853**

From: Troy Acuff  
To: Microsoft ATR  
Date: 1/24/02 9:01am  
Subject: Microsoft Settlement

I think the proposed settlement for Microsoft is a BAD idea. Don't do it.

**MTC-00020854**

From: grdouglas@tecoenergy.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Greg Douglas  
5542 Marie Drive  
Zephyrhills, FL 33541-1991

**MTC-00020855**

From: Ahlstrom, Christopher  
(091)Contractor(093)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:05am  
Subject: Microsoft Settlement is Shocking

The DOJ's settlement with Microsoft rewards Microsoft for predatory behavior. By allowing them to contribute software and hardware to schools, their monopoly is only cemented more. Bill Gates is sneering inwardly, I'm sure. Steve Ballmer is laughing. Microsoft employees are wearing "Department of Justice: Antitrust Division" T-shirts. Microsoft has made a mockery out of quality. Microsoft has made a mockery out of fair play. All of Microsoft's code needs to be put in the public domain in order to have any hope of having alternative operating systems written by corporations. I'm frankly surprised that Bill Gates isn't seeing any jail time.

Sincerely,  
Chris Ahlstrom  
CC:ahlstromc(a)home.com'

**MTC-00020856**

From: Paul Brown  
To: Microsoft ATR  
Date: 1/24/02 9:04am  
Subject: Microsoft Settlement

The proposed settlement is not sufficient. There are many problems it does not address, but I'm most concerned about lack of protection for interoperability with so-called Open Source software. It appears that Microsoft will be able to block access to interoperability information because Open Source organizations don't operate as conventional businesses (for instance, they don't have business plans).

Open Source software, such as the SAMBA project, is used by hundreds of thousands, if not millions, of users worldwide. It provides essentially free software which would most likely be rendered useless by future generations of Microsoft software. Microsoft has a history of changing protocols simply to block competition.

Thank you,  
Paul Brown  
PO Box 428  
Winthrop WA 98862  
(509) 996-3211  
pbrown@methow.com

**MTC-00020857**

From: Stevalerie@prodigy.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 9:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bridget Morris  
9081 Sainsbury Ct  
Bristow, VA 20136

**MTC-00020858**

From: rshawver@tycoint.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:00am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rick Shawver  
W289 N2240 Louis Ave. #1D  
Pewaukee, WI 53072-5059

**MTC-00020859**

From: nanjmay@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:00am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nancye May  
501A Harrell  
Canyon, TX 79015

**MTC-00020860**

From: genekoch@ih2000.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gene Koch  
5195 Browning Dr  
Beaumont, TX 77706

**MTC-00020861**

From: Mueller, Andrew  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:04am  
Subject: Microsoft Settlement

This settlement is BAD. The DOJ is being WAY too soft on the MICROSOFT criminals.  
-Andrew Mueller, SCSA

**MTC-00020862**

From: Randy Green  
To: Microsoft ATR  
Date: 1/24/02 9:06am  
Subject: Microsoft Settlement

The proposed settlement is bad idea.

**MTC-00020863**

From: Rfabrizio@hra.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Randall Fabrizio  
6240 Osceola Way  
Arvada, CO 80003

**MTC-00020864**

From: pabir@abir-enterprises.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Pirooz Abir  
1199 Quarry Commons Dr  
Yardley, PA 19067-4021

**MTC-00020865**

From: bnashk@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kristi Nash  
1011 East Waverly Drive  
Arlington Heights, IL 60004

**MTC-00020866**

From: bayray@cel.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Bay-Ramyon  
12820 Cienega Rd  
Hollister, CA 95023-9141

**MTC-00020867**

From: darsby@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dale Robert  
P.O. Box 6223  
Minneapolis, MN 55406-0223

**MTC-00020868**

From: David Smith  
To: Microsoft ATR  
Date: 1/24/02 9:07am  
Subject: Microsoft Settlement

To whom it may concern,

The proposed settlement (punishment), as it stands, does not fit the crime.

This is a criminal who has the means to repay society for its crimes. I urge you to rethink your proposed settlement and increase the punishment to these selfish, coldhearted monopolists.

-David Smith

**MTC-00020869**

From: hallumjr@bellsouth.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:07am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Frank Hallum, Jr.  
 2850 Jay Jay Rd  
 Titusville, FL 32796-1725

**MTC-00020870**

From: Crdanner  
 To: Microsoft ATR  
 Date: 1/24/02 9:09am  
 Subject: Microsoft Settlement

I strongly disagree with the present settlement, and feel microsoft is geeting off free.

Other companies are watching this closley, to see what they can get away with.

You must send microsoft a strong message, otherwise they will continue to go as business as usual. The consumer should always have a freedom of choice, but that went away when microsoft monopolized the market. There are many users that are Forced to use microsoft products at work, as a company policy, and they use other operating systems at home. I use OS/2, Linux and Windows at home. I have the freedom to choose what to use and I do exactly that.

Hit them Hard, or they will get the last laugh, and continue to break the law.

Curtis R. Danner, Aurora, IL

**MTC-00020871**

From: jjguss@cs.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:05am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 John Guss  
 6435 Greyfield Rd  
 Fayetteville, NC 28303

**MTC-00020872**

From: Gideon Jones  
 To: Microsoft ATR  
 Date: 1/24/02 9:09am  
 Subject: Business American Style

Dear Sirs:

Let's stop the harassment of Microsoft and let them get on with their inovative and successful buisness. I am tired of the whining and sour grapes from the second best crow

Thanks  
 Gideon Jones

**MTC-00020873**

From: schaefer2@mindspring.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:05am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 scott schaefer  
 301 east fairbrook  
 boise, ID 83706

**MTC-00020874**

From: Jeff Hanna  
 To: Microsoft ATR  
 Date: 1/24/02 9:08am  
 Subject: Microsoft Settlement

I do not feel that the proposed settlement for the Microsoft anti-trust case is an adequate punishment for Microsoft. I am not in favor of it in its current state. Please consider my email as my registering a vote of "no" against the current settlement. A settlement that is more favorable to other companies in the computer industry, does not give Microsoft such a strong position in our public schools, and is actually a punishment for Microsoft is what should be presented and agreed upon.

Thank you,  
 Jeff Hanna

**MTC-00020875**

From: wt.catch1

To: Microsoft ATR  
 Date: 1/24/02 9:09am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Gideon Jones  
 TX 77571-4232

**MTC-00020876**

From: markzakula@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:09am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 mark zakula  
 3 deonwood  
 san anstonio, TX 78257

**MTC-00020877**

From: Matthew Brown  
 To: Microsoft ATR  
 Date: 1/24/02 10:10am  
 Subject: Microsoft Settlement

I am not satisfied with the settlement of the case with Microsoft. Microsoft has deliberately and repeatedly over-stepped its bounds, and it must be penalized to a greater extent than the settlement currently allows.

—  
 Best regards,  
 -Matthew Brown  
 CorData  
 Phone: (770) 795-0089

Fax: (404) 806-4855  
Web: www.cordata.net

**MTC-00020878**

From: joy@piggott.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:07am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Loretta Copeland  
502 W. Franklin St.  
Marmaduke, AR 72443

**MTC-00020879**

From: Frank Verano  
To: Microsoft ATR  
Date: 1/24/02 9:10am  
Subject: Microsoft Settlement  
Sirs:

I have no objection to MS I. E. short cut on the desktop. Netscape is there too. Why not stop the nonsense? Let Capitalism do its work. That is how MS got to the top in the first place.

Drop the matter!  
Frank Verano

**MTC-00020880**

From: John E. Fair  
To: Microsoft ATR  
Date: 1/24/02 9:11 am  
Subject: Microsoft Settlement  
John E. Fair  
President  
J. Fair Systems, Inc.  
336-992-2828  
<http://www.jfsi.com> or <http://www.jfairsystems.com>

**MTC-00020880-0001**

January 23, 2002  
John Fair  
935-A East Mountain Street  
Kernersville, North Carolina 27284  
Attorney General John Ashcroft  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to you today to express my support for the Microsoft antitrust settlement, which has been a long time in the making. Three years have now passed since this lawsuit was enacted, and during this time an exorbitant amount of taxpayer dollars have

been squandered in funding this lawsuit. Enough is enough.

I would hope that the federal government would not waste any more time over the issue and enact the settlement that was reached in November.

Further, it seems to me that the terms of the settlement are very fair. Microsoft has agreed to disclose the internal interfaces of its Windows system to its competitors. Beyond this, Microsoft will also make the licensing rights to Windows available at a constant rate to its competitors. In addition, Microsoft has also agreed to be monitored by a watchdog group that will make sure that Microsoft complies with the terms of the agreement.

I believe that the best path for the Justice Department is to end this dispute once and for all.

Sincerely,  
John Fair  
00020880-0002

**MTC-00020881**

From: warren peterson  
To: Microsoft ATR  
Date: 1/24/02 9:13am  
Subject: Microsoft Settlement  
To Whom It May Concern

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely  
Warren Peterson  
RR. 10 Box 88 H  
Santa Fe, NM  
87507-9402

**MTC-00020882**

From: jwest-cypress@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:10am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
jim west  
16710 telge road  
Cypress, TX 77429-1331

**MTC-00020883**

From: Clint McIntosh  
To: Microsoft ATR  
Date: 1/24/02 9:12am  
Subject: Microsoft Settlement

Microsoft cannot be allowed to continue bullying the software and hardware manufacturers of this country. And this recent settlement that forces Microsoft to give hardware and software to schools is absolutely the stupidest idea I ever heard of! This only ENCOURAGES them to keep doing things "their" way. It also gives them a NEW foothold into areas where they don't already have a demanding lead. If you want to improve schools AND punish Microsoft for their flagrant abuse of their power, make them pay \$1 Billion to each and every state in the Union for the purpose of improving schools HOWEVER THE STATE SEES FIT. If the states want to use the money to build new classrooms, or give teachers raises or buy Apple computers and software for their students, that is up to them. Microsoft should not get any kind of tax deduction from it or any kind of say in what the money would be used for. They need to be punished and I don't mean "minimum security country club federal prison" type punishment either. If the courts aren't going to do the right thing and split up the biggest monopoly since AT&T, then they should penalize them severely.

As a computer user, I am severely impacted by Microsoft's abuse of power and unfair practices. I am not alone. Every computer user in this country is affected the same way.

Clint McIntosh—clintm McIntosh@mac.com

**MTC-00020884**

From: Mike Dembski  
To: Microsoft ATR  
Date: 1/24/02 9:13am  
Subject: Microsoft Settlement

As a consumer, I have found that Microsoft has so monopolized the market that there is virtually no choice but Microsoft products. When a consumer buys a new PC, Internet Explorer is already installed, MSN is usually the default home page, Outlook express is the email program, there are links to Hotmail, MSN messenger is usually set up to automatically start, Windows media player is already installed.

Furthermore, is the office application market, Microsoft has shown that now that they have a lock on that market, they feel they can afford to pump up prices, and make it difficult for the causal user to move applications from one machine to another, but the same measures will do nothing to stop counterfeit applications.

Microsoft is doing everything possible to stifle and stop ALL competition. This is a monopoly and it must be stopped.

Mike Dembski

6409 16th St, NW  
Washington, DC 20012  
202 291 3951

**MTC-00020885**

From: svedeiv@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:10am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Connie Parson  
210 Garden Lane  
Excelsior Springs, MO 64024-1213

**MTC-00020886**

From: jcb1948@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:09am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Brooks  
12330 Chessington Dr.  
Houston, TX 77031-3205

**MTC-00020887**

From: Tym—Stegner@cca-int.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:14am  
Subject: Microsoft Settlement

Sir/Madam:

I am opposed to the Proposed Settlement in the Microsoft vs DOJ anti-trust trial.

I cannot be so eloquent as others, especially the Joint Open Letter to the DOJ written by Dan Keigel (to which I have also attached my support), but my reading of the proposed settlement suggests to me that Microsoft is not really being penalized for its anti-trust actions.

Thank you for your consideration in this matter.

Timothy J. Stegner  
Bolton  
MA  
Senior Systems Engineer  
Computer Corporation of America

**MTC-00020888**

From: Nasir, Robert  
To: Microsoft ATR  
Date: 1/24/02 9:13am  
Subject: Microsoft Settlement

To: District Court Judge, US vs. Microsoft  
In the matter of the proposed settlement of the Microsoft antitrust case, I, as an American, and as an Information Technology professional, urge you to waive any and all penalties against the Microsoft Corporation.

All of the evidence to date indicates that the case against Microsoft is unjustified. From my experience using the products of both Microsoft and their competitors, I can state that Microsoft has not competed unfairly, and has in fact created markets which have enabled countless other enterprises to succeed.

And from my personal perspective, it is clear that Microsoft has been only a benefactor to millions of business professionals and home users, more so than any other single American technology organization.

I hope when you examine the facts in this case, you will agree the Microsoft deserves praise, not punishment, for their success.

Respectfully,  
Robert C. Nasir, MCSE  
12023 Leverne Street  
Redford Township, MI 48239  
313-937-9188  
CC:amynasir@aol.com@inetgw,ericlakits@aol.com@inetgw,...

**MTC-00020889**

From: writeben@swbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:12am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ben Thomas  
7720 Deaver Drive  
NRH, TX 76180

**MTC-00020890**

From: jfuller@mrcareers.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:11am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
jeffrey fuller  
83 eagle chase  
woodbury, NY 11797-2918

**MTC-00020891**

From: Eric Braun  
To: Microsoft Settlement  
Date: 1/24/02 8:40am  
Subject: Microsoft Settlement

Eric Braun  
310 Edelweiss Circle  
St. Michael, MN 55376  
January 24, 2002

Microsoft Settlement  
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Microsoft Settlement:  
The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than

bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Eric Braun

**MTC-00020892**

From: KING@JET-WEB.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
GERALD KOENIG  
11174 SO. EVERGREEN DR.  
SOLON SPRINGS, WI 54873

**MTC-00020893**

From: Jack Fenchel  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 8:35am  
Subject: Microsoft Settlement  
Jack Fenchel  
185 Friendship Rd.  
Beaver Falls, Pa 15010-5714  
January 24, 2002  
Microsoft Settlement U.S. Department of Justice ,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Competition means creating better goods and offering superior services to consumers.

With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Jack Fenchel

**MTC-00020894**

From: pinks@thedalles.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mr. & Mrs. David Pink  
4080 Orchard Road  
The Dalles, OR 97058

**MTC-00020895**

From: saubuchon@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:11am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Stephen Aubuchon  
67 Town Farm Road

Westminster, MA 01473

**MTC-00020896**

From: Dave Garvie  
To: Microsoft ATR  
Date: 1/24/02 9:15am  
Subject: Microsoft Settlement

Please settle the Microsoft case, and let them get back to business.

Dave Garvie.

**MTC-00020897**

From: Gilbert Ball  
To: Microsoft ATR  
Date: 1/24/02 9:15am  
Subject: Microsoft Settlement  
Greetings.

I remember my surprise and shock that the Department of Justice had reached a settlement with Microsoft Corporation. After reading the details of the proposal, I feel it is little more than a slap on the hand.

I am not a fan for breaking up Microsoft. But I do feel that they actively sought out and eliminated any competition to their software products and services. Fortunately there have been a few holdouts that have survived to this day, but Microsoft stills holds almost all the cards.

Over the course of time I have used and supported many operating systems. Some of them still exist and thrive in their smaller markets. But I have watched Microsoft grow and overtake them all. Microsoft didn't do it because it had a better product. In fact, their rise can be summed up with this statement: Crummy product, great marketing. They can sell million dollar oceanfront property in Montana to a bum on the beach in Florida. The browser wars are dead and Microsoft has won. But they didn't win fairly. They systematically suffocated Netscape by undercutting them by giving away Explorer, cutting off distribution channels and strong arming people into putting their software in the premier locations or installations.

Although Apple and Microsoft cozied up together in recent years, Apple has always been really at Microsoft's whim. Microsoft did have the best office product for the Macintosh platform. Without it, the Macintosh with whither and possibly fade away. One little implied threat that they would discontinue Office would definitely bring Apple to its senses and support Microsoft's other software packages over Microsoft's rivals. If I was Apple, it would get me shaking in my boots to lose the Microsoft Office package.

But back to the browsers for a second. I used to use Netscape. It was a superior product. I PAID for it because it was good. Then Microsoft came along with Internet Explorer. It was a piss poor product AND it was preinstalled with Windows. I didn't want it, I didn't like it. I continued to use Netscape. I chose Netscape because it was better, more stable, and had all the features I wanted. But as time went on and Explorer became more and more a part of the operating system, I had no choice. I shake my head as I look at my desktop right now while typing this message. I am running Microsoft Windows 2000, using Internet Explorer and Microsoft's Hotmail service. I used to run so many applications from different vendors.



But they are no longer there. And I wouldn't dare install Netscape on my system as it doesn't coexist with Microsoft products very well anymore. I am not sure if that is by Microsoft's design or the fact that Netscape has been beaten down so much, they cannot afford to make the superior product they used to create.

I urge you to reconsider your mild treatment of Microsoft. It is a MONOPOLY. They have used tactics that date back to the likes of railroad monopolies. It was not acceptable then. It is not acceptable now. We are in a capitalist, Democratic, society. We have freedom to choose where, what, when, how, and why on almost every aspect of our lives. Microsoft took away some of my freedoms. My freedom of choice was taken away. Frankly, that leaves a very bitter taste in my mouth. It is up to you to rectify the situation. You are the law and the guardians of what our forefathers and those after them have put into place. Please do the right thing and scrap this watered down agreement. It does no one in this country and the world any good except for Microsoft.

Thank you very much for your time.

Sincerely,

-gilbert

Gilbert Ball

PO Box 231253

Tigard, Oregon 97281-1253

**MTC-00020898**

From: andynphyl@cs.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:15am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Harold Anderson

4755 Saddlebrook Ave

Springdale, AR 72762-0453

**MTC-00020899**

From: Charles T Mattice

To: Microsoft ATR

Date: 1/24/02 9:18am

Subject: Microsoft Settlement

January 24, 2002

Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington, DC 20530-0001

Re.: Microsoft Settlement

Dear Ms. Hesse:

As a US Citizen that is involved in the IT community, I have been following this case with interest.

I am submitting these comments as my rights under the tunney act.

I have reviewed the proposed final settlement and cannot agree with it. I find that the proposed settlement by the nine states and DC would be a more adequate correction and believe that the citizens of the United States could fully comprehend this action.

If you dicide to the final settlement proposed by the USDOJ then this would be a further stepping stone for Microsoft to implement further monopolistic controls and actions on the citizens of this country and could be the demise of open source software.

Sincerely,

Charles T Mattice

**MTC-00020900**

From: nholowat@csc.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:18am

Subject: "Microsoft Settlement"

Dear Sir or Madam:

I'd like to add my comments to the Microsoft Settlement case. As it stands, feel that the current ruling serves no purpose but to help Microsoft gain a larger hold on computers in the schools. I also feel that the state of the economy should not enter into the punishment phase. Some ways I feel that would help stop the monopoly of Microsoft are:

Microsoft should not be able to donate software to schools as part of the settlement. If they want to, they can contribute cash so that school administrators can chose their own operating system. In actuality, it costs Microsoft next to nothing to push out the CD's, and of course, they would be getting a tax reduction for the retail price.

They win on both sides of the coin.

Microsoft file formats for their products be opened up for open source systems or proprietary systems.

The price of Windows should not be part of a computer purchase. Computers should be available without an operating system, and if the consumer wants it pre-installed, it should be at the same price for all consumers.

Microsoft should open the Windows application programming interface (API) to allow other vendors to write applications on an equal footing with Microsoft.

All networking protocols should be published fully and approved by an independent network protocol body.

Thank you for your time,

Nicholas P. Holowaty

114 Rowland Drive

East Hartford, CT 06118

**MTC-00020901**

From: Charles Ellmaker

To: Microsoft ATR

Date: 1/24/02 9:27am

Subject: Microsoft Settlement

Dear Sirs/Madams—

It appears that only Microsoft (a very capable firm, obviously) has the power to turn a trust-busting suit to its own advantage.

Having read that Microsoft wanted to compensate the world for its misdoings by giving away free software/hardware to schools, I was flabbergasted. I have no doubt that this software would not be targeted to schools that already use Microsoft software but to those that use someone else's (Apple's, perhaps?) A schoolchild could figure out where this would lead. My understanding is that this "remedy" has been quashed, or at least I hope so.

Unfortunately, this is only the tip of the iceberg. You know the details, but allowing Microsoft free rein to dictate standards which they will control, especially over something as open and powerful as the internet, is a folly of unbelievable proportions (and one with a host of unforeseeable consequences to go with the foreseeable ones). Even outside of the United States (I am currently working in Sierra Leone), the reach of Microsoft is basically absolute. My own head office tried to forbid my use of non-Windows software simply because "we use Windows," they said. This even though my overseas office uses compatible Microsoft Word and Excel, but on Macintoshes. Obviously Microsoft's reach and influence already exceed all bounds of reason. Please do not allow them even greater control over the oxygen that every organization breathes: information and its movement.

Charles Ellmaker

6 Logan Circle, NW

Washington, DC 20005

Regional Director for West Africa

The Center for Victims of Torture (based in Minneapolis)

Freetown, Sierra Leone

**MTC-00020902**

From: Jim Roscoe

To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 7:57am

Subject: Microsoft Settlement

Jim Roscoe

4500 Duke St. #201

Alexandria, va 22314

January 24, 2002

Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers.

With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Jim Roscoe

**MTC-00020903**

From: Fulford, Domico  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:20am  
Subject: microsoft settlement

this settlement represents a total cave in to Microsoft and will lead to further issues stemming from Microsoft's stranglehold on the Browser consumer o/s market

Dominic fulford

**MTC-00020904**

From: Bill.Pelletier@eds.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dr. William Pelletier  
800 Huntsford  
Troy, MI 48084-1614

**MTC-00020905**

From: willgeos@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
WILLIAM SHERRIS  
9157 EMERSON AVE  
SURFSIDE, FL 33154-3113

**MTC-00020906**

From: Charles Cooper  
To: Microsoft ATR  
Date: 1/24/02 9:19am  
Subject: Microsoft Settlement

I personally am disappointed with the settlement.

Big business needs some definitive.

I have a computer business and run into numerous things while building systems that smack of Microsoft's explicit efforts to discourage non-Microsoft installations.

Obviously they aren't capable of providing an open product in their near-monopolistic hold on the industry. That's where I hope the government can maintain at least the handholds to permit competition. If nothing else the licensing and cost of Microsoft products is oppressive to small businesses and homeowners as evidence of Microsoft's stranglehold on the industry.

I applaud Microsoft's standardization of our software industry, but we need to permit avenues for competition for the likes of Netscape, Linux, Corel and other struggling competitors.

Chuck  
Charles E. Cooper  
Applied Research Laboratory  
The Pennsylvania State University  
(814) 865-2020  
ccooper@psu.edu

**MTC-00020907**

From: Alan McConnell  
To: Microsoft ATR  
Date: 1/24/02 9:19am  
Subject: Comment on DoJ v Microsoft settlement

To Whom it May Concern:

It seems to me clear that Microsoft has violated the anti-trust laws, and I agree with Thomas Penfield Jackson's original decision to split Microsoft into two companies, one an operating system development company(OSD), the other an applications development company(AD).

If this were done, the AD company would clearly port its applications to all major platforms, including the big Unix players: Linux, Sun, and SGI. This would in turn foster competition among the various operating systems. This is clearly beneficial, not only to the industry, but to the economy as well.

Respectfully submitted,  
Alan McConnell  
9805 Gardiner Avenue  
Silver Spring, MD 20902

**MTC-00020908**

From: Alfred Thompson  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 8:29am  
Subject: Microsoft Settlement  
Alfred Thompson  
2 Kimball Terrace  
Danville, NH 03819-5102  
January 24, 2002

Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. While Microsoft has not been perfect they have made computers easier to use for everyone. The cost of software is more reasonable today than it ever was. If other products were better than what Microsoft sells than people would be buying them. We have seen the market drop poor products for good ones over and over again. Just look at the history of products that HAD monopolies in spreadsheets and word processing that are now gone because THE MARKET decided a new product was better. The computer market is working, let's leave it alone.

Thank you for this opportunity to share my views.

Sincerely,  
Alfred C Thompson II

**MTC-00020909**

From: Jim Mowreader  
To: Microsoft ATR  
Date: 1/24/02 9:17am  
Subject: Microsoft settlement

**MTC-00020909-0001**

This is a bad settlement. I shall extract a few of the pieces that are especially bad and comment on them:

"Nothing in this provision shall prohibit Microsoft from enforcing any provision of any license with any OEM or any intellectual property right that is not inconsistent with this Final Judgment. Microsoft shall not terminate a Covered OEM's license for a Windows Operating System Product without having first given the Covered OEM written notice of the reasons for the proposed termination and not less than thirty days" opportunity to cure. Notwithstanding the foregoing, Microsoft shall have no obligation

to provide such a termination notice and opportunity to cure to any Covered OEM that has received two or more such notices during the term of its Windows Operating System Product license."

The problem? "Covered OEM." The definition of a Covered OEM: "Covered OEMs" means the 20 OEMs with the highest worldwide volume of licenses of Windows Operating System Products reported to Microsoft in Microsoft's fiscal year preceding the effective date of the Final Judgment. The OEMs that fall within this definition of Covered OEMs shall be recomputed by Microsoft as soon as practicable after the close of each of Microsoft's fiscal years."

No one else is protected by paragraphs containing this phrase. More to the point, the 20 largest OEMs won't need to be affected by this document; these companies are loyal to Microsoft anyway and they sell enough Microsoft product that they can be affected by silly little flings with Linux or Netscape and still make Microsoft vast sums of money. And should one of them happen to start selling enough non-Microsoft product that they fall off the top-twenty list in Redmond, they become a non-covered OEM and thereby lose the protections of this agreement.

"Ensure that a Windows Operating System Product does not (a) automatically alter an OEM's configuration of icons, shortcuts or menu entries installed or displayed by the OEM pursuant to Section III.C of this Final Judgment without first seeking confirmation from the user and (b) seek such confirmation from the end user for an automatic (as opposed to user-initiated) alteration of the OEM's configuration until 14 days after the initial boot up of a new Personal Computer. Microsoft shall not alter the manner in which a Windows Operating System Product automatically alters an OEM's configuration of icons, shortcuts or menu entries other than in a new version of a Windows Operating System Product."

This is missing a few words: "initial boot up \*by the ultimate purchaser\* of a new Personal Computer." Computers are initially booted up at the factory for quality control purposes. If the 14-day clock starts ticking the moment the machine is booted up at the factory, the purchaser can lose all protection under this paragraph since it can take more than 14 days to get a computer through the supply chain from the factory to the point of purchase and into the hands of the consumer.

"Notwithstanding the foregoing Section III.H.2, the Windows Operating System Product may invoke a Microsoft Middleware Product in any instance in which:

1. that Microsoft Middleware Product would be invoked solely for use in interoperating with a server maintained by Microsoft (outside the context of general Web browsing), or

2. that designated Non-Microsoft Middleware Product fails to implement a reasonable technical requirement (e.g., a requirement to be able to host a particular ActiveX control) that is necessary for valid technical reasons to supply the end user with functionality consistent with a Windows Operating System Product, provided that the technical reasons are described in a reasonably prompt manner to any ISV that requests them."

Subparagraph 2 kills all the previous requirements for Microsoft to publish APIs and so forth. ActiveX is, or at least should be, a published standard. By redesigning Internet Explorer, or Windows itself, so that some of the "functionality consistent with a Windows Operating System Product" is contained in an ActiveX control which only Internet Explorer can invoke—it's not a technically difficult challenge—this agreement guarantees that Microsoft Middleware will always be invoked.

Also, Section VI, Paragraph K (definition of Middleware) states clearly that Middleware is only that software Microsoft issues to upgrade Windows; nothing in this paragraph precludes Microsoft from invoking the non-Middleware version of Internet Explorer which was an integral part of your Windows installation.

"B. Appointment of a Technical Committee

1. Within 30 days of entry of this Final Judgment, the parties shall create and recommend to the Court for its appointment a three-person Technical Committee ("TC") to assist in enforcement of and compliance with this Final Judgment.

2. The TC members shall be experts in software design and programming. No TC member shall have a conflict of interest that could prevent him or her from performing his or her duties under this Final Judgment in a fair and unbiased manner. Without limitation to the foregoing, no TC member (absent the agreement of both parties):

a. shall have been employed in any capacity by Microsoft or any competitor to Microsoft within the past year, nor shall she or he be so employed during his or her term on the TC;

b. shall have been retained as a consulting or testifying expert by any person in this action or in any other action adverse to or on behalf of Microsoft; or

c. shall perform any other work for Microsoft or any competitor of Microsoft for two years after the expiration of the term of his or her service on the TC."

Who will they get? Microsoft's business covers all segments of the computer industry; there is no company in this industry that Microsoft doesn't at least technically compete with. I spent a lot of time thinking of companies who could supply unencumbered TC members, and couldn't come up with one name. Even someone like Siebel, who makes customer relations management, or CRM, applications, could be considered a competitor—Microsoft doesn't make a packaged CRM product, but you can do CRM in Microsoft Access so Siebel is a Microsoft competitor. Not even academia is immune: Microsoft has extensive consulting and advisory contracts with university professors. If Microsoft wants to get nit-picky about this, and they will, then no "expert in software design and programming" will be eligible to sit on the TC.

"C. Appointment of a Microsoft Internal Compliance Officer

1. Microsoft shall designate, within 30 days of entry of this Final Judgment, an internal Compliance Officer who shall be an employee of Microsoft with responsibility for administering Microsoft's antitrust compliance program and helping to ensure compliance with this Final Judgment."

This is like ordering the Medellin Cartel to appoint an internal compliance officer from their own staff to make sure they don't sell cocaine. Or directing the Chicago Mafia to appoint one of its mobsters as an internal compliance officer to ensure they shut down their gambling operations. An internal compliance officer is necessary, but to ensure that this officer ensures Microsoft's compliance with the settlement, he or she must come from outside Microsoft and must not be on the Microsoft payroll. "In any enforcement proceeding in which the Court has found that Microsoft has engaged in a pattern of willful and systematic violations, the Plaintiffs may apply to the Court for a one-time extension of this Final Judgment of up to two years, together with such other relief as the Court may deem appropriate."

Why only a one-time extension? Microsoft has a history of ignoring court orders, consent decrees and other conduct remedies. Allowing only one extension basically invites Microsoft to engage in a pattern of willful and systematic violations right up front, knowing that it can only be hit with one two-year extension. After it receives its two-year extension, the absence of other penalties for non-compliance basically means Microsoft will be free to do whatever it wants.

"Microsoft Middleware" means software code that

1. Microsoft distributes separately from a Windows Operating System Product to update that Windows Operating System Product;

2. is Trademarked;

3. provides the same or substantially similar functionality as a Microsoft Middleware Product; and

4. includes at least the software code that controls most or all of the user interface elements of that Microsoft Middleware.

Software code described as part of, and distributed separately to update, a Microsoft Middleware Product shall not be deemed Microsoft Middleware unless identified as a new major version of that Microsoft Middleware Product. A major version shall be identified by a whole number or by a number with just a single digit to the right of the decimal point."

This screws up the whole "Internet Explorer is Middleware" argument. Internet Explorer is an integral component of Windows; in fact, it's the component of every version of Windows since Windows 98 that provides the Windows user interface.

Subparagraph I is just strange: according to it, the version of Internet Explorer 6 which comes built in to Windows XP is not middleware, but the version of Internet Explorer 6, which does exactly what the built-in version does, is middleware. I believe this line is enough to get the whole agreement thrown out in court, since the Settlement contains no wording upholding the rest of the Settlement should parts of it be found invalid.

Subparagraph 2 is meaningless. Microsoft trademarks everything they make and every distinctively-named component of everything they make.

Subparagraph 3 is circular logic—"Microsoft Middleware does the same thing as Microsoft Middleware." (I never would

have guessed!) Subparagraph 4 is laughable. Very few computer applications put the user interface elements in one program and the functionality elements in another. Wolfram Research's Mathematica (which is designed so that the user can construct a data set on his or her personal computer then transmit it to a large shared computer for processing) and applications used to control industrial machinery are designed this way; no middleware application and certainly no Microsoft middleware application shares this construction. "Functionality that Microsoft describes or markets as being part of a Microsoft Middleware Product (such as a service pack, upgrade, or bug fix for Internet Explorer), or that is a version of a Microsoft Middleware Product (such as Internet Explorer 5.5), shall be considered to be part of that Microsoft Middleware Product."

Unless, of course, it's a service pack for the Internet Explorer you received as part of your Windows installation, and then it's not middleware. This also allows them to continue to bar non-Microsoft middleware from being loaded by their OEMs—if Middleware is distributed separately from Windows, then a clean load of Windows contains no Middleware (because Internet Explorer is an integral part of Windows), and therefore allowing non-Microsoft middleware to be loaded would put Microsoft at a competitive disadvantage since there is no Microsoft middleware on these machines.

"Microsoft Middleware Product" means

1. the functionality provided by Internet Explorer, Microsoft's Java Virtual Machine, Windows Media Player, Windows Messenger, Outlook Express and their successors in a Windows Operating System Product, and

2. for any functionality that is first licensed, distributed or sold by Microsoft after the entry of this Final Judgment and that is part of any Windows Operating System Product

- a. Internet browsers, email client software, networked audio/video client software, instant messaging software or

- b. functionality provided by Microsoft software that—

- i. is, or in the year preceding the commercial release of any new Windows Operating System Product was, distributed separately by Microsoft (or by an entity acquired by Microsoft) from a Windows Operating System Product;
- ii. is similar to the functionality provided by a Non-Microsoft Middleware Product; and
- iii. is Trademarked.

Functionality that Microsoft describes or markets as being part of a Microsoft Middleware Product (such as a service pack, upgrade, or bug fix for Internet Explorer), or that is a version of a Microsoft Middleware Product (such as Internet Explorer 5.5), shall be considered to be part of that Microsoft Middleware Product."

I am confused here. A saw is a product. Cutting wood is a functionality. I can't sell you "cutting wood" except as labor, but I can sell you a saw or wood that has been cut. Similarly, Microsoft can't sell "Internet browsing" but they can sell an Internet browser. Functionality is not a product. A product is a product.

If, on the other hand, "middleware products" are actual products and not "functionalities," this paragraph seems to be another way to circumvent the whole agreement. Since the inbuilt version of Internet Explorer is a

"middleware product" instead of "middleware," they can invoke it then claim that they're following the letter of the agreement—they didn't invoke the clearly defined "middleware" but rather the "middleware product." And they will be right.

Subparagraph b seems to have a lot of "weasel" phrases in it—phrases that are intended to let Microsoft "weasel" the product out of the agreement. To get a product declared "not a middleware product" they need only release it as part of a new Windows release. Microsoft does this regularly—there is not much difference between Windows XP and Windows 2000, for instance. Subparagraph ii goes without saying—Microsoft is not innovative and its products all have functionality similar to non-Microsoft products. Objection to subparagraph iii is the same as before—all Microsoft products and discernible parts of products have trademarked names.

"Microsoft Platform Software" means (i) a Windows Operating System Product and/or (ii) a Microsoft Middleware Product."

This is a strange one indeed. It seems to define Internet Explorer for the Macintosh as Platform Software.

Cut the bull and declare Internet Explorer "middleware" no matter how the user gets it. Not three things—middleware if you download it, middleware product if it's integrated and "platform software," whatever that is. "Personal Computer" means any computer configured so that its primary purpose is for use by one person at a time, that uses a video display and keyboard (whether or not that video display and keyboard is included) and that contains an Intel x86 compatible (or successor) microprocessor. Servers, television set top boxes, handheld computers, game consoles, telephones, pagers, and personal digital assistants are examples of products that are not Personal Computers within the meaning of this definition." The industry is moving toward "computing everywhere"—Microsoft's Xbox video game console, Ultimate TV digital video recorder, PocketPC handheld computers and WebTV set-top box are products Microsoft makes either software or the whole box for, and these are markets for which this settlement does not proscribe anticompetitive behavior by Microsoft in by virtue of this paragraph.

"Windows Operating System Product" means the software code (as opposed to source code) distributed commercially by Microsoft for use with Personal Computers as Windows 2000 Professional, Windows XP Home, Windows XP Professional, and successors to the foregoing, including the Personal Computer versions of the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion."

Giving Microsoft sole discretion as to what comprises a Windows Operating System Product is what got this industry into trouble in the first place. It also eliminates one of the more effective conduct remedies: forcing Microsoft to produce a "bare bones" version of Windows. It will guarantee that Microsoft will continue in its anticompetitive ways.

Thank you for your time

—Jim Mowreader

xpr3@earthlink.net

jmowreader@sprintmail.com

#### MTC-00020910

From: david@wt6.usdoj.gov@inetgw

To: Microsoft ATR

Date: 1/24/02 9:19am

Subject: Microsoft Settlement

The current Microsoft settlement is a bad idea. In fairness it should be much harsher on Microsoft.

David Wack

Research Assistant Professor

Dept. of Nuclear Medicine

University of Buffalo

Buffalo, New York

#### MTC-00020911

From: Paul Simons

To: Microsoft ATR

Date: 1/24/02 9:20am

Subject: Microsoft Settlement

Thanks for this opportunity to comment.

This concerns both the argument that Microsoft is wrong to include various additional programs with operating systems, and that including the Internet Explorer browser specifically is wrong.

- 1) Many vendors very successfully sell software similar to that included by MS—Adobe and Macromedia for graphics, for example Photoshop. These vendors would be out of luck without Windows for their programs to run on.

- 2) The Netscape browser is and has been for years free to download. How their logic works—they can give their browser away, but Microsoft can't—makes no sense.

- 3) Microsoft has been successful due to its own hard work. If the judges really want to understand this, let them try writing a few programs themselves. This is not meant to be disrespectful, rather to provide insight.

- 4) Including various software items with an operating system is like including an automatic transmission, a heater, and a radio with a car.

Paul Simons Levittown PA

#### MTC-00020912

From: jstile02@mr1.tufts.edu@inetgw

To: Microsoft ATR

Date: 1/24/02 9:20am

Subject: Microsoft Settlement

To whom it may concern,

I would like to register my opinion about the proposed Microsoft settlement. I am frankly appalled that the government would even consider such a weak punishment, if it indeed even constitutes a punishment at all. On the surface it might appear that it is in some small part even handed, but since so much of the final effect depends on implementation, I have less than no faith that it will have any significant impact on the monopolistic practices of Microsoft. This issue is a very large one for me—I believe

that my job depends on reigning in the excesses of Microsoft. Please consider mine a passionate vote for a serious punishment for Microsoft—not what is currently being considered.

Jim Stiles  
Manager of the University Systems Group  
Tufts University

**MTC-00020913**

From: pdmiller@cadence.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:20am  
Subject: Microsoft Settlement

Dear Department of Justice,

I would like to offer my opinion on the proposed settlement with Microsoft. This settlement gives hardware vendors slightly more freedom to bundle non-Microsoft products. It establishes fair pricing for Windows operating systems for OEM's. It requires that a small handful of software, called "Microsoft Middleware Product" be removable. That's it?

This settlement will provide no relief to competing companies, to consumers, or to businesses who use Microsoft products. It maintains Microsoft's near-monopoly and sends them a strong message that nobody can or will stop them.

I believe in free markets and I think the government should be involved as little as possible. However, this nation has been hurt by the actions of Microsoft. Microsoft has squashed competition and innovation, users have paid inflated prices, consumers have little actual choice in desktop operating systems, and seriously buggy and insecure Microsoft software is now (sadly) the norm. The United States had an amazing lead in computer and software technology which we have essentially thrown away.

In short, this settlement doesn't settle anything. Please reconsider adding some penalties or provisions that will make a positive difference. We, the citizens and consumers of this country, will be worse off rather than better if this settlement is adopted as proposed.

Thank you for your time and attention.

Sincerely,  
Paul Miller  
11 McQuade Brook Road  
Bedford, NH 03110  
603/472-9244  
pmiller@mv.mv.com

**MTC-00020914**

From: umbro71@blackplanet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:17am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method

for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
j. rogala  
p.o. box 2152  
vernon, CT 06066

**MTC-00020915**

From: tesuter@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:18am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Suter  
5621 Echodell Ave. NW  
North Canton, OH 44720

**MTC-00020916**

From: Charles Meins  
To: Microsoft ATR  
Date: 1/24/02 8:49am  
Subject: Microsoft settlement

Dear Sirs;

I am very unhappy with the proposed Microsoft settlement. It will in no way break the stranglehold that this company exerts on the information technology market, a stranglehold which extends from the first piece of information loaded in the computer at bootup (the "boot sector") to last image on the screen at shutdown. Given the competitive nature of the computer hardware market, I find it implausible that no major vendor has attempted to differentiate themselves from the pack by offering a unique feature such as this: the pre-installation of Linux along with Windows on their computers. A "boot manager" (software which has been widely available for many years) would allow users to choose which operating system to load when they start their computers. This would involve very little added cost to the vendor while offering the consumer a painless way of trying out an alternative operating system which has received considerable popular press. The fact that no major vendor has made such an offer is prima facie evidence of the control exerted by Microsoft by means of the software pre-load agreements it dictates to hardware

vendors. I would propose therefore an alternative settlement: mandate that Microsoft provide other operating systems in addition to their own in a boot manager arrangement. There are a wide variety of operating systems that could be used. Some, such as Linux, are available without direct cost to Microsoft. Others, such as OS/2, would involve financial negotiations with third parties. (There are many other mature and powerful operating systems, e.g., Solaris, BeOS, AmigaOS, and NextStep, whose financial restrictions are unfamiliar to me.) Microsoft has been able to exert undue influence on the software industry through it's control of the boot sector. Breaking this control would be a simple and effective method to bring competition back into this vital sector of our economy.

Sincerely,  
Dr. Charles Meins, Jr.

**MTC-00020917**

From: John Phillips  
To: Microsoft ATR  
Date: 1/24/02 9:20am  
Subject: Microsoft Settlement

The best settlement of the case against Microsoft is to leave Microsoft alone. This government meddling with business is anti-American, and should be stopped. Anti Trust is anti-American, and is much worse for America than Islam.

John Phillips

**MTC-00020918**

From: Armstrong  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 9:21am  
Subject: microsoft settlement

I do not agree with the proposed Microsoft settlement. It's just another avenue to unload their software on another generation.

Bill Armstrong  
Regina, SK  
Canada

**MTC-00020919**

From: Brenan Tarrier  
To: Microsoft ATR, Brenan Tarrier  
Date: 1/24/02 9:20am  
Subject: Microsoft Settlement

Dear Department of Justice,

I would like to contribute to the public comment period on the Microsoft anti-trust settlement. I have been disappointed in the Bush Administration's recent leniency towards Microsoft. I have read about the current settlement and am not in favor of it in its current state. Microsoft's anti-competitive practices have interfered with the free-market ideals this country was founded on. Countless entrepreneurs and small businesses have failed due to Microsoft's misconduct. Innovation and creativity have been hindered not only in the field of computing, but also in other related fields such as art and engineering.

Any settlement conditions offered by the Justice Department should reflect not only the past crimes described in the Findings of Fact, but should also prevent Microsoft from engaging in future misconduct, especially illegally expanding its monopoly.

We as a country can no longer afford the inefficiency produced by the anti-competitive actions of a monopoly. A strong

settlement which punishes past crimes and addresses future conduct is necessary. Litigation should continue in this case if Microsoft does not admit to illegal actions and accept a suitable punishment.

Thank you for your time in reading this letter.

Brenan Tarrier  
Briarcliff Manor, NY  
914-747-1120

**MTC-00020920**

From: Ricardo Villar  
To: Microsoft ATR  
Date: 1/24/02 9:24am  
Subject: Microsoft/AOL

Dear Sirs,

When will this ridiculous harassment against Microsoft end? One would think that September 11 would have taught some lessons of unity and getting all together to fight a common enemy. The consumer has chosen IE over AOL. In democracy that means the people have chosen. Are you going to turn democracy around and find ways for people to pay more for what is available nowadays? Instead of accepting AOL case against Microsoft, why don't you force them to invest more in R&D, to come up with better products, better pricing, etc.?

It's disgusting the impression you are giving to the world of yourselves, your system and, as a whole, the American people. I'm ashamed.

George Villar  
CC:MSFIN@Microsoft.com@inetgw

**MTC-00020921**

From: dwestermann@chromaline.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:18am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Damian Westermann  
2331 1/2 Ogden Ave  
Superior, WI 54880

**MTC-00020922**

From: John Morales  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 9:19am  
Subject: Microsoft Settlement

Microsoft is the engine of the modern technology information economy. They have

created millions of jobs with their software and development support.

THERE HAS BEEN NO PROOF THAT CONSUMERS HAVE BEEN HARMED. It was never even addressed.

So saying, the court filings and procedures show that Microsoft has acted in ways that are unfair to their competitors (not consumers). The DOJ closing this case was the right thing to do.

You must pressure the hold-out states to settle.

John Morales  
johnmorales@winn-dixie.com  
(904) 370-6278

**MTC-00020923**

From: adbucha@bcni.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
A Bucha  
PO Box 4129  
Kerrville, TX 78028

**MTC-00020924**

From: rmmumby@home.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Mumby

222 Rolling knoll Dr  
Bel Air, MD 21014

**MTC-00020925**

From: dowsjag@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Charles Monroe  
46 Don Timoteo Ct.  
Sonoma, CA 95476

**MTC-00020926**

From: dammitall2hell@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Chris Robinson  
256 Potomac Lane  
Winthrop Harbor, IL 60096

**MTC-00020927**

From: willstring@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:18am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Willard Stringham  
1063 Hamilton Cir.  
TN 37312

**MTC-00020928**

From: tpassk@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joe Pasky  
4437 Forest Dr.  
Waterford, MI 48328

**MTC-00020929**

From: judejc@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joyce Jude  
103 North Lane  
Bluefield, VA 24605

**MTC-00020930**

From: E. Dekkers  
To: Microsoft ATR  
Date: 1/24/02 9:23am  
Subject: Microsoft Settlement

Dear Sir/Miss,

I'm a 31-year old Dutch electronic engineer. I spend a lot of time in computers generally and have build up much knowledge of computers. In time I became to love computers and hate Microsoft. In my opinion Microsoft slowed down the computer evolution and made only money of it. I can write many books about Microsoft but I guess you haven't got the time to read that now so here is a short impression how Microsoft became a monopolised. During my education in the 80ies I had a personal computer called an Amiga. That computer could do anything that a PC can do now these days. I chose in 1986 for an electronic engineering education because I thought Microsoft couldn't keep the consumers dumb and I hoped that competitors would come with better marketing plans so that the consumers could see what computers really could do. Al those years Microsoft earned a lot of money by mastering the marketing techniques and keeping the consumer dumb. Microsoft monopolised the computer industry by copying an operating system and pulling all the commonly used software like word-processors and spreadsheets towards them. All the products of Microsoft have many flows (called bugs) in it a specially the operating systems like Windows and on top of all every software of competitors didn't work properly on Windows systems. If this is don on porpoise is not easy to make hard when Microsoft never made the source-code Windows public. In the early days you had the Wordperfect word-processors, Netscape and Opera browser, Lotus123 spreadsheet programs.

Where are those software companies now? In those days I already find that software companies a specially Operating system builders should stay in the terrain the government approved them to operate in.

Like I sad I can write books about Microsoft. With other engineers I can explain this easy but for non-technicians you can only give a simplified example like this: Imagine when a big car company (Microsoft) has all the oil refineries and they could make a kind of petrol (operating system), that nobody know what precisely was in it (millions of line of source code never made public).

Then their cars (application software) would work fine but every other car manufacturers could not make cars that drive properly on their fuel. Then they (Microsoft) could sell expensive tools (design software) and education (Microsoft certificates) to competitor car manufactures. They could easily change the fuel (faster and more stable then before as they say) every year so you will have to buy a new car every year.

For computer users witch the majority of them are non-technical a demonstration on a

15 year old computer will demonstrate quickly how Microsoft didn't gave the users better products or technology but how they only found a perfect way in selling upgrades and "new" products.

I hope that my letter is understood and contributes in setting the software industry on the right track by the government so that the consumers and the industry can profit healthy competition.

Best regards,  
Ing. E. Dekkers  
Sweelincklaan 250  
5012BA Tilburg  
The Netherlands

P.S. Sorry if my letter isn't good readable but my English is a bit rusty.

**MTC-00020931**

From: echristl@aur.alcatel.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:23am  
Subject: Microsoft Settlement

My first computer came with a copy Digital Research's Operating System and I can testify to the fact that misleading error messages were reported when trying to install Windows 3.1. I found DR-DOS to be a much better operating system than MS-DOS (for instance, unlike DR-DOS, MS-DOS's "undelete" utility would only work on one file per directory). I was much chagrined when I could not get a copy of DR-DOS for my second computer, since I could not find any manufacturer that didn't force a copy of Microsoft's OS on me.

Being a new developer at the time, I tired of the constant rebooting the Microsoft Windows 3.1 required whenever a problem in one of my programs surfaced. On the advice of a workmate, I switched to IBM's OS/2. I couldn't find a system with the OS pre-installed, so I spent 16 hours doing it myself. I was amazed at the stability, intuitiveness and integration of OS/2 compared to Windows. Eventually, I gave up on OS/2 due to the lack of community support.

Now I use Linux. I've learned to build by own computers in order to avoid the MS Tax. I have seen so many excellent technologies literally pushed out of the market by strong-arm tactics, that I refuse rely on MS products. I do have one system that dual boots to Win95 so that my children can play games, but even that was a hassle since MS products will not run unless installed on the first partition. I cannot arrange MY partitions as I like. In other words, even if you build your own computers, anything that touches MS will be corrupted by MS. I still use Netscape, because it is the only browser I have that support multiple platforms. I can use it on OS/2, and now use it on Windows, Linux, and my Sun Workstation at work. MS torpedoed Netscape—killing a strong innovative competitor by dumping an inferior product on the market and then using its OS monopoly to force IE down OEM's throats. MS will continue to torpedo anyone that threatens their monopoly in even the slightest way. The courts must curtail this behavior if any technology company other than MS is ever to survive. I see only one way for this to occur. The courts must:

1) Require Microsoft to publish and make freely available all technical specifications

for default saved data formats. People should not feel coerced into using MS products because only MS products can deal with the documents that the PEOPLE have created. People should be able to share the information they create for themselves with others who choose to purchase from competitors of MS. Most everyone saves their data in the default data format chosen by the program. MS could keep their '.doc' format closed, but make '.rtf' (which is just as capable, but open to all) the default.

2) Remove any restrictive licensing or discriminatory pricing, including volume pricing, that would coerce an OEM manufacturer to only ship MS products.

This includes the 'dual boot' restrictions as well as any other hidden clauses in their 'trade secret' contracts. Once Microsoft has sold the product, it should be out of their hands, just like a physical good. And allowing them to force an OEM out of the market by raising the price of a monopoly product by \$100 (when the profit from a system is \$50) is a total miscarriage of justice.

In short, make MS products play nice with the rest of the world and then let the market decide.

It is impossible to put the market back to where it was when I fell in love with DR-DOS, and OS/2 will probably never come back. But Microsoft cannot be allowed to continue forcing productive, innovative companies out of the market. I still —

"The Laws of Aerodynamics are unforgiving and the ground is hard." Michael Collins (1987)

#### MTC-00020932

From: tazan1917@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
FRANK W. LAWRENCE. SR  
1062 E. HEATHER ST.  
GLENORA, CA 91740-5804

#### MTC-00020933

From: Trudy James  
To: Microsoft ATR  
Date: 1/24/02 9:23am  
Subject: MICROSOFT WITCHHUNT

This economically-draining witch-hunt has gone on long enough.

#### MTC-00020934

From: Doug Rawady  
To: Microsoft ATR  
Date: 1/24/02 9:23am  
Subject: Microsoft Settlement

I think it's unfortunate that logic and common sense are taking a backseat to dollars and cents in this ongoing travesty. Anyone who's willing to be truly OBJECTIVE can clearly determine from the findings of fact, that Microsoft is guilty as charged. Additionally, if one is willing to go outside of this particular case and look at Microsoft's historical business practice of stifling and/or squashing the competition, there can be no doubt as to their predatory nature.

When any one company dominates a market the way Microsoft dominates the PC industry, they're in a perfect position to control that market and move it in whatever direction they should choose. Far from encouraging competition and innovation, Microsoft is ideally situated to nip it in the bud before it can ever pose a threat to their own proprietary (and quite often inferior) software solutions. NO COMPANY should be able to exercise that kind of power!

Lest you think I'm completely anti-Microsoft, allow me to say that I AM a user and a fan of Microsoft Office. However, I use Office on the Macintosh platform, NOT Windows! Microsoft to it's credit, has established a separate business unit for the exclusive purpose of developing software for the Mac. Although the cynic in me sometimes wonders if that isn't more to appease the Department of Justice than it is to support a competing platform. I don't doubt that Microsoft's support of the Mac is somewhat out of necessity. Were they to withdraw any further development of Mac-compatible software, they would only further paint themselves into the monopoly corner. I implore the powers-that-be to not cave in to special interests on this one. Don't let Microsoft's enormous wealth and influence dictate your decision. This is about justice and free choice. The consumer should have access to the best and most cost effective software solutions available at any given time. That's only going to happen if you step up to the plate and rein in the 800lb Gorilla that is Microsoft!

Doug Rawady  
40 Gould Ave  
Fairfield, CT 06430

#### MTC-00020935

From: r3dl@wnonline.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft

competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Randy Lamm  
1130 Village Drive  
DeRidder, LA 70634

#### MTC-00020936

From: Janet.catt@intermec.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
JANET CATT  
985 ROCKY TERRACE  
CAMANO ISLAND, WA 98282

#### MTC-00020937

From: Dirk van Assendelft  
To: Microsoft ATR  
Date: 1/24/02 9:22am  
Subject: Microsoft Settlement

I think the proposed Microsoft settlement does not go far enough. Microsoft should be required to standardize and publish ALL APIs as well as the file format of its Office applications. This is the only way that other companies will have a fair chance of competing with Microsoft.

Dirk van Assendelft  
Assistant Director of Technology Services  
Washington and Lee School of Law  
540-463-8582  
dva@wlu.edu

#### MTC-00020938

From: sheronvanta@everestkc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:23am  
Subject: Microsoft Settlement

It is my opinion that Microsoft's monopoly is on-going and is killing any attempt to compete with Microsoft. With the release of Windows XP, Microsoft furthers its monopolistic actions. The settlement also furthers the monopoly—giving schools



“terms” under which they are “given” computers and software—further limiting students’ access to competitive and “better technology and software.”

**MTC-00020939**

From: Peterson, Guy  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 9:25am  
Subject: Microsoft comment.

Microsoft should be punished to the fullest extent for violations of the anti-trust law and its other illegal business practices which have severely damaged other companies to compete and bring true innovation to the industry.

Sincerely,  
Guy Peterson  
Visual Communications Manager  
Manitowoc Cranes, Inc.  
2401 South 30th Street  
Manitowoc, WI 54221  
T 920-683-6316  
F 920-683-6277  
<mailto:gpeterson@manitowoccranes.com>

**MTC-00020941**

From: lbhinnant@nc.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Lillie Hinnant  
106 Poole Ct.  
Knightdale, NC 27545

**MTC-00020942**

From: Jan van Wijk  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 9:23am  
Subject: Microsoft Settlement  
I do NOT agree.

The settlement will lett Microsoft continue to exploit their monopolism ...

Jan van Wijk; DFSee and LPTool author  
(freeware): <http://www.fsystools.nl>

**MTC-00020943**

From: jyoder@smith.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Jay & Traci Yoder  
149 Root Rd.  
Westfield, MA 01085

**MTC-00020944**

From: Troy Gutman  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 9:15am  
Subject: Microsoft Settlement  
DOJ is doing the public a disservice if this settlement is agreed to with MS.

**MTC-00020945**

From: bahnmd@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:23am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Charles Bahn  
527 Wind Spirit Cir.  
Prescott, AZ 86303

**MTC-00020946**

From: vjmab@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:23am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer

icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Vince Bozin  
22503 Ladeene Ave  
Torrance, CA 90505

**MTC-00020947**

From: Don Byrd  
To: Microsoft ATR  
Date: 1/24/02 9:26am  
Subject: Microsoft Settlement

The Proposed Final Judgment in the Microsoft cause is far too weak. One problem with it—and I believe there are several others—is that Microsoft has used both restrictive licenses and intentional incompatibilities to discourage users from running Windows applications on Windows-compatible competing operating systems. To my knowledge, the PFJ does not adequately address this.

—Don Byrd

**MTC-00020948**

From: Gerald.Witt@wpafb.af.mil@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:23am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Gerald Witt  
6347 Pheasant Valley  
Road Dayton, OH 45424-7100

**MTC-00020949**

From: amfitz@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:25am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Adrian Fitzpatrick  
103 Honey Tree Dr.  
Athens, GA 30605

**MTC-00020950**

From: Ferraro, James A  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 9:27am  
Subject: Microsoft

Now AOL is going after Microsoft because they haven't done anything to keep Netscape competitive. So while the DOJ goes after a company that has legitimate product, ENRON is left to steal, cheat, lie and swindle the public. Microsoft has done nothing but make money for their stock holders and make the USA the top software nation in the world.

Meanwhile ENRON loses its stock holders and employees money and expects the tax payer to pay the bill for their Foreign deals.

James A. Ferraro  
Lockheed Martin Missile & Space  
Air Force Reentry Systems Programs  
230 Mall Boulevard,  
King of Prussia, PA 19406  
Phone: 610-354-2932  
Fax: 610-354-5225

**MTC-00020951**

From: Bruce Sergeant  
To: Microsoft ATR  
Date: 1/24/02 9:28am  
Subject: Microsoft Settlement

I disagree with the tentative settlement of the United States vs. Microsoft antitrust lawsuit.

Bruce Sergeant  
Lecompton, KS

**MTC-00020952**

From: bfelsey@raytheon.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:25am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

As a conservative republican, I'm going to go against my uninformed colleagues, and strongly support any action taken to punish Microsoft. I am also a software engineer. The fact is, that Microsoft has single-handedly and significantly lowered standards for software in the industry. They consistently engage in illegal business practices that stifle innovation. Microsoft doesn't innovate—they

wait for someone else to bring innovative products to market, copy that product (with a low-quality imitation), and then leverage that product with an operating system that was brought to the market in the same way. Anyone who brings an innovative idea into the software market is therefore driven out of business. Bill Clinton and Microsoft prove that competence is unimportant, marketing is much more reliable.

Sincerely,  
Bert Elsey  
2804 Canyon Valley Trail  
Plano, TX 75075

**MTC-00020953**

From: rowen.wipf@bethany  
house.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rowen Wipf  
337 Hickory Lane  
Shakopee, MN 55379

**MTC-00020954**

From: Langhorne, Rick  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:26am  
Subject: Microsoft Case Dear Justice Department,

I manage a computer network of about 1500 Windows PCs and 50 Windows servers for the City of Greensboro, North Carolina. Your suit against Microsoft has created a lot of uncertainty about the future of Microsoft products, and is impacting our ability to plan for the future of our computer uses in a negative way!

I have been involved with computer software and hardware for a good while. I am pleased with the new features that Microsoft has incorporated into their software. It saves a lot of time and a lot of money! I am no expert on legal matters but I can say for a fact that Microsoft software is much less expensive than their competition's software. If you do not believe me, just price Oracle database software, Sun Solaris, or IBM AIX.

High tech is the future for today and for tomorrow as well. Please try to bring some common sense to the table when deciding on this issue.

These comments are my personal opinion and not the official position of the City of Greensboro, North Carolina.

Rick Langhorne  
Desktop Services Manager  
City of Greensboro

**MTC-00020955**

From: azcindysk@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
cindy kingsley  
3225 E.Baseline Rd.#3051  
Gilbert, AZ 85234-2697

**MTC-00020956**

From: azcindysk@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
cindy kingsley  
3225 E.Baseline Rd.#3051  
Gilbert, AZ 85234-2697

**MTC-00020957**

From: floozy1020@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:27am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now.

Thank you.

Sincerely,

Diane Hussey

16750 Crystal Glade

San Antonio, TX 78247

**MTC-00020958**

From: Steve Johnson-Evers

To: Microsoft ATR

Date: 1/24/02 9:35am

Subject: Microsoft Settlement

I do say you guys in the DoJ caved in on this one. Your proposed settlement is not in the public's best interest and it makes this administration look like it favors big business.

**MTC-00020959**

From: wa5ufh@Ykc.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:26am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Louis Tipton

778cr123

Edna, TX 77957

**MTC-00020960**

From: DMcKerch@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:29am

Subject: Microsoft Settlement

Let these guys settle things in the market place. AOL is just a crybaby. Remember, Time Warner is the company that brought us all those CDs advocating killing cops. From a moralistic point of view—they are the

worst kind of trash. They do not need protection, they need some of their own medicine.

Cheers, David

**MTC-00020961**

From: Bruce Allen

To: Microsoft ATR

Date: 1/24/02 9:30am

Subject: Microsoft Settlement

I disagree with the tentative settlement of the United States vs. Microsoft antitrust lawsuit.

Bruce Sergeant

Lecompton, KS

**MTC-00020962**

From: Stephen Aubuchon

To: Microsoft ATR

Date: 1/24/02 9:29am

Subject: Get your fat asses out of the free market !!!

To whom it may concern, The total and unfounded harassment by this increasingly socialist government has got to end. This latest travesty against Microsoft is pure bullshit and will continue to weaken one of the best job creating businesses the country still has. The companies that have pushed to keep harassing Microsoft should get out of the free market system and go to China if they need the government to carry them. If the government is really interested in looking into monopolies, how about starting with the public school system, which is REALLY a monopoly !!!!!

Stephen A Aubuchon

67 Town Farm Road

Westminster, Mass. 01473

**MTC-00020963**

From: Hayden Schultz

To: Microsoft ATR

Date: 1/24/02 9:32am

Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions. Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for

settlement's sake. A wrong that is not corrected is compounded.

Sincerely,

Hayden Schultz

**MTC-00020964**

From: Jon Rauschenberger

To: Microsoft ATR

Date: 1/24/02 9:33am

Subject: Microsoft Settlement

I wanted to voice my opinion that the proposed settlement is fair and should be accepted by all parties. The penalties fit the crime and are in the best interest of consumers.

Jon Rauschenberger

Director of Technology

Clarity Consulting, Inc.

**MTC-00020965**

From: Thomas J Petracca

To: Microsoft ATR

Date: 1/24/02 9:32am

Subject: Microsoft Settlement

"...exclusionary agreements..."

This is the fundamental argument that the Justice Department claims as the basis for its case against Microsoft. It is pure hypocrisy that a "monopoly" can exist with only, "exclusionary agreements." The D of J is absolutely correct, Microsoft and computer companies "agreed" that in order for those same computer companies to sell Microsoft software they would have to agree to limit their service to other computer companies. They, the computer companies, "agreed." Let's see, every retail industry I know of, food, housewares, home improvement, etc., practices the same exact policy. Why is it, that my corner grocer only carries a couple of specific brands of cereals.? When I ask, they state they only "want" to sell the big names because if they bring in competition they could be "dropped" by the big guys, as a distributor. Welcome to America. If you want to have a better operating system, write one, and get the \$\$\$ behind it to get some computer companies to buy it. With PC's being commodity items these days there is no longer any barrier. Any Tom, Dick or Harry can start a PC company and sell PC's...and get into an agreement with another operating system software company. Sure, the odds are against it. Microsoft has done such a good job convincing the public that their software, which is really not that good, is the best. They won at the American game...and now America—more accurately the D of J wants to punish it. The cry babies at Netscape and the other hacks are smart. Why bother trying to be innovative, not just in developing a better mousetrap (operating system), but in packaging and marketing it to the public. It's not necessary. The guilt ridden people in our D or J will lead the way in bringing the rebel Microsoft (the most successful company of all time) and it's lunatic chairman (the greatest philanthropist of all time...measured by \$\$\$ given away) to their knees. Social control of our software industry will clearly bring about better systems for the little people. Hey, Mussolini made the trains run on time.

Thank you.

Thomas J. Petracca, P.E.

Smithtown, New York

**MTC-00020966**

From: janet.dalessio@crbard.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Janet D'Alessio  
 23 West Road  
 Short Hills, NJ 07078

**MTC-00020967**

From: A415A@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:33am  
 Subject: AOL vs Microsoft

This is to request that you decide favorably for Microsoft in this above referenced case. AOL's case has been filed at a very suspicious time. Also from my determination of the facts of this case, this issue has been previously covered in prior, or ongoing, legal action. Hopeful this case can be quickly dismissed and or settled so that these firms may get back to their business at had, and provide the services that, we as customers, may benefit from.

George O. Ellis  
 415 Lakeside Est Dr.  
 Houston, TX, 77042

**MTC-00020968**

From: john.boranko@spirentcom.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.  
 Sincerely,  
 John Boranko  
 PO Box 704  
 109 West High St.  
 Sharpsburg, MD 21782-0704

**MTC-00020969**

From: Susan Bryant  
 To: Microsoft ATR  
 Date: 1/24/02 9:33am  
 Subject: antitrust case

This witch hunt has gone on long enough. Microsoft's products have done nothing to harm the public. In fact, they have added greatly to the economy and profitability of the country. As far as netscape is concerned, anyone can use it if they want. It is just not as good as Microsoft. In the economy of the times, the taxpayers money could be better spent on something else, namely the terrorist attacks on America.

Susan Bryant

**MTC-00020970**

From: TXWhitley@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:31am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Sharon Whitley  
 8354 Sorrel Drive  
 Houston, TX 77064-8211

**MTC-00020971**

From: pmathis@gemathis.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:31am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse,  
 Antitrust Division  
 601 D Street NW,  
 Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of

computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Paul Mathis  
 15415 Hollywood Drive  
 Orland Park, IL 60462-4016

**MTC-00020972**

From: jstedding@radicus.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:31am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Jeff Stedding  
 1040 Cool Spring Dr  
 Westminster, MD 21157-7035

**MTC-00020973**

From: legacy.its@lvcm.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW,  
 Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Paul Baker  
 2447 Ping Dr  
 Henderson, NV 89014

**MTC-00020974**

From: Stephanie  
 To: Microsoft ATR  
 Date: 1/24/02 9:32am  
 Subject: US Government is Allowing  
 Microsoft to be Computer Mafia!!!  
 To: Renata B. Hesse

Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, we wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>), namely:

- \* The PFJ doesn't take into account Windows-compatible competing operating systems
- \* Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

- \* The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

- \* The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

- \* The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

- \* The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

- \* The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

- \* The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

- \* The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

- \* The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

- \* The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

- \* The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

- \* The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

- \* Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

- \* Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

- \* Microsoft's enterprise license agreements (used by large companies, state governments,

and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

- \* The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

- \* Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

- \* The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

- \* The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

- \* The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

- \* The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

- \* The PFJ as currently written appears to lack an effective enforcement mechanism. I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems

Regards,  
Marcia S. Howes

#### MTC-00020975

From: P David Schaub  
To: Microsoft ATR  
Date: 1/24/02 9:35am  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

As a computer professional in the with 15 years experience in the field, I would like to take the time to comment briefly under the Tunney Act on the proposed Microsoft settlement. My computing work today is on a competing product to Microsoft—the Linux operating system. I am concerned that the Proposed Final Judgment as laid out does little to ensure there won't be a strong counterattack against my operating system of choice. Should the Proposed Final Judgment be accepted it would be of little surprise that a free and open operating system would suffer a significant set back because of litigation from a (currently) quite Microsoft. In many places Microsoft has identified this OS as it's number one competitor. Although Linux has strength in numbers it has major weakness in finance. I anticipate its

downfall should the Proposed Final Judgment not be strengthened. The specific area that I would like to see addressed is the use of restrictive licenses to keep Windows applications from running on competitive operating systems. (see <http://www.kegel.com/remedy/remedy2.html#isv.atl>)

Thanks you so much for your time,  
P. David Schaub  
4348 Kenwood Drive  
Grapevine, TX 76051

#### MTC-00020976

From: esg16@dnet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ethel Gordon  
16 Sneaking Creek Lane  
Hayesville, NC 28904

#### MTC-00020977

From: Jay Fougere  
To: Microsoft ATR  
Date: 1/24/02 9:36am  
Subject: Microsoft Settlement

I can't believe the proposals that I had heard you were settling for were even being considered. There is no consideration for punishment of illegal activity. Since when does a parolee have any say in who the parole officer is? ... in regards to Microsoft being allowed to have a say in the picking of the panel that will be monitoring their future activity. There are more holes in the agreement (concerning future practices by Microsoft) than there are stars in the sky; an Microsoft knows this, which is why they are so eager to settle. In conclusion, the solutions suggested by the DOJ may as well have been written by Microsoft (assuming that they weren't...) for all of the good they will do in restoring competition to the marketplace. When I see this type of failure in the system that I am supposed to trust to protect me, as a U.S. citizen, consumer, and taxpayer, it makes me wonder where my tax dollars really are going, because they obviously aren't being spent to protect me from predatory corporations.

Jay Fougere

**MTC-00020978**

From: sofine67@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:34am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse,  
 Antitrust Division  
 601 D Street NW,  
 Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Joe Chine  
 217E Goettler Street  
 Scott AFB, IL 62225

**MTC-00020979**

From: Doug Black  
 To: Microsoft ATR  
 Date: 1/24/02 9:35am  
 Subject: Comment on Microsoft Settlement

I am outraged at Microsoft's offer to buy its way out of its antitrust conviction by giving away Microsoft software. Quite apart from the fact that Microsoft is overstating the value of its products, this action would have the effect of extending Microsoft's monopoly control even farther. My wife graduated college not long ago. She was REQUIRED to take a course in Microsoft Office products as part of her degree program. To me, this proves that Microsoft already has too much influence in the academic world. For Microsoft to give its software to schools would extend this bias even further. There are alternatives to using Microsoft products. Any settlement in the Microsoft antitrust case should have the effect of encouraging competition in the marketplace, not eliminating it.

Sincerely,  
 Douglas Black  
 431 Electric Avenue  
 Westerville, OH 43081  
 614 890 5743

**MTC-00020980**

From: osgood1@mtnhome.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:34am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse,  
 Antitrust Division  
 601 D Street NW,  
 Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Charles Osgood  
 1010 Dellwood Ln.  
 Mtn. Home, AR 72653

**MTC-00020981**

From: walkerki@mcpd.navy.mil@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:32am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Kathryn Walker  
 365 Shadow Tree Drive  
 Oceanside, CA 92028-3187

**MTC-00020982**

From: jemor36@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:34am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 John & Jean Anne Morrow  
 1998 Prescott Lakes Pkwy.

Prescott, AZ 86301

**MTC-00020983**

From: Westumps@msn.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:34am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Mary Stump  
 1514 SW 53rd Ter  
 Cape Coral, FL 33914

**MTC-00020984**

From: wvwim@swbell.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:33am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Winnette Wimberly  
 14922 Tallow Forest Court  
 Houston, TX 77062-2921

**MTC-00020985**

From: debtcc@epix.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:33am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than

"welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Adelbert E Eldridge  
RR 1 Box 71  
Towanda, PA 18848-9786

**MTC-00020986**

From: bethandsam@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Samuel Dingus  
7704 Tollbridge Ct  
Florence, KY 41042

**MTC-00020987**

From: Sami Besalel  
To: Microsoft ATR  
Date: 1/24/02 9:38am  
Subject: Microsoft Settlement

To the honorable Judge Kollar-Kotally  
Dear Your Honor:

I am a US citizen who has been a consumer of Microsoft products since I first began to use computers in 1983. I also work for Oracle Corporation, which is a competitor of Microsoft's. However, my judgments and opinions are my own, and this electronic mail message is not motivated by my employer, but by my technical and social conscience. I strongly feel that the proposed final judgment against Microsoft is thoroughly inadequate and will not effectively achieve the stated goals (to terminate the legally recognized monopoly, to prevent future anticompetitive behavior and to deny the company the use of benefits attained through its illegal activity). I was very concerned when I heard Microsoft's proposal to provide schools with computers and equipment, as this not only provides Microsoft with goodwill from the public (unmeasurable legally) but also allows that company access to a market traditionally held strongly by Apple Computer, a Microsoft competitor. Apple is a company of

substantial technical innovation ? in fact, most of Microsoft's successes were first invented or widely distributed as part of Apple's operating systems or software. Further reducing Apple's market share by allowing Microsoft to supply (and thereby influence directly and indirectly) schools would be a painful blow and counterproductive to two of the three goals of the settlement. Microsoft's insistence that the operating system cannot be separated from the browser is pure poppycock. As a software developer with knowledge of Windows in each of its versions from 3.1 onward, this is a manufactured reliance. Current Windows operating systems do not benefit greatly from this new reliance ? in fact, it hinders speed and thrusts a Web-paradigm graphic user interface on you that is difficult to suppress and counterintuitive. The concept of settling for icons being placed on the desktop and concern for whether or not Microsoft will allow OEMs and resellers to have their product icons on the desktop misses the essential point. This concern faces on appearances, not function or usability. Truly it only affects those computer users who might not know how to put icons on or off the desktop. I would like my PC to not have the Internet Explorer browser on it at all ? but MS has made that impossible, citing it as a requirement when it had not been before.

Microsoft takes the concept of security as a minor concern. Yet their operating systems and Web browsers are incredibly insecure, opening up users to likely harm from external sources. I would like to rid myself of such concerns by removing their buggy browser from my area of concern. I want it off! I don't just want to remove the icon. This has not in the least been addressed. Like it or not, Microsoft's anticompetitive aggressive entry into the browser market crushed the success of thousands of small but efficient Web browsers and reduced the playing field to two six-hundred-pound gorillas. We consumers have suffered. I could write on and on for hours, but please understand that my concern is that the agreement does not punish Microsoft or prohibit them from enjoying the market share or software monopoly they have attained by leveraging their anticompetitive practices, nor are the few remedies proposed easily enforced. Please remember Mr. Gates' obvious scorn for the legal process, and his condescending attitude throughout the process and scurrilous disregard for applying the stated laws to himself and his company. Consider this as you address the binding final judgment, which I urge you to revise more strongly. This is not about the economy. This is about long-standing wrong-doing, unpunished, unrepentant shark-like behavior, and the desire to twist and spin any aspect into a market driver to improve this company's success.

Respectfully,  
Samuel H. Besalel  
Private citizen, software consumer,  
software developer

**MTC-00020988**

From: John Cambra  
To: Microsoft ATR  
Date: 1/24/02 9:38am

Subject: Microsoft Settlement

I think the proposed Microsoft settlement is bad idea. It does no discernable harm to Microsoft. I thought the settlement was meant to punish Microsoft for anti-trade practices and this settlement only helps Microsoft reach deeper into the education market. I disapprove completely.

John Cambra  
9444 Harbour Point Dr. Apt.60  
Elk Grove, CA 95758  
916 399-7324

**MTC-00020989**

From: Robert Deed  
To: Microsoft ATR  
Date: 1/24/02 9:46am  
Subject: Microsoft Settlement  
I do not agree with it

**MTC-00020990**

From: Stephen Keen  
To: Microsoft ATR  
Date: 1/24/02 9:38am  
Subject: give them a chance Hello DOJ  
people,

In this day of Terrorism and war you guys need to give Microsoft a chance. Let them get out of this. Netscape and the people who started this are the bad guys  
Stephen Keen

**MTC-00020991**

From: mag63gyrine@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mark Griffin  
202 W. Berry St., Suite 820  
Ft. Wayne, IN 46802

**MTC-00020992**

From: Roger Blake  
To: Microsoft ATR  
Date: 1/24/02 9:38am  
Subject: Microsoft antitrust case

To whom it may concern,  
Please end the prosecution of Microsoft. It has gone far enough. I am not a Microsoft stock holder, however, I do believe that their ultimate costs, and thus their eventual cost of goods to me, will continue to go up if the government continues to litigate. Instead, please pursue further treasonous actions by the Clinton administration, especially the quid-pro-quo with Loral, Inc. and the transfer

of info to the Chinese. This is far more damaging to the security of the United States than Microsoft ever will be.

Thank you  
Roger Blake  
680 Westbranch Drive  
Waukee, IA 50263

**MTC-00020993**

From: mchief@hal-pc.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bill Morrow  
9330 Meaux Drive  
Houston, TX 77031

**MTC-00020994**

From: Joy Kadison  
To: Microsoft ATR  
Date: 1/24/02 9:40am  
Subject: Microsoft Settlement

One citizen's opinion: Please put an end to the harassment of perhaps the most innovative, productive company in the world. AOL and Microsoft need to cooperate in making the computing experience easier, not wasting time and resources in the courtroom. Joy Kadison, Tallahassee, FL

**MTC-00020995**

From: Philip Royalty  
To: Microsoft ATR  
Date: 1/24/02 9:42am  
Subject: Microsoft Settlement

Please do what you can to end this court battle that Microsoft has been involved in. American needs to get back to business, not litigation.

Philip Royalty  
Sugar Land, Texas

**MTC-00020996**

From: sderidder@sofamordanek.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case

against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Steven De Ridder  
6255 Skylight Drive  
Bartlett, TN 38135

**MTC-00020997**

From: bmwparkerwj@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Sincerely,  
Betty Parker  
1112 W. Beacon Rd. Lot 118  
Lakeland, FL 33803-2713

**MTC-00020998**

From: vannanstore@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC 20530-0001 Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nancy VanAntwerp  
2121 Washington St.  
Columbus, IN 47201-4115

**MTC-00020999**

From: blm.ro@worldnet.att.net@inetgw

To: Microsoft ATR  
Date: 1/24/02 9:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
Bobby McMillan  
3006 Coventry Ln  
Waxahachie, TX 75165-8880

**MTC-00021000**

From: Dan deForest  
To: Microsoft ATR  
Date: 1/24/02 9:41am  
Subject: Microsoft Settlement

Do not allow the settlement to go through as is. It certainly is no punishment to make them do business the way they should have been doing it all along. Put some real teeth in it to discourage other companies from doing the same.

**MTC-00021001**

From: drbeto@desoto.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Robert  
3360 SW County Road 769  
Arcadia, FL 34269

**MTC-00021002**

From: Travis Hendon  
To: Microsoft ATR  
Date: 1/24/02 9:42am  
Subject: As a concerned US citizen and resident of New York, I support the Microsoft



As a concerned US citizen and resident of New York, I support the Microsoft settlement that would provide \$1 billion in software to our nation's schools and finally put this mess behind us. This entire case was clearly contrived by Microsoft's corporate entities who have used the US government and my tax dollars as a tool to improve their competitive position in a market that, I would argue, was moving in the right direction before the government intervened. It is time to finally end this madness and in addition to that, get the 9 state attorneys general who are holding out on board with the settlement—at least the proposed \$1 billion donation will add value to our public schools. This is just my view as a concerned citizen in response to the invitation for public comment. Thank you.

Travis Hendon  
226 East 13th Street #28  
New York, NY 10003

**MTC-00021003**

From: mjglenn@westelcom.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Jo Glenn  
280 Stone Rd  
Constable, NY 12926-1804

**MTC-00021004**

From: Stephen Keen  
To: Microsoft ATR  
Date: 1/24/02 9:41am  
Subject: Microsoft Settlement  
Hello DOJ

Lets settle this already. Get this out of the courts so that we can rebuild our economy. Let real competition rule. Microsoft in not the bad guy here. Just because Netscape cannot compete don't penalize Microsoft. Let's settle this now.

Stephen Keen

**MTC-00021005**

From: dan.dunaway@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Daniel Dunaway  
12923 Mayerling Drive  
Creve Coeur, MO 63146

**MTC-00021006**

From: dconner@luminexcorp.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:43am  
Subject: Microsoft Settlement

Under the Tunney Act, we wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Kege's analysis (on the Web at <<http://www.kegel.com/remedy/remedy2.html>>), namely: \*The PFJ doesn't take into account Windows-compatible competing operating systems \*Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry. \*The PFJ Contains Misleading and Overly Narrow Definitions and Provisions \*The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered. \*The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all. \*The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware. \*The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered". \*The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs. \*The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible. \*The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows. \*The PFJ does not require

Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users. \*The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft \*Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows. \*Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems. \*Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.) \*The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft \*Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems. \*The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs \*The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. \*The PFJ allows Microsoft to discriminate against small OEMs— including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software. \*The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas. \*The PFJ as currently written appears to lack an effective enforcement mechanism.

I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Sincerely,

Donald A. Conner, Austin, Texas, Software Engineer, Catalyst Solutions

**MTC-00021007**

From: Leo Kaas  
To: Microsoft ATR  
Date: 1/24/02 9:41am  
Subject: Microsoft Settlement

To whom it may concern,

I have followed the Microsoft case very carefully, and I am very disappointed with the way the case has progressed. I have yet to see any evidence of how consumers were harmed by Microsoft including a Browser with their OS. In fact IBM's Warp OS 2 came out before Windows 95 and it also included a browser. Why wasn't IBM included in the lawsuit? This legal battle was never about the

protecting the consumer, it was about protecting competitors of Microsoft. If there are so many consumers that have been harmed by Microsoft why don't they buy a Mac or use Linux. Even though you have painted Microsoft as a Monopoly they are not the only operating system in town. Let the market decide!!! Stay away from my OS!!!  
Leo Kaas

**MTC-00021008**

From: jim.thrasher@pioneer.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jim Thrasher  
4613 70th Place  
Urbandale, IA 50322-8012

**MTC-00021009**

From: emmons@surnames.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
E. Lamar Emmons  
6621 So. McKemy St.  
Tempe, AZ 85283-3548

**MTC-00021010**

From: roberteham@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ROBERT HAMILTON  
1237 POORMAN ROAD  
BELLVILLE, OH 44813-9019

**MTC-00021011**

From: tkaeberhart@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Sincerely,  
Thomas Eberhart  
105 Carney Lake Rd  
Winterville, GA 30683-1553

**MTC-00021012**

From: sharonhilt@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:42am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry

the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sharon Hilton  
11120 So 32nd St  
Vicksburg, MI 49097

**MTC-00021013**

From: texana@ev1.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:40am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Shawn Lenihan  
3318 Doherty Place  
Katy, TX 77449-6646

**MTC-00021014**

From: Arthur Whitson  
To: Microsoft ATR  
Date: 1/24/02 9:44am  
Subject: Microsoft Settlement  
US DOJ,

Now is the time to resolve the Microsoft suit.

The judgment is fair.  
The 9 rebel states are out of line!  
Art Whitson  
University Park, Florida

**MTC-00021015**

From: Kent Klaser  
To: Microsoft ATR  
Date: 1/24/02 9:43am  
Subject: Microsoft Settlement  
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization

is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Kent Klaser

**MTC-00021016**

From: Howard Uman  
To: Microsoft ATR  
Date: 1/24/02 9:44am  
Subject: Microsoft Settlement

I think that the settlement is absurd. Microsoft has done damage to companies I've worked for and companies I will work for in the future. It's insane to allow a company like Microsoft to leverage Windows and bust up areas of viable business by claiming "extension to the operating system". There are many examples of this:

1. Internet Explorer
2. Media Player
3. CD recording

And the list will continue to go on and on. An operating system, by definition, allows computer software to interact with hardware through some form of user interface. That's it. These other features, while they may be handy, are certainly extraneous to an operating system and are definitely outside of the definition of what Microsoft is selling. This allows them to force other players out of markets and charging more for the "value-add". Thanks for taking the time to consider my opinion in regards to the settlement. Feel free to contact me with any questions or comments.

Sincerely,  
Howard Uman ~

**MTC-00021017**

From: fedor@zoominternet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:42am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Janis Fedor  
714 Harmony Road

Slippery Rock, PA 16057-1810

**MTC-00021018**

From: slenihan@ev1.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:41am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sonya Lenihan  
3318 Doherty Place  
Katy, TX 77449-6646

**MTC-00021019**

From: amdees3@netdoor.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:41am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
annie lane  
1055 rd. 602  
carthage, MS 39051-8815

**MTC-00021020**

From: scott mcmullen  
To: Microsoft ATR  
Date: 1/24/02 9:47am  
Subject: Microsoft Settlement

Dear Sir,

I would like to write a note to express my opposition to the proposed Microsoft settlement. I believe the settlement does a poor job of adequately remediating Microsoft's anticompetitive practices. One example of this is Microsoft's practice of charging site licenses (to large businesses) for each computer which could run the Windows operating system, regardless of

whether or not the Windows operating system in fact is installed on all of them. Further, I think the definition of "Windows Operating System Product" spelled out in the Proposed Final Judgement is too limited; and does not include 'Windows XP Tablet PC' or 'Windows CE'. Too, I think the definition of "Microsoft Middleware Product" should be broadened to include Microsoft .NET, C#, Microsoft Outlook, and Microsoft Office. Microsoft should be required to document file formats; file formats are an important barrier to entry for developers of applications. For these reasons and others, I believe the Proposed Final Judgement is bad for consumers and businesses and should be rejected.

Respectfully,  
Scott McMullen  
Dripping Springs, Texas

**MTC-00021021**

From: JJC5966@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:45am  
Subject: Microsoft Settlement

To whom it may concern, As a tax payer I am appalled at the litigious fashion in which the Department of Justice is limiting the ability of a company to compete in an open competitive market place. I for one do not feel harmed by Microsoft and its business practices, and feel that their business practice has only succeeded in bringing to the consumer exceptional products at competitive prices. It is a joke that any company that can and has not delivered been able to compete evenly simply files suit again and again.

Sincerely Jason J. Canin

**MTC-00021022**

From: paklass@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:43am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Margaret Klass  
1260 Batson Place  
Nixa, MO 65714

**MTC-00021023**

From: Harmon, Dale  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 9:46am  
Subject: Microsoft Settlement  
Sirs:

With respect to any proposed settlement, it is my observation (and the court's) that with respect to PC operating systems, Microsoft has an effective monopoly. As such the most recently released Microsoft operating systems only compete with previously released versions. Microsoft's pricing policy makes this apparent in that there is no discount or reduction in the price of older operating systems. My recommendation is that Microsoft be required to sell previous versions of the Windows operating system at a fixed discount relative to the price Microsoft sets for the most recently released Windows operating system. (I suggest 20%, 40%, & 60%.) Further, if Microsoft chooses to stop selling and/or supporting an older operating system, then that operating software should be considered to be in the "public domain." In summary, first Microsoft should be required to sell older operating system software at a reduced price relative to the most recently released operating system software. Second, if Microsoft no longer wants to sell and/or support older software, then other individuals and/or companies should be able to freely copy and use that software.

Respectfully yours,  
Dale L. Harmon  
301 Brownsfell Drive  
Columbus, OH 43235-7004

**MTC-00021024**

From: D. Bevard  
To: Microsoft ATR  
Date: 1/24/02 9:46am  
Subject: Microsoft Settlement  
To Whom It May Concern:

Please get this misguided effort at courtroom competition over. We have had computers in our home since our first TRS-80 (Radio Shack sale) since 1977. There are plenty of options for the consumer if he so chooses. Personally, I do not want to have to go back to having to buy a different software for each computer because they all become proprietary.

Once upon a time we had a Magnavox system. It had a proprietary OS (not windows-which was available) and proprietary applications (word processing, spreadsheet solution, database manager) Then one day we got a card in the mail saying...too bad folks. We have decided not to support this system anymore. We have been running Microsoft software by choice since then. We could have purchased other software, it was our choice as a consumer. It was painful (the proprietary stuff from Magnavox was not compatible with any other software. All the information had to be rekeyed..not fun) and expensive. There were cheaper alternatives, as well as more expensive ones (IBM). This was our choice. We like millions of other people voted with our dollars. By the way, we run Internet Explorer, Netscape, and several other browsers, although Internet Explorer is our favorite. This witch-hunt is destroying a segment of our economy and hurting the consumer. You have put millions of people's livelihoods at risk by this nonsense. End it. Force the settlement on the States and let the market get back to innovating new stuff for us consumers. The industry nor the

government is responsible for the consumers understanding of software. If a consumer is not informed enough to make a good decision, it is the consumers responsibility to do the research necessary to make the purchase.

Denise Bevard

**MTC-00021025**

From: ivan  
To: Microsoft ATR  
Date: 1/24/02 9:47am  
Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. The proposed settlement is undesirable and fails to curb Microsoft's illegal monopolistic actions. I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>).

Ivan Kohler  
U.S. Citizen

**MTC-00021026**

From: Russ Wasendorf Jr.  
To: 'microsoft.atr(ajusdoj.gov)'  
Date: 1/24/02 9:49am  
Subject: Microsoft Settlement

It is disgusting that a strategy of corporate business practice has become suing the strongest competitor in the marketplace for anti-competition. The government needs to wake up to the fact that these companies are wasting government spending (my tax dollars) to cause a less competitive market. Someone needs to tell AOL to go compete in the marketplace and not the courtroom. STOP WASTING MY TAX DOLLARS AND TYING UP THE COURTROOMS!!!!!!!!!!!!

Russell R. Wasendorf, Jr.

**MTC-00021027**

From: Rick Horowitz  
To: Microsoft ATR  
Date: 1/24/02 9:46am  
Subject: Microsoft Settlement

I would like to comment on the Microsoft settlement based on my over 20 years of experience in the computer, networking, and Internet industries. In my view, the breakup of Microsoft into two companies is mandated—an OS company and a company allowed to sell applications and provide Internet services. Microsoft's domination of the operating system market will likely increase with the introduction of Windows XP because it will eliminate the incompatibilities suffered by their previous lineup of operating systems. Apple's OS-X does not have sufficient market share to draw application developers onto their platform in sufficient numbers to compete with Microsoft in many application areas, hence will likely only garner marginal market share forever, or at least for a long time to come.

Linux is the only operating system that has sufficient mindshare in the developer community to obtain the necessary applications in a broad range of application areas. However, due to the disconnected nature of Linux development (thousands of loosely coupled developers worldwide), the user experience is not nearly as good as Windows or Macintosh. Linux has made significant inroads as a server OS, but has lagged on the desktop for this reason. My own experience with these operating systems

leads me to believe that it will take at least 2 more years for Linux to provide a good enough desktop user experience to allow it to compete with Microsoft on the desktop. At that point it will still have to make the leap from hacker OS to mainstream, something that will probably prove impossible without significant marketing dollars. This funding is unlikely to become available post-Internet bust. Companies such as Redhat have small capital bases on which to draw, and there simply is not enough profit potential in desktop Linux to fund its marketing in a large way—even should Linux mature to the point to which it provides a comparable user experience to Microsoft.

In conclusion, Microsoft has been found to use it OS to unfairly leverage its application and Internet businesses to the detriment of competing companies and users, a finding which I find matches my own experience over 20 years. This practice can be stopped by splitting the company along this line—OS on one side, applications and Internet along the other side, allowing application vendors to fairly compete with Microsoft in the application space. This will lower prices and provide more choice for consumers, as Microsoft's enormous operating margin will most likely be reduced over time to more industry-typical levels.

Sincerely,  
Richard Horowitz  
2090 Pacific Avenue #305  
San Francisco, CA 94109

**MTC-00021029**

From: dickilittel@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
RICHARD PETERSON  
1878-4 N RORY LANE  
SIMI VALLEY, CA 93063

**MTC-00021030**

From: clarkb1@televar.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This

has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Clark Beddoe  
19836-NE 95th St.  
Redmond, WA 98052-3748

**MTC-00021031**

From: candy@cros.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Candy Collette  
410 Monroe St.  
Port Clinton, OH 43452

**MTC-00021032**

From: Pam Missimer  
To: Microsoft ATR  
Date: 1/24/02 9:47am  
Subject: Microsoft Settlement

Microsoft should retain the right to develop software in any way they choose. Please accept the Microsoft settlement and get this ridiculous matter behind us.

Thank you,  
Pam Missimer

**MTC-00021033**

From: ron@cutfill.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little

more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ron Bailey  
6950 Mariann Dr  
Eden Prairie, MN 55346

**MTC-00021034**

From: Joe Ogletree  
To: Microsoft ATR  
Date: 1/24/02 9:44am  
Subject: End the Monopoly

With all due respect,

I strongly oppose the USDOJ's settlement with Microsoft. The settlement, to my knowledge, does nothing to end this company's monopoly of PC OS software. To truly create competition in operating system software, Microsoft should be forced to reveal its APIs and Windows source code to the extent that programmers can adapt other operating systems to natively run applications designed for Windows in their own OS. This would include UNIX, MacOS, Linux, OS2, and all the other great operating systems that have struggled to survive despite Microsoft's anticompetitive monopolistic practices. As for Microsoft's other misdeeds, the company should be forced to release software that gives the user more control over what components are part of Windows. For example—I hate Internet Explorer and want it off my computer. I despise IE and the hidden index.dat files that it saves in my Temporary Internet Files/content.ie5 and History/history.ie5 hidden folders, and I want the option of removing this extraneous software that I consider malicious code. I also believe that the authorization component for Windows XP should be removed because \*\*\*I should not have to tell a software company if I am uninstalling software from one computer and installing it on another\*\*\*—this is a blatant violation of my privacy and a betrayal of a "captive audience," namely the computing public. Please bring this company to justice and end its monopoly.

Joe Ogletree

**MTC-00021035**

From: mountainwoman@directcon.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other

Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jane Fraim  
P.O. Box 379  
Mount Aukum, CA 95656

**MTC-00021036**

From: Stan Zietz  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:57am  
Subject: Microsoft Settlement

Dear Sirs:

I do not believe that the proposed microsoft settlement goes far enough to assure true competition will take place for operating systems in the computer market.

Stan

Stanley Zietz, Ph.D.

Professor and Chair phone—215-895-1126  
fax— 215-895-1112, Department of Mathematics, Physics, and Computer Sciences

University of the Sciences in Philadelphia  
600 South 43rd Street  
Philadelphia, PA 19104-4495

**MTC-00021037**

From: Paul Forman  
To: Microsoft ATR  
Date: 1/24/02 9:48am  
Subject: Microsoft Settlement  
January 14, 2002 Attorney General  
John Ashcroft US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my support for Microsoft's antitrust settlement with the federal government. Microsoft's willingness to settle this ordeal and save the taxpayer money should be commended. The terms of the settlement are more than fair to Microsoft's competitors. Microsoft will share information with competitors about the internal workings of Windows, which will allow the other companies to more easily place their own software on the operating system. Also, Microsoft will be bound by a uniform price list when licensing Windows out to the largest twenty computer makers in the nation. Clearly, this is more than just a slap on Microsoft's wrists.

I think this settlement is fair and equitable, and I hope it is quickly approved. Thank you for your time and consideration.

Sincerely,  
Paul Forman

Following Seas Web Design, 40 Brackett Road, Gorham, Maine, 04038. 207.839.4240.

**MTC-00021038**

From: Bill Block  
To: Microsoft ATR  
Date: 1/24/02 9:49am  
Subject: Microsoft Settlement

I am writing to voice my support for the settlement in the Microsoft anti-trust case. I feel that it is in the public interest reach a

settlement and continue moving the economy and technical innovation forward. Having been a long-time software consumer (over ten years of computer-related work experience on a variety of software platforms), I think that the settlement is fair and that the process should be concluded as soon as possible.

Sincerely,  
William Block

**MTC-00021039**

From: Jurik, Jonathan  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:48am  
Subject: Microsoft Settlement

To whom it may concern,

As a daily user of Microsoft products I need to let you know how I feel about their services. I work in an office of about 80 in NY and 250 globally. We all have Microsoft products on our machines and use the products willingly and eagerly. If the products were not cutting edge and extremely useful, we would have no use for them.

The fact that the DOJ feels it should "protect" me from Microsoft is abhorrent. Both my workplace and my family have decided to deal with Microsoft as consumers. Microsoft is not in the business of coercion. If they were, they would not last in the marketplace. The fact that so many people willingly purchase Microsoft products is evidence that they are a successful business, not some kind of predator.

The only monopoly involved in this situation is the government monopoly on the use of force. A proper monopoly on the use of force which has no place in business. The US Government is in the business of protecting Americans, not attacking them. Please keep it that way. The government must not be involved in private business when both parties deal with each other through trade. Microsoft's success should not be destroyed, but commended.

Sincerely,  
Jon Jurik  
American

**MTC-00021040**

From: naturesedge@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rod Chapman  
E2529 Birch Lane  
Waupaca, WI 54981-8449

**MTC-00021041**

From: George Huey  
To: Microsoft ATR  
Date: 1/24/02 9:49am  
Subject: AOL Files Private Suit against Microsoft

Hi, I just wanted to express my feelings on the new law suit filed by AOL against Microsoft. I hope that the court throws the suit out. Microsoft has not hurt AOL/ Netscape. I use Microsoft products because I like the look and feel of their products and I know that they are out to make my life better. If AOL came out with a better product, I would use it. I have friends who use AOL and that is ok by me. When Microsoft hooked up their version of Instance Messenger to work with AOL's Instance Messenger, my friends and I were very excited. AOL on the other hand was not and modified their software to not work with Microsoft. AOL did not think about the benefit of allowing my friends and I talk, they only wanted to create their own monopoly and they went out of their way to make sure that their software would not work with Microsoft. AOL is trying to force the American people to use AOL where Microsoft is providing products that working to integrate with AOL and provide a better user experience. When AOL modified their software so that it would not work with Microsoft Instance Messenger, this move cost AOL some of my friends support. AOL instead of looking out for the consumer's welfare thinks only of themselves.

They had plenty of opportunity to work with Microsoft and they choose not to. They could work on creating user friendly products but instead of trying to compete in the market, they try to destroy Microsoft through the court system. I find it very appalling that the DOJ has taken sides with companies such as AOL against the American people. Not only are companies like AOL trying to destroy Microsoft so that they do not have to create products of value, but by the consent of DOJ, companies such as AOL and the DOJ are draining money from Microsoft that could have been directed at making better products for the world. Over the years, the US Justice System has gone down hill and it is about time that somebody worked on a reform. When the whole world is crashing around our ears and the DOJ continues to work with companies such as AOL, Sun, and Oracle to destroy a company who's makes better products then they do is flat out wrong. To allow people that are filled with hate (and yes, the word is not even close to strong enough), let me repeat, HATE Microsoft, they are not out for the welfare of the American people, they have only one addenda in mind and that is to destroy Microsoft. Please do not let this happen. If nothing else, a class action law suite needs to be brought against companies like AOL, Sun, and Oracle for the harm they have done to Microsoft and the American people by using the courts instead of producing a better and affordable product in the market place.

Microsoft has NEVER forced me to use their products. It is very easy to install any product on my system that I need / want to use. AOL on the other hand, not only is trying to force people to use their product in order to talk with their friends, but they are actively trying to destroy the concept of free enterprise. Please stop the madness. Please quit hurting the American people and kick these cases out of the court.

Thanks for your time,  
George

**MTC-00021042**

From: Brian Johnson  
To: Microsoft ATR  
Date: 1/24/02 9:50am  
Subject: Microsoft Settlement

To Whom it may concern:

I am a member of the IT community and am writing to you today to make my feelings known on the Microsoft Settlement proposed on November 06, 2001. As I stated, I am a member of the IT community and work for Duke University in Durham, NC. Everyone else in my department uses Windows for their desktop Operating System; I use Red Hat Linux. I do this because I have a boss who understands the importance of choice and because I realize there are alternatives available to me. Unfortunately, I don't believe everyone has the same luxury.

I don't believe that Microsoft Outlook is the number one email client or that Internet Explorer is the number one web browser because they're the best. I believe that they're number one because of questionable business practices, including tactics to ensure customers aren't aware of alternatives, leading to the building and maintaining of a monopoly by Microsoft. Fortunately, the Courts agreed and have found Microsoft guilty.

Following the verdict finding Microsoft guilty, I have read the proposed settlement. Although I believe the settlement tries to go in the right direction, I feel that, in its present wording, it is unable to effectively prevent Microsoft from continuing its monopoly. I ask that you reconsider the conditions and the wording in the settlement, and ensure that Microsoft does not continue its anti-competitive practices. I know that we are all ready to put this behind us, however, I strongly believe that there are better solutions out there than Microsoft, and by leaving the settlement conditions as they stand now, you are ensuring that people will continue to be denied the knowledge of these choices. Thank you for your time in this matter.

Sincerely,  
M. Brian Johnson  
8916 Old Cedar Tr  
Rougemont, NC 27572  
IT Analyst, Duke University

**MTC-00021043**

From: Karen R. Bostic  
To: Microsoft ATR  
Date: 1/24/02 9:49am  
Subject: Microsoft Settlement  
Maize

I support the settlement as proposed with Microsoft. Please do not fall prey to the tactics of AOL/Netscape to possibly derail the settlement at this critical juncture—this

case needs to be settled so that everyone can focus on the needs of our country in this very unusual time.

Karen R. Bostic

**MTC-00021044**

From: jlockwood@method  
istcare.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:47am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jeff Lockwood  
P. O. Box 54  
Katy, TX 77492

**MTC-00021045**

From: Liz McCollum

To: Microsoft ATR

Date: 1/24/02 9:49am

Subject: Microsoft Settlement

This e mail is to express my opinion that the department of justice should settle this matter in favor of Microsoft. All this litigation is a field day for the media and undermines a strong corporation that we need to stay strong. As a corporation, I fully understand the precariousness of doing business day to day. Another collapse, like Enron isn't needed. Why try and collapse a company that has done so much for every business in the United States. The year 2002 is not the time to pursue this type of litigation.

Liz McCollum  
S&S Services Group, Inc.  
6222 Tower Lane Suite A-6  
Sarasota FL 34240  
941-377-4600 Phone 941-377-4610 Fax

**MTC-00021046**

From: E L Tonkin

To: Microsoft ATR

Date: 1/24/02 9:50am

Subject: Microsoft Settlement

To whom it may concern,

I write to air my feelings on the subject of the Microsoft Settlement. Unfortunately, I am not a US citizen and therefore it is very probable that my opinions are entirely irrelevant; however, I am an IT consultant and currently completing a University postgraduate degree in human-computer-communication. I am very aware that the actions of Microsoft are likely to determine the nature of the technology with which I

work daily, due to their almost total domination of the industry. This, therefore, is a global issue, and I feel that I have a right to speak out. I am not entirely satisfied with the settlement terms that I have so far seen. In my opinion, the most important points to keep in mind are:

1 \* INDEPENDENTLY documented standards for communication protocols should be required.

2 \* Documentation should not be withheld for any reason whatsoever, be it a question of security or any other subject.

3 \* Proprietary extensions should stay optional. ActiveX is not indispensable—it is therefore not a "reasonable technical requirement", as Microsoft would claim, but a "luxury". Adaption of common protocols is to some extent reasonable, but it should be understood—and I'm sure it is—that Microsoft seldom act with the good of the customer in mind. The same thing can be achieved with non-proprietary standards that are equally secure/whatever, if less pretty. Both methods are acceptable, but neither should reduce interoperability with the other. ActiveX is one of Microsoft's favourite excuses. I expect the wonderfully centralised Passport to develop into another—and I expect that Microsoft will deny interoperability to, for example, free software developers on the grounds that they cannot satisfy so-called "reasonable technical requirements". Just more unfair business practice.

To expand on these issues:

1: No communication protocols (TCP/IP, windows networking, etc etc) should be extended with proprietary extensions unless Microsoft agree to submit a complete description of such protocols for interoperability purposes.

2: Documentation for APIS, communication protocols, etc etc, is NEVER a security risk. Any software company who claims this to be the case is simply acting to "preserve their intellectual property" and they are not telling the truth. Any security risk that appears from documentation appears because the software is ALREADY badly designed and weak. Of course this is often true in the case of Microsoft software—as acknowledged by Gates, quite recently, in the press—but I do not believe that the US DOJ really wishes to allow Microsoft to preserve their "security through obscurity" purposes. Leaving out documentation merely impairs Microsoft's competitors from fair business practices. It does not make it any more difficult for a malicious hacker/virus writer/etc, who is perfectly capable of seeking out security holes without any help from documentation. Do not allow Microsoft to close their APIs or documentation, or communication protocols, for /any reason/. Force them to open them. Let the best software win, not the largest company—or they will stifle the desktop PC industry. Indeed I feel that software such as Passport, which will eventually be an important element in e-commerce, should be documented, checked and audited before use. To do otherwise is to invite disaster.

Finally: a plea—

So much is possible with software that we have as yet barely begun to scratch the

surface; our creativity should know no bounds but imagination. Closing APIs, withholding communications protocols, etc, requires those of us with the ability to realise our dreams of new software to go through years of extra effort—and most of us just don't bother. Forcing the computer user to see the world through Microsoft-coloured eyes is something like censorship—ultimately, the result is the stifling of creativity and freedom, and the eventual stagnation of the industry.

Yours sincerely,

E Tonkin

**MTC-00021047**

From: loffli@flash.net@inetgw

To: Microsoft ATR

Date: 1/24/02 9:48am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you. And let the industry developing the American dream without stupid government meddling!

Sincerely,

Ivan Loffler  
1319 Westchester Dr.  
Coppell, OK 73019

**MTC-00021048**

From: essexbay@sover.net@inetgw

To: Microsoft ATR

Date: 1/24/02 9:48am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Christopher Houghton  
PO Box 396  
Shaftsbury, VT 05262-0396



**MTC-00021049**

From: rmricks@usa.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:48am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Robert Ricks  
 3366 Avocado Vista Lane  
 Fallbrook, CA 92028

**MTC-00021050**

From: kts@developnet.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:49am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. What is the difference if you make it easy for people to launch free software, or have people download the free software? Microsoft provides a service by bundling the I.E.. AOL/TimeWarner offers Netscape for free as well, the difference is you download it. As a reseller, I am licensed to bundle Netscape with my own Banners etc, and any computer manufacturer/seller can pre-install the Netscape browser also. There is no conflict with having both, I use them both simultaneously. Further, when you buy a branded computer, you have all of their pre-installed links, icons, and software favorites as well. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. What it boils down to is this. Mr. Gates refused to provide the CIA with an open code so that foreign countries who use the MS-Operating system could unknowingly be hacked or spied upon by the CIA, and this agency wanted Bill Gates to provide them with a back door for covert operations. While Mr. Gates is a patriot, he felt that it would place

a serious mistrust in all of the software used around the world. It would cause the enemies of this country to do more innovative security measures making it more difficult to spy than it currently is. Mr. Gates didn't want to play the good ol boy game and they came down on him. What about Time Warner/AOL/ Netscape? How big does a monopoly have to get before they are brought to their knees? With all the global mergers, National Mergers, who is looking at the competitive disadvantages of the big Communication/oil conglomerates like Gulf Western etc. Or is this just another attempt by the socialist democrats to level a little more wealth? Put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Kevin Schreier  
 78 Crystal Lane  
 Stevensville, MT 59870

**MTC-00021051**

From: jdtickleii@strongwell.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:48am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Spike Tickle  
 517 Green Acres Road  
 Bristol, VA 24201

**MTC-00021052**

From: Diana Tsingopoulos  
 To: Microsoft ATR  
 Date: 1/24/02 9:51am  
 Subject: Microsoft Case

Ladies and Gentlemen:

Please leave the Microsoft Corporation ALONE and let the market place FAIRLY determine whose products and services are best. AOL is just a sore loser and has NO case against Microsoft.

Thank you,  
 Diana Tsingopoulos

**MTC-00021053**

From: wendob@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:50am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This

has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Wendy Borchardt  
 400 South Bentley Ave  
 Los Angeles, CA 90049-3513

**MTC-00021054**

From: billie@ecis.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:50am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Billie Staunton  
 P. O. Box 2603  
 Antioch, CA 94531-2603

**MTC-00021055**

From: Andrew Houlihan  
 To: Microsoft ATR  
 Date: 1/24/02 9:53am  
 Subject: Microsoft Settlement

I feel the current settlement with Microsoft is insufficient. It allows Microsoft to continue to keep information regarding its APIs secret thus preventing other companies/individuals from making products that can truly compete with Microsoft's products.

Andrew Houlihan  
 (518) 276-8925  
 Computer Science Major '02—Rensselaer Polytechnic Institute

**MTC-00021056**

From: James P. (038) Dolores D. Cornwall  
 To: Microsoft ATR  
 Date: 1/24/02 9:52am  
 Subject: microsoft settlement

We feel that it is in the public's best interest to settle this case as outlined in the settlement before the court as it is. Regards,  
 Jim and Dolores Cornwall

**MTC-00021057**

From: amw18@wt6.usdoj.gov@inetgw



To: Microsoft ATR  
Date: 1/24/02 9:51am  
Subject: Microsoft Settlement

Dear Judges-

For a long time this country has trumpeted the concepts of free press, free enterprise and democracy as its cornerstones, when all of the time these three concepts, like everything else in our society, are for sale. Now comes the most important question, "Are you for sale?". As long as you continue to support a legal system where large companies can pollute the environment or sell cancer-causing cigarettes and slip away from true accountability in "settlements" where the findings are never revealed to the public, you judges are all shameful and put your own integrity in doubt. So, will Microsoft continue to be able to sell products which as they are installed prevent or destroy competing products? Will you judges continue to be mired in insignificant technicalities rather than recognizing common sense? How would you react if Toyota or Honda sold only cars which caused your Chevrolet to evaporate when you drove into the garage for the first time? How would you respond if the Ford Motor Company told you that you can no longer get parts or repairs done on your three-year-old Ford because they are now selling a newer Ford, which runs slower, requires more space, and is breaks down more often?

If Microsoft's principal product is now being replaced by an operating system which was created by thousands of volunteers in reaction to what they saw as abuse from Microsoft, are you able to sense the significance of that? I worry that our society's principles have been so corrupted that a small country like Singapore may out-perform and out-produce us by using less valid but uncorrupted principals: for example if their government (using benevolent despotism) decreed that all computers use a Linux operating system.

I worry that our bright volunteers will embarrass Microsoft right out of business, before you judges understand that once you allow Microsoft to dominate (essentially control) the business of repairing or supporting their operating system, they have no reason to create one that doesn't need repair. I remember when there were a dozen American corporations manufacturing cars and no one dominating. The rate of innovation was greater then.

If the US is to compete in the global technology race, we want a dozen pioneering software companies and none large enough to both dominate and drag its feet to make more money at the same time!

Sincerely,  
Arthur M. Weber

**MTC-00021058**

From: Daniel Grantham  
To: Microsoft ATR  
Date: 1/24/02 9:53am  
Subject: Microsoft Settlement

I am sick and tired of the Federal government interfering with the free market. Microsoft is where it is because it makes and markets a better product! I was a diehard Netscape user but their product didn't keep up. The latest version was slow and hard to

use. Not only was the Microsoft product better, it was FREE! Tell me how this hurt me as a consumer. What does hurt me is the MILLIONS spent by the US government and various states in harassing Microsoft...an American success story! And what about the BILLIONS lost by stock holders and pension plans? Who are you looking out for????? Why do we punish success? That's un-American and hurts our economy. GET OFF THEIR BACK and start supporting US industry!

Sincerely,  
Daniel Grantham, Jr.

**MTC-00021059**

From: rdittle@stargate.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:54am  
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Ryan D. Little  
Technical Writer  
6335 Phillips Ave.  
Pittsburgh, Pennsylvania, 15217

**MTC-00021060**

From: D. Jasmine Merced  
To: Microsoft ATR  
Date: 1/24/02 9:38am  
Subject: Microsoft Settlement

I do not support the proposed settlement because I do not think it provides sufficient punishment to balance Microsoft's offenses, nor sufficient incentive to prevent them from doing the same in the future. Furthermore, the idea of punishing a monopoly by requiring them to extend their monopoly into the US educational system is incomprehensible.

Regards,  
Doralyn J. Merced-Ownbey  
President/CEO

Tintagel Net Solutions Group, Inc.

**MTC-00021061**

From: Frank Danaher  
To: Microsoft ATR  
Date: 1/24/02 9:52am  
Subject: Microsoft Settlement

Dear Sir

Please be advised that I am very upset by the resort to litigation by AOL. The country is being torn apart by the artificial insertial of legal decrees that have nothing to do with the required settlements needed. I request that you facilitate the allowing the companies to work together or else, we will have another situation as in the asbestos, tobacco, pharmaceutical, and Dow silicone situations where major companies are allowed to be destroyed. When are you going to provide leadership and stop this morass of litigation. There will be no companies left if we follow the current legal approach championed by congress supporting the trial lawyers and in the case of MicroSoft supporting state treasuries.

Please do not facilitate the lawyers —STOP IT—Let the 2 companies work it out. We don't need another ENRON!!!

**MTC-00021062**

From: schwenk@math.udel.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:54am  
Subject: Microsoft Settlement

To Whom It May Concern:

I am vehemently opposed to the proposed settlement with Microsoft. My primary concern is with sections III(D) and III(f)(2), which single out non-profit organizations as the only ones to which 1) it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization and 2) it need not disclose information regarding the APIs for incorporating non-Microsoft "middleware." The Open Source software community is arguably realm where the most software design innovation is occurring. Interoperation with Microsoft products is an important part of any software product, whether it come from a commercial or non-profit organization. Without the above-mentioned disclosures, innovation within the Open Source software community and the community's ability to produce software that can interoperate with Microsoft products will be snuffed out. Open Source software is the backbone of the Internet and provides people with the most choices for what to do with computers. Taking away the Open Source community's ability to compete in the marketplace will irreparably damage innovations in software development. The Open Source community chooses to make its money with software differently than the "commercial" vendors, by charging for services and distribution instead of licensing. That doesn't make them an invalid player in the marketplace.

PETER SCHWENK √ Campus IT Associate  
3

Department of Mathematical Sciences √  
University of Delaware √(302)831-0437

**MTC-00021063**

From: pgurbacki@kslaw.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 9:51am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW,  
 Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Penny Gurbacki  
 4248 Pentworth Lane  
 Kennesaw, GA 30144

**MTC-00021064**

From: Tim Kuo  
 To: Microsoft ATR  
 Date: 1/24/02 9:52am  
 Subject: Microsoft Settlement  
 I think the proposed settlement is bad idea.  
 Tim Kuo  
 Orbital Sciences Corporation  
 kuo.tim@orbital.com  
 (703) 421-5150

**MTC-00021065**

From: glarsen@nanosecond.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:53am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Glen Larsen  
 1432 Patricia Drive  
 Gardnerville, NV 89410-8203

**MTC-00021066**

From: conservativejud@yahoo.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:53am

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Jud Cox  
 152 Hilltop Way  
 Blowing Rock, NC 28605

**MTC-00021068**

From: jmorgan659@att.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:52am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 James Morgan  
 659 Garfield Drive  
 Petaluma, CA 94954

**MTC-00021069**

From: Juan J. Collas  
 To: Microsoft ATR  
 Date: 1/24/02 9:55am  
 Subject: Microsoft Settlement

Hi,

Having read the settlement proposal, I think settling would be a bad decision. I can't see how the proposal actually provides effective enforcement against possible future violations by Microsoft. Given this, the proposal will most likely achieve the same results as the previous attempt to constrain Microsoft's anticompetitive behavior.

Sincerely,  
 Juan Collas

**MTC-00021070**

From: dwilson@web-access.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:52am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Veta Wilson  
 HCR 76 Box 66  
 Coleman, TX 76834

**MTC-00021071**

From: David Straub  
 To: Microsoft ATR  
 Date: 1/24/02 9:56am  
 Subject: Microsoft Settlement

The microsoft settlement is not in the public interest because it permits anti-competitive practices to continue, thereby forcing consumers to spend more money than they should for inferior software.

**SUBSTANTIATION:**

Q1. If Microsoft is so innovative, why do Access 97 databases need to be changed to backwards incompatible Access 2000 databases?

A1. Because they can force you to get the newest version of their software.

1 COMMENTARY: There was a time when new applications offered great improvements and it was worth upgrading. Even so, upgrading should be an option to the user rather than a "have to" because once a co-worker or business associate upgrades, you have to due to incompatibility issues. In contrast, the HTML file format—from the beginning—was upgrade neutral. A version 1 browser could, in theory, read HTML 4 and an HTML 4 browser could read HTML version 1.

Q2. If Microsoft wants to add things to their operating system to improve it (i.e. with Internet Explorer), why has Wordpad never been updated with Word?

A2. Because Microsoft has a monopoly in the word processing market and doesn't need to drive anyone out of business.

2 COMMENTARY: Wordpad has been in Windows from the beginning, yet has not improved at all. Yet Microsoft somehow claims that they had a right to integrate the browser into the operating system while ignoring the word processor.

Q3. Why does Microsoft come out with new versions of their operating system rather

than releasing free service packs to augment the old one?

A3. Because Microsoft has a monopoly in the desktop OS market and a new OS is their license to print money.

3 COMMENTARY: little has changed from windows 95 to xp while there has been 98, 2000 and ME in-between. Perhaps they finally got it better with xp, but are the successive versions worthy of new names or should they have been free upgrades? Is there really that much of a difference between 95 and XP?

Q4: If Microsoft is such an innovator, why have they never come out with an innovative product in their history?

A4. Because they are in the business of extending their monopoly, not writing great software.

4 COMMENTARY: The first program was a copy of basic. They bought DOS from another company. Excel was a copy of Lotus 123. Word was a copy of Wordperfect. Word GUI was made at the request of Apple. Windows was a copy of Apple's OS (which was designed at xerox parc) They had to buy a database program, foxpro, since dbase owned that market. Powerpoint was a copy of Harvard Graphics. We all know what they had to do with the Internet market to catch up, especially with browsers.

Q5: Why doesn't the price of Microsoft operating systems drop over time and why do they become unavailable?

A5. You don't have to change your pricing and policies when there is no competition.

5 COMMENTARY: I have had an occasion to want to buy an old operating system. Perhaps I have some old crummy computer and would like to add an OS for next to nothing. Why can't I buy windows 98 for \$20 today? Why does the price of Windows 2000 stay the same when hardware prices drop every month? Especially considering the fact that—once you make your money back—it is far easier to drop the price on software.

#### REMEDIES:

1. Bundle Microsoft office with the operating system including selling Windows 98 with office '97 for \$97.50 or less.

2. Require all Microsoft office documents to be forward and backward compatible.

3. Require all Microsoft OS code to be entered into the public domain two years after their initial release and grandfather in programs already released.

4. Require Microsoft to sell programs for 10 years from their initial release.

Sincerely,  
David Straub

#### MTC-00021072

From: aspinall@execpc.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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"welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Neal Aspinall  
1255 Martha Washington Dr.  
Wauwatosa, WI 53213

#### MTC-00021073

From: Steve Cardwell  
To: Microsoft ATR  
Date: 1/24/02 9:58am  
Subject: Microsoft Settlement

Settling the Microsoft in the manner determined by the Court of Appeals is the best thing for consumers like me. I don't want to see Microsoft split into pieces, they have created too many good products and services for the average consumer. They don't hurt the average US citizen, they enable them and continue to innovate to make our lives easier and the economy better with their technological leadership.

Steve Cardwell

#### MTC-00021074

From: Todd L. Lamothe  
To: Microsoft ATR  
Date: 1/24/02 9:59am  
Subject: Microsoft Settlement

Hello—

I think the proposed settlement with Microsoft is a bad idea. I think having Microsoft resolve the "monopoly" problem by "putting computers in to schools" is \*outrageous\*. Okay, so let me get this straight: We have a company that is anticompetitive, and you are \*rewarding\* them business accounts (Schools) and \*locking them in\* to an operating system which we've deemed is anticompetitive???? Perhaps you should have them fund installing Macs into the classrooms!! Or linux!!! Anything other than Windows.

Sincerely, I believe the present proposed settlement is an egregious example of backwards thinking.

Respectfully,  
Todd L. Lamothe  
68 Halifax Street  
Jamaica Plain, MA 02130  
tll@world.std.com

#### MTC-00021075

From: earlgreyj@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case

against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jeff Welch  
226 Ridgeview Lane  
Madison Hts, VA 24572

#### MTC-00021076

From: bigvalley@teknet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please, PLEASE! put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Laurie Stump  
471 W. Wilson Road,  
Suite 20  
Pahrump, NV 89048

#### MTC-00021077

From: BACMAC@IQEMAIL.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW,  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
BURTON COBB  
179 CROWN POINT DRIVE  
CARSON CITY, NV 89706-0702

**MTC-00021078**

From: William J. Decker, Ph.D.

To: Microsoft ATR

Date: 1/24/02 9:59am

Subject: Microsoft Settlement

Dear Department of Justice:  
Please leave Microsoft alone. Let the marketplace decide their fate.

Sincerely,  
William J. Decker, Ph.D.  
wjdecker@pobox.com

**MTC-00021079**

From: TSmith151@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:00am

Subject: Microsoft Settlement

From the handling of this case by a judge that knew so little about the subject that he had to import someone to explain it to him, to the fact that not one cent is going to those supposedly harmed, the users, it is time to put a stop to this case. The only beneficiaries of this case are Microsoft's competitors who couldn't measure up to Microsoft accomplishments. If the states who would benefit from this suit can't finance their needs legitimately, let them go hunt on their own deer lease. Enough of this poaching on Microsoft's terrain.

Please put a stop to this travesty of justice now.

Thank you.  
Terry Smith  
San Angelo, TX

**MTC-00021080**

From: James R. Ehrler

To: Microsoft ATR

Date: 1/24/02 9:56am

Subject: Microsoft Settlement

Terrible idea. The objecting States have a much better idea for a remedy to redress the results of Microsoft's grossly illegal conduct.

Step back and listen to the objecting States and abandon the incredibly WEAK DOJ/MS settlement proposal!

**MTC-00021081**

From: chill1@austin.rr.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:56am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
CHARLES HILL  
12300 BURLYWOOD TRAIL  
AUSTIN, TX 78750-1103

**MTC-00021082**

From: fitzgeralds1@msx.upmc.edu@inetgw

To: Microsoft ATR

Date: 1/24/02 9:56am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Shawn Fitzgerald  
510 Grant Street  
Springdale, PA 15144

**MTC-00021083**

From: J—Cramer@msn.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:58am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jim Cramer  
100 Farmers Bank Square  
Suite 230

Georgetown, KY 40324

**MTC-00021084**

From: mseaman@cs.bwauto.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:56am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Melissa Seaman  
431 E Todd Ave  
Reed City, MI 49677

**MTC-00021085**

From: Walter Ellinthorpe

To: Microsoft ATR

Date: 1/24/02 10:01am

Subject: Microsoft Settlement

To whom it may concern,

I, for one, am opposed to the proposed settlement with Microsoft for a variety of reasons. Most of them are very eloquently explained by Dan Keigel at <http://www.keigel.com/remedy/remedy2.html>

I especially agree that something should be done to prevent Microsoft from further limiting the choices available to consumers. When AT&T was broken up, many (Myself included) thought that it was a bad move. Hindsight being 20-20, we now know that this allowed the Telco industry to flourish (even though increased competition forced tighter operations by the Long Distance Telco providers). Now every Telco is eager to implement new technologies in order to beat their competition to it. Microsoft has a monopoly, therefore they have no competition, therefore they are more interested in making sure they maintain that monopoly than in actually improving their products. For one example, just look at the slew of security holes in their products which have allowed viruses to spread across the Internet costing businesses Billions of dollars. For another example see the "Microsoft Halloween paper" at <http://www.scripting.com/misc/halloweenMemo.html> Especially look the section titled "Blunting OSS attacks" where the author states.... "Generally, Microsoft wins by attacking the core weaknesses of OSS projects. De-commoditize protocols & applications OSS projects have been able to gain a foothold in many server applications because of the wide utility of highly

commoditized, simple protocols. By extending these protocols and developing new protocols, we can deny OSS projects entry into the market" One of the protocols the author recommends that Microsoft "De-Commoditize" is DNS which they have since incorporated into Active Directory. Since they are tying ALL of their server based applications into Active Directory, this would tie all of their applications into using a Microsoft version of DNS.

This paper also states that

Middleware control is critical. Obviously, as servers and their protocols risk commoditization higher order functionality is necessary to preserve margins in the server OS business. and... Long-Term Commitments Release / Service pack process. Just look at their new licensing schemes for Windows XP. This document, which was written in 1998, with 20-20 Hindsight we see that Microsoft not only thought about undermining standard protocols, they have done so. We see that Microsoft has not only thought about using Middleware to exclude competition, they have done so. They not only thought about modifying the Release and Service pack agreements, they have done so.

When will the US Government realize that there IS A PATTERN HERE???? PLEASE, PLEASE put a stop this. PLEASE come up with a better settlement. One which is more in the interest of the public than the stockholders of Microsoft.

—Walter Ellinthorpe

Field Engineer at United Messaging  
Walter.Ellinthorpe@UnitedMessaging.com  
Office 703-488-3967  
5175 Parkstone Drive Suite 100  
Chantilly, VA 22151

#### MTC-00021086

From: williji@goodsamhealth.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:58am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jim Williams  
1574 Coburg Rd #168  
Eugene, OR 97401-4802

#### MTC-00021087

From: willwashington@hotmail.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 9:59am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Will Washington  
7111 Tesoro Trail  
Austin, TX 78729

#### MTC-00021088

From: Wayne Ringling  
To: Microsoft ATR  
Date: 1/24/02 10:02am  
Subject: My comment on the Microsoft settlement.

Dear Sirs,

I am not going to go into the reasons why I think the settlement that was reached by the Dept. of Justice and Microsoft should not be used. But I will go as far as to say that I do not believe that the settlement reached will do anything but seed further entrenchment that Microsoft binds us to their software. I therefore, are very much opposed to the settlement offering and wish the Dept. of Justice to seek the full remedy the court system can impose on them whatever that maybe. Until we impose a full remedy to this they will continue to behave in this manner, as I believe a study of current software EULA will show nothing has changed. Also the abuse of Microsoft to adopt open source technologies into their system os and not abide by the license agreement further troubles me that they are taking content from the open source community and on the other hand doing everything in their power to limit and destroy that same community. If we are to gain anything from this whole judgment, we need to effect a remedy that will bolster the innovative competition to level the playing field. I am also in favor of a quick settlement, the longer this drags on the longer Microsoft has to pile up funds to fight this judgment.

Wayne Ringling  
4005 Lawrence St.  
Colmar Manor, MD 20722  
301-209-9560

#### MTC-00021089

From: Paul Smith  
To: Microsoft ATR  
Date: 1/24/02 10:01am  
Subject: Microsoft Settlement

There are many reasons why the microsoft settlement is currently weak to move

forward, most important is the interoperability of Independent Software Vendors(ISV) to create competing products that will be able to run the same software.

Section III.H.3. of the PFJ requires vendors of competing middleware to meet "reasonable technical requirements" seven months before new releases of Windows. We need to remove this limitation as Microsoft has the ability to change these requirements while the middleware will remain locked out.

Microsoft must unlock all Api's for its windows products, we must lift all unreasonable restrictions on the use of the released documentation. And why is Microsoft only required to be fair to the top twenty(20) OEM's, thats just plain wrong, many small companies that offer competing products will be open for Microsoft's abuse!

We must stop Microsoft from discriminating against ISVs who ship Open Source applications or for applications running on competing operating systems.

Please make sure Microsoft will be a responsible business in the future, the agreement as it stands leaves many items open for Microsoft to continue its anticompetitive practices.

Paul Smith  
Fort Lauderdale, FL

#### MTC-00021090

From: GNI Commerce, Inc.  
To: Microsoft ATR  
Date: 1/24/02 10:02am  
Subject: MS case is far more than Antitrust

<<http://www.tupbiosystems.com/articles/win-xp.html>>Microsoft case is far more than Antitrust. Please, read the articles below: Microsoft intentionally keeps the front door of Windows XP unlocked and wide open. For which purpose?

<http://www.tupbiosystems.com/articles/win-xp.html> Microsoft has been clearly and carefully informed that they are making a huge mistake with security in Windows XP but they show no intention of responding to this now very visible threat. The question is for what purpose does Microsoft intentionally keep the front door of Windows XP unlocked and wide open? Should be a serious reason. Written by Steve Gibson, Gibson Research Corporation (GRC), Aug 02, 2001 at 14:10

<<http://www.tupbiosystems.com/articles/bill-gates.html>>Who stands behind the terrorists of September 11? <http://www.tupbiosystems.com/articles/bill-gates.html> Want to see the truth—look at the root first. We saw things that they wanted to show us for their purpose. What is hidden?. Written by Dr. Vladimir Gouliaev (Dr. "G").

#### MTC-00021091

From: dvaldez@lib.nmsu.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:58am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This

has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Deanna Valdez  
1640 La Fonda Drive  
Las Cruces, NM 88001-4445

**MTC-00021093**

From: Bryant P McGuire  
To: Microsoft ATR  
Date: 1/24/02 10:01am  
Subject: Microsoft  
Folks

Please let it end. You are messing with Microsoft. They essentially make good products that I like to use. They also support and continue to improve what they make and keep it easy for consumers to maintain their products. I am tired of the politics in this. It looks to me that the government and industry are leaning on Mr. success to slow down their comprehensive industry butt-kicking that they have doled out.

Please let it end.  
Bryant P McGuire  
209 Balsam Tree Court  
Severna Park, MD 21146

**MTC-00021094**

From: Dan Vaughan  
To: Microsoft ATR  
Date: 1/24/02 10:05am  
Subject: Microsoft Settlement

To whom it may concern:

I am a small business owner and I feel that a settlement in this case is much needed. This case has gone on long enough and the public is not benefiting from this litigation.

Signed By:  
Dan Vaughan  
Knight Products Company, Inc.  
www.kpcsupplies.com  
(800)262-4116

**MTC-00021095**

From: Slocum, Sam  
To: Microsoft ATR  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement

Dear Sirs,

It has recently come to my attention that following the lengthy and expensive proceedings which ultimately found Microsoft guilty of being an illegal monopoly, you as the justice department have chosen to consult with the guilty party in an attempt to find a punishment which would prevent an appeal attempt. I also understand that you have chosen this option under the direct suggestion of President Bush. As a registered voter I suggest that you reconsider the current plan. Your current plan does little to remedy the situation and in many cases

provides Microsoft more ammunition to attack the open source community (one of its only potential competitors) by preventing them from using Microsoft protocols without receiving their blessing as being secure. Additionally the problems found with Microsoft warrant far more supervision than a three party council that is partially determined by Microsoft itself. In all I have found these proceedings to be an almost laughable derailing of the justice system, and if these problems are not corrected and Microsoft truly punished, I will seek remedy with my vote. I also in general find that it to be very discouraging that a corporations deep pockets could grant them so much power over duly elected and chosen representatives.

Sincerely,  
Samuel Slocum  
Software Engineer

**MTC-00021096**

From: dklowther@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:01am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Deanna Lowther  
421 East Albany  
Ponca City, OK 74601

**MTC-00021097**

From: barbara@cbrinfo.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:01am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Hume  
P. O. Box 3788  
Anaheim, CA 92803

**MTC-00021098**

From: Bryan C. Powell  
To: Microsoft ATR  
Date: 1/24/02 10:03am  
Subject: Microsoft Settlement

To whom it may concern,

Like many people, it is with great concern that I have read about Microsoft's proposed settlement in their antitrust case. I believe the best solution would be for Microsoft to simply buy hardware that the schools themselves choose. That way, Microsoft can attempt to make amends for their business practices while giving the the school,s a genuine choice in what they use. After all, isn't that the root cause of this case in the first place, the lack of choice?

Thank you for your time and attention.

Bryan C. Powell  
College of Arts and Sciences Information  
Technology  
33 Upham Hall  
powellbc@muohio.edu  
529-1520

**MTC-00021099**

From: Ken Ross  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 10:08am  
Subject: Microsoft Settlement

Horizon Software International  
5835 Highway 20  
Loganville, GA 30052  
January 11, 2002

Attorney General John Ashcroft  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft,

The antitrust suit against Microsoft has been an inconvenience to the technology field since its conception. The antitrust suit involving Microsoft has driven stock values down, driven software prices up, and driven public money to litigation—all at the expense to the consumer and the taxpayer. Microsoft has been a victim of a witch-hunt.

Fortunately, the U.S. Justice Department has reached a settlement regarding the suit. This settlement is planned to give the consumer more choices and provide Microsoft competitors with compensation for their alleged losses. The settlement instructs Microsoft not enter any contract that would require a third party to sell or promote a fixed percentage of Windows technology. Microsoft also cannot enter into contracts that prevent software developers from developing or promoting software that competes with Windows. All action that is taking place at the federal level must be stopped. This suit has only been detrimental to our financial position. It has gone too far, and too long. Microsoft must be allowed to return to Washington State, and leave Washington, DC.

Sincerely,  
Ken C. Ross  
CTO  
Horizon Software International

**MTC-00021100**

From: burkmtm@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Burk  
6508 Jackpine Drive  
Bellvue, CO 80512-5646

**MTC-00021101**

From: tbonewilley@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roger Willey  
1604 17th Avenue  
Sterling, IL 61081

**MTC-00021103**

From: Jared Hansen  
To: Microsoft ATR  
Date: 1/24/02 10:05am  
Subject: Microsoft Settlement

As much as I think the settlement is blatant extortion, unjustly screwing over microsoft to benefit inferior companies who, nonetheless,

waged a superior lobbying campaign, I think that it's the least unjust thing that we can hope for at this point.

Please, please just leave this company alone. I'm not going to go into all the common law practices that argue for such a decision, since you probably know of them already.

I'm not going to discuss the philosophy behind personal property rights and free trade, since 1)it's doubtful you have time to read it, and 2)a discussion of that depth does not lend itself to a single email. So all I can do is tell you that a young person, married, out of college but not making much money, would like the government to just back off. I do not work for microsoft; indeed, I work for a company whose product competes with some of MS's.

However, I know injustice when I see it, and extortion from a successful business on these grounds is a prime example.

You can reach me at this address, or at jared.hansen@bta-usa.com . My daytime telephone number is 312.494.1530, evening 773.529.4651.

I am going to be an attorney (I've been accepted into Georgetown for Fall 2002 already; I await replies from Yale, University of Chicago, Northwestern and Columbia), and it is my goal to one day dismantle the monstrosity that is this country's antitrust system. I only mention that so that, in the event that I actually accomplish this goal, whoever read this email might remember it.

Cheers  
jeh

**MTC-00021104**

From: Baylor, Bradford  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement

I think the settlement is a bad idea.

**MTC-00021105**

From: Jim O'Connor  
To: Microsoft ATR  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement

I think microsoft should be forced to open all API's to anyone who wants them and further that any major change in how the operating system deals with hardware or the software run on it should be presented to any developer who wants it as soon as Microsoft has decided on that direction. Attempts to mislead developers or to withhold information should result in punitive damages of at least \$100,000,000 to any company affected. That way if Microsoft wanted to play games they would end up financing the very companies that they want destroyed. The slap on the wrist you gave them is a total insult to everyone that has been affected by Microsoft's monopoly.

**MTC-00021106**

From: Jobertito Cuaresma  
To: Microsoft ATR  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement

To Whom It May Concern:

I am a network administrator from the University of Illinois, and I feel from a consumer and IT person point of view that the settlement does not adequately address

the indiscretions of Microsoft properly. Because of the scope of the case, I will limit my complaint concerning the release of OSes and Microsoft's practice of licensing/selling of software.

From the interpretation of the of settlements, there is no safe guards of Microsoft bundling software with their OS in the future. Although an OS can be released without certain programs installed, there is nothing stopping them from using the internet to install middleware software via automatic updating after its release. It is also my concern that there will not be an unbiased body that will be able to determine what part of the OS is not essential. For example, Microsoft claimed that Internet Explorer was essential to Windows 98 and cannot be uninstalled which ultimately killed Netscape as a competitor. For this to become fair and competitive, it will be necessary to define what parts make an OS and what are essential components. This decision and definition needs to happen from a group larger and outside of Microsoft. Hence, the "free" bundling of MS products has given the company an unfair advantage over other competitors. Their business practices with computer vendors have also prevented other OSes to have the opportunity to prosper or dominate. Prior to Windows becoming standard (because there was no other real consumer alternative), companies that produce alternative OSes such RedHat, Geoworks, and Dr Dos were not allowed to be distributed with new machines due to Microsoft's strict vendor agreements. Hence, Microsoft has a monopoly. From this monopoly, Microsoft does not have the benefit of competition to keep their pricing schemes and licensing practices in check. As already seen, while all other software and hardware vendors prices go down, Microsoft's prices have skyrocketed. Why is it that Microsoft Windows XP Home edition costs \$300 while the hardware capable of running it costs \$500 bundled? Since Microsoft makes much of it's money through vendor agreements and it's OS is pretty much the only choice for vendors, it does not need to be competitive in pricing with consumers. Due to the pricing scheme, consumers are forced to buy new machines bundled with Windows rather than buy the new OS and upgrade cheaply the few components. Microsoft has made their 3 billion dollar a month profit from flexing their monopolistic power. Just last year, Microsoft has written to many businesses of their new higher pricing schemes, while also threatening to audit software compliance. With an economic recession occurring, it would be nice to finally have this case closed and everyone move on with life. But, if the US government does not settle this case properly to directly protect the consumer, then millions of taxpayers money spent and the hard work of the civil servants are lost. Due to lack of choice, Microsoft has bullied its way into the computer industry as integral part with billions extremely dependant on its products. Nothing can be done now to level the playing field, and the actions of the settlement does little to alleviate this. Therefore, provisions have to be set in place in order to protect consumers and businesses from high pricing

and unchecked licensing schemes since competition cannot be restored.

From my personal viewpoint, this settlement does little to reflect the efforts of the civil servants involved in the case. It upsets me that stall tactics can derail justice. For this case to go this far and last thing long after finding the company guilty, the terms of the settlement does very little and disheartens this American citizen of the integrity of the judicial system.

**MTC-00021107**

From: efruits@ponyexpress.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Ann Fruits  
107 BLuegill Dr.  
Gallatin, MO 64640

**MTC-00021109**

From: tim@dalton.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tim Ketterson, Sr  
9 Boylsoth Street  
Dalton, GA 30720

**MTC-00021110**

From: dm7427@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:03am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Dave Melanson  
5353 w. Desert inn rd #2041  
Las vegas, NV 89146

**MTC-00021111**

From: a1964stingray@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:03am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Robert Polster  
776 Lincoln St.  
Clarks Summit, PA 18411

**MTC-00021112**

From: Ned Ulbricht  
To: Microsoft ATR  
Date: 1/24/02 10:07am  
Subject: Microsoft Settlement

This public comment is solicited under the Tunney Act regarding the proposed Microsoft / US DoJ anti-trust settlement. My understanding of that act is that the US DoJ, as an arm of the federal government, is automatically presumed to be acting in the "public interest" unless the settlement is

reached under the pall of bribery, corruption, or undue political influence.

Here is a list assembled from FEC records of some of Microsoft's more recent "donations":

10/17/2001 \$25,000 RNC/Repub National State Elections Cmte  
09/27/2001 \$10,000 RNC/Repub National State Elections Cmte  
09/26/2001 \$20,179 NRSC/Building Fund  
08/21/2001 \$50,000 RNC/Repub National State Elections Cmte  
06/27/2001 \$10,000 DNC/Non-Federal Corporate  
06/25/2001 \$5,000 NRCC/Non-Federal Account  
06/25/2001 \$5,000 NRCC/Non-Federal Account  
06/18/2001 \$10,000 DCCC/Non-Federal Account 1  
06/08/2001 \$50,000 DSCC/Non-Federal Corporate  
06/04/2001 \$25,000 NRSC/Non-Federal  
06/04/2001 \$25,000 NRSC/Non-Federal  
05/23/2001 \$40,000 2001 President's Dinner/Non-Fed Trust

Taking that last item for example, nowhere else in the world would a company's "donation" of \$40,000 for "dinner" to the chief executive of an administration suing that company for a violation of the nation's laws be seen as anything other than an act of cheap bribery. This settlement is most emphatically not in the "public interest."  
Edgar K. Ulbricht  
3521 Shattuck Av. S.  
Renton, Washington

**MTC-00021113**

From: a1964stingray@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:03am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Sincerely,

Robert Polster  
776 Lincoln St.  
Clarks Summit, PA 18411

**MTC-00021114**

From: OConnor, Edward (Edward)  
To: Microsoft ATR  
Date: 1/24/02 10:05am  
Subject: Microsoft Settlement  
Dear Sir or Madam:



I am opposed to the Microsoft Settlement in its current form. Computers and software are part of my life; they are the tools with which I make a living and how I communicate with others. Microsoft creates good software—I have been using the software for many years. I am opposed to the level of control that they exert on hardware and software professionals. Software innovation and development was once common on the Microsoft platform, but the company has begun to lock down all of the channels of access to widely available hardware and software platforms. Distribution channels which have been funded and created by the government for the public good are now becoming controlled by Microsoft for the benefit of Microsoft, and to the detriment of all other parties, including independent software and hardware developers.

In particular, I am distressed that the Settlement does little to address the strong-arm anticompetitive practices that Microsoft engages in with OEMs. If these practices are not made illegal, or otherwise limited, Microsoft will continue to manipulate and control 95% of the computing world, and use this power to extend into new technology markets. Failure to address these issues now will result in an imbalance in competition that will affect technology and innovation for generations to come.

Respectfully,  
Ed O'Connor  
Independent Software Developer  
Rebol Scripting Community  
"Freedom in Computing"  
<http://www.rebol.com>

**MTC-00021115**

From: Fred J. Federspiel  
To: Microsoft ATR  
Date: 1/24/02 10:07am  
Subject: Microsoft settlement  
To Whom it May Concern:

Thank you for taking the time to read this note.

As CEO of a quickly-growing software company, I strongly urge the US DOJ to allow Microsoft to innovate and add value to its products in any manner it sees fit. Our company (NYC-based e-Xchange Advantage Corp.) has recently made a significant investment to support the Linux platform in addition to our original support of Microsoft alone. Other Financial Service companies are moving in the same direction, and we will all benefit from letting Microsoft build a better platform. We now have a real choice, and it's in our interest (and the public's interest) to allow Microsoft to move ahead unhindered by antitrust issues.

Sincerely,  
Fred J. Federspiel  
President, CEO  
e-Xchange Advantage Corp.  
51 E. 42nd St. Suite 602  
New York, NY 10017  
212 986-1450

**MTC-00021116**

From: Rob Clarke  
To: Microsoft ATR  
Date: 1/24/02 10:06am  
Subject: Microsoft Settlement

Dear Sir/Madam,

I am writing to express my dissatisfaction with the proposed final judgment in the DOJ/Microsoft Antitrust Trial. The remedies suggested do not go far enough in protecting the consumer and OEMs from being subjected to Microsoft's anti-competitive practices in future. As a result of the terminology used and omissions in the proposed remedies, Microsoft are granted a great deal of scope to continue their current anti-competitive behaviour. By way of an example, allowing Microsoft's EULAs to discriminate against software released under Open Source licenses (such as the GPL and MPL) clearly has the potential to cause inordinate harm to competitors and end users, and is completely unjustifiable, and stifling to both innovation and competition.

It is my belief that the PFJ needs to be significantly strengthened if it is to be regarded as a fitting reparation to end users, and a fitting punishment for Microsoft's repeated unlawful activities.

Yours Faithfully,  
Rob Clarke

**MTC-00021117**

From: pc—unlimited@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Charles Wheeler  
27326 Cranbrooke Dr.  
Lake Forest, CA 92630-5845

**MTC-00021118**

From: Donald W. Bales  
To: Microsoft ATR  
Date: 1/24/02 10:05am  
Subject: Microsoft harassment

I think the decline in the tech market was partly due to the DOJ action against Microsoft promoted by the Clinton Administration. Don't you think your actions may worsen the economic decline which started in the waning days of the Clinton era and got worse in March of 2000?

Donald W. Bales,  
2009 Lynnwood Road,  
Kingsport, Tn 37660

**MTC-00021119**

From: Alan

To: Microsoft ATR  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement

I am a software engineer with more than 20 years experience in software development. I have developed software on Microsoft, Unix (various vendors), Linux, and other less popular operating systems. I would like to comment on the Proposed Final Judgement in *United States vs. Microsoft*.

I am deeply troubled and firmly convinced that the remedies proposed will not halt the anti-competitive behaviors of Microsoft. I support and am a signatory of the open letter <http://www.kegel.com/remedy/letter.html>.

While I support and defend any software manufacturer's right to improve and develop new software, this right does not include intentional efforts to limit the marketplace from providing improvements and extensions. The Settlement includes definitions that are so specific as to limit the effective timespan of the remedies. Specifically, "Windows Operating System Product" and "Microsoft Middleware Product" only apply to Microsoft's current operating system products. "API" is limited to stated Windows Operating System and Microsoft Middleware Products. Microsoft can evade these definitions by developing new products such as .NET, based upon new API's. Furthermore, the definitions do not include a broad enough coverage of Microsoft's products.

I want the Settlement to include any operating system sold by Microsoft, now and in the future, that uses, supports, or refers to "Windows" technology. I want the definition of the operating system confined to the minimal set of software necessary to enable Current Off The Shelf (COTS) products to function. The operating system does not include any software capable of productive value; It is a service-enabling and application-enabling product only.

I want the notion of "middleware" to be discarded. The middleware products in the settlement are applications. Microsoft has chosen to bundle applications in its operating system products. None of those applications are necessary to the function of the operating system. I want Microsoft to agree to sell and price the operating system separately from the applications. This does not limit Microsoft from also selling bundled application packages at no extra cost.

I want Microsoft to not prohibit in license or execution its products or associated redistributable components from being executed other than with a homogeneous Microsoft platform. For example, Microsoft may choose to not support Outlook from executing on Linux, but it shouldn't prohibit a license holder from doing so. I want Microsoft to publicize API changes no later than making available any version of application or operating system that supports or uses that API. I want the definition of API to include file formats that are supported by more than one Microsoft middleware(sic) or application product. I want for Microsoft to publicize all API's created or changed for any middleware(sic) or application software it makes widely available. I want for Microsoft to publicize which software patents relate to which of its products. I am restricted from

safely exercising my software development skills because I do not know when I am allegedly violating a patent.

I want Microsoft to stop its practice of relating software licenses for different products. An application product's license should not specify how the operating system product license may be used or which license must also be purchased—one product, one license.

I want Microsoft to be restricted from collecting product data loaded on a computer when validating its operating system or application software licenses.

I want Microsoft to be restricted from making its software products unuseable or limited without license validation.

The enforcement of the settlement does not support small businesses for whom a long legal battle will destroy the business. I want a fast-track review of complaints with a quick arbitration and settlement. Microsoft should pay for this for the next five years.

The public interest is not served by yet another ineffective settlement with Microsoft. The Proposed Final Judgement will be ineffective.

Alan Wilkinson  
President, Results Computing Corporation  
PO Box 12521  
Burke, VA 22009-2521

#### MTC-00021120

From: DCHRISKING@CS.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:03am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
DEBORAH KING  
113 MARILYN CIRCLE  
RINGGOLD, GA 30736

#### MTC-00021121

From: dgirton@intercom.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:07am  
Subject: Microsoft Settlement

I believe that the proposed Microsoft—DOJ settlement is a sell-out to Microsoft (hereafter called MS). The proposed settlement doesn't achieve much at all. It doesn't punish MS sufficiently for its proven monopolistic, illegal behavior. It doesn't call for any serious remedies that would preclude MS from doing

all sorts of monopolistic behaviors. It allows them to do whatever they want, however they want, whenever they want.

The only good result is that now MS is known as an illegal monopoly. Please rethink the proposed settlement to put some real teeth in it.

Dan Girton

#### MTC-00021122

From: Regal, Robert  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 10:10am  
Subject: Microsoft Settlement

Hello Doj people,

First of all, I'd like to congratulate you on dealing with such a difficult case where there are undoubtedly vast amounts of behind the scenes plotting going on. However, in regards to the proposed settlement, I would like to ask you to reconsider your stance on it. Please do not allow Microsoft to dominate the OS market anymore. As I'm sure you are aware, Microsoft does promote a standard platform which the majority of the world uses. Is this beneficial to the consumer, you must've asked? I do not believe that it is. The interoperability promoted by a world OS is a nice benefit of their monopoly, but is not worth the cost in innovation, security and quality. Microsoft has effectively squished numerous operating systems into niches each of which actually offer demonstrable technological advantages over Windows. I guess the real question is, has Microsoft used its monopoly to dominate other markets unfairly. This is obviously a yes. Why, because to gain a market share for any given product, all Microsoft has to do is integrate that product with their OS and they suddenly have an installed base of 90% of American computers. I find it suspicious that the OS industry is not differentiated into an oligopoly like the car industry, fast food industry or even other software sectors like accounting software (There are 3 or 4 dominant home accounting programs but none is remotely as dominant as Microsoft is).

Please reconsider,  
Robert Regal

Also, don't allow that injection of Microsoft products into an environment not yet completely dominated by Windows. Competition is good. Microsoft does not promote this.

#### MTC-00021123

From: Captgramma@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nancy Nancy  
750 Ranch Road 336  
Leakey, TX 78873

#### MTC-00021124

From: r-a-l@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Laczko  
1234 Naranca Avenue  
El Cajon, CA 92021-4908

#### MTC-00021125

From: Josh Watters  
To: Microsoft ATR  
Date: 1/24/02 10:07am

I seriously doubt any strong consideration is being given to letters sent to this address. If the DoJ or anyone else with government influence were truly concerned with the thoughts of the American public, or most critically the educated American public, this issue would have been laid to rest some time ago with far heavier consequences levied against Microsoft. None the less I'll continue with the lingering hope that continued comments might serve the public interest despite the government concerns with corporate profit over our welfare. There are three operating systems in the world, Mac OS, Linux, and windows. Unless you're running Mac hardware, a minority of the population, the Mac OS is meaningless. Which leaves us with Windows and Linux. Today, Linux is just beginning to reach a stage where it can be installed onto a system in under 5 hours due to its complexity. Lets add to this that drivers for most hardware is still difficult to find and that the Media giants have stepped in with law suits preventing Linux operators from viewing DVD's the rightfully own. Funny how this little seemingly unrelated topics further assist Microsoft.

Microsoft has absolutely no incentive to improve their software. They force new upgrades on the public, leverage application upgrades in the business sector, which then eventually forces the public to upgrade applications as well. They stomped out Netscape, generally considered to be the superior browser. Today there is no Netscape. Sure it exist, but no one uses it, there is no strong incentive to improve or market it, and now for all practical purposes we're stuck with a browser that has as many problems and failures as the OS.

MS has also managed to take huge market share from AOL. Now that in itself isn't bad. AOL should be forced to defend its turf just like any other American corporation. But MS isn't likely to stop. The OS market gives them the chance to do to AOL what they did to Netscape. AOL might be a bigger target and a harder bare to kill, Netscape never really had that much cash to burn, but MS has more cash in the reserves than the US government. Without enforcement of antitrust laws, AOL will fall to. Eventually we get to the Xbox. Now MS has done nothing wrong here. But anyone with the slightest awareness of history has to expect MS to start leveraging power in the home video gaming arena. How will they do, I wouldn't care to guess, there's plenty of methods. The key here is that antitrust laws have no teeth. There has been no punitive action taken against Microsoft. And the government has clearly said its better to break the law and ask for forgiveness later. There is nothing but incentive for MS to continue its current behaviour. MS is a corporation and will behave in the manner which garnishes the most returns. The government must clearly make it unprofitable to break the law, else why have the laws at all.

In closing, this entire process has been made into a joke. All technically educated people not profiting from Microsoft are frustrated over the government's incompetence. Even the media, the spearhead epitome of the uneducated masses has started to catch on. So far the only thing this settlement has done is prove the greatest American tragedy of all, "MONEY BUYS EVERYTHING!"

**MTC-00021126**

From: sooze@m33access.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Susan Daggett  
211 Agnes St  
P.O. Box 324  
Rose city, MI 48654-0324

**MTC-00021127**

From: rdunn54219@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:06am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ron Dunn  
4207 e san angelo  
higley, AZ 85236

**MTC-00021128**

From: Rob Hatton  
To: Microsoft ATR  
Date: 1/24/02 8:53am  
Subject: Microsoft Settlement

We tried a 'consent agreement' before, and it didn't work. Simply bust the company up.  
Rob

**MTC-00021129**

From: Warren Dodge  
To: Microsoft ATR  
Date: 1/24/02 10:08am  
Subject: Microsoft Settlement

Hello,

This is a public comment on the proposed settlement between the DOJ and Microsoft. I disapprove of the settlement because it does not punish Microsoft nearly enough for their past wrongdoing and does not prevent them from continuing their habitual anticompetitive practices in the future. Microsoft has a proven track record of extending their operating system monopoly with anticompetitive practices. Andrew Schulman published a book titled "Undocumented DOS" in the 1980s that exposed particular practices that Microsoft used to make their application programs run better than competitors' programs. By deliberately hiding information and programming APIs from anyone outside of Microsoft, while internally publicizing that information, they guaranteed their programs an (unfair) advantage over their competitors'.

As a professional programmer for more than 12 years, I am firmly convinced that the

innovations of the computer industry that Microsoft takes such public credit for, would be much, much further advanced had the company been broken up or regulated back in the days when it was extending its monopoly from the base of the DOS operating system. Many years later, it's hard to restore the balance that was lost, but we must try. They have been a damping influence on computing advancements for many years because of their tremendous size and influence, and their extreme aggressiveness and arrogance. They have proven over time, that they must be actively policed and have the threat of \_\_significant\_\_ punishment brought to bear or they will continue their business in their usual illegal manner.

Thank you for your consideration,  
Warren Dodge  
3846 Cazador St.  
Los Angeles, CA 90065

**MTC-00021130**

From: Timothy D Smith  
To: Microsoft ATR  
Date: 1/24/02 10:13am  
Subject: Microsoft Settlement

I do not support the proposed settlement because I do not think it provides sufficient punishment to balance Microsoft's offenses, nor sufficient incentive to prevent them from doing the same in the future. Furthermore, the idea of punishing a monopoly by requiring them to extend their monopoly into the US educational system is incomprehensible.

Timothy D. Smith  
Senior Designer/Webmaster  
Cleveland Free Times  
216-321-2300x245  
H- 2757 Lancashire #4  
Cleveland Heights, Ohio 44106  
216-321-0558

**MTC-00021131**

From: cdataman@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Gillespie  
137 Valley Road  
Lawrenceville, GA 30044-4158

**MTC-00021132**

From: Michael Miller  
 To: 'microsoft.atr(a)usdoj.gov'  
 Date: 1/24/02 10:07am  
 Subject: Microsoft Settlement

Dear sirs,  
 I am writing to ask that any settlement to be made with Microsoft ensure that monopoly of the operating system market is not used in future to extend control over successively greater portions of the computer environment. As I sit now, to perform my job of network administration, I am compelled to use an MS operating system, MS Office applications, MS web browser, MS e-mail client, etc. This company has grown so powerful it may be a threat to national economic stability, subject to their management decisions. Please keep this in mind, and further remember that previous consent decrees have been easily circumvented if not outright violated by Microsoft. They are more dangerous than they might appear.

Thank you for providing this opportunity to speak.

Michael Miller  
 Communications Engineer  
 SPS Commerce  
 mailto:mmiller@spscommerce.com

**MTC-00021133**

From: LewisBigRig@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:06am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Mike Lewis  
 14647 Wellington Ct.  
 Noblesville, IN 46060

**MTC-00021134**

From: argolead@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:07am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer

icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 A.R. Gould  
 7711 O'Connor Dr Apt 2507  
 Round Rock, TX 78681

**MTC-00021135**

From: Jim\_Matisi@compusa.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:08am  
 Subject: Microsoft Settlement

I think the proposed settlement is a bad Idea. It is not an effective way to encourage free enterprise. Microsoft should have to pay adequately for the immense number of anti-trust violations over many years which have never been corrected. I do not want to live in a society where computing is dominated by one monopoly company any more than I wanted to have a monopoly run our phone services. Please take the appropriate steps to protect consumers. You owe it to the American public.

Sincerely,  
 Jim Matisi  
 Technical Consultant

**MTC-00021136**

From: Steve Troyer  
 To: Microsoft ATR  
 Date: 1/24/02 10:08am  
 Subject: Microsoft Settlement

I Do not agree with the proposed settlement of the Microsoft v. US DOJ. I does not punish Microsoft for its past sins. Nor does it give adequate assurance that a proven monopolist will modify its behaviour to foster a more competitive environment. A de facto standard's API and other interface and file format interchange information must be freely and widely available without auditing or editing by any Microsoft dominated or influenced organization. If in any way restricted is becomes a club to force the world to comply to Microsoft's view of the proper order of things. And it has been proven in a court of law and upheld on appeal that Microsoft's actions demonstrate that its view of the market place in through a monopolistic lens.

**MTC-00021137**

From: sandel@texas.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:09am  
 Subject: Microsoft Settlement

I am outraged by the Microsoft settlement. They have repeatedly broken the law, harmed consumers by reducing choices, reducing innovation and driving competitors out of business with anti-competitive practices. The settlement that is in place is less than a hand-slap and will not be effective in opening up competition, nor will

it increase innovation in the industry. The settlement must be re-negotiated to truly reflect the nature of Microsoft's criminal actions.

Charles Sandel  
 sandel@texas.net  
 512-458-8431  
 5403 Aurora Drive  
 Austin, TX 78756

**MTC-00021138**

From: Robert Wright  
 To: Microsoft ATR  
 Date: 1/24/02 10:09am  
 Subject: MICROSOFT SETTLEMENT  
 URGE SETTLEMENT.  
 R.C.WRIGHT  
 1524 HARVEST LANE  
 MANASQUAN, NJ 08736

**MTC-00021139**

From: jpg@cvs.agilent.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:09am  
 Subject: Microsoft Settlement

I would like to make a comment against the current settlement agreement between the DOJ and Microsoft.

I speak from an experience of developing software and firmware for the past 17 years. I have witnessed many innovative ideas and whole companies get ruined due to the ogreish juggernaut known as Microsoft. This company has been able to get out from every restriction/correction the US Justice department has placed on it.

This latest judgement shows a fundamental lack of effectively stopping Microsoft from continuing its monopolistic practices in the PC/Intel market.

In the future, what business (not necessarily Microsoft) will have any fear of the US antitrust laws if this settlement is approved. The erosion of the effectiveness of the Sherman Antitrust Act is the real loss to the American public.

John Griffin  
 34260 E. Lacombe Rd.  
 Lebanon, OR 97355

**MTC-00021140**

From: 2trash  
 To: Microsoft ATR  
 Date: 1/24/02 10:08am  
 Subject: Microsoft Settlement

The settlement that would be in the best interest of the people, is to make the data formats used for Microsoft Word and Excel files be public domain. This would allow other alternatives to Microsoft to be developed that support business and government. Currently various government offices allow documents to be submitted in Word or Excel formats, which provides further justification for making these formats public domain. The settlement would have to limit Microsoft's ability to upgrade formats and eliminate competition. Public control of these formats would slow the frivolous development of office tools that require expensive retooling every few years. Few businesses, government offices, and schools can afford to upgrade software every two years at more than \$200 a seat. Microsoft can continue to improve its software, but not at the expense of others trying to do the same.

CC:dgillmor@sjmercury.com@inetgw

**MTC-00021141**

From: Pamela Darrah  
 To: Microsoft ATR  
 Date: 1/24/02 10:10am  
 Subject: Microsoft Settlement

As a concerned citizen, voter, taxpayer and long time user of Microsoft products, I would like to express my opinion that there has been quite enough litigation. As a consumer, I do not feel that I have been harmed by Microsoft. I clearly remember my first computer (before the IBM PC and DOS) and have been involved with computers both professionally and personally since that time. Despite all the complaints from those who don't understand what computing was like 20 years ago, I firmly believe that Microsoft products have improved things for consumers. It is very unlikely that there would be computers in so many homes, schools and libraries that are used by non-high tech individuals without the products and vision Microsoft has provided. There has always been choice in software—people have chosen to use Microsoft products. To this day there are still alternatives. If I want to I can run a Linux, Unix or Apple operating system—with that there are several competitors to Office that use the same file formats so they can be exchanged with other users. As far as I am concerned as a consumer, that IS competition.

Please finish this settlement and let everyone get back to writing better software instead of spending way too much time and money in courtrooms. (If you really want to look at anti-competitive behavior—investigate AOL!)

Sincerely,  
 Pamela Darrah  
 479 Colford Avenue  
 West Chicago, IL 60185  
 pdarrah@sprynet.com

**MTC-00021142**

From: jabishop@sptc.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:07am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Jack Bishop  
 5413-166th St  
 Lubbock, TX 79424-6817

**MTC-00021143**

From: Ritch (038) Linda Gibson  
 To: Microsoft ATR  
 Date: 1/24/02 10:10am  
 Subject: Microsoft Settlement  
 To whom it may concern:

I am so tired of these lawsuits. If we are to have jobs we need to keep big companies moving along not being held up in court action. These companies are the ones our people need in order to have jobs. Microsoft is will to settle let them do it and get on with the peoples business and something more worthwhile like people who commit criminal acts against others not legal entanglements.

Thanks you for your time and I hope you are interested.

Linda Gibson

**MTC-00021144**

From: jrussell@surf-ici.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:07am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 John Russell, Jr.  
 2092 Brandywine Lane  
 Martinsville, IN 46151-9522

**MTC-00021145**

From: moseslaser@cs.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:08am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Richard Moses  
 2049 29th Ave NW  
 New Brighton, MN 55112

**MTC-00021146**

From: Odie053@webtv.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:07am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Rachel Garfield  
 415 Tropic Dr.  
 Palmetto, FL 34221-5415

**MTC-00021147**

From: Sean Reilly  
 To: Microsoft ATR  
 Date: 1/24/02 10:00am  
 Subject: Microsoft Settlement

To Whom it May Concern,

I am writing to express my objection to the terms of the tentative settlement reached by the DOJ and Microsoft. The limitations applied to Microsoft's behavior with regard to OEM's do not adequately limit the retaliatory options open to Microsoft. It is ridiculous that this settlement does not protect OEM's who install non-Windows operating systems unless they also install Windows on the same computer.

The proposed settlement also does not seem to keep Microsoft from withholding Windows licenses to OEM's that install certain third party icons, menu items, or programs.

I believe that if this settlement is approved, it will have little to no effect on Microsoft's atrocious abuse of its monopoly power to put competitors out of business. Microsoft has been shown to be capable of easily getting around these types of restrictions (witness the 1995 consent decree), and I believe that this settlement will not cause Microsoft to stop abusing its monopoly power in any meaningful way. In addition, this settlement attempts to limit Microsoft's unlawful behavior by specifying what Microsoft is restricted from doing. This does absolutely nothing to keep Microsoft from engaging in other types of anti-competitive actions in the future. There are many other ways that

Microsoft can take advantage of its PC operating system monopoly that the court has not yet witnessed. Is the Department of Justice going to bring Microsoft to court for every new monopoly abuse that has not already been explicitly mentioned in a settlement agreement? Isn't it better to solve the problem at its root rather than repeatedly treat the symptoms at great cost?

Splitting Microsoft into an applications company and an operating systems company (and possibly a third company for Internet services) is the fairest, most effective solution. This would not impact Microsoft's ability to innovate in any of the areas in which they operate. It would also force them to compete on level ground with competitors in the operating systems, applications, and internet services markets. In conclusion, I ask that you reject the proposed settlement and produce a solution that will actually have the effect of limiting Microsoft's behavior.

Sincerely,  
Sean Reilly  
2818 Floyd Avenue,  
Richmond, VA 23221  
804 340 0943

**MTC-00021148**

From: Hurst, Jim  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 10:12am  
Subject: Microsoft Settlement  
January 24, 2002  
113 Farida Drive  
Asheville, NC 28804  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Hesse:

I wish to comment on the proposed settlement with Microsoft. As a developer and engineer of 18 years experience, I have closely watched the industry, and seen Microsoft repeatedly extend its illegal monopoly. Now, they have been caught violating the law, and the government proposes essentially to ignore it (this is the opinion of no less an authority an authority than Robert Bork). Judge Bork says that the proposed settlement clears the way for Microsoft to extend its monopoly to most if not all areas of the industry. This is unacceptable.

The proposed settlement would be a very bad thing for the country. Currently, I am a security engineer. Microsoft treats security as a public relations, rather than a technical, problem. The implications for the country's infrastructure to be at the mercy of a merciless and security-incompetent company are frightening. Do you want Russian mobsters reading your email? Well, don't worry, Microsoft will hire public relations people to help you feel better about it.

There is the larger issue of justice. This company has done wrong, and the government, after an exhaustive effort to prove it, proposes letting them get away with it. Laws that are not enforced are worthless. Please strengthen the remedies against Microsoft.

I have the following specific comments:

1) The PFJ lacks effective enforcement. Microsoft should be forced to pay for enforcement against itself. It should post a significant bond against this eventuality.

2) The PFJ provides for increased technical disclosure, but this provision is flawed in the following ways:

- a) it fails to require advance notice of technical requirements
  - b) the provision for releasing API information is not timely enough for competing vendors to adapt their products to meet the requirements of section III.H.3
  - c) several important APIs would remain undocumented
  - d) unacceptable restrictions would be placed on the use of released documentation
  - e) file formats would remain undocumented
  - f) Windows patents covering APIs would remain undisclosed
- 3) Microsoft is allowed by the proposed settlement to continue to discriminate against companies that pose any threat to its illegal monopoly.

a) Section III.A.2. allows Microsoft to retaliate against any OEM shipping competing OSes without a Microsoft OS. This effectively requires OEMs to ship Microsoft always.

b) Section III.B. allows Microsoft to retaliate against smaller OEMs.

c) Microsoft is allowed to discriminate against ISVs who ship open source software. Since open source is the only competitive option on the desktop, this is clearly a monopolistic practice and should be prohibited

d) Microsoft is allowed to discriminate against ISVs who target Windows compatible Microsoft OSes.

The proposed settlement is seriously flawed, and as written constitutes license for Microsoft to destroy more good companies and extend their illegal monopoly.

Please address these issues.

Sincerely,  
James R. Hurst

**MTC-00021149**

From: jmpickrell@home.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Pickrell  
25512 Aysen Drive  
Punta Gorda, FL 33983-5526

**MTC-00021150**

From: rhkerr@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:09am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roger Kerr  
101 E. Hillcrest Drive  
Wellsburg, WV 26070-1937

**MTC-00021151**

From: aug1023048@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ron Bowling Jr  
7575 Frankford Road #1813  
Dallas, TX 75252-6459

**MTC-00021152**

From: dean—saxton@sil.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:09am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dean Saxton  
438 South Third Ave  
Tucson, AZ 85701-2405

**MTC-00021153**

From: dean—saxton@sil.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:09am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Sincerely,  
Dean Saxton  
438 South Third Ave  
Tucson, AZ 85701-2405

**MTC-00021154**

From: daddyo—469@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:11am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Heil  
469 Reservoir St.  
Herculaneum, MO 63048-1035

**MTC-00021155**

From: Yeager, Mark  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:56am  
Subject: Public Comments on the Microsoft Settlement

Dear DOJ,

I have been closely following the antitrust case against Microsoft. I am a software engineer. For the last 15 years I have been writing software for Windows, Unix, Linux, VxWorks, Psos, etc.

The settlement that you have reached with Microsoft is inadequate. Every judge that has read the facts has found Microsoft guilty. The only controversy was over a judge's behavior, not over Microsoft's behavior. Microsoft abuses their power in the market place to the detriment of the consumer. We are heading towards a time where you can own a computer, but you cannot use it in your own home without paying Microsoft \$200 or \$300 every year. You can own it, but you cannot use it.

I am a capitalist, I believe in the free market, I believe in competition. There is no competition when a market segment is controlled by one monopolist.

I have seen the settlement document. What a load of legalistic bull. It is so convoluted as to be meaningless. It is clear that the Microsoft lawyers wanted it confusing so that they could argue over it in court while the company continues its monopolistic practices. A simple, readable document would be too easy to enforce.

Shame on you. Shame on all of you. Shame on you for falling for the line that the economy would be hurt by furthering competition. Shame on you for not looking out for the little guy, the consumer. If your mothers knew what you have done, they would be embarrassed.

At a minimum the settlement should:

Prohibit different pricing policies for different customers, although pricing can include volume discounts.

Require prices to be posted on a web site available to the public.

Require that Microsoft products be sold for 3 years after a newer version has been introduced.

Require that Microsoft provide service, fixes, and patches for 3 more years after a product is no longer for sale.

Require that computer manufacturers offer the customer a choice of any operating system still available for sale.

Prohibit Microsoft from charging computer manufactures based on number of computers sold. Only charges based on the number of Microsoft products sold.

Require that Microsoft publish its APIs to its middleware, operating systems, and authentication services.

Prohibit Microsoft from using any secret API for its products that interface with its middleware, operating systems or authentication services.

Require Microsoft to publish the APIs 6 months before a new version of middleware, operating system or authentication service is offered for sale.

Establish an independent testing body that will create tests for new Microsoft middleware, operating systems, or authentication services to test that the published APIs in fact are correct for the middleware or operating systems. Product release could be held up if the API does not match what was documented.

Prohibit Microsoft from requiring product registration over the web, that phone-in registration must be supported in a timely and convenient manner.

Sincerely,  
Mark Yeager  
President  
Device Drivers Incorporated  
PO Box 397  
West Groton MA 01472  
myeager@ieee.org  
CC: 'Mark Yeager (ieee)', 'Mark Yeager (home)', 'thomas....

**MTC-00021156**

From: Nancy Swaim  
To: Microsoft ATR  
Date: 1/24/02 10:13am  
Subject: AOL

For AOL Time Warner to sue Microsoft on the behalf of consumers is absurd. As a subscriber to their monopoly cable company I can assure you that TWC uses consumers as a captive source of low-maintenance income. I want this thrown out of court! I've had about all the protection of my rights that I can stand to support with my taxes.

Sincerely,  
Nancy Swaim  
705 Kerria Ave.  
McAllen, TX 78501  
nswaim@acnet.net  
956 687 4048

**MTC-00021157**

From: castles@charter.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:10am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 gail castles  
 1728 Lawton Rd.  
 Selmer, TN 38375

**MTC-00021158**

From: David Lawrence Ramsey  
 To: Microsoft ATR  
 Date: 1/24/02 10:12am  
 Subject: Microsoft Settlement

The proposed settlement for the Microsoft antitrust case is a very bad idea, given its current state. It is full of potential loopholes due to vague and/or excessively narrow wording in many areas, which give Microsoft an advantage, effectively rewarding it instead of punishing it. Furthermore, some of the conditions in it will exclude competitors' software from working with Microsoft; for example, it only is required to provide information on API's to "reasonable businesses," the definition of which is first left up to Microsoft (effectively allowing it to arbitrarily exclude whichever competitors it wants by claiming them not to be reasonable businesses), and which does not include free software or open source software, including Linux and software written for Linux that helps interface with proprietary Microsoft protocols and/or file formats. Also, there is no provision to prevent it from patenting everything it controls, including software technologies, in order to lock out other operating systems from using similar technologies. (For example, note Microsoft's recent acquisition of some of SGI's three-dimensional graphics patents; it could prevent competitors using OpenGL or similar software from using them anymore.)

Given that Linux is one of its few true competitors simply due to its nature (it cannot be bought out or beaten price-wise by Microsoft due to its free downloads; and it cannot be completely crushed due to its programmers being scattered around the globe, i. e. its decentralization; etc.), it and similarly free operating systems must be allowed to interface with it in order to keep a foothold in the market. Denying them that will eventually remove them as competitors, allowing consumers no alternative other than Microsoft.

A good settlement must level the playing field, so to speak. It must allow for interoperability between Microsoft and other operating systems; it must allow other operating systems to gain more than tiny fractions of the desktop market, and to keep and/or gain in the server market; in short, it must allow the most superior technology, rather than the technology with the most market share, to triumph with consumers. If this is not done, those consumers may be stuck with inferior technologies and have no alternatives to them. Also, not doing so would imply that if a company is rich enough and powerful enough, they can do whatever they wish and escape all negative consequences should they ever incur any; what does that say to other businesspeople?

To reiterate, the current settlement with Microsoft is no true punishment; it must be expanded so that it truly will allow competing technologies, if superior to Microsoft's, to gain true footholds and become standards. Technological standards

must not be dictated by the highest bidder, but rather by the strength and superiority of the technology. Microsoft is not hindered by the current settlement; it could just exploit whatever loopholes it finds and ignore whatever provisions it disagrees with, as it did with the 1994 antitrust ruling against it. Do not let history repeat itself; Microsoft has broken laws, and must truly be punished for it.

**MTC-00021159**

From: robby@wt6.usdoj.gov@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:08am  
 Subject: Microsoft Settlement

I believe that the current proposed settlement against Microsoft is a travesty in action. If anyone can claim to look closely at the current state of computing and see Microsoft as anything other than a monopoly than they are lying to at least them selves. If the DOJ doesn't believe that MS is acting in the wrong, it would be Better to work to repeal the anti-trust laws than to act as if MS is not violating. —

Robert Moeckel  
 robby@moeckel.net

**MTC-00021160**

From: pmaddy@essex1.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:09am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Paul Maddy  
 11417 Loron Rd  
 Morrison, IL 61270-9451

**MTC-00021161**

From: Jan Knepper  
 To: Microsoft ATR  
 Date: 1/24/02 9:57am  
 Subject: Microsoft Settlement  
 Dear Renata B. Hesse  
 Antitrust Division  
 U.S. Department of Justice  
 601 D Street NW  
 Suite 1200  
 Washington, DC 20530-0001

I am opposed by the proposed judgement. Although Microsoft is an example of the American dream in some ways. Microsoft is even more an example of that dream coming true and the power that comes with that

dream coming true being abused. Too many times in the past Microsoft has wiped out producers of products that would be nice additions to their Operating System. Just look back into the "Stack" case, the disc compressor program.

Following that, currently the Internet is suffering a lot because of Microsoft Internet Information Server Worm Viruses. These Viruses are possible because of a bad design of software promoted to the world with a lot of financial power. Of course Microsoft made it money, but the world is paying! First for a products of disputable quality. Second for the serious problems this product allowed to bring in the world. Allowing Microsoft to buy their way out of this would be a very bad example of American justice.

Thanks!

Jan Knepper  
 Jan Knepper  
 Smartsoft, LLC  
 88 Petersburg Road  
 Petersburg, NJ 08270  
 U.S.A.  
<http://www.smartsoft.cc/>  
 Phone : 609-628-4260  
 FAX : 609-628-1267

In God we Trust—all others must submit an X.509 certificate.

—Charles Forsythe  
 <forsythe@alum.mit.edu>

**MTC-00021162**

From: Jared Watkins  
 To: Microsoft ATR  
 Date: 1/24/02 10:14am  
 Subject: Microsoft Settlement

I will keep this short and to the point.. I fail to see how the proposed settlement will, in any real way, punish Microsoft for past bad acts.. or prevent it from continuing the same illegal behavior. Considering the size and financial resources of Microsoft there must be an appropriately strong remedy if any change in behavior is to be expected. If it were my choice to make... I would split the company into three sections: Operating Systems, Applications, and Network Ventures. Only through such separation can the monopoly leverage of "bundling" be stopped. In my view.. the IE browser would be an application along with the Office suite and other standalone software products. IIS and other network server software, including streaming media, would fall under Network Ventures because of the necessary backend integration required for network services. This would prevent the dominance of the Operating System from being used as a vehicle to spread limitlessly into other areas such as online media format and content control.

Jared Watkins

**MTC-00021163**

From: Ralph H. Stoos Jr.  
 To: Microsoft ATR  
 Date: 1/24/02 10:13am  
 Subject: Microsoft Settlement

Dear Maam or Sirs,

I have read the documents related to the Anti Trust case. Both the finding of fact and the proposed settlement. I am enraged so that I feel it is necessary to generate this note. It is apparent from the findings of fact that



Microsoft regularly (and with malice aforethought) did indeed engage in grossly anti-competitive practices for a number of years.

The proposed settlement is the corporate equivalent of saying to a juvenile delinquent "Don't let me catch you doing that again". This "settlement" is patently absurd in its omissions. Microsoft has made it unprofitable for an entire industry to develop anything for any other operating system.

I am not an anarchist. It is my belief that any company should be allowed to succeed with a better, faster, cheaper, or more easy to use product. That means playing on a level field and winning "fair and square".

Microsoft did do this to some extent with Windows by placing an "easy to use" handle on the technical task of operating a computer thereby allowing a larger number of people to use them and get work done. This is very commendable and I do not deny Microsoft the right to make a reasonable profit doing just that. The starting point at which Microsoft started to gain its monopoly standing was when Windows was introduced. For a number of years prior to that WordPerfect was the absolute leader in Word Processing software. It was only unseated as the leader when Microsoft created Word for Windows. Microsoft Word for DOS was never able to overcome WordPerfect in the DOS arena as it was not a better product. The integration into the Windows operating system is the only reason Word moved ahead of WordPerfect. Lotus 123 dominated the spreadsheet market for many years until Microsoft integrated Excel (later) into the Windows OS. The list goes on and on. Try to imagine the number of companies that either died trying to compete or never came to be.

This "integration" in and of itself is not unexpected and certainly not an anti-competitive practice. It just shows that the public expected that when the applications are "integrated" with the OS, things will be better, and they probably were slightly better. This is clearly a case of "perceived value" that is not unusual. It is the leveraging out of other applications and making it difficult to impossible to use competing applications that is the true "crime" here.

As an employee of Xerox which was the firm that benevolently "gave away" Ethernet, PostScript, the Graphical User Interface, and the mouse in the spirit of furthering computing in general, I am somewhat surprised that Microsoft (or Apple Computer before it) would take this philanthropic act and permute it to their own ends and then use it as a weapon to keep competitors at bay. This is certainly not what Xerox had in mind and goes against the statements that Mr. Gates has made of what his company is about. To further emphasize my point I will make this analogy. At this point in time in this country, if a person were to cause a company to give them large sums of money and force them to stay in a given place for long periods of time, you would call that extortion, blackmail, or kidnapping. Microsoft has done the equivalent of that from a software perspective by deliberately interlinking, causing to be proprietary exclusive, and creating interdependant OS

and applications so as to allow individual companies no viable alternatives, all the while charging them basically whatever they wish. Microsofts prices are not competitive because they do not have to be. Now to the point. As part of the settlement I feel it would be fair to have the following:

1. Mr. Gates issue at the minimum a sizable press release (my preference would be a vey apologetic TV commercial in prime time) which details some of his companies most heinous acts of monopoly preservation. Then the United States public could decide if these acts warrant them altering their OS purchase decisions for the future. I believe many Americans are too busy to even know what has transpired and this would inform them.

2. Cash damages in some proportional amount should be paid into a fund that would allow for schools to purchase non-Microsoft software to allow part of the educational process to demonstrate that there are alternatives. If UNIX/Linux were at least shown at schools, children would be exposed to the underlying foundation of computing and make them more technically literate for the future. This is not only good "playing field-leveling" activity but would make for a smarter workforce down the road for America which is something we sorely need.

3. The TC (Technical Committee) should be forewarned and monitored so that in the "field of potential gold" they would be strolling through, none of the "dust" would end up in their pockets. Ask Congressmen and Senators how often PACs and other groups offer to provide "perks" and other inducments to "encourage" legislation (or lack thereof). Severe penalties for violations by Microsoft and the members of the committee should be set and explained up front so there is no misunderstanding.

4. The five year limitation should be extended to such a date when it is deemed by the TC (or another impartially appointed body) that there is a viable alternative to Microsoft products in the OS and Applications market that is readily available. This would then foster real competition and would benefit the American public by keeping prices down and the features of the software improving.

So, here is my "counter proposal" which is additive to your settlement. I urge you to consider all points and provide more than a "hand slap" to Microsoft. America and the world would benefit. My apologies for the length of this note, but it is an issue that weighs heavily on my sense of fair play.

Ralph H. Stoos Jr.

Technical Services Project Manager  
Xerox Corporation

#### MTC-00021164

From: Treichel, Madith F.  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 10:32am  
Subject: To Whom It May Concern,

To Whom It May Concern,  
I think the settlement is insufficient.  
Respectfully,  
Madith Treichel  
Clerical Assistant  
Merck Medco Rx Services  
Dublin, OH

#### MTC-00021165

From: Steven Swift  
To: Microsoft ATR  
Date: 1/24/02 10:15am  
Subject: Microsoft Settlement

Dear US Justice Department,  
I am a small business owner and wish to make a simple comment about the Microsoft Settlement. The penalty must be strong and not allow Microsoft to use their own products as payments.

Cash for the full amount, plus on-going support costs must be provided, for at least 10 years. My company has been directly damaged by Microsoft due to poor software quality, viruses and forced upgrades. The penalties for Microsoft must include the support of third party software. I suggest that Microsoft be required to fund the Free Software Foundation to the tune of \$100 Million per year for a period of at least 10 years. This money must go into a "blind trust" so that Microsoft can not control the money.

I also think that the settlement does not fully recognize the Linux movement. Open source and "free" software must explicitly benefit from the settlement. For example, a good item would be to require a port of Microsoft Office to Linux.

As an individual, I would like to see at least \$100 for each copy of Windows, I have had to buy pre-installed on my computers.

I still think a break-up is the best for the consumer and, as a stockholder of Microsoft stock, I prefer that settlement method as it gives me the most value. I agree with the content of Ralph Nader's and James Love's letter to the Court (<http://www.cptech.org/atms/rnj12kollarkotellynov501.html>).

Thank you.

Best Regards,  
Steven D. Swift, P.E.  
President  
Novatech Instruments, Inc.  
P.O. Box 55997  
Seattle, WA 98155-0997  
CC:novatech@eskimo.com@inetgw

#### MTC-00021166

From: harlelmar@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:11am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Harvey Martin  
101 Twin Peaks Lane Sequim, WA 98382

**MTC-00021167**

From: William Birch  
To: Microsoft ATR  
Date: 1/24/02 10:14am  
Subject: Microsoft Settlement  
TWIMC;

I have grave concerns over the proposed Microsoft settlement in the antitrust case of UNITED STATES OF AMERICA vs. MICROSOFT CORPORATION, Civil Action No. 98-1232 (CKK).

I feel that the proposed actions to be taken against Microsoft are not stringent enough. The actions specified are not sufficient deterrent against their business model and I would expect many of their more predatory business practices to remain if the punishment is so lenient.

-William Birch, CTO, The lyte Research Group

√ William A. Birch [WAB] √  
√ wab@lyte.org √

**MTC-00021168**

From: Joe Block  
To: Microsoft ATR  
Date: 1/24/02 10:15am  
Subject: Microsoft Settlement

I think that Microsoft's proposed settlement is a travesty. They want to use the penalty imposed for their monopolistic practices to cram their product into the one market they —don't— already have a stranglehold on: education.

If they want to donate to education as a settlement, fine. But make them donate cash, that the education systems can use to buy and/or support technologies that work, such as open source, not force them to buy from MS and increase their already monopolist market share.

jpb  
Joe Block  
<jpb@ApesSeekingKnowledge.net>  
Information is the currency of democracy.  
-Thomas Jefferson

**MTC-00021169**

From: Sean Eye  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement

To Whom it May Concern,  
I wish to express my disappointment in the proposed settlement with Microsoft. I do not believe the proposed actions will in anyway hinder Microsoft's ability to stifle competition or bullying tactics. If this settlement goes through, all the DOJ will have effectively is waste tax payers time and money. I thought lady justice was supposed to be blind to money or political leverage, apparently not.

I would urge the DOJ to look long and hard at the settlement proposed by the objecting states. Their proposal looks fair and has SOME teeth. It would deter many of Microsoft current practices and help to open the doors of competition.

Sean Eye  
Systems Administrator

**MTC-00021170**

From: dragan@asu.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:12am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Donal M. Ragan  
1887 East Concorda Drive  
Tempe, AZ 85282-2806

**MTC-00021171**

From: AWX3@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:11am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
MaryAnn Forry  
3205 Glengreen Dr.  
Lancaster, PA 17601

**MTC-00021172**

From: aortner@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Anthony Ortner  
700 Live Oak St.  
Maitland, FL 32751-5705

**MTC-00021173**

From: bhawk418@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Treacy  
375 Houghton Rd.  
Sagamore Hills, OH 44067-1157

**MTC-00021174**

From: Thomas W. Culbertson  
To: Microsoft Attorney  
Date: 1/24/02 10:16am  
Subject: Microsoft Settlement

I wish to go on record as a supporter of Microsoft. It is a shame that the resources of our government are being used against one of our greatest national assets (Microsoft).

Why doesn't the government go after the Oil Cartel or the US Post office, monopolies who are working against our national economic interest?

Thomas Culbertson

**MTC-00021175**

From: bwoolever@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:13am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bill Woolever  
2220 S Webster Dr  
Midwest City, OK 73130-6722

#### MTC-00021176

From: JohnR8831@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:16am  
Subject: Microsoft Settlement

Dear Sirs:

I hate to think of the sums that have been wasted in the DOJ attempt to give MS competitors an opportunity to pick its bones clean. It seems all a company has to do to get nailed by you guys is to succeed and have some competitors seek legal assistance instead of market support.

I have been a MS customer since the company was founded. I have read Gates's book "The Road Ahead," I have owned stock in the company because I believed they had superior products and a marketing team that was aggressive. Being a business man myself, I know you can't expect to win in the business world unless you go after market share like a bulldog after a cat. To punish a company for succeeding in catching the cat is anti competitive and anti consumer. You don't get better share of market by not offering the right product at the right price. It just doesn't happen.

What DOJ seems to be doing is making it impossible for MS to continue to sell its products. You won't even let the company give them away to the schools. What's the matter with you? Are you crazy? Would it hurt the children to have access to better information, well delivered and simply accessed at no cost? I must be missing something. Or is your mission to hurt the consumer, cripple MS, enrich some states' coffers at the expense of the stock holders and employees of MS, assist MS competitors so they can sell inferior products at higher cost? If that is your mission, then I strongly object to having tax payer money expended on such a pernicious, unpatriotic and destructive undertaking.

Please give MS a break. Now especially when our nation is in the throes of the most serious recession since 1929. Don't you think its time to find another target? While MS has competitors how can DOJ say it is a monopoly? When I played the game I nobody else had a piece of "Park Place." It was all mine.

Sorry if this letter seems curt, but I do think enough is enough.

Sincerely,  
John Rhein  
CC:msfin@microsoft.com@inetgw

#### MTC-00021177

From: ruthannaw@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:12am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ruthanna Wolf  
8996 Cortona Drive  
Whittier, CA 90603-1104

#### MTC-00021178

From: Sprinker Webmaster  
To: Microsoft ATR  
Date: 1/24/02 10:18am  
Subject: Microsoft Settlement—(Netscape issue)

U.S. Department Of Justice,

I am disgusted by Netscape / AOL's move to sue Microsoft, over allegations that Microsoft's Internet Explorer illegally "harmed" Netscape's (browser product). This is getting insane. I find it curious that AOL decided to buy Netscape DURING the existing DoJ trial, when it was no secret that the success of Internet Explorer was and is based on IE's merit, usability, compatibility and overall superiority to Netscape's browser, and not on any virtue of "market share" on the part of Microsoft or IE. AOL / Time Warner needs to cut the cry-baby crap, and quit hiding behind litigation to protest Microsoft's success. Bill Gates and his team enjoy success (albeit against continual interference from lawyers and the government) ? because Bill Gates produces superior and affordable software. End of story.

As a Web Site developer, I (am compelled) to run a current version of Netscape (Navigator) alongside my copy of Internet Explorer; to work-out "incompatibility" issues with the Sites I write. Hands-down, I have no problems with IE, yet Netscape refuses to display certain graphics and such. Point being made again ? I, and may people CHOOSE to use IE because it is a better product.

In closing, I request that the DoJ give credence to the spirit of Free Enterprise and NOT grant AOL's greedy lawyers any (judgment or penalty) against Microsoft. Leave the world's best software-maker alone, so they can continue their mission of creating innovative and desirable software.

Some of my colleagues prefer the Netscape product, and that's great, too... People need to be free to make their own decisions based on what works, and what works for them. Let the market be dictated by the quality and merit of a product ? not by lawyers or courts. Thank you.

Sincerely,  
BRUCE MURPHY  
Webmaster, Sprinker Web Site  
www.Sprinker.org  
(253) 973-0900  
Email: Webmaster@Sprinker.org

#### MTC-00021179

From: Chris Jackson  
To: Microsoft ATR  
Date: 1/24/02 10:18am  
Subject: Microsoft Settlement  
To the D. O. J.

Let's get this case over with. I think the settlement is indeed in the public interest. And while we're at it ... I wish someone would chastise AOL-Warner for buying Netscape for the sole purpose (in my humble opinion) of having another way to bring litigation against Microsoft ... thereby attempting to stifle the innovative developments that would benefit Computer end users worldwide, instead of competing in a fair and open market.

Sincerely,  
Chris Jackson  
Chris@ProgressiveComp.com  
Progressive Computing International

#### MTC-00021180

From: ljae@mrtc.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:15am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lewis Eagle  
5120 Old Ky. 15 Pine Ridge , KY 41360

#### MTC-00021181

From: stoltz—jeff@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:15am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jeff Stoltz  
2615 Crestline Ave  
Raleigh, NC 27603-3105

**MTC-00021182**

From: Jim\_Matisi@compusa.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:19am  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200 Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>), namely:

The PFJ doesn't take into account Windows-compatible competing operating systems Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

The PFJ requires Microsoft to release API documentation to ISVs so they can create

compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows. The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows. Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems. Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The PFJ as currently written appears to lack an effective enforcement mechanism. We also agree with the conclusion reached by that document, namely that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Sincerely,  
Jim Matisi  
Technical Consultant

**MTC-00021183**

From: damien@mac.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 10:18am  
Subject: Microsoft Settlement

Folks—All my life, I've been told that monopolies are illegal. Yet, the Microsoft settlement seems to allow the monopoly to live. This is simply incompatible with the basic belief of fairness that all Americans possess. I sincerely hope that the Courts can find a better settlement with this legally defined monopoly.

Thanks,  
Damien Weiss  
Arlington, VA.

**MTC-00021184**

From: Sharon L Sandgathe  
To: Microsoft ATR  
Date: 1/24/02 10:18am  
Subject: Proposed Microsoft Settlement

Dear DOJ,  
Please do not ratify the proposed Microsoft settlement. This settlement does not go far enough to be effective in preventing Microsoft from continuing with its blatant anti-competitive behavior. In addition to the immediate problems Microsoft causes in the computer software industries, its anti-competitive strategies cause widespread harm to U.S. productivity, thanks to the number of people who use Microsoft's inferior products only because of the difficulty they have finding viable ways to work around its monopoly. Please make sure that any settlement addresses these problems; the current proposal does not.

Sharon Stevens  
Tucson, AZ  
sangats@u.arizona.edu

**MTC-00021185**

From: Ganesh Shankar  
To: Microsoft ATR  
Date: 1/24/02 10:17am  
Subject: Microsoft Settlement

I believe that the MS settlement is a bad idea and restricts competition.

Sincerely yours,  
Ganesh Shankar

**MTC-00021186**

From: James Heitefuss  
To: Microsoft ATR  
Date: 1/24/02 10:18am  
Subject: Microsoft Settlement

I'm a Software Systems Analyst at San Diego Unified School District. Our business dealings with Microsoft along with my professional knowledge and experience in the business and consumer markets have shown that all the court cases against Microsoft are without merit.

Thank you,  
James Heitefuss

**MTC-00021187**

From: VMA324@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:16am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
George Fritschi  
POB 770787  
Winter Garden, FL 34777-0787

**MTC-00021188**

From: kathywheeldon@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:17am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kathy Wheeldon  
10605 N. 48th St.  
Omaha, NE 68152-1515

**MTC-00021189**

From: Bcd268@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:19am  
Subject: Microsoft Settlement

The actions and timing of AOL are so blatantly frivolous and miserly, that the case should be thrown out before it can start. When they merged with Time Warner, they became a formidable monopoly themselves. Now they are taking a "shot" at a company already embroiled in legal issues. Please do the public a service by throwing AOL's case out before spending millions in taxpayers money. Let the settlement talks with Microsoft go on and get this matter resolved.

Sincerely,  
Bonnie and John Dion

**MTC-00021190**

From: dr\_print@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:17am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
R. Ronald Corbett, Ph.D.  
231 SE 45th Terrace  
Ocala, FL 34471-3224

**MTC-00021191**

From: slorush@yournet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:16am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roy & Faye Rushing  
8343 Orchard Point Road  
Harrison, AR 72601-8624

**MTC-00021192**

From: cjc@fretel.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:18am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carol Culham  
39 N Spruce St  
P.O.Box 113  
Parker, ID 83438-0113

**MTC-00021193**

From: obenchain@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Charles Obenchain  
1002 Park St.  
Alameda, CA 94501

**MTC-00021194**

From: Brett Holt  
To: Microsoft ATR  
Date: 1/24/02 10:20am  
Subject: Microsoft Settlement

As provided for under the Tunney Act, I would like to comment on the proposed Microsoft settlement. As a consumer, I am concerned about the consequences of allowing Microsoft to continue to restrain fair competition, resulting in far less choice and lower levels of innovation to the users of computer products.

Although there are numerous objections which should be raised, including the lack of any substantive penalties for past misconduct, I would like to focus on only one reason which I feel is of particular importance as we move forward from this case.

The best part of the settlement is its attempt to address the unfair monopolistic advantage Microsoft achieves by making it difficult for competing vendors to build software that interoperates with Microsoft's operating systems and applications. While desiring to remedy this problem is certainly good, the proposed remedies are not likely to be effective.

The proposed settlement allows Microsoft to exclude all but the very largest software vendors from access to the technical information needed to build interoperable programs. This has an unfair effect on both

small software vendors and developers of open source software. The greatest potential for future innovation rests on precisely that portion of the marketplace that is excluded in this settlement. A far better remedy would be to require Microsoft to make this technical data publicly available. The cost of compliance need not be significantly greater than it would be if only large competitors were allowed access, due to the relative ease with which such information can be made available over the Internet. I am convinced that this would be one of the best ways to protect the interests of consumers and to promote innovation over the long term.

Sincerely,  
Brett R. Holt  
Takoma Park, MD

**MTC-00021195**

From: Don Soegaard  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement  
Gentlemen:

I want to voice my opposition to the proposed Federal settlement in the Microsoft Antitrust Trial.

The settlement is not adequate to address the serious issues involved.

Don Soegaard  
2081 California Street  
Sutter, California 95982  
530-751-1942

**MTC-00021196**

From: Jeremy Howes  
To: Microsoft ATR  
Date: 1/24/02 8:47am  
Subject: Microsoft Settlement  
To: Renata B. Hesse Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, we wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Keigel's analysis (on the Web at <http://www.keigel.com/remedy/remedy2.html>), namely:

\*The PFJ doesn't take into account Windows-compatible competing operating systems

\*Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

\*The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

\*The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

\*The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

\*The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

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\*The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

\*The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

\*The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

\*The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

\*The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

\*Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

\*Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

\*Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

\*The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

\*Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

\*The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

\*The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

\*The PFJ allows Microsoft to discriminate against small OEMs— including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

\*The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

\*The PFJ as currently written appears to lack an effective enforcement mechanism.

I also agree with the conclusion reached by that document, namely that the Proposed

Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems

Regards,  
Jeremy Howes  
CC:stephowes@carolina.rr.com  
@inetgw.jeremy.howes@driv.

**MTC-00021197**

From: Cris Flagg  
To: Microsoft ATR  
Date: 1/24/02 10:23am  
Subject: Microsoft Settlement

The prohibited conduct suggested in the settlement does little to restrict microsoft. The final caveat whereby "This agreement lets Microsoft keep secret anything having to do with security or copy protection" is already leveraged against the spirit of the settlement. IN a recent press release from Microsoft "Microsoft's co-founder called on the industry to acknowledge that the solutions to security and privacy challenges, which are often comingled in the minds of consumers"

Future circumvention of the spirit of this or any agreement will be based on the requirements of "security" rather than integration, as was the internet explorer/ netscape case.

I do not believe this settlement punishes microsoft in any meaningful way nor does it force microsoft to act in an anti-competative manner. Even with the light treatment Microsoft is receiveing it is already setting the groundwork to avoid the restrictions of this settlement.

**MTC-00021198**

From: Theodore A Isabella  
To: Microsoft ATR  
Date: 1/24/02 10:22am  
Subject: Comments for the public record DOJ v Microsoft  
To the Honorable Kollar Kotelly and Renata Hesse,

Attached is a Microsoft Word document containing my comments concerning the DOJ v Microsoft case. Please advise if this is acceptable (to submit as an attachment). Otherwise I can submit any way you prefer.

Regards,  
Theodore A Isabella

**MTC-00021198-0001**

Theodore A Isabella  
116 Kent Drive  
Clayton, DE 19938  
302-6534207  
isabelTA@yahoo.com  
To: The Honorable Kollar Kotelly  
CC: Renata Hesse  
Trial Attorney  
Antitrust Division  
Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530  
Fax 202-616-9937  
microsoft.atr@usdoj.gov  
Subj: Comments for the public record US DOJ v Microsoft

To the Honorable Kollar Kotelly, January 24, 2001 I appreciate this opportunity to submit my thoughts and comments concerning the Department of Justice's Anti-Trust case against Microsoft. I was motivated to write after reading recent rulings in the DOJ v Microsoft case. I realize what I am about to say may be described as "closing the barn door after the horse got out." Yet, I ask for your patience and indulgence as you listen to my comments, for that kindness I thank you in advance.

Who am I to comment on such a case? And, what qualifications, if any, do I bring to the debate? Both are fair and reasonable questions to ask. I am a multi-system technology professional, adapt inside of the Microsoft technology world and outside of it as well. I am well trained enough to make a living as an Independent Consultant and have been doing so since the mid 1990's. In addition, my total experience in the technology profession dates back to 1972. It's my belief I have the necessary background and life experience to understand these recent rulings within the context of the law as well as the industry I've been privileged to work in these last 30 years.

When we compare this case to the one that established the benchmark (Standard Oil) for Anti-Trust legislation we do not see the logical components to support the DOJ's position (to take Anti-Trust action against Microsoft.) By this I mean, in the Standard Oil case it was clear behavior by Standard Oil impeded competition and hindered the free market system; by the direct result of actions taken by Standard Oil the consumer was put at risk, e.g., by the effective blocking of competition from the well-head, through production, to the gas pump, the consumer could not benefit by the free-market. It is clear that Microsoft does not, nor did it ever, have this kind of control over the free market. Hence, my first point is, this case does meet the test for Anti-Trust action.

This leads me to my second point—who benefits from any Anti-Trust ruling against Microsoft? I believe any Anti-Trust ruling against Microsoft actually promotes the kind of behavior we intend to stifle via Anti-Trust legislation. How so? It's my belief that the companies who helped initiate the legal action are being rewarded for bad business practices. What am I talking about?

#### **MTC-00021198—0002**

Business decisions. Here is where my experience and technical background forces me to disagree with any ruling that subscribes to the notion that Microsoft is a monopoly. The primary reason for Microsoft's success has more to do with others' poor business decisions than anything else. The idea that there are insufficient resources available for the free-market to produce a remedy is false—it is simply untrue. Companies like Apple, IBM, Compaq, HP, and Dell, to name a few, have the capacity to produce a competitive Desktop Operating System and roll it out within a year. That's correct, I said one year. How is this so?

u Apple Computer Corporation: had, at one point, an x86 project that ported the Mac OS to the x86 chip. Though it was already in

Beta but for "business" reasons Steve Jobs killed the project. Another interesting business decision by Apple was the pulling of the Mac clone licenses. One of its major vendors, a company called PowerComputing, was starting to roll out Mac clones with a newly developed OS called the BeOs. The BeOs was designed to run on multiple CPU architectures, i.e., both the x86 and the Apple PowerPC chip. Question, why did Apple pull the license? Answer, a business decision.

Using the DOJ's logic, could this not be construed as Anti-Trust behavior, stifling competition for the PowerPC chip? IBM and OS2 Warp. Clearly IBM is a company that has the financial resources to go toe-to-toe with Microsoft and did not, why? Consider its joint venture with Apple and Motorola that produced the next generation CPU, the PowerPC chip. A Swedish technical team ported the Mac OS to IBM's RS-6000 computer system, and did it in 6 months! So we know from experience that IBM can roll out a competitive OS that will run on multiple CPU architecture in a relatively short period of time. Additionally, IBM already has an OS that runs on the x86 chip, it's called OS2. Why not ask IBM, who, with its R&D clout and a true 32 bit OS already in production, how come it abandoned the Desktop OS arena? Answer, business decision.

u Windows is not a dominant OS. The Windows Operating System may be the dominant Operating System (OS) in the United States, however, depending on which country you are in it may not be. For example, in Canada the Macintosh OS has a dominant footprint in the business community, as it does in Europe and the Asian-Pacific basin. Apple, after-all, is a multi-billion dollar a year company, someone, somewhere, is buying its Mac OS over the Microsoft OS.

The aforementioned are only a couple of examples of many. I could site similar stories for companies like Sun, Compaq, HP, and of course what about the hardware vendors like Dell who have the financial resources to port already existing OS's to their platforms. The question begged by my examples is why not? The answer is simple, "business decision." And therein lies my concern; any Anti-Trust ruling against Microsoft actually rewards these companies for making bad decisions that have negatively impacted the consumer.

When one examines the facts, looks at the benchmark for Anti-Trust, one is forced to conclude that the DOJ's case against Microsoft has been at the outset an effort to reward those, who for their own business reasons, refused to compete in the free-market system, which of course, is their choice, however, I argue we ought not to reward that kind of behavior. I respectfully submit that the DOJ's Anti-Trust case against Microsoft should be dismissed. Thank you for this opportunity to share my thoughts, I remain,

Sincerely yours,  
Theodore A Isabella

**MTC-00021198—0003**

**MTC-00021199**

From: Magister  
To: Microsoft ATR

Date: 1/24/02 10:22am

Subject: Settlement  
304 S Lowry  
Stillwater Ok, 74074  
January 18, 2002  
Renata B. Hesse Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

To whom it may concern;

Though I am a laymen regarding this trial, I have been following it avidly in the media, and I have been watching the settlement process with horror. In spite of the courts' findings that Microsoft is a monopoly which has abused its monopolistic powers, a settlement is being reached which does virtually nothing to deal with either their past crimes or to keep them from committing future crimes.

From my point of view, Microsofts monopoly combined with its unwillingness to provide information about its products which many consumers have no choice but to use due to the fact that Windows is the only operating system which will work with certain commercial software which may be necessary for the completion of a task, especially by those not intimately familiar with computers and the methods to program and configure them, has significantly harmed the market.

Their willingness to alter their API and drivers models, often without providing full details on their modification makes it difficult for developpers to create software or drivers which they know will be compatible with future versions of windows. Yet at the same time, Windows ME, 2000, and to an even greater degree, enforce compliance with these not fully disclosed and arbitrary driver models or "warn of impending doom" if the user attempts to install drivers which have not been certified and digitally signed by microsoft as being compliant.

It is my opinion, that at the very least, Microsoft should be forced to avoid many of these past transgressions by providing full disclosure. I am not an extremist and do not advocate some peoples suggestion that Microsoft should be forced to expose the source code of Windows, however, I do strongly support forcing Microsoft to fully document its APIs, driver models, and file formats.

Sincerely  
Timothy Wiseman  
TAW.

#### **MTC-00021200**

From: littlered501@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel

going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ron Ron  
650 Ramawood Dr.  
Concord, NC 28025

**MTC-00021201**

From: Ruth  
To: Microsoft ATR  
Date: 1/24/02 10:22am  
Subject: Microsoft

Dear Sir:

Will the Government please stop wasting taxpayers money in regards to Microsoft. Let the free enterprise work. AOL has no case. I have always used Netscape on Microsoft windows. I will let AOL know that, too.

Ruth A. Yobs  
Tobyhanna, PA

**MTC-00021202**

From: hwmiller14@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington,, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Harry Miller  
4981 Partridge Way  
Ogden, UT 84403-4457

**MTC-00021203**

From: wsmoore@horse  
racinginfo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

Microsoft is doing nothing wrong but running an efficient and profitable business. Something most software companies that publish titles for the common household PC cannot accomplish. Therefore, they blame the largest marketshare holder as the reason instead of their substandard competitive offerings. The proposed settlement will do nothing to help those whom cannot compete with inferior development. The fact that alternate operating systems DO exist clearly prove no monopoly is present.

Steven Moore  
U.S. Citizen

**MTC-00021204**

From: gerald@peoplepc.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington,, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gerald Dunn  
1441 Old chapin Rd.  
#913  
Lexington, SC 29072

**MTC-00021205**

From: fayetta@bpsinet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington,, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Laretta Pinkleton  
2903 S. Troy Ave.  
Marion,, IN 46953

**MTC-00021206**

From: a022657@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington,, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,,  
Irma Atanasio  
20920 Kelly Pl  
Denver, CO 80249

**MTC-00021207**

From: april@cros.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:19am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
patricia fox  
p.o.box 414  
port clinton, OH 43452

**MTC-00021208**

From: sydco@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Netscape is simply acting like a cry-baby. Our country should be encouraging, not punishing, business and innovations. Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the



future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sydney Corbett  
231 SE 45th Terrace  
Ocala, FL 34471-3224

**MTC-00021209**

From: coolcrow@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Dear Sir:

Dear Sir:

During this time of world wide chaos, it's incredible to me that everyone is wasting their time on law suits. This is especially true for the State Attorney Generals who couldn't defend the country from terrorists at their airports. Put your mind and actions on important matters, instead of trying to help companies who fail in the market place. Carl Kapikian 2401 Fairway Drive N. Jupiter, FL PS I own shares in MSFT but I own more shares of AOL

**MTC-00021210**

From: Syrjbuild@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Loren Syrjala  
211 N Pine St  
PO Box 729  
Gwinn, MI 49841

**MTC-00021211**

From: Matthew Barone  
To: Microsoft ATR  
Date: 1/24/02 10:23am  
Subject: Microsoft Settlement

As an American citizen I am embarrassed to think that the US government would so easily settle this case. I think the proposed settlement will most likely be an example of the close ties this Administration has with corporate leaders and therefore I do not support it.

Matthew Barone  
Marblehead, MA  
USA

**MTC-00021212**

From: Bob Knapp  
To: Microsoft ATR  
Date: 1/24/02 10:23am  
Subject: Enough is enough  
Leave Microsoft alone!!

Our anti-trust laws, unlike those of Europe, are to protect the consumer, not to protect uncompetitive competitors, such as Netscape. Just how am I, the consumer, harmed by receiving a free product? Does Ford sue General Motors because GM cars come with a GM radio installed at no extra cost? Of course not.

Stop this attack on our American success story—leave Microsoft alone.

Bob Knapp  
Missoula, MT  
wrknapp@montana.com

**MTC-00021213**

From: fmayher@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
frank  
6645 e.hermosa vista dr.  
mesa, AZ 85215-2207

**MTC-00021214**

From: george.alaniz@dot.ca.gov@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
George Alaniz  
17483 Mallory Dr.  
Bloomington, CA 92316

**MTC-00021215**

From: carolyn.mulligan@sun.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please continue to enforce anti-trust laws. Microsoft has consistently violated many provisions of the law, and should be held accountable for its actions.

Computer technology has been the prime force behind productivity increases in the American and world economies, particularly in the last 10 years. Small companies with innovative ideas are at the mercy of the predatory practices of Microsoft, and enforcement of anti-trust laws will help to ensure that the astounding productivity improvements which have fueled economic growth in the recent past are not strangled.

Sincerely,  
Carolyn Mulligan  
13360 Milwaukee Court  
Thornton, CO 80241-1326

**MTC-00021216**

From: Bob Shaw  
To: Microsoft ATR  
Date: 1/24/02 10:23am  
Subject: Microsoft Settlement

I am writing in opposition to the current terms of the proposed Microsoft/DOJ settlement.

Although there are many aspects of the proposed settlement, a particularly glaring omission is the format of files/documents created by Microsoft Office products will remain hidden and proprietary.

These files, which are essentially the intellectual property of the person/user who wrote them, cannot then be reliably used, except with the aid of a Microsoft product.

This would include letters and spreadsheets, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry, described in the "Findings of Fact", paragraphs 20 and 39.

Bob Shaw  
Network Administrator  
Cronosys, LLC  
Cleveland, Ohio  
216.221.4600 x354

**MTC-00021218**

From: LRBENGR@AOL.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the

fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
LEE BROSCIOUS  
715 CATAWISSA AVE  
SUNBURY, PA 17801-1535

**MTC-00021219**

From: redleg-6@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Andrew J. McVeigh III  
48 Cottondale Road  
Austin, TX 78738-1329

**MTC-00021220**

From: nanadaley@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Catherine Daley  
84 Loft Drive  
Martinsville, NJ 08836

**MTC-00021221**

From: Alfalfa4sale@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: "Microsoft Settlement"

Ladies & Gentlemen:

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft—the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen." This economically-draining witch-hunt has gone on long enough. Stop it now!

Ronald Faria  
Manteca, CA

CC:Namsad@aol.com@inetgw,PBEHR1@aol.com@inetgw,daveiv...

**MTC-00021222**

From: signoril@voicenet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kathy&Bill Signorile  
2360 Hemlock Farms  
Hawley, PA 18428

**MTC-00021223**

From: rdpope@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ralph Pope  
64 Winter Street  
Somersworth, NH 03878-2743

**MTC-00021226**

From: Ann Wahlstrom  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

I do not agree with this settlement. Monopolies are not good for our economy, I would like to see diversity and competition.

Thank you—  
Ann Wahlstrom  
Lake Benton, MN.

**MTC-00021227**

From: ragsdale@intellisys.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Virgil Ragsdale  
313 Buena Vista  
Altus, OK 73521-1129

**MTC-00021228**

From: OhiKennedy@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

I do not agree that the proposed settlement is sufficient remedy for Microsoft's monopolistic practices, and I do not feel it serves the public interest. As a software applications specialist, I have a keen interest in the present and future state of software for both Macintosh and Intel-compatible computers. I also worked as a mainframe operator in the past, so I know a little about that aspect too. In all of these areas the

proposed final judgement in the Microsoft case doesn't cover enough or go far enough.

In particular, the proposed settlement:

—doesn't address Microsoft's current prohibitions and restrictions on useful, currently-available freeware, shareware, add-ons and competitors' software and firmware;

—does nothing to prevent Microsoft licenses from "locking out" competing software developers simply by changing the name or minor technical requirements of existing or new software;

—is so narrowly worded that Microsoft's own next-generation software and current licenses aren't even covered, even though its anti-competitive practices are certainly still in use;

—doesn't address Microsoft's proven technique of adding incompatibilities to punish and discourage users of non-Microsoft operating systems (evidence presented in the 1996 *Caldera v. Microsoft* antitrust lawsuit); and

—doesn't address Microsoft's restrictive and anti-competitive licenses for very large end-users ('enterprises').

I've used many kinds and sizes of computers and computerized equipment since 1981. In those two decades I've seen a dramatic decrease in the number of operating systems available, in the availability of competing software for office and home tasks, and ultimately in the types of computers available. I believe this has been a direct result of Microsoft's growing stranglehold on computer OEMs and software developers and users, and it has not resulted in better software or more choices for consumers!

The proposed final judgement in the Microsoft case chiefly serves Microsoft's interests, as written. The indecorous haste with which it was revised and released, without the support of the DoJ's own staff who have worked with the case for years, presents the appearance of a "promise bought and paid for" and opens the American civil justice system to criticism by the entire world.

Roberta A. Kennedy  
5484 Pelican Way  
St. Augustine, Florida 32080

#### MTC-00021229

From: mail2jamie@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:22am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jamie Thigpen  
9550 Alta Mira Drive  
Dallas, TX 75218-3560

#### MTC-00021235

From: RMKM8818@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Microsoft Settlement

We want this case settled as agreed with no further delay.

#### MTC-00021241

From: Ed Herman

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Microsoft Settlement 1-24-02

Please stop the action against Microsoft. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

Thank you  
Ed Herman  
821 Hasbrock Rd  
Norwalk, OH 44857

#### MTC-00021242

From: list(u)7531 at Hotmail

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Microsoft Settlement

Hi,

Here are my comments on the Microsoft anti-trust case:

1. Surely Microsoft has far too much influence over the computer manufacturers. If Microsoft force them to sell PC's which only have Windows installed, or are Not allowed to sell Windows on their PC's at all, that prevents fair competition at the most important point.

2. In the "Internet age" product security features are essential. If PC's can be hacked, that poses a grave threat to National Security because these vulnerable systems can be used to crash Government mail servers. Microsoft should be held accountable for this. One viable option is to make them offer a "bounty" for each vulnerability discovered, without allowing them to impose punitive non-disclosure terms.

3. In view of this, should Microsoft be made to audit all the program code in their Windows operating systems within a reasonable period. This is essential in the "home user" environment where trained support personnel are not available, and there are no firewalls to stop hackers. Updates would not always be performed by users who didn't understand the importance of the security issues involved.

4. To promote fair competition in the software development market, Microsoft should be required to disclose, in full, the network protocols and programming functions used in their products. They should also be made to fully disclose all future network protocols and other

"application interface" features such as the Hotmail "HTTP mail retrieval" protocols, for "fair competition" purposes and security audit.

Regards,  
Adrian

#### MTC-00021243

From: CSC(u)JHM

To: Microsoft ATR

Date: 1/24/02 10:25am

Subject: Microsoft Settlement

Sirs!

What I have seen/heard of the proposed settlement appears to legalize rather than correct Microsoft's abusive monopolistic behavior. I don't see where any of the proposal will increase competition and benefit the small consumer. You should at least force unbundling of the software from hardware.

John H. McCoy

#### MTC-00021244

From: Wong fei-hung

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Tunney Act—PFJ—My Two Bits

Hello,

I am writing because I believe the PFJ in the Microsoft Antitrust Case is severely lacking in several areas. The key areas I am concerned with can be found outlined at the following internet url: <<http://www.kegel.com/remedy/letter.html>>

Please look at these points and reconsider what you feel is the appropriate action. I worked for CompuServe and was there for the merger with AOL. One of the things I didn't understand is how the government would go to AOL/CompuServe for a definition of what an online service is. Somehow AOL/CompuServe convinced the Antitrust Division that they were an "internet service provider" and had plenty of competition. This point was key to getting the approval to merge.

This couldn't have been farther from the truth. AOL/CompuServe are online community providers that also happen to provide access to the internet. There wasn't any comparable service of any size at that time. Now AOL has the market cornered as an Online Community Provider and the CompuServe "brand" is dying a slow quiet death.

The PFJ looks like the Antitrust Office is making the same mistake again by allowing a technical company to use smoke and mirrors to negotiate an outcome that will have little to no long lasting effect on Microsoft and doesn't halt their monopolist practices one iota.

Thank you for your time,  
Raymond L. Haines  
Support Analyst  
U.S. Citizen

#### MTC-00021265

From: William C. Hunt

To: Microsoft ATR

Date: 1/24/02 10:43am

Subject: Microsoft Settlement

MTC-00021265\_0001

January 16, 2002

Okeechobee, FL 34974

William C. Hunt

814 Seven Lakes, N.  
West End, NC 27376  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue,  
Washington, DC 20530  
Dear Mr. Ashcroft:

As a long-standing professional member of my community, I have been and still am outraged by the government's unending pursuit of a successful corporation such as Microsoft. I attribute the exponential surge in the economy of the 1990's and the technical advancements of the last fifteen years to the Microsoft product line and their innovation. This all being said, I am relieved that the Department of Justice has finally agreed to settle this judicial debacle with Microsoft and allow all parties to move on.

Some people have made the mistake of seeing Shunt's work as a load of rubbish about railway timetables. This settlement, three years and three months to late, provides for increased competition, the fostering of innovation and while not needed, a greater sense of accountability. According to the settlement, Microsoft must submit its software and business records to a government oversight committee. The role of this committee is to ensure Microsoft's compliance with the settlement. While I do not agree that this is necessary, the fact that Microsoft has agreed to it shows that their highest interest is the public and ending this action.

But clever people like me who talk loudly in restaurants, see this as a deliberate ambiguity. A plea for justice in a mechanized society.

The settlement offers an opportunity to revitalize our economy, and we should take it. Furthermore, I would suggest that you encourage the several states not following this settlement to change their minds. When Shunt says the 8:15 from Paddington he really means the 8:17 from Paddington. The places are the same, only the time is altered.

Ecce homo ergo elk. La Fontaine knew his sister, and knew her bloody well.

Sincerely,  
William Hunt  
814 Seven Lakes,  
North West End, NC 27376  
cc: Representative Howard Coble  
00021265\_0002

**MTC-00021292**

From: Mark Walsh  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement  
—Original Message—  
From: Mark Walsh [mailto:  
walsh@dundee.net]  
Sent: Thursday, January 24, 2002 10:22 AM  
To: 'msfin@microsoft.com'  
Subject: WHY HASN'T MICROSOFT  
COUNTERSUED OVER AOL'S INSTANT  
MESSENGER MONOPOLY?

AOL's refusal to cooperate on developing an open standard for instant messaging proves they are using their position in the market to maintain their monopoly. Why do I have to have unfriendly AOL software on my computer that has compatibility problems with other software because they refuse to

work with other companies? Instant Messenger type software has become a primary reason to own a computer and may shortly overtake the importance of browsers.

It seems AOL has become the most monopolistic of all and no one in Washington cares (or they own too many AOL shares to care).

Mark Walsh  
An Actual User

**MTC-00021294**

From: Mark Lowenstein  
To: Microsoft ATR  
Date: 1/24/02 10:27am  
Subject: Microsoft settlement

I believe that the DOJ has taken a very soft approach to the Microsoft settlement, that the public will continue to pay for with reduced innovation and poorly designed products. I have been a student of the industry for years and find it hard to think of one real major concept that Microsoft was a true innovator. The company puts out marginal products that would not be successful in a true competitive environment.

It is also clear to me the Netscape's browser was a victim of Microsoft's predatory practices and I feel that the DOJ has caved on this case.

CC:microsoftsettlement@  
alexbrubaker.com@inetgw

**MTC-00021295**

From: Jonathan Darnel  
To: Microsoft ATR  
Date: 1/24/02 10:28am  
Subject: Microsoft Settlement  
Sir or Madam:

To put it simply, the proposed settlement of the Microsoft Antitrust Suit is weak in restrictions and lacking in the realm of enforcement. Instead of being a solution, it simply perpetuates the problem. Microsoft has consistently shown itself to be in contempt of the DoJ, and of any agreements it has made with that entity. Do you really believe that they, for a second, intend to abide by this agreement. Do you truly believe that Microsoft fears another legal battle with the DoJ after having twice now fought you to a stalemate?

What needs to be required of Microsoft is a capitulation of Microsoft of the part of what types of software they own and develop. Microsoft owns and develops games, operating systems, web browsers, office suites, and many other software tools. It is time for Microsoft to relinquish some of the markets it has dominated for so long.

Sincerely,  
Jonathan Darnel  
50949 Clover Rd.  
Granger, IN 46530

**MTC-00021296**

From: peterson abilla  
To: Microsoft ATR  
Date: 1/24/02 10:29am  
Subject: against microsoft settlement

Microsoft got a slap on the wrist. Please consider a harsher ruling.

Peterson S. Abilla

**MTC-00021327**

From: chris.hoopman@guidant.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 10:26am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
chris hoopman  
500 155th Ave. NW  
andover, MN 55304

**MTC-00021329**

From: Mark R. Millsap  
To: Microsoft ATR  
Date: 1/24/02 10:29am  
Subject: Microsoft Settlement

Sirs:

I would request the DOJ to re-visit and re-work the Proposed Final Judgment settlement for the following reasons:

The PFJ Fails to Prohibit Anticompetitive License Terms and Anticompetitive Practices currently used by Microsoft

I am most concerned with Microsoft's actions towards OEM's that ship PC (and other computing devices) with competing Operating Systems and Application software. I wish for a level playing field when selecting PC's and PDA, for instance. I don't think that the OEMs are receiving neutral treatment if they consider other sources than Microsoft. (Pressure on Dell for shipping Linux boxes for example.)

And finally, the PFJ as currently written appears to lack an effective enforcement mechanism. Needs better teeth.

Best Regards,  
Mark R. Millsap  
Residence Potomac Falls, Virginia

**MTC-00021330**

From: regide@inreach.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those

supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rita Egide  
2724 Wyatt Court  
Rocklin, CA 95765-5608

**MTC-00021331**

From: Doug Lewis  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 10:28am  
Subject: Microsoft Settlement

I am extremely disappointed in the Department of Justice's handling of the settlement. Why have you gone out of your way to do what Microsoft wants when they're the one who has broken the law? By the way you have handled this matter it seems like anybody who is arrested by the FBI and convicted of federal charges should get to choose how much time they spend in jail.

Thanks a lot for selling out me an millions of other American consumers and businesses for no real reason.

Doug Lewis

**MTC-00021332**

From: Chung Chang  
To: Microsoft ATR  
Date: 1/24/02 10:28am  
Subject: Microsoft Settlement

To whom may be concerned,  
I strongly favor a settlement between US Government and Microsoft Corporation. We have waste a lot of money and time going for a litigation instead of channeling our resources toward innovations that are going to put our nation ahead of foreign competitions. Somehow in our legal mass we have forgotten that there are plenty of competitions outside our country. I believe that our government is smart enough to lead us into 21th century that is going to encourage innovations rather than protect the losers in the market.

Sincerely,  
Chung

**MTC-00021333**

From: Larry J. Kopenkskey  
To: Microsoft ATR  
Date: 1/24/02 10:32am  
Subject: Microsoft Settlement  
To: microsoft.atr@usdoj.gov  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

I feel that the conditions of the United States v. Microsoft Settlement fails to properly reprimand Microsoft for it's anti-competitive behavior. The conditions of the settlement do not call for an opening of the windows file formats. I consider this a critical omission.

The opening of the windows file formats must be combined with effective documentation of API's. Microsoft should be required to release information about Windows interfaces. The definitions of "Microsoft Middleware Product" and "API" is too narrow, and provides loopholes for Microsoft to avoid any meaningful enforcement.

Definition U should be amended to read: U. "Windows Operating System Product" means any software or firmware code distributed commercially by Microsoft that is capable of executing any subset of the Win32 APIs, including without exclusion Windows 2000 Professional, Windows XP Home, Windows XP Professional, Windows XP Tablet PC Edition, Windows CE, PocketPC 2002, and successors to the foregoing, including the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. Section E should be amended to read ... Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, for the purpose of inter-operating with a Windows Operating System Product or with application software written for Windows, via the Microsoft Developer Network ("MSDN") or similar mechanisms, the APIs and related Documentation that are used by Microsoft Middleware to inter-operate with a Windows Operating System Product ...

III. A. 2. of the Proposed Final Judgment should be amended to read  
2. shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System, or (c) includes a non-Microsoft Operating System but no Windows Operating System Product; or ...

In 1996 Caldera v. Microsoft the judge in the case ruled that: "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft."

The concern here is that, as competing operating systems emerge which are able to run Windows applications, Microsoft might try to sabotage Windows applications, middle-ware, and development tools so that they cannot run on non-Microsoft operating systems, just as they did earlier with Windows 3.1. The actions of Microsoft's executives in court (they appeared to make misrepresentations under oath), combined with Microsoft's previous actions (1996 Caldera v. Microsoft), should effect the severity of Microsoft's punishments for it's behavior.

The current settlement provides to many loop-holes for Microsoft to wiggle through. A more restrictive settlement is necessary, but I feel proper restrictions will only come from a judgment. Anything that Microsoft \*agrees to\* is not severe enough. Larry Kopenkskey, Caledonia, Michigan; Electrical Engineer, Hardware and IC Design Engineer; Member IEEE.

**MTC-00021334**

From: mercer@oakharbor.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:27am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Julie Mercer  
1473 N. Emerald Ct.  
Oak Harbor, WA 98277

**MTC-00021335**

From: hkorrell@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:27am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Harry korrell2  
117 Melvin Avenue  
chicago, MD 21228-4427

**MTC-00021336**

From: tjlipka@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:27am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little

more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,

Margaret Lipka

332 Doyleson Ave

Endwell, NY 13760

**MTC-00021337**

From: rjm\_19136@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:25am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Richard Moran

4533 Teesdale St.

Philadelphia, PA 19136

**MTC-00021338**

From: Daniel F. Schmidt

To: Microsoft ATR

Date: 1/24/02 10:32am

Subject: Microsoft Settlement

OK, so let me see if I'm reading the Final Judgement right:

- Microsoft doesn't have to admit to being a monopoly, or to being guilty of anything, in spite of the fact that they —have— been judged to be one.

-Retaliation against OEMs is prohibited, but impossible to prove, given the way things are set up. On the other hand Microsoft can cancel a licensing contract with any OEM, whenever they feel like it, so long as they give them written notice and the supposed reason for the cancellation.

-They can't prevent OEMs from installing and/or displaying icons, shortcuts, or menu entries for non-MS middleware...unless they make changes in the Windows Documentation; sure, they'll have to prevent their own middleware from working, but that's OK, they can charge whatever they want for the OS and sell the middleware

separately, plus they don't even have to document it if they do the beta testing right (see below)...

-MS can't prevent ISVs from competing with them, or advertising competing products...unless it's written into a contract they have with them (and if it isn't and they compete, you can be sure MS will do everything in their power to make sure things don't work, then claim IP protection allows them to do so, thanks to the clause right afterwards). Not to mention that if you don't have a contract with MS, they can easily punish the ISV by forcing incompatibilities through new “features” (see the part on ActiveX controls) or by implementing some sort of proprietary security measures (see the part on APIs and Communications Protocols), whose workings they then cannot disclose (so sorry)...

-MS can't force vendors to support their OSs whether they want to or not...unless it becomes apparent that the vendors could conceivably sell more non-MS products than MS products, thereby (god forbid) encouraging some semblance of competition...ah, the free market at work...

-MS can't prevent non-MS middleware from loading...unless they come up with a new “eature” involving ActiveX controls that the non-MS middleware is incompatible with; not that they would —ever— do something like that. Yes, they have to tell the ISV, and they will, at the last possible moment, delaying as much as possible, until that particular bit of MS middleware is either very well established or can be claimed as “a necessary part of the OS”, or somesuch thing.

-MS has to disclose how their APIs and Communications Protocols work...unless those things relate is some vague, unspecified way, to some sort of security issue dealing with “anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria”. So in other words, all they have to do is build encryption into all of their Communications Protocols, for instance, and no matter how bad or ineffective it is, no one can ask how it works, thus allowing them to continue abusing their monopoly power.

-A technical committee will be formed to ensure that MS is doing what they're supposed to be doing, according to the settlement, will also take complaints from whomever wishes to complain, and make recommendations as to what to do about them...but the findings of the TC will never make it inside a courtroom! So much for trusting the experts...

...not to mention the fact that MS gets to pick one of the members of the technical committee, who in turns helps to pick the third!

Why on —earth— would you give the people who have been judged to be at fault in this case have —any— power over the enforcement of their own punishment? You can be sure that whoever they pick will be biased, pro-Microsoft, and the restrictions on how long it's been since the person worked at Microsoft are pathetic; someone could've quit MS at the start of the anti-trust proceedings and already be ready to go for the committee...

-NONE of this applies to —anything— other than x86-compatible PCs!! So handhelds that run Windows CE, game stations like the X-Box, and any other machines that can run Windows are exempt from any of this— Because of course Microsoft would —never— attempt to abuse those markets as well. Why on earth should the settlement be limited in this way?

-MS can go about its business, making no disclosures about its middleware, so long as their beta tests involve less than 150,000 testers!! Why should they —ever— go above this number, then? That's enough to test —anything ...

-MS gets to decide, at its sole discretion, what qualifies as an operating system, giving them enormous power to modify the impact of this judgement on future products.

...not that it matters, since this “remedy” is only good for five years, seven tops if the courts decides to extend based on some sort of systemic violations found in Microsoft's behavior.

In summary—This “Final Judgement” will NOT remedy the situation !!! The consumers will —still— suffer due to abuses of power by the Microsoft monopoly, just as they had before, but if this settlement is made, the states who settled (not to mention the federal government) will lose their legal ability to —do something— about this illegal monopoly for many years to come!!! This is patently absurd; anyone who takes a little time to read this can point out, as I just have, many, MANY holes in the judgement; it will force Microsoft to change its ways in order to find new ways to do what it's always done, but the basic pattern of behavior will not change. This is not justice, it's ludicrous. There is no free market so long as these sorts of abuses are allowed to occur, and without competition they will continue to occur. The computer—hardware— market has shown itself to be a hotbed of competition, and as a result, we have gone, just a few years ago, from computers with 100 MHz processors to ones 20 times faster in clock speeds along— Not to mention the amazing advances in flat panel monitor and 3-D graphics processing technology, realistic 3-D sound, enormous, ultra-fat hard drives, and much more. Now, compare that to the operating systems market. We have a lot of very intelligent peoppe working there as well, and working hard. But on the freedom to innovate? Innovate already, —please—!! I'd love to see that happen, but in the same amount of time that I described, we've gone from Windows 95 to Windows ME and XP. They're somewhat more stable than 95, yes, not to mention slower, requiring more processing power and resources to do the exact same things we used to do on our old machines, now obsolete in part due to the ridiculous idea that every “feature” is a good one, even if that's not what the user wants, and that sloppy, unoptimized code is OK because we'll just patch it later, people will buy faster computers, and after all, who —else— are you going to get your software from?? This message was typed on a machine that runs Microsoft Windows, and I'll hazard it will be received by a machine that runs Microsoft Windows. If it's read at all, it will probably be read by people who use Microsoft

Windows. And when those people go home from their jobs, they will come home to computers that most likely run Microsoft Windows. And the next computers they buy will —also— run Microsoft Windows. And the next, and the next... This may not be true for 100% of the population, but 90% is good enough for me, and this is the real test—Look at Microsoft's market share. Will this judgement have —any— impact on it? Or will Microsoft remain a monopoly? Who will make the next piece of software —you— buy? And how much money have you sent them already? Does this bother you at all? Do you think it needs to change? Do you think this judgement will really have the sort of impact that's needed?

This isn't going to change anything; and in that respect, Microsoft has clearly —won—.

Daniel Schmidt  
dfs17@cornell.edu

Department of Materials Science and Engineering

**MTC-00021339**

From: Chris Brewer  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 10:29am  
Subject: Microsoft Settlement

Microsoft is guilty of anti-competitive tactics. The settlement of these charges should result in a penalty to the guilty party. Instead of allowing Microsoft to benefit from the proposed settlement (increasing their market share in the one industry where they aren't as competitive), why not penalize them? Force Microsoft to purchase and distribute Apple Macintosh computers to schools. That would have the double effect of penalizing their anticompetitive practices, as well providing for a more competitive environment.

Please do the right thing. We American people are counting on you.

Chris Brewer  
UNIX Systems Consultant  
Rocky Mountain Broadband Solution Center  
KPMG Consulting, Inc.  
6399 S. Fiddler's Green Circle, Suite 400  
Greenwood Village, CO 80111  
Tel: 720-493-7992 Fax: 720-493-7498  
Please send official business mail to  
<mailto:cgbrewer@kpmg.com>  
cgbrewer@kpmg.com

**MTC-00021340**

From: Steve Dale  
To: Microsoft ATR  
Date: 1/24/02 10:30am  
Subject: Microsoft Settlement

Acceptance of the proposed settlement in U.S. v. Microsoft would clear the road for the company to extend its monopoly to most if not all aspects of computing. I don't think it changes anything for Microsoft, it just lets them continue as they were before.

Steve Dale

**MTC-00021341**

From: det1124@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

I think that the Microsoft settlement should hold. The free enterprise system in the United State works!

Survival of the fittest!

**MTC-00021342**

From: ajk72@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:27am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Audrey Swearingen  
136 South Cortez Lane  
Tustin, CA 92780-7455

**MTC-00021343**

From: Brian K. Vagts  
To: Microsoft ATR  
Date: 1/24/02 10:32am  
Subject: Microsoft Settlement

I am against the current settlement with Microsoft, which I feel will do nothing to curb its de facto monopoly regarding many aspects of computer software. The current settlement will do nothing to protect the interests of the consumer, which has been steadily eroded by Microsoft over the last decade or so, and stifles innovation in the market by the suppression of alternative software providers.

Brian K. Vagts

**MTC-00021344**

From: Brent Johnson  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 10:22am  
Subject: I think Microsoft should be forced to share it's code with the world so I think

Microsoft should be forced to share it's code with the world so others can build software that interacts with Microsofts software. Please don't let them get by with a pat on the wrist....

Thank you  
Brent Johnson

**MTC-00021345**

From: Marian Pedersen  
To: Microsoft ATR  
Date: 1/24/02 10:30am  
Subject: Stop all suits against Microsoft  
Dear Sirs or Madames:

I am outraged by all the suits and claims against Microsoft. No one has given them the credit they deserve. They have brought the

computer world to the highest level. All the others are just jealous of their talent. I am proud of this great American Company and all that they have done. You have bothered them long enough. Leave them alone....

It shows all youth that they can start something in a garage or basement and build it up to be a large company. Look at all the jobs they have created. Look at all the help they have given "users" of the computers....

I beg you to leave them alone....let them create—not fight the government.

I heard that negotiations over the Microsoft antitrust suit are at a critical pass. The Dept. of Justice is asking for public comment.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; (WHY? They should have the credit...and it is easier for the public to find the area...) the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft.

"This is just another method for states to get free money, and a terrible precedent for the future," states the AOCTP, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen." This economically-draining witch-hunt has gone on long enough. We need to let the Department of Justice know how we feel about the Microsoft Settlement.

Again, PLEASE let Microsoft get back to work making new computer technology and innovations....LEAVE THEM ALONE.....!!!!

Pursuant to the Tunney Act, the period for public comment ends January 28, 2002.

Please advise me on your decision.

Sincerely,  
Marian Pedersen  
mfpedersen@msn.com

**MTC-00021346**

From: M Cowperthwaite  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Comments on the proposed Microsoft Settlement

I am writing to express my vexation with the proposed settlement of the antitrust case against Microsoft.

It strikes me as indefensible that the Department of Justice, having successfully found Microsoft guilty of illegally wielding and bolstering their monopoly status, is willing to allow the company to simply agree to minor behavioral restrictions. While I have long thought a structural remedy would be best, I appreciate the arguments against and accept that such remedy may well be unworkable. Therefore, given the need for a behavioral remedy, I believe the following measures, at minimum, would be appropriate:

1) A substantial fine. While I claim no expertise on setting fine valuations, I suggest 33% of Microsoft's gross profits for the years 1994-2000 inclusive.

2) A complete vacation of agreements with PC vendors which specify any control at all by Microsoft on the presentation of the Windows desktop, and the prohibition of any further such agreements.

3)The enforced publication (opening) of the file formats used by the Microsoft Office suite.

These measures would be above and beyond those specified in the proposal, altho those measures need some adjustment on their own. For instance, the language in section III(J)(2) and III(D) specify that the APIs and protocols need to be disclosed only to businesses; in some cases, specific businesses. This is nonsense: the information needs to be published, openly, for use by any and all interested parties—including, it should be noted, government, non-profit and open-source and free-software concerns.

I call upon the arbiters of the proposed settlement to reject and demand the Department of Justice make a new proposal which will actually impose punishment on Microsoft. The company will not fail because of it, and with sufficient restraints on its overweening power, perhaps other companies will have a chance to actually put a product into the market without having it crushed by the behemoth.

Thank you for your attention.

Michael Cowperthwaite  
4960 Highcrest Dr  
Deephaven, MN 55331  
mcow@well.com

**MTC-00021347**

From: jblack000@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

I believe this settlement is a fair and reasonable compromise. This antitrust case needs to end now. I also believe that our economy is in the shape that is in now because of this case. If we don't settle this case now our economy is going to get worse because the market does not like any kind of uncertainty. I also believe that Microsoft did not really do anything wrong. It's being punished for being a really good company and having good products. This antitrust case was not about protecting the consumers as it should have been. It was all about protecting Microsoft's competitors! This is not what our government should be doing!

**MTC-00021348**

From: peter—metcalf@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

I'll see what I can fit in this tiny little comment area. The gist is that the government should stay out of how companies do business and let the markets take care of bad business practices. If a company makes an operating system and an office suite good for them also good luck to them, as an individual it is MY decision whether to use those products or not not the governments. My biggest beef is all the tax money it took to pay for the case(s) as well as the Microsoft money that it took which eventually comes out of the pocket of every Microsoft customer. Govt regulation leads to Socialism which in every nation in history doesn't work!

**MTC-00021349**

From: dpatel@aoctp.org@inetgw  
To: Microsoft ATR

Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

End the case against microsoft. MS has done more than any corp should to propitulate to the DOJ. This case is nothing more than welfare for Netscape. DP

**MTC-00021350**

From: rsanville@portolasytems.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

Microsoft's methods of gaining dominance in the computer industry have caused significant distress to the general business community in the US and the rest of the world. They have suppressed free trade and creative opportunity with sub standard products that have become forced standards.

**MTC-00021351**

From: Marvin Floyd  
To: Microsoft ATR  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement

Please discontinue your long-standing, financially draining efforts to punish Microsoft for their successful products. It is time to move on and let those companies that couldn't compete with them to either come up with better products that can compete or change product lines. This is capitalism, pure and simple. Let good products flourish and the bad ones fade away.

MDF

Marvin D. Floyd  
Global Process Manager  
Qwest Information Technologies, Inc.  
Phone: 303.896.7420 FAX 303.896.7825  
Pager: 303.230.1951  
E-Mail: mdffloyd@qwest.com

"Whether you be man or woman you will never do anything in this world without courage. It is the greatest quality of the mind next to honor." —James L. Allen

**MTC-00021352**

From: lolson@detlakes.k12.mn.us@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

I believe the settlement with Microsoft was a fair settlement. As an educator working with technology I endorse the settlement

**MTC-00021353**

From: dnorton@intertex-gc.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

I think the Federal Government should AGREE to the settlement with Microsoft and bring this case to an end. This would help America heal.

**MTC-00021354**

From: JDarrjr@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:32am  
Subject: Microsoft Settlement.

TO: DOJ Government Officials

This latest lawsuit by AOL against Microsoft is such a sham, and should be thrown out immediately ..... it appears that AOL is probably just trying to recoup their initial purchase of Netscape (which I think was a mistake in the first place).

Microsoft continues to do more for the software world (both for PC and MAC) than any other company in the world. Try to imagine where we would be in computer technology today if it hadn't been for Microsoft ..... clearly the Apple Corp (MAC) hasn't made the giant-steps that have brought us to our highly technical position—only Microsoft.

I currently have AOL as my ISP (Internet Service Provider), but after this new lawsuit was filed I can no longer continue using them, and will get another ISP within the month. AOL may be the largest ISP, but their level of service continues to deteriorate and there is very lousy customer support or attempts to speed things up.

I'm sure the current Administration has some very conservative opinions about this lawsuit, and it should be dismissed !! sincerely, John Darr

**MTC-00021355**

From: Nowakowski, Steve  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement

I believe you must allow the current settlement proposed for the Microsoft antitrust case.

Microsoft has shown itself to be a ruthless predator in the industry. They unfairly used their operating system monopoly (acquired by taking advantage of IBM) to force other companies out of application businesses. The reason office became a leader was due to bundling the application with every copy of Windows sold. A clear example of trying to force competitors out of business is Netscape but there are many smaller examples. Now Microsoft is trying to force themselves into other platforms, such as the handheld computer industry, via their monopoly position on the desktop. In the case of both Netscape and Palm, an established leader in their space was threatened by Microsoft leveraging their monopoly on the desktop.

The whole computer industry suffers from this monopoly because it stifles competition and stops diversity in the industry. Consequently, the operating systems do not move forward and we do not get creative and new applications.

The alternative settlement proposed by the nine dissenting states is a much better remedy to this problem.

Thank you for your time.

Steve Nowakowski  
Development Engineer  
steve—nowakowski@xiotech.com  
507.529.7017

**MTC-00021356**

From: rjbayer@grnmtsolutions.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

First of all I am disgusted that the United States Government would seek to pursue this case in the first place. Secondly I feel that if the settlement is acceptable to Microsoft then accept it and don't bother screwing around with a company that has done more to create jobs in this country and decent paying ones at that than the government could ever afford to do or have the intelligence to do. By the



way what is the price difference between what was spent going after Microsoft vs what was spent going after terrorists?

**MTC-00021357**

From: training@osea.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

In my opinion Microsoft has not only utilized their competitive advantage over other competition due to their monopoly with their operating system but has also overcharged the general public for their products and continue to strong arm the competition.

**MTC-00021358**

From: shannon Gamba-Lewis  
To: Microsoft ATR  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement

How long is DOJ going to continue to allow these ridiculous lawsuits to go on? When will you say...“this is America, get over it and learn to get along with competition”. What does all this litigation do for the people should be the deciding factor. The answer is, nothing. Therefore it is a waste of investor assets, and time and energy that could be spent on mutually beneficial ways to benefit both the companies and the public. The DOJ is acting like the operators of a cock-fight ring. You are condoning and operating the business of unnecessary fighting between these 2 companies. Put a stop to it and let both of them get back to the business that they are supposed to be in! Thank-you

**MTC-00021359**

From: phash@theeducationmall.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

I think the government should stay out of the technical development area. Technology does not need to be restrained in order for the States to maintain leadership in this arena. I think Microsoft got a bad rapt.

There is no other company at the present time that can develop the technology and get it to market like Microsoft. This is not to say that other software companies can't if they would just focus on development and forget the competition. All involved have spent too much on the legal proceedings that should never have been initiated.

**MTC-00021360**

From: blkarns@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

Please settle on terms proposed by Justice. Delay paralysis an innovative company and creates uncertainty in the market place.

**MTC-00021361**

From: joe1deb@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:30am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt

against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph Calitri  
238 North Elm Street  
West Bridgewater, MA 02379-1443

**MTC-00021362**

From: tom@tmlimited.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

Leave Microsoft alone! The have contributed too our great economy and we need more companies like them. If big business is stifled small business is hurt and people lose jobs and no income and no taxes!

**MTC-00021363**

From: sam@tempe.gov@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

To quote Mat Szulik—Microsoft's illegal anti-competitive practices have seriously warped the technology industry stifling innovation to the detriment of the technology industry and to society as a whole.

**MTC-00021364**

From: rmoyer9449@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:31am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ross Moyer  
1427 Baldwin Ct.  
Little River, SC 29566-8268

**MTC-00021365**

From: rjmoerke@prtel.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:31am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joan Moerke  
30336—150th. Ave.  
Ashby, MN 56309

**MTC-00021366**

From: Darrell  
To: Microsoft ATR  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement

I think it is atrocious to allow a company such as Microsoft to allow them to business as usual. There products are inferior yet they have a superior marketing department. I think at the very least if they are allowed to continue to sell their bug laden, tripe they should at least hold some accountability for it. Microsoft has made its insecure junk software so much of an influence strictly by its politics and public relations. It definitely isn't do to the superiority of there products. If I produced and sold you a car and told you up front that it leaked water, wouldn't drive on bumpy roads and would only run for 2 hours at a time before needing to be jump started, would you still buy those cars? On top of that say a clause in the purchase contract was that you could never repaint the car because they were painted with advertisements for people who had paid the manufacturer to put them there. Would you still buy that car at a premium price. On top of THAT per the contract you didn't own the car you were purchasing but in fact the Manufacturer retained ownership and would just let you drive it as long as you never repainted it or let any one else drive it and agreed to hold the manufacture harmless in whatever ill driving the car brought you!

I think it is obvious to most who have watched this that there are some behind the scenes politicking going on with this case, and I think its a damn shame! Hitler said it best:

What good fortune for those in power that people do not think.

—Adolph Hitler, In Politics/Nazism  
CC:Darrell

**MTC-00021367**

From: echen2@juno.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:24am  
 Subject: Microsoft Settlement e need to put an end to this litigation against Microsoft. The settlement is fair. We do not want any more uncertainty and regulation.

**MTC-00021368**

From: fredf@cedarcomm.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:25am  
 Subject: Microsoft Settlement  
 It is time for the US economy to get back on top. Part of that process is to stop diverting resources to a lawsuit against a company that epitomizes our way of life. Microsoft needs to get back to concentrating on its goods and services and the Justice Department and the several states Attorneys General need to find some other cause celebre. They ve milked this one about as much as they can. In this country the weaker competitor loses because they have inferior products NOT necessarily because they have been unfairly and illegally thwarted in the marketplace. It s time for the whiners like AOL Sun Netscape et al to stand up compete like Americans and stand on their own merits rather than on the strength of their lawyers. Enough is enough. Let s get on with it already. Settle this damnable lawsuit and get the US back on it s economic footing. The untold economic damage caused by this whole fiasco probably can never be recovered at this point. Tell the states not agreeing to settle to shut up and go home.

**MTC-00021369**

From: mhgraphics@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.  
 Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.  
 This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.  
 Please put a stop to this travesty of justice now. Thank you.  
 Sincerely,  
 Martin Hampton  
 1983 Arkell Court  
 Walnut Creek, CA 94598

**MTC-00021370**

From: baranmj@cs.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:24am

Subject: Microsoft Settlement

A good critique of the agreement can be found at <http://davenet.userland.com/2001/11/02/theMicrosoftSettlement>. Please read this in preparation for your deliberations. It disturbs me that many of the Attorneys General (AG s) have not gotten on board with the settlement. While I don t wish to see the case dragged out Microsoft will not voluntarily submit to cessation of marketing practices that have brought this issue. Those AG s who hold the most radical views on either end of the spectrum should be weeded out leaving a moderate core the majority of whom should agree on the settlement. Microsoft cannot be forced to divest itself of Software it has created based on its own research and development. Sufficient remedy seems to be available to those who brought the suit in that bundled middleware (Internet Explorer media players etc.) will be replacable at the end user s discretion. This solution doesn t force Microsoft to break its code (a specious argument from my viewpoint as a developer) and allows the consumer to choose a different provider. Microsoft should not be allowed to provide the Windows operating system to the educational community. Their thinly veiled offer gives them inroads into another market segment for which they lust. They should donate hardware and the schools should have the choice of operating system (Red Hat has offered software and support). Thank you for allowing me to express my opinion.

**MTC-00021371**

From: gmannord@astound.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.  
 Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.  
 Please put a stop to this travesty of justice now. Thank you.  
 Sincerely,  
 Gladstone Nordstrom  
 1760 Denkinger Rd.  
 Concord, CA 94521-1153

**MTC-00021372**

From: pacedoyle@adspower.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Doyle Pace  
 1813 Indian School rd.  
 Garland, TX 75044

**MTC-00021373**

From: john.butler@cb-sisco.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:24am  
 Subject: Microsoft Settlement  
 Let s cease this litigation against Microsoft which has contributed greatly to our technological progress and

**MTC-00021374**

From: david29101@attbi.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:24am  
 Subject: Microsoft Settlement  
 Microsoft should be nailed to the wall! Judge Jackson s decision to split the company in two was correct 100%. Microsoft is out of control.

**MTC-00021375**

From: jacek05@dellepro.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:24am  
 Subject: Microsoft Settlement  
 I believe that settlement is a fair and good compromise and is the best interest of everyone -tech. industry economy and consumers. Microsoft has a lot of good products and other companys can t come up with better one thats why they looking for government help.

**MTC-00021376**

From: mtrostel@afcosteel.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:24am  
 Subject: Microsoft Settlement  
 Leave them alone the Government has enough to do besides trying to keep Bill Gates from making money.

**MTC-00021377**

From: mizelles@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:24am  
 Subject: Microsoft Settlement  
 Your Honor: I have read the judgement and find that our federal government is again extending its reach beyond the bounds which constitutional authority allows. All federal jurisdictions are determined by the foundation of federal law which is the constitution. Legislation which is not founded on this base of authority is illegal in nature and illegitimate in its foundations.

The free market has its own corrective actions for companies which attempt to monopolize any particular sector. The rail system was first attacked by the federal government and then became the protectorate of the federal government.

Many of the attempts of the federal government to legislate fairness in the market place have done just the reverse. The monopoly laws in the rail industry actually began to support the existing rail companies and inhibit the free market. The result is a rail system that comes in last place in the industrialized world.

Federal mandates in the automotive industry have made impossible the entrance of new automotive startups to compete with existing manufacturers thus enforcing existing monopolies. Only companies unencumbered by our federal mandates were able to enter the automotive industry via more friendly free market environments on foreign soil. Without foreign competition the American automotive sector would be little improved from the technology that was in place 30+ years ago when the Japanese first gained entrance to our market with the low cost fuel efficient subcompact cars. As a resident of the state of North Carolina the place of my birth I do not share in my states plaintiff position nor do I expect that illegitimate jurisdiction of the federal government in the free market

**MTC-00021378**

From: bmiramontes@bak.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

This settlement is clearly in the best interests of consumers. No one is served and no purpose furthered by continued litigation. Accept the settlement!

**MTC-00021379**

From: dhafner@mcleodusa.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

I like the Microsoft products as they are. Life is much simpler with software that integrates together.

**MTC-00021381**

From: caelias@cfaith.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:30am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Cheryl Elias  
11159 Morrison St. #8  
North Hollywood, CA 91601

**MTC-00021382**

From: kkbrown2@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

I believe the settlement reached between Microsoft and the Federal Government is fair and reasonable and any further action is a waste of tax payers money and time.

**MTC-00021383**

From: K. S. Griffiths  
To: Microsoft ATR  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement

Dear Sirs,  
I feel the Department of Justice's proposed settlement is not a very good idea. It does nothing to truly remedy the stranglehold Microsoft has on the software industry.

Karl S. Griffiths  
Microcomputer Technician  
Edwardsville Illinois

**MTC-00021384**

From: john.butler@cb-sisco.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:24am  
Subject: Microsoft Settlement

Let's cease this litigation against Microsoft which has contributed greatly to our technological progress and balance of payments internationally. The attorneys general of the states really lack accountability in their pursuit of further litigation and their activities should cease.

**MTC-00021385**

From: rword@goldrush.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

I thank the government should mind there own business and let businesses make as much money as possible if they are capable.

**MTC-00021386**

From: metaljo@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Microsoft has always given the public Fair prices on all their products and has enhanced all our lives for many years and has given our country the priceless gift of ingenuity enterprize and the most important is INNOVATION. Please settle this so Microsoft can get on with their important job of Innovation and fair service to the country and the people that their products serve.

**MTC-00021387**

From: peterdeanwi@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

The DOJ has no business interfering in the free market system. Microsoft has not broken any laws. They have not taken away anyone's choice regarding which software products

they can use or buy. This suit is a waste of taxpayer's money and I am angry as a taxpayer and also as one who looks forward to building my own business as big as the free market system will let it grow.

**MTC-00021388**

From: donaldreifus@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

The recent decision is unduly harsh for the company's action. The original proposal by Microsoft sees more than fair.

**MTC-00021389**

From: elizabethneus@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

The latest attempt by Microsoft to circumvent a federal judge's order makes me as uncomfortable as if I was sitting in a Naugahyde chair in shorts on a hot day. Microsoft needs to wake up and smell the competitive market.

**MTC-00021390**

From: JimEbb@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

It is encouraged the negotiated settlement be imposed on the dissenting nine states. It seems to me Microsoft has been subjected to far more than the necessary legal actions—it appears as if they are being persecuted for being successful. Their competitors seemingly want the Government to help them be competitive by attacking Microsoft.

**MTC-00021391**

From: vlevy022728@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

The current ruling is fair to everyone. I strongly recommend its acceptance.

**MTC-00021392**

From: morrieab@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:25am  
Subject: Microsoft Settlement

We strongly support the proposed settlement agreement with Microsoft. This case has damaged the American economy and continues to do so as long as it isn't settled. Now is the time to come to agreement and start rebuilding the financial markets.

**MTC-00021393**

From: mbuell@westernsummit.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

After exhaustive research and testimony from both sides a fair and reasonable decision was reached. It's time for the government to move on to other important issues.

**MTC-00021394**

From: joecr@netzero.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

The case against Microsoft cost me a job and soured the entire industry. I believe that

it is in the United States of America's best interest as well as the world's for this case to be ended quickly an reasonably.

**MTC-00021395**

From: michael\_sturtz@  
email.msn.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:31am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Michael Sturtz

37240 39th AVE S

Auburn, WA 98001-8727

**MTC-00021396**

From: dbirmingham@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Microsoft Settlement

I have to side with Microsoft. Tandy used to sell prepackaged software (Deskmate). How many others have had packaged software? You get a successful business that produces a product that sells and the competition gets jealous. That's all it is. Microsoft products are innovative state of the art competitively priced offer Internet based upgrades etc. If more software companies would spend as much time working on their products rather than time and money complaining about the competition maybe they would hold a better place in the market. As far as government intervention I think it is an American shame that politicians want to tell someone what they can and can't do when that company is a legal business that offers an Operating System that is easy to use for all ages. My mother just started using her first P/C on mother's day of 2001. She has the Windows O/S. She is 73 years old. She is on the Internet as well.

Thanks to Microsoft she is living her elder years without boredom because of a product she can work with so easily. I could go on and on but as for me I praise Gates and his crew for what they have accomplished.

**MTC-00021397**

From: Warrick, Brad

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 10:34am

Subject: Microsoft Settlement

To whom it may concern;

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

I personally use the Netscape browser for most of my internet applications, so this really is just a grudge match or witch hunt, and needs to be brought to an end.

"This is just another method for states to get free money, and a terrible precedent for the future," states the AOCTP, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen."

This economically-draining witch-hunt has gone on long enough. We need to let the Department of Justice know how we feel about the Microsoft Settlement.

Sincerely,

Brad Warrick & Family

3095 Murray Lane

Costa Mesa, Ca 92626

**MTC-00021398**

From: webboy2001@hotmail.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:25am

Subject: Microsoft Settlement

Regarding Microsoft. The monopolistic pursuits of the company need to be stopped. I fully favor disceding the company into smaller less harmful units. Exploiting consumers and ever increasing the areas of control are a pattern of business by a company lacking self control. Settling the case with merely monetary fines is not solving the true problem. Sincerely Alex Jegotka

**MTC-00021399**

From: hdevore@prudentpublishing.  
com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:25am

Subject: Microsoft Settlement

Beating up on Microsoft does not help innovation it only helps the companies that want an unfair advantage a government regulated one. The governments state and federal and the courts need to move on so that Microsoft can continue with their success of singlehandedly building the technology revolution that is propelling our productivity in this country and abroad...

**MTC-00021400**

From: lisbethm@flash.net@inetgw

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Microsoft Settlement

The DOJ has at last worked out a reasonable settlement. Please settle this years long pursuit of one of our nation's greatest success stories. California and other dissenting states should accept the settlement for the good of the consumer and the taxpayer.

**MTC-00021401**

From: harborridg1@msn.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Microsoft Settlement

The antitrust case against Microsoft should be ended. In fact it is my opinion that a case should never have started. Microsoft has produced excellent products which have resulted in the company taking the lead in software. As for bundling products other companies do that also. Close the case and let everyone make progress on new and better software.

**MTC-00021402**

From: lmlarmac@atl.mediaone.net@inetgw

To: Microsoft ATR

Date: 1/24/02 10:31am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Larry McKinley

851 Baltimore Place

MARIETTA, GA 30064-3960

**MTC-00021403**

From: joloh805@iowatelecom.net@inetgw

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Microsoft Settlement

The US vs Microsoft settlement agreed to on Nov. 3 2001 by the Federal Government and a number of State Attorneys General is in the best interest of each and every local citizen that owns a computer and any other technology that uses Microsoft Software. Attorney General Miller of Iowa does not speak for us because our experience is that Microsoft serves us very well and at a reasonable price. We want Microsoft and all of the Technology Companies to be free to be creative innovate and develop according to their abilities. We want a free and open system.

**MTC-00021404**

From: Micki3034@webtv.net@inetgw

To: Microsoft ATR

Date: 1/24/02 10:26am

Subject: Microsoft Settlement

This is no longer a fair trail for wrong doing. This has become a political financial war of power and greed. Microsoft is being unfairly accused and blamed instead of praised and honored for the advancement in all our lives all over the world. Our children need Microsoft for leadership.

Thankyou

**MTC-00021405**

From: showdog\_g@yahoo.com@inetgw

To: Microsoft ATR  
 Date: 1/24/02 10:31am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 David Showen  
 115 East Main St.  
 Mount Horeb, WI 53572

**MTC-00021406**

From: win.curtiss@chr solutions.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

Enough is enough! It is time to move on. No one has been more open and forthcoming during all of this inquiry than has been Bill Gates and Microsoft. The Justice Department has finished its work and no evidence of predatory pricing or marketing was brought forward. The public has been served. And now that same Justice Department has much more serious and real problems to address. The American public and the technology industry can now best be served by moving on.

**MTC-00021407**

From: rich.cech@home.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

It is about time! This trail should have never even started. Time to look forward to bigger and better software packages. To think Bill was tried for building a better mouse trap! -)

**MTC-00021408**

From: meandyou@stny.rr.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

It is time to move on. Let Microsoft abide by the settlement reached in the antitrust case. I believe that this settlement is in the public interest and further litigation is not necessary.

**MTC-00021409**

From: ceb11828@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

MICROSOFT HAS CREATED A WIDE WORLD OF COMMUNICATION AT A LOW

COST AND BROUGHT EVERYONE ON THE NET INTO PROXIMITY USING THE SAME LANGUAGE AND ABLE TO COMMUNICATE- MUCH LIKE THE COMMON LANGUAGE OF AMERICAN- ENGLISH. THE PERSECUTION OF THEM IS ANOTHER EXAMPLE OF ANTI TRUST LAWS ASKEW LETTING COMPETITORS BITCH ABOUT ANOTHERS SUCCESS THE FED S ACTION WOULD BE MORE ENCOURAGING TO THE ECONOMY BY GETTING LAWYERS OUT OF THE ACT.

LET COMPETITION REIGN

**MTC-00021410**

From: hohohoms@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

I have followed the Microsoft case closely. I have used both Microsoft s and its competitor's products. I do not feel that Microsoft has forced me to use their products. I can and am able to chose another if I want. American freedom means that I can chose what I want to use. I do not need the government to level the playing field for me. Just because one company s products are more successful than another's taxpayer s money should not be used to prop up the less successful company. Let all who wants to play in the marketplace go out and take a chance. America s government of the people by the people for the people should not punish an American success story. Don t politicians and regulators have better and more important things to do??

**MTC-00021411**

From: bobtipt@netscape.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

I disagree with settlement. I believe that the Government should get off Microsofts Back. There should not have been a case in the first place.

**MTC-00021412**

From: VWSPRITE@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:34am  
 Subject: Microsoft Settlement.

I feel the settlement reached with Microsoft is just and should proceed to closure.

The AOL Netscape is nothing but a last ditch chance to promote Netscape. Without the Microsoft systems I would not be writing this as when all the things I like were installed on my computer everything interfaced and worked.

Thanks Microsoft.  
 Jack Lyman

**MTC-00021413**

From: blhartzell@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:31am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Barton Hartzell  
 836 2nd Ave.,#302  
 Kirkland, WA 98033-3927

**MTC-00021414**

From: gransuzi@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

I have never thought that the Anti-Trust case would improve thigs for the consumer. Thus I was pleased with the settlement that would benefit everyone. The Attorneys General are making a lot of noise to benefit their own political careers. Their objections are not realistic and in many cases do not properly apply to the case. I do not have the time to go into great detail but I am pleading for the litigation to end and for the settlement to be accepted.

**MTC-00021415**

From: igervits@nyc.doe.gov@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

Unlike Americans for Technology Leadership I believe that this settlement is not tough not fair and not reasonable compromise and is not in the best interest of everyone—the technology industry the economy and especially consumers. Unlike some industry leaders some politicians some economists and some newspaper editorials I do not endorse this settlement. I believe that Microsoft using its monopoly power exercising FUD illegal dumping intimidating and other mean methods to crush competition hurt innovation the IT industry the economy and especially consumers. I believe that support of such kind of monopoly as Microsoft is immoral. This is my strong opinion.

**MTC-00021416**

From: rbayuga@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:26am  
 Subject: Microsoft Settlement

TechLeaderShip.ORG is definitely a Microsoft Company trying to gain the support of people who have no clue what-so-ever about the actual issues with MS vs. US. While I do agree to some degree with limiting the control of the gov t when it comes to the internet and advancement in technology. This issue that the gov t is pushing and trying to resolve is a valid pursuit. I remember the many stupid e-mails I received from Microsoft. Microsoft Propaganda that told lies about its actual capabilities. Much like

this techleadership postcard I got and the phone call that followed suit. Brainwashing people who haven't a clue that the gov't is wasting tax payer money when this was all a calculated risk by Microsoft. So who was really responsible for wasting tax payer money? While I admit MS has a right to grow its business to the limits but what they are doing is anti competitive and will stagger and has staggered the growth of technology. MS has not had made any advancement in the OS industry. DOS which is a product they never made is still the most stable OS they ever sold. MS—masters in marketing. Nothing else. GO U.S.A.!!! Go U.S.A.!!!

**MTC-00021417**

From: hormazd@castellan.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Microsoft may be have the lions share of the market but they have achieved this without trying to invoke any undue pressure on their customers to purchase their products. It should also be noted that despite their advantage in the market place they have continued to innovate and improve their products responding to the consumers needs while maintaining very fair and competitive pricing. It is un American and contrary to the core principle of free enterprise to penalize any company for achieving success. Rather the government should encourage innovation through tax credits and encourage smaller companies to achieve leadership status in their respective fields. A comprehensive settlement has been reached and it is time for our nation to look toward solving our economic problems rather than continuing this costly suit against one of our country's most successful companies.

**MTC-00021418**

From: ibbaker@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

I urge the court to accept the offer made by Microsoft and close this case. The offer is sincere, honest and fair to all concerned.

**MTC-00021419**

From: mark-pugh@home.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Once Again the Greedy Business world has devised a way for the consumer to have to pay for someone else's problem. We are just fine living alone when someone (SUN Netscape Intel) doesn't get enough of our money and decides to shut down other company's cash cow. Well guess what the consumer will pay for all of this litigation and compliance to a certain extent this affair compares with taxation without representation. Get over it everyone put an end to this mess and don't cost the taxpaying consumer anymore money than you have already done. Most people still don't realize that software and information technology runs the world along the same commodity lines as crude oil being the only energy source in the world. Without good cheap and innovative software at a reasonable price there would be no quality of life or standard

of living. Know it looks like that will cost the consumers again. Everyone gets rich but the consumer.

**MTC-00021420**

From: thomask@iland.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Hmmm...AOL suing Microsoft? Why doesn't someone take a strong hard look at AOL? With the way AOL is buying corporations up Cable networks broadcast networks software companies (Netscape and attempting to buy Red Hat) plus if I'm not mistaken and newspaper. Shouldn't AOL be under a microscope? It is becoming readily apparent that these past few years have been a Microsoft Witch Hunt nothing more nothing less. Toss this whole case out and let's get back to running the country rather than ruining the country through the desimation of the software sector.

**MTC-00021421**

From: mick@usahero.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mick Schlegel  
457 Coldstream Drive  
Berwyn, PA 19312-1113

**MTC-00021422**

From: JANDL@CHARTER.NET@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
JAMES GOODWIN  
111 DAY AVE.  
EAST LONGMEADOW, MA 01028

**MTC-00021423**

From: jtsheldon@pcis.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Having been involved with computers education business for 40 years the continuous complaint was there was no common platform and no common operating system. No computer could talk to another computer. We now have a common platform the PC and internet we now have a common operating system Windows. The COMMON MAN can click on windows like he or she operates a toaster knowing things will work. There is no way for it to be free someone has to pay for it. And someone makes a profit. There are millions of programs that can be programmed and a profit made from because of Windows. The only problem is that several BUSINESSES want their operating system to be the default. When that happens are they going to be sued? This is all just sour grapes. Get rid of the lawsuit let the world get on with things using the common platform of the PC and the common operating system Windows.

**MTC-00021424**

From: briter@dfn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Lawsuits should never have been initiated against Microsoft in the first place. Please drop any further litigation against Microsoft.

**MTC-00021425**

From: rhatcher@dslextreme.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Thatcher

8421 Heil Ave.  
Westminster, CA 92683-7800

**MTC-00021426**

From: vlamb@advanta-tech.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

I strongly support the decision to end the case against Microsoft.

**MTC-00021427**

From: matduck39@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

I THINK THE WHOLE LAWSUIT IS ABSURD. IT WAS BROUGHT ABOUT BY NUMEROUS CRY BABIES OF WHICH I USED TO OWN STOCK IN AND HAVE SINCE SOLD. IF YOU WANT TO STUDY REAL MONOPOLIES TRY THE COUNTRY OF CHINA EXPORTING TO OUR COUNTRY. LOOK AT BEIJING ELECTRIC. THEY MANUFACTURE VIRTUALLY ALL PARTS OR COMPLETE UNITS TO EXPORT TO THE US. THEY USE SLAVE LABOR TO UNDERCUT A GOOD AMERICAN COMPANY LIKE BALDOR ELECTRIC. MICROSOFT ON THE OTHER HAND MAKES GREAT PRODUCTS AND PAYS THERE PEOPLE VERY WELL. WASHINGTON GET YOUR PRIORITIES STRAIGHT FOCUS ON THE REAL CRIMES AND MAYBE THROW THE CRY BABIES FROM SUN MICRO AND THE SO CALLED AFFECTED STATES A BIGGER TOWEL. I ALSO KNOW A PROFESSIONAL VIOLINIST.

**MTC-00021428**

From: pcdad@optonline.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Microsoft has historically ranted until they got their way. They should open up thier technology like others in the industry have to encourage competition but at the same time encouraging a community of equals on and EQUAL PLAYING FIELD. Their proposal to donate software and or hardware is hogwash. After the first few copies of a program are sold the rest is pure profit. Microsoft and Bill Gates should learn to give back through concessions and teamwork outside their company. When a standard is established their should be one standard regardless who creates it not a Microsoft version and the everyone elses as in the JAVA language.

**MTC-00021430**

From: rocha@abc.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Colleen Rocha  
5851 Mt. Vernon Drive  
Alexandria, VA 22303

**MTC-00021431**

From: water1@ij.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement  
i am pro microsoft thanks

**MTC-00021432**

From: William Bethel  
To: Microsoft ATR  
Date: 1/24/02 10:36am  
Subject: Witch Hunt

Lets stop the Microsoft witch hunt. This has gone on long enough. Lets get on with with life.

William Bethel  
231 Wedgewood Ln.  
Conway, SC 29526

**MTC-00021433**

From: comptoby@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Although not ideal we support the settlement as a timely end to disruption and uncertainty. Microsoft has done the world an enormous service in establishing a universally accessable environment for computing.

**MTC-00021434**

From: sprngrpat@cox.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Let the MICROSOFT settlement stand.

**MTC-00021435**

From: frsolis@spamcop.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:33am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Frank Solis  
209 Westwood Ct  
Woodbury, NJ 08096-3134

**MTC-00021436**

From: harrisr@kochind.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

I don t understand all the legalities of the issue but I feel that Microsoft is the leader in technology and if the other companies can t keep up why punish the user base by making it difficult for Microsoft to move on.

**MTC-00021437**

From: waynedl@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

I am not in favor of the current Microsoft anti-trust settlement. I think Microsoft got off too easy. Considering Microsoft s reach and power given its tremendous wealth the company never admits fault. If the company had admitted some responsibility for its actions in trying to create a monopoly climate for browers and related products. As I stated earlier Microsoft did financial punish those who spoke out against the company or supported platforms using other browers. I think Microsoft should be forced to go back to court or work out a settlement that definitely prevents similar actions in the future backed up by really stiff penalties or fines.

**MTC-00021438**

From: jffati@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Department of Justice is on a witch hunt with Microsoft. We use Microsoft products in our office. It has saved us hundreds of hours in our office. We feel that we paid a reasonable price for the products. The DOJ must stop protecting Microsoft competitors. The consumer is the only one that counts.

**MTC-00021439**

From: WLBoden@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:34am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lee Bodenhamer, III  
9413 Dawnshire Road  
Raleigh, NC 27615-4096

**MTC-00021440**

From: Edward Walker  
To: Microsoft ATR  
Date: 1/24/02 10:35am  
Subject: Microsoft

I don't agree. Microsoft Corporation is a convicted corporate criminal and should be punished to the full extent of the law.

Edward J. Walker, President  
E. J. Walker Systems, Inc.  
Ossininmg, NY

**MTC-00021441**

From: tmat032849@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

Since I never thought the case had any merit to begin with I welcome an end to it. It has always been about whiner company ceos and state attorney generals who couldnt achieve their selfish ends in the market and instead chose the tyrannical powers of the state to suport them. Those people are the real criminals deserving of prosecution not Microsoft. If the Bush Administration really believed the rhetoric they spout on the campaign trail about freedom and markets they would have dismissed this whole bogus case on day one. Instead they opt for this settlement that continues to penalize Microsoft unfairly.

**MTC-00021443**

From: Jeff Leinwand  
To: Microsoft ATR  
Date: 1/24/02 10:37am  
Subject: Microsoft Settlement

As the legal actions continue to pile up against Microsoft it becomes clear that Microsoft's competitors seek to gain competitive advantage by putting "legal" restraints on Microsoft. It seems amazing that they can be in court for undercutting in one case, while defending themselves for overcharging at the same time on another case. Had Netscape (now AOL Time Warner) bothered to upgrade its 16 bit browser to a 32 bit browser when the user community switched over to 32 bit operating systems, maybe they would have stayed ahead of Microsoft. There are choices; we don't have to buy MS products. Apple, Linux, and other UNIX systems are there competing. If one looks objectively at where prices are today, it is obvious that they have dropped dramatically. Windows XP does more today than the mainframe systems of the "80. Many businesses could not afford those systems which were leased for thousands a month. Today the same features are available for under \$300, and you own it. Home users don't have an IT Staff to handle the operating system as was needed on the mainframe operating systems. The point is, there has been a lowering of the cost of software, hardware, and software development due to

the innovation of Microsoft. It is no coincidence that the economy downturn started with this action against Microsoft. What we are doing as a Nation is penalizing a company for being successful, and rewarding those who are unable to compete because they didn't have the vision (certainly AOL has the funds to compete). This action puts our whole software industry at risk if we further shackle one of our main technology drivers. It is interesting to note that it is not the consumer who is complaining, rather Microsoft's competitors and a group of lawyers claiming to represent consumers who once again are after a large settlement fee. It is time to put a stop to this and let us get back to work on driving the economy rather than throwing America's software technology dominance away.

Jeff Leinwand  
home: (520) 749-9279  
cell: (520) 907-6791  
fax: (520) 749-9336

**MTC-00021444**

From: Fred Talmadge  
To: Microsoft ATR  
Date: 1/24/02 10:34am  
Subject: Microsoft Settlement

I believe it is important to break up Microsoft and to separate the commercial software and operating systems into two separate companies. When I started using computers DOS was the operating system of choice. We had several flavors of DOS including Microsoft's all a little different some better, some worse. We could then add-on to DOS with file managers and utilities in effect making the computer a truly "personal" computer. Today that is not as easy. Not only is the browser imbedded into the operating system, but email, media players, file managers and system utilities. Even the way my directories are arranged are controlled by Microsoft, "My Documents", "My Pictures" etc all interfere with the way I want to organize my files. I believe that having an operating system that is stripped down to it's basic functions and then embellished as the "user" sees fit from whoever they wish to do business with is the only way that we can have a personal computer in it's truest since.

Thank-you  
Fred Talmadge  
Bellville, TX  
<http://www.96trees.com>

**MTC-00021445**

From: rknoose@satx.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:34am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Russell Knouse  
6426 Ridge Circle Dr.  
San Antonio, TX 78233-3908

**MTC-00021446**

From: wcollar@jheng.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26am  
Subject: Microsoft Settlement

I ve worked with M.S. products since DOS 2.2 and have been the I.S. director for an engineering firm in Toledo Ohio for a number of years. Based on my experiences with M.S. I have no doubt they have consistently worked to stifle and destroy their competitors where ever they can. I firmly believe they will attempt to continue to do so by any means they can. I DO NOT feel the proposed settlement goes far enough and amounts to little more than a slap on the wrist! If this settlement goes through as currently proposed MicroSoft will continue to work to maintain its illicitly gained dominance and further erode competition and innovation in the software marketplace.

**MTC-00021447**

From: ardy mattox@akamail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ardy Mattox  
PO Box 752  
Gilchrist, OR 97737-0752

**MTC-00021448**

From: D5SHAFFER@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:34am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:



Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Debra Shaffer  
532 Turkey Lane  
Fountain Inn, SC 29644

**MTC-00021449**

From: Ralph Hudson  
To: Microsoft ATR  
Date: 1/24/02 10:35am  
Subject: "Microsoft Settlement"

Please GET OFF Microsoft's back. Settle the case and leave them alone.

Ralph Hudson  
5174 Apple Road  
Springdale AR 72762  
(479) 750-3488  
ralph@nixonlaw.com

**MTC-00021450**

From: mogiejo@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Shirley Staton  
8200 W. 61st Street  
Shawnee Mission, KS 66202

**MTC-00021451**

From: Daniel Seltzer  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 10:39am  
Subject: Microsoft Settlement

I think the proposed settlement is misguided and does not adequately address the biggest problem: Microsoft's abusive business practices. As a repeat offender in

this regard, an appropriate solution would be to put in place a watchdog group with representatives from across the industry, to meet regularly and report to the DOJ on Microsoft's behavior. Failure to meet the guidelines of the group should result in additional, progressive fines. Microsoft is just not going to change their behavior if treated lightly or inexpensively.

**MTC-00021452**

From: n1pahowie@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:34am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Howard & Joan Howard & Joan  
P. O. Box 722  
Lot 71, Cliffside Drive, Timberlake Ran  
Ramah, NM 87321

**MTC-00021453**

From: Karen.Zapolski@kmc-usa.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Karen Zapolski  
1103 Kenesaw SE  
E. Grand Rapids, MI 49506-3518

**MTC-00021454**

From: darlin47@optonline.net@inetgw

To: Microsoft ATR  
Date: 1/24/02 10:34am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Denise Quartararo  
P.O.Box 238  
Manorville, NY 11949

**MTC-00021455**

From: edmjrm@fyi.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
John McNaugher  
9904 Belton Circle  
Wexford, PA 15090-9686

**MTC-00021456**

From: Charles Crawford  
To: Microsoft ATR  
Date: 1/24/02 10:40am  
Subject: Microsoft settlement

The settlement of the Microsoft case with the DOJ is in the public interest. Let them alone. They are the biggest because they are the best.

C.P. Crawford

**MTC-00021457**

From: billjean4@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:36am

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

bill & jean Vogel  
 17212 Orrville Rd  
 Chesterfield, MO 63005-6302

**MTC-00021458**

From: Jamie Soltys  
 To: Microsoft ATR  
 Date: 1/24/02 10:39am  
 Subject: Microsoft Settlement

The proposed settlement is a bad idea and does nothing to effectively stop the monopolistic actions of Microsoft.

Concise yours,

James Soltys

p.s. I am unaware of what proof you require in regards to my U.S. citizenship. Please contact me with any request for address, social security number, etc.

**MTC-00021459**

From: Glenn Rose  
 To: Microsoft ATR  
 Date: 1/24/02 10:40am  
 Subject: Microsoft Settlement

maybe microsoft should file suit against aol for costs of supporting aol's software issues...

**MTC-00021460**

From: marjac@boone.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:37am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 NC 28607

**MTC-00021461**

From: Andrew Lundgren  
 To: Microsoft ATR  
 Date: 1/24/02 10:40am  
 Subject: Microsoft Settlement

I feel that this settlement is far too weak to prevent MS from continuing its business practices.

Amdrew Lundgren  
 5201 E 118th ave  
 thornton co 80233

**MTC-00021462**

From: Kris Courter  
 To: Microsoft ATR  
 Date: 1/24/02 10:41am  
 Subject: Microsoft Settlement

I have to say, I'm utterly displeased with his proposed settlement. I work in the IT industry and see many good products stifled and consequently smashed due to Microsoft's anticompetitive behavior. It's one thing to be on top because your products are top notch. It's another to produce mediocre products, squash the competition through slander, libel, and purposeful incompatibilities between MS and third party vendors. Recently, Novell sued Microsoft for spouting lies about Novell dropping support and development for NetWare and saying they should jump ship to Microsoft instead.

Microsoft has repeatedly broken antitrust law and needs to be punished accordingly. I find the "school settlement" horrible. Giving software to these schools costs Microsoft virtually nothing, yet you use the street value as a factor in the fine.

Maybe they should be broken up. AT&T was broken up several times, sometimes involuntarily and other times voluntarily, and it's doing just fine. At any rate, something more extreme needs to be done other than this slap on the wrist and saying "Bad Microsoft. Don't do it again."

Perhaps if Microsoft is forced to be competitive, we can get better products from them, and other alternatives such as Linux can flourish. Protecting Microsoft's monopoly with this settlement will not do the public any good, and only further hamper competition in the IT marketplace.

Sincerely,

Kris Courter, CNE NW 5.1  
 Onsite Support  
 Alpine School District

**MTC-00021463**

From: tlambert@greencis.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:38am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft

competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Roland Lambert  
 600 S. Wyandotte St.  
 Grove, OK 74344

**MTC-00021464**

From: loub450@charter.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:38am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Louis C. Berry  
 1785 Klatt Dr.  
 Carson City, NV 89701-4880

**MTC-00021465**

From: joandodson@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:39am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Joan Dodson  
 2105 Hilton Head Dr  
 Round Rock, TX 78664-6110

**MTC-00021466**

From: Charles Mason  
 To: Microsoft ATR  
 Date: 1/24/02 10:41am  
 Subject: Microsoft Settlement  
 Plain and simple... I leave outside of the US and if you are not using MS, you can't get a job.

Regards,  
 Charles Mason, Director of New Technology  
 LB Digital, a division of Leo Burnett Middle East  
 Al Moosa Tower 2, P.O. Box 7534  
 Sheikh Zayed Road  
 Dubai, United Arab Emirates  
<http://www.LBDigital.com>  
 Office +971-4-332-1464 ext.107  
 Fax +971-4-332-1404  
 Mobile +971-50-552-3852  
[charles.mason@dubai.leoburnett.com](mailto:charles.mason@dubai.leoburnett.com)

**MTC-00021467**

From: Paul Sr.  
 To: Microsoft ATR  
 Date: 1/24/02 10:40am  
 Subject: Microsoft Settlement  
 As I understand it... Microsoft is to provide free hardware/software to schools in need. Fine. It should not consist of any hardware or software that would benefit Microsoft.  
 Most Respectfully,  
 Paul Vota

**MTC-00021468**

From: rondague@attbi.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:39am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Ron Dague  
 740 Topaz Ave.  
 Billings, MT 59105

**MTC-00021469**

From: maclou@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:39am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This

has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Oren McClure  
 PO Box 805  
 Cascade, CO 80809-0805

**MTC-00021470**

From: David Bialac  
 To: Microsoft ATR  
 Date: 1/24/02 10:42am  
 Subject: Microsoft Settlement  
 I am outraged by the proposed settlement of the Microsoft Anti-trust case. The settlement does nothing but end the case without resolving the core issue: restoring competition to the internet browser market. The simple fact of the matter is I can not go into a store and choose a computer configured as I want it. Instead, I must take whatever is thrown on there. This on its own is not a huge issue, provided I can remove the features I don't want. Unfortunately, this is not the case for the Internet Browser "Bundled" with Windows. True, there is probably little market for a computer shipping without a browser, but there is a market for a computer shipping with a browser other than Internet Explorer.

Sincerely  
 David Bialac  
 Delray Beach, FL  
[dbialac@yahoo.com](mailto:dbialac@yahoo.com)

**MTC-00021471**

From: jimghil@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:39am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 James Ghilain

202W Amberjack st.  
 South Padre Island, TX 78597

**MTC-00021472**

From: Jan Ellison  
 To: Microsoft ATR  
 Date: 1/24/02 10:41am  
 Subject: Microsoft Settlement  
 Jan Ellison  
 2131 Burr Ct.  
 Santa Cruz, CA 95062

Hello—

I wish to inform you that I firmly believe that the Microsoft Antitrust settlement does not go anywhere near far enough to address a convicted party of their misdeeds. I find it difficult to accept that 8 judges finding Microsoft guilty, can lead to the kind of settlement reported to the American public by the Justice Department. Being a software engineer by trade, I have watched as Microsoft practiced it's predatory nature, watched as company after company decides not to compete with Microsoft's unfair advantages and anti-competitive nature.

Thank you for listening.

( Signed )  
 —Jan Ellison

**MTC-00021473**

From: jnichols4@triad.rr.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:42am  
 Subject: Microsoft Settlement

To Whom it my Concern,

I'm a user of IBM OS/2 Warp and have had nothing but problem with Microsoft products. I believe Microsoft has to much of a strong hold on all "Venders & Public".. The Last copy of Microsoft product "XP " that my son bought won't even use "NetBeui" correctly to work with my home Network. Which consist of OS/2 Warp v4 & eComStation. There has to be something done to stop this Strong hold happening. I think all Operating System should be able to be "Compatible " with all products that exist with computers. "I DON'T AGREE"

Later,  
 Jerry Nichols

**MTC-00021474**

From: Resler, John M  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 10:41am  
 Subject: Microsoft Settlement

Dear Sirs/Madams:

I am a software developer that uses a variety of operating systems and machine platforms. I am aware of the recent settlement attempts involving Microsoft and wish to add my two cents worth. Microsoft has made some very nice applications software. As a developer there is a problem with developing software for Microsoft and that is the difficulty obtaining information about the underlying system. Microsoft claims that by publishing their application programming interfaces ( API's ) they are in effect an open standards operating system. The problem is that when internal software incompatibilities exist, it is next to impossible to determine whether the problem is one you have caused or one that is occurring because of incomplete information about the underlying system. This gives an unfair advantage to Microsoft

developers that have access to the internal details of the underlying operating system.

I respect Microsofts attempts to earn an honest profit upon their hard earned dollars. The problem is that with many undocumented features, developers outside the Microsoft corporate umbrella are at a big disadvantage developing software for their platforms. Apparently this is an attempt to effectively corner the market in software development. An example of this is Microsofts owner Bill Gates statements that "he wants hardware developers to get out of the business of writing hardware drivers." If this desire is implemented, most hardware applications for Unix like systems such as Linux will be incapable of communication through the hardware to the OS. The reason I believe this to be the case is that most corporations enter financial agreements when they develop software for another vendor. As such, Microsoft will have the hardware specifications for all new peripheral devices and their proprietary nature will make it a process of reverse engineering the devices to make them compatible with Free BSD, Linux and other P.C. based Unices.

I believe a fair settlement that would sponsor competition in the market would be to either remove the advantage Microsoft desktop developers have by requiring the corporation to split. I have no problem with Bill Gates continuing to own it all, I just resent the advantage Microsoft developers have in information access. The other most palatable solution to all parties would be to require Microsoft to develop its desktop application for other operating systems than just windows and the macintosh operating system. This would increase the competition in operating systems dramatically, improve communications capability between corporations using different operating systems and make Unix like systems an attractive alternative to the Windows platform.

Sincerely,  
John M. Resler  
(316) 523-4474

**MTC-00021475**

From: Jane Walters  
To: Microsoft ATR  
Date: 1/24/02 10:43am  
Subject: Microsoft Settlement

To Whom It May Concern:

I have followed the Microsoft antitrust case as well as I could for the last few years. I understand that they may have kept the computer software marketplace from being as competitive as it could have been. However, I feel that they have a superior product and do not feel like I was hurt by their market dominance. I understand that the court documents show otherwise. But in the spirit of "life goes on", I think this case should be resolved soon, as it has gone on long enough for the general public.

The settlement that has been worked out by the Department of Justice, etc. seems to be a fair settlement which does penalize Microsoft somewhat, but gives the other computer manufacturers more leeway with their products. A number of states have approved of this settlement, and it would be helpful for the economy and the taxpayers to

bring this aspect of the settlement to a close, with the agreed upon resolutions.

Regarding the January 2002 AOL lawsuit, the fact that they are starting this now that this case is finally closer to settlement, and, also, that AOL only purchased Netscape after this DOJ investigation was up and running may attest to the fact that AOL does not want, so much, to compete with Microsoft, as to block Microsoft from getting back to its main business. I hope that this newest lawsuit will be seen as only self-serving.

Thank you,  
Jane Walters  
3612 Middleton Drive  
Ann Arbor, Michigan 48105  
Jane Walters  
Data Collector  
Model Spinal Cord Injury Project  
300 N. Ingalls, Room NI2A09/0491  
(734) 763-9773—desk  
Janewal@umich.edu

**MTC-00021476**

From: martin crane@home.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:40am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Martin Crane  
1422 Gartland Ave.  
Nashville, TN 37206-2753

**MTC-00021477**

From: n99nt@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:41am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of

innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
NANCY TEEL  
400 SOUTH EVENING ROSE AVE  
TUCSON, AZ 85748

**MTC-00021478**

From: eloise44@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:40am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eloise Herrin  
709 20th Ave. No.  
Texas City, TX 77590

**MTC-00021479**

From: Gene Zadzilka  
To: Microsoft ATR  
Date: 1/24/02 10:42am  
Subject: Microsoft Settlement

United States Department of Justice, Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I firmly believe that the proposed Microsoft settlement is bad idea because it does very little to stop known monopolistic practices of Microsoft.

I have been professionally developing software for over 10 years and have seen Microsoft use leverage from one aspect of their business to crush competition in others. They have a long history of going beyond capitalism and into monopolistic practices. Left unchecked, this will continue into the future with their .net initiative.

An example of how the current settlement proposal lacks substance is the issue of APIs. The Findings of Fact define "API" to mean the interfaces between application programs and the operating system. However, the PFJ's Definition A defines it to mean only the interfaces between Microsoft middleware and Microsoft Windows, excluding Windows APIs used by other application programs. For instance, the PFJ's definition of API might omit important APIs such as the Microsoft Installer APIs which are used by installer programs to install software on Windows.

Sincerely,  
Eugene W. Zadzilka  
Software Engineer

Madison, Wisconsin

**MTC-00021480**

From: TinaTripp2@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tina Tripp  
901 Wesley Avenue  
Shreveport, LA 71107-3822

**MTC-00021481**

From: Michael Cornelius  
To: Microsoft ATR  
Date: 1/24/02 10:43am  
Subject: Microsoft Settlement

To whom it may concern:

I am writing to comment on the Proposed Final Judgment (PFJ) in the case of United States v. Microsoft. I am a professional software developer, active in software design and creation since the early 1980s. I have worked on projects for a variety of platforms including Windows, Linux, Unix, and Macintosh.

The PFJ is flawed in that it allows many anticompetitive and exclusionary practices on the part of Microsoft to continue. In particular, I am concerned that it is insufficiently strong with regard to the relationship between Microsoft and Independent Software Vendors (ISV). III.D, for example, requires the disclosure of APIs and related documentation for Windows Middleware, but only for the purpose of interoperating with a Windows Operating System Product. In fact, Microsoft should be required to disseminate this information and allow it to be used also for the purpose of interacting with application software written for Windows Operating System Products. Similarly, III.E proposals should be broadened to require the availability of Communications Protocols for use in interoperating with application software. The use of these protocols should also extend to client software for any operating system interoperating with a Microsoft server, as well as any server software interoperating with client application software written for Windows.

In conclusion, the PFJ begins to address anticompetitive and exclusionary practices of Microsoft, but, unfortunately, stops short of either redressing past damages or actually

preventing future abuses. I urge reconsideration of the proposed settlement.

Thank you for your attention in this matter.  
Sincerely,  
Michael D. Cornelius  
Ninth Order Information Systems  
Lincoln, Nebraska

**MTC-00021482**

From: Ryan (038) Sharon Lenox  
To: Microsoft ATR  
Date: 1/24/02 10:47am  
Subject: Microsoft Settlement

If you require any more changes from MS—we will suffer as users of IE and MS. And, we have chosen to use IE and MS. Fact is—we even want the IE icon on our desktop. Makes our computer much easier to use. Let's move on to more important things. When the competition gets better, maybe we will choose another "brand"—but that's the job of free enterprise..... not the courts!

Thank-you,  
Mr & Mrs. Ryan Lenox

**MTC-00021483**

From: wt.catch1  
To: Microsoft ATR  
Date: 1/24/02 10:42am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Phyllis Roberts  
3610 Highgreen Kingwood, TX 77339

**MTC-00021485**

From: wt.catch1  
To: Microsoft ATR  
Date: 1/24/02 10:42am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of

computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
stanley Baird  
1545 Chandler Rd.  
Mt. Juliet, TN 37122

**MTC-00021487**

From: Chuck Wright  
To: Microsoft ATR  
Date: 1/24/02 10:39am  
Subject: A example punishment is in order.

An example punishment is in order. I own a software company. I use Microsoft products every day. I lost count of the Microsoft products that I have purchased over the last 15 years. I come to resent a lot of the arrogance in the company and it is reflected in their products. I believe some major steps should be taken to soften their powers. True, their products do set the standards by which the masses have grown to depend upon. I fear that they are looking to take steps to hurt other or eliminate competitors.

**MTC-00021488**

From: Kirk Kerekes  
To: Microsoft ATR  
Date: 1/24/02 10:44am  
Subject: Microsoft Settlement—a national security issue

The core problem is both similar to, and different from the "Ma Bell" breakup, which is the only exemplar of comparable scope in recent history. Similarities:

1. Microsoft dominates the operating systems market not through overwhelming competence, but through sheer size. Others have demonstrated superior competence at operating systems software (eg; Apple). Because of this, there is no way to logically argue that MS's dominance is "natural" or "good". It is, instead, a product of freak conditions and aggressive marketing. This is not just a consumer issue—it is a national security issue. Due to the Microsoft hegemony, military and security computer systems are being implemented using grievously insecure Microsoft products instead of superior (but lesser known) alternatives. This is a Bad Thing.

2. Microsoft shows signs of aging badly—it's recent Wintel offerings have been ill-considered and ill-implemented. Much like the old "Ma Bell", MS has institutionalized its incompetence and arrogance.

Differences: There are meaningful alternatives to Microsoft products available now, and there is no physical infrastructure element that needs to be divided.

Solution: To dilute the effects of the accidents of history and predatory practices of Microsoft, the only acceptable and workable solution is to genuinely divide the company into separate and isolated corporate entities: An operating systems division, and an applications division.

These divisions must be physically separate, and must be prohibited from privately communicating with each other. The applications division must proceed with its operations using the same information that is available to independent software

developers. Any other solution is just smoke and mirrors.

**MTC-00021489**

From: Paul Hamm  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 11:00am  
Subject: ATT survived

You broke up the ATT monopoly and it turned out to be the best thing you could have done for the communications industry. Why don't you go 2 for 2. Just tell GWB to get off your patch and do what has to be done.

Paul Hamm  
Manager Technical Services  
Open Ratings Inc  
617-582-5124  
www.openratings.com

**MTC-00021490**

From: Mike Sheehy  
To: Microsoft ATR  
Date: 1/24/02 10:35am  
Subject: MICROSOFT

Sirs:

I would ask that you refrain from any further persecution of the Microsoft Corp and Bill Gates. It has become nothing more than a witchhunt; and will only serve to hurt those that depend on them for internet access, employment, and livelihood. Your attempts to demolish Microsoft are little more than a welfare program for some of the less popular competitors and will accomplish nothing in the way of aiding those allegedly "injured" by Microsoft; the computer users. It may make the states a little wealthier, but no one else. The inconvenience of it to the vast majority of users will be unfathomable however. If the other systems were as good they would be sold off the shelves, not crying for the Government to shore up their inferior products.

Does it not seem strange to you as a responsible, intelligent individual that so many millions have been spent to persecute a company that supports families, pays taxes, and is generally a very viable part of the American economy; while so little if any monies had been spent to protect these same people from the likes of Osama Bin Laden and other terrorists. Had they not taken out the World Trade Center we may not yet be doing anything to destroy them and their groups in spite of proir knowlege and proof of their ill intent. Instead we continue to attempt to destroy the American sector with Government interference, suits and red tape.

I would ask you to as a fellow American then to stop the persecution of the Microsoft Company; they are also Americans. Use our money more wisely to give us a chance against foreign agressors, not against those that employ us. When a better mousetrap is built it will sell, but so far there are none.

Thank You,  
Mike Sheehy  
P.O. Box 407  
Iron River, MI 49935

**MTC-00021491**

From: James D. Saint  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 10:53am  
Subject: microsoft settlement

Please consider the importance of competition in our society. Regardless of the arguments made, it is clear that Microsoft has, and continues, to use its dominant operating system to force consumers to buy its other products, and to push competitors out of the market. Nothing goes more against the basis tenents of our economic system. The leaps in computer technology and ease of use have slowed dramatically since Microsoft's dominance has become monopolistic.

In the 1980's Atari, Commodore, and Apple in the US, and Sinclair and Apricot in Europe, and even Microsoft, provided innovation development in the industry, with rapidly declining prices. Today, a new operating system merely means the incorporation of a copy of somebody else's innovative product into Windows, and an increased price. Soon, other companies will have no incentive to develop software that Microsoft may someday be interested in dominating.

America is competition, not monopolistic. Our economy and our society has thrived on competition, please do not abandone the principle now.

James D. Saint

**MTC-00021492**

From: Noah Vawter  
To: Microsoft ATR  
Date: 1/24/02 10:46am  
Subject: Microsoft Settlement

I just wanted to contribute my opinion in this democratic system: that the proposed settlement between Microsoft and the United States concerning the antritrust lawsuit is not satisfactory, because I believe Microsoft is an unfair monopoly and should be broken up.

thank you for taking the time to elicit comments.

sincerely,  
Noah Vawter

**MTC-00021493**

From: srcleveland@micron.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Scott Cleveland  
5822 S. Sedum Way  
Boise, ID 83716-7008

**MTC-00021494**

From: csmith@phys-ha1sjc-2.sfbay.sun.com@inetgw  
To: Microsoft  
ATR.craig.smith@Sun.COM@inetgw  
Date: 1/24/02 10:47am  
Subject: Microsoft Settlement

I believe the Microsoft settlement is bad for business. Microsoft broke the law and should pay for what they have done. Otherwise you will let big companies with a lot of money destroy all of the small companies.

Sincerely,  
Craig E. Smith  
Staff Engineer  
Sun Microsystems  
901 San Antonio Rd. MS USJC06-203  
Palo Alto, CA 94303  
Ph. (408) 635-0811

**MTC-00021495**

From: rsmtm@3rivers.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roger Peterson  
113 Indian Creek Road  
Sheridan, MT 59749

**MTC-00021496**

From: mordecaw44@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Judith Littell  
128 W. Union Ave  
Wheaton, IL 60187-4125

**MTC-00021497**

From: paolo.mangiafico@duke.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:49am  
Subject: Microsoft Settlement public comment

The currently proposed settlement in this case does not remedy the gross distortions of the market that Microsoft's practices have created and continue to create. The proposed settlement allows Microsoft to put this affair behind them at a relatively low cost (for them), while not resolving any of the outstanding fundamental issues at the heart of the case.

Microsoft claims that this is about the freedom to innovate. If the currently proposed settlement goes forward and Microsoft continues its established pattern of behavior (which it shows every indication of doing), Microsoft will be the only one who will benefit from the freedom to innovate, while continuing to stifle that same freedom among its competitors. I agree that there should be a freedom to innovate, but I argue that this freedom should be available to all, and that the marketplace should decide which innovations thrive, not one company with the monopoly power to squash competitors or crush them in its embrace.

I urge the DOJ to abandon the currently proposed settlement and continue work on concluding the case in a manner that protects the interests of United States citizens and promotes a fair, competitive marketplace. The current settlement only protects established corporate interests, and will allow these interests to continue to prevent competitors from establishing their own foothold in a rapidly changing market. Thanks for the opportunity to comment on this.

Paolo Mangiafico (Senior Manager,  
Information Technology—Duke University)  
1412 Sedwick Road  
Durham, NC 27713-2624 USA  
paolo@mangiafico.org

Note that these are my own opinions and do not necessarily represent those of my employer, though they are shared by many of my colleagues.

**MTC-00021498**

From: Charles Shapiro  
To: Microsoft ATR  
Date: 1/24/02 10:48am  
Subject: Microsoft Settlement

The current proposed final judgement on the Microsoft antitrust case is inadequate. Terms used in the document (such as "API" or "Windows OS") are either misdefined or poorly defined. It also falls short on such crucial aspects as remedies if Microsoft fails to keep its promises, removal of artificial barriers to entry into the operating system software business, and proper protection of Open Source authors. A proper final judgement should address all of these concerns.

— CHS  
Charles.Shapiro@numethods.com

**MTC-00021499**

From: Dave Bloch  
To: Microsoft ATR  
Date: 1/24/02 10:49am  
Subject: Microsoft Settlement

Hello,  
I wish to state my opinion of the proposed Microsoft settlement. I think it is fair and a good thing to do. It is good that the government have only limited oversight of business. The government should not protect weaker firms simply because they are weaker. If we did not allow the auto companies to innovate and put radios, heaters and the like in their autos in order to protect the radio and heater makers that would have been a crazy thing to do. Fortunately the government leaders did not do that many years ago. The auto industry was stronger for it. We should keep the software industry strong.....the strongest in the world. I vote to approve the settlement.

Thank you,  
David Bloch

**MTC-00021500**

From: Clauset, Aaron  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 10:50am  
Subject: Microsoft Settlement

The MS Settlement is shameful! Not only does it fail to actually hold Microsoft accountable for its blatantly (and court-proven) anti-trust behavior, but its weakness effectively condones the corporate bullying practices that allowed Microsoft to extend its OS monopoly to other markets in violation of the Sherman Anti-Trust Act. That the DoJ bowed-out of the case with such a pitifully weak set of consequences has destroyed my faith in the Bush administration-led DoJ to hold corporations fully accountable under the law.

Disgusted at corporate appeasement,  
Aaron Clauset  
2001 Northcliff Dr., Apt 416  
Winston-Salem, NC 27103

**MTC-00021501**

From: George Hartogensis  
To: Microsoft ATR  
Date: 1/24/02 10:47am  
Subject: Microsoft Settlement

Justice Department: I am vigorously opposed to the proposed settlement in the Microsoft. As an IT professional, I find that it does not even begin to redress Microsoft's past behavior, nor does it inhibit them from continuing to use their monopoly position to keep out competition. One of the areas where it is weakest is that of the issue of the Applications Barrier to Entry.

The settlement requires that Microsoft open up its APIs to its middleware, then it very narrowly defines middleware. First, the APIs to the OS itself should be opened up, and secondly, this provision should be expanded to cover MS Office and Microsoft's .NET technology, which it does not.

Another Applications Barrier to Entry issue that the settlement ignores is the changing file format issue. Undocumented file formats were part of the "Findings of Fact" against Microsoft. Government's job is to provide an

infrastructure within which businesses can compete. If one player becomes huge, then the playing field is no longer even. It is government's duty to level the field. In this way, consumers are given the widest choice at the lowest prices, and the industry itself is able to flourish.

Please do not snatch defeat from the jaws of victory,

-G  
George Hartogensis  
Team Leader—Unix Systems  
Administration  
RUSH-Presbyterian St. Lukes Medical  
Center  
1700 West Van Buren Suite 374  
Chicago, IL 60612-3244  
(312) 942-5000 Ext. 2-1506  
ghartog@rush.edu

**MTC-00021502**

From: Leonard Clifton J Contr 72 CS/SCBN  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 10:49am  
Subject: Microsoft Settlement

I believe this to be a bad idea. I will provide more comments later, but wanted to insure that this email arrived before the comment period closes. Also, I will be happy to sign the petition@kegel.com. I am in Oklahoma, City, OK and am a certified Systems Engineer and Trainer through Microsoft.

Thanx  
Clifton Leonard  
CC:'petition(a)kegel.com'

**MTC-00021503**

From: PLAZwCARS@AOL.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division 601  
D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
stephen sandberg  
7420 Village Dr  
Prairie Village, KS 66208-286

**MTC-00021504**

From: David S. Jackson  
To: Microsoft ATR  
Date: 1/24/02 10:50am  
Subject: Microsoft Settlement

This DOJ settlement with MS is inadequate. MS will continue to be a blight on the industry by using their tremendous

market and financial power to suppress competition on a public that is too unaware of the superior alternatives to MS products. If the settlement is left unchanged, the uninformed public will remain at the mercy of the Microsoft marketing juggernaut.

David S. Jackson  
dsj@dsj.net

**MTC-00021505**

From: dshenry4  
To: Microsoft ATR  
Date: 1/24/02 10:50am  
Subject: Anti-trust suit

Netscape was indeed harmed by Microsoft anti-trust monopolistic business practices. Also, I believe the public was very likely over-charged for Windows operating systems because of inclusion of "middle-ware" in the system.

Microsoft should be broken up into three different organizations:

1. Operating systems.
2. All other Microsoft software.
3. Joint business ventures with other companies.

Respectfully,  
David S. Henry  
1620 S. 118th E. Ave.  
Tulsa, OK 74128-5636

**MTC-00021506**

From: molehill@ucnsb.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division 601  
D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Keene  
328 Schooner ave.  
Edgewater, FL 32141

**MTC-00021507**

From: David Caldwell  
To: Microsoft ATR  
Date: 1/24/02 10:49am  
Subject: Microsoft Settlement

We are heartened by the U.S government's move toward settling with Microsoft and feel it could not come soon enough. As consumers, we have benefited greatly from the technologies Microsoft has brought to us at affordable prices.

Thanks,  
David and Lynn Caldwell  
Charlotte, NC

**MTC-00021508**

From: Adam Rossi  
To: Microsoft ATR  
Date: 1/24/02 10:49am  
Subject: Microsoft Settlement

The proposed settlement for the Microsoft case is bad. Very bad. The settlement is weak and will not alter Microsoft's behavior! We have a problem here, we all know it, and this settlement does not help solve the problem!

Regards,  
PS: If you want the "man on the street" opinion, feel free to call me.  
PH: 703.471.9793

**MTC-00021509**

From: CLJones44@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division 601  
D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carole L Jones  
978 CR 1695  
Alba, TX 75410-6429

**MTC-00021510**

From: simon tyrrell  
To: Microsoft ATR  
Date: 1/24/02 10:53am  
Subject: Microsoft Settlement

We need a level playing field because free competition drives developmental evolution, even MS needs that. The whole world is counting on you. All of our futures depend on you, please don't let us down.

Please force MS Windows to SHIP with support for open cross platform formats such as JAVA and Mpeg4. MS stopped "out-of-the-box" support for JAVA. Though support can be added by the end user it is enough to deter developers and users from exploring further. Many companies are involved is some ground breaking products built on these technologies.

Go see below.  
<http://www.forbidden.co.uk/videos/demo-71/>

Format control is the ultimate goal of MS. Don't let them have the ball.

**MTC-00021511**

From: jdrichintx  
To: Microsoft ATR  
Date: 1/24/02 10:51am

Subject: aol suite against micro soft

I think it is time for AOL to quit trying to us the gov. to stop competition and make them more money and less choices for the consumer. please put a stop to this now.

jack richardson  
carrollton texas.

**MTC-00021512**

From: Meltdown Productions  
To: Microsoft ATR  
Date: 1/24/02 10:52am  
Subject: Microsoft Settlement

My two cents worth.

There really is a difference between aggressive business practices and ones that are predatory. Microsoft's fall squarely into the latter. The proposed remedy as I understand it will allow Microsoft to do nothing more than give away software, services, and some refurbished PC's to schools. Does anyone not see the problem with this? Apple computer's last stronghold is the educational market. If you allow Microsoft to give the software and PC's away to schools, then you will be doing the same thing as driving nails into Apple's coffin. A better remedy, would be to take the one billion dollars and make Microsoft buy Apple Macintosh computers with it. This will accomplish two things. 1st, it will allow a company that is a real competitor to gain more of a foothold and possibly even have a better chance of competing with them. 2nd, this will cost Microsoft the full one billion dollars. If you allow them to give away software, this costs them nothing. Hit them where it hurts and give another standard a chance to flourish.

Edward Yoho  
720 Everglade Drive  
Melbourne, FL 32935

**MTC-00021513**

From: Frank Smith  
To: Microsoft ATR  
Date: 1/24/02 10:54am  
Subject: Microsoft Settlement

It is time to settle so everyone's energies can focus on new progress. This case has caused more financial harm than 9/11. Stop the bleeding!

Franklin Smith  
275 Riverside Dr.  
Morattico, VA 22523

**MTC-00021514**

From: pscheie@nextelpartners.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:50am  
Subject: Microsoft Settlement

Hello-

I am writing to voice my opinion that the proposed settlement in the Microsoft case is grossly inadequate. In its present form, it will do little to nothing to curtail Microsoft's anti-competitive behavior nor punish it for its illegal efforts to protect its monopoly. The proposals are written such that it will be quite easy for Microsoft to subvert and avoid the intention of those proposals. At a minimum, the proposals recommended by Dan Kegal's Open Letter ([www.kegel.com/remedy/letter.html](http://www.kegel.com/remedy/letter.html)), of which I am a co-signer, or those of Ralph Nader and James Love ([www.cptech.org/at/ms/](http://www.cptech.org/at/ms/))



mjl2kollarkotellynov501.html) should be incorporated into any settlement.

Frankly, I think the only way to prevent Microsoft from abusing its monopoly is to break the company up, where the applications part is separate from the operating system part. All other solutions rely to heavily on Microsoft simply behaving itself, something it has shown no inclination to do.

Petre Scheie  
St. Louis Park, MN

**MTC-00021515**

From: Tweetyboyd@dol.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:48am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division 601  
D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Boyd  
13 Fieldstone Rd.  
Elkton, MD 21921-8402

**MTC-00021516**

From: sam022845@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:49am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division 601  
D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Boone  
PO Box 994  
Sharpsburg, NC 27878-0994

**MTC-00021517**

From: Jalon Leach  
To: Microsoft ATR  
Date: 1/24/02 11:01am  
Subject: Microsoft Settlement

Dear Sir:

During this period of public comment, I would like to add my opinion on the Microsoft Anti-Trust Settlement which is based on my experience in the use of both Netscape Navigator and Internet Explorer.

I have been a user of both Windows 95 and Windows 98SE. Both packages were bundled with Netscape Navigator and Windows Explorer. I found Netscape Navigator to be buggy, difficult to use, and to lack the desirable features which Internet Explorer contained. After about four months of use I deleted the Netscape Navigator in favor of Internet Explorer which I found to be a superior program. During the time which I used Netscape Navigator I downloaded an update to the program version which I had and found no material improvement in its use or capability. I am glad that Microsoft made both programs available so that I could compare them both through actual use.

I see no difference between Microsoft's action and the actions of two hotels: one hotel offering free services to its customers for which a second hotel charges. I believe that the current litigation simply rewards competitors for inferior products, provides unearned income for state government, and punishes the computer users. Since Microsoft has agreed to remedy any technical violation of the law, then I believe that further punishment is unwarranted and the suit should be closed.

Sincerely,  
Jalon R. Leach  
HC 1 Box 1750  
Wappapello, Mo., 63966

**MTC-00021518**

From: mike@casa-linda.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:51am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Michael High  
7527 Quail Run  
San Antonio, TX 78209

**MTC-00021519**

From: hollisrl@pweh.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division 601  
D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ricky Hollis, Sr.  
167 David Road  
Durham, CT 06422

**MTC-00021520**

From: Gregory Bourassa  
To: Microsoft ATR  
Date: 1/24/02 10:53am  
Subject: Microsoft Settlement

I disagree with the proposed settlement.

I have suffered financially and professionally as a result of Microsoft's illegitimate and illegal practices, and believe the company should be separated into parts and placed under very strict supervision as regards their preload practices and the pressure they place on channel partners.

Gregory Bourassa

**MTC-00021521**

From: Philip Fletcher  
To: Microsoft ATR  
Date: 1/24/02 10:53am  
Subject: DOJ vs Microsoft Settlement Terms

Dear Judge Kollar-Kotelly

I have read with interest the proposed terms of settlement between the Microsoft and the Department of Justice.

Acceptance of these terms would send an irrevocable message to the people of both the United States and those in the rest of the world who suffer under Microsoft's immoral and (now proven) illegal practices:

Let the Punishment Fit the Crime.

The 'civilized' world objectively enforces laws on individuals when their behaviour is unacceptable in society, yet Microsoft has been able to sustain illegal business practices over many years without fear of commensurate punishment.

Respect for the Law

Although I applaud the Department of Justice in bringing Microsoft to trial these settlement terms reveal a lack of willingness or courage to apply justice when faced by a powerful opponent. How can individuals be expected to respect the law when Americas largest corporation does not?

Morality Applies only to People

Harming others is OK, so long as it's in the name of business? I work in the IT industry and am all too aware of the detrimental effect of Microsoft's business practices on many individual's livelihoods and families.

And Finally

If you have read this far: Thank You. All we (the IT community) ask, is that you seize this last opportunity to reign in a corporation that has forgotten how to behave in a civilized manner. Acceptance of these settlement terms would be an endorsement of immoral and illegal behaviour.

Yours respectfully

Philip Fletcher

philip.fletcher@stutchbury.com

**MTC-00021522**

From: Bob Ackley

To: Microsoft ATR

Date: 1/24/02 10:52am

Subject: Antitrust case

I've heard that you folks have been looking for commentary with regard to the recent Microsoft antitrust case. If true, I'm sure you've been inundated. Well, here's my \$.02:

First, a little history.

Way back in 1977 a fellow named Gary Kildall developed a common operating system for the Intel family of microcomputers, he called it "Control Program for Microprocessors" or CP/M. Prior to the introduction of the product there were probably a hundred different companies making Intel (8080 chip) based microcomputers, most of which had proprietary control programs and were incompatible—i.e. any application had to have a different version for each company. CP/M changed that, with its introduction—and it was designed to run on any 8080 based machine—application programmers had to write only one version. Kildall formed a company called "Digital Research Inc." (DRI) to develop and produce CP/M.

In the late 1970's/1980 time frame, Intel designed an improved microprocessor chip it called the 8086. Digital Research developed a version of CP/M for that chip called CP/M-86.

IBM designed its original Personal Computer around that chip. But while IBM had many operating systems, it did not have one for the PC. IBM first went to Digital Research to have them develop the operating system. There are many versions of what happened, most likely IBM reps "dropped in" on Kildall and he wasn't in. In any case, the IBM reps left Digital Research and flew to Seattle to talk to Microsoft. At the time, Microsoft's product line consisted of a BASIC interpreter called MBASIC, an assembler and linker called M80 and L80 respectively.

IBM asked Gates if he could come up with an operating system for the soon-to-be-released PC. Gates said "sure" and signed on to do it. After IBM left, he went across town to a company called "Seattle Computer Products" and purchased the rights to their 8086 operating system called QDOS, for "Quick and Dirty Operating System," for about \$50,000. This is the product that became PC-DOS and MS-DOS (for PC clones not built by IBM).

When IBM released their PC, it was a box with 256KB of RAM and two floppy disk

drives. With a monitor and keyboard it would set one back about \$2,500. No operating system was included. IBM would also sell you PC-DOS for an additional \$40, or it would sell you CP/M-86 for \$240. Both worked, but note the price difference.

A tidbit of information that was never publicised is the fact that Gary Kildall noted that Microsoft's product contained code that he had written, copied without permission or license (whether by Seattle Computer or by Microsoft is irrelevant, the code was stolen). Kildall chose not to confront Microsoft but to try to coexist with them, he was also worried about his relationship with IBM.

In the mid 1980s, after the PC market got away from them, IBM decided to try to recapture it by bringing out a whole new proprietary line of Intel based computers with a whole new operating system. This was to be called the Personal System/2 or PS/2. IBM contracted with Microsoft to form a 50/50 partnership to develop a whole new operating system for its new microcomputer line, that was to be called "Operating System /2" or OS/2. Microsoft, however, pursued an additional and very different strategy. While delaying development of OS/2, it pushed development of its own graphical user interface very hard, and got it out before OS/2 was ready. That program was called Windows. And, of course, since it was solely a Microsoft product, Microsoft didn't have to split any revenues from it with IBM.

IBM finally "fired" Microsoft from the OS/2 project around 1990 and completely reworked the product. This became OS/2 version 3, or "Warp," and was released in early 1994. Unfortunately, Microsoft already owned the market for operating systems on Intel based machines by then, and people and companies were reluctant to switch to OS/2, which was (and remains) clearly a superior system. OS/2 version 3 is also superior to the vaunted Windows 95 (which, incidentally, contains concepts and ideas Microsoft adopted from the OS/2 project).

Another reason for customers' reluctance to switch at the time was Microsoft's lock on the hardware manufacturers with its "processor" licensing contracts, which discouraged manufacturers from furnishing competing software products with their hardware. Microsoft lost a lawsuit over this practice years ago and supposedly doesn't do it any more.

The bottom line is that Microsoft has \*never\* competed fairly since it got into the operating system business back around 1980/1981. ————— Something else that's been lost in all of the dust and hoopla surrounding the Microsoft case is exactly what an operating system is. A computer operating system exists to manage the hardware, perform input/output (read/write) operations and perform calculations, period. The operating system also handles the interface between the application and the hardware (and, in multiprogramming systems—systems that run more than one application at a time—it keeps the applications from interfering with one another). That's all. The Graphical User Interface is an application, as are file (web) browsers (the web is after all is just a very large filing system), music players,

communications software, etc. Microsoft chooses to integrate many applications into its operating system, some it purchases (DoubleSpace), some it licenses (SpeedDisk, from Norton), some it steals (Stacker, from Stac Electronics, which sued and won), and some it clones (Media player, which competes with Real Audio).

What to do about it? Breaking up the company has already been rejected, any fines would just be passed along to Microsoft's customers. My favored solution is to require Microsoft to provide all of its customers with all of its software products and services, one bundle, one price. Whether its for a low end personal Digital Assistant or a high-end server doesn't matter, they all get everything. Perhaps tack on a tax of \$100 or so per copy/license of the product. Microsoft should also be required to place their operating system's "Applications Program Interface" or "API" in the public domain, so that other operating systems such as Linux or OS/2 can be modified to run programs written for the Windows operating system.

As I said at the top, it's just my \$.02.

Bob Ackley

rlack11@attglobal.net

**MTC-00021523**

From: jonrc

To: Microsoft ATR

Date: 1/24/02 10:55am

Subject: Microsoft Settlement

I sent in an email yesterday, but I wanted to point out that I would be supporting and co-signing Dan Kegel's Open Letter.

Thanks,

Jonathan Cameron

**MTC-00021524**

From: Mark Heinze

To: Microsoft ATR

Date: 1/24/02 10:55am

Subject: Microsoft Settlement

The proposed settlement is a bad idea. Please refer to <http://www.kegel.com/remedy/letter.html>

Mark Heinze

mheinze@coactivesystems.com

**MTC-00021525**

From: Rolly Green

To: microsoft.atr(a)usdoj.gov

Date: 1/24/02 10:54am

Subject: I DON'T AGREE.

I DON'T AGREE.

Rolly

I'll never forget the first time I tried Windows..

But I'm trying!

**MTC-00021526**

From: Don Elder

To: Microsoft ATR

Date: 1/24/02 10:51am

Subject: Microsoft Settlement

I am the Vice President of a software company that develops Windows compatible products. I also am a developer of both Windows software and browser based software.

I have reviewed the documents provided by the DOJ. It seems that the DOJ and courts have got the facts wrong. Netscape failed because it was and remains an inferior product. When Netscape first came out in the

mid 90's I attempted to obtain information needed to write a Netscape "plug-in" to make it possible for the output of my software to be viewable by a Netscape user. I quickly found that Netscape provided no documentation and demanded hundreds of dollars in prepayment for unspecified documentation and support. After several weeks of effort that went nowhere, I gave up on ever obtaining the needed information.

What is interesting is the fact that Netscape required extra effort on the part of developers to make the output of their software visible to Netscape users. To me this seemed to be more of a scam aimed at ripping off software developers. This integration with the browser has always been automatic with Internet Explorer and remains so today. Developers of standard Windows programs who properly register their file types with Windows do not have to go to any extra effort to have their files displayed via a link from the Internet Explorer browser.

It is very sad that the DOJ got pulled into this ridiculous lawsuit by people who ran their own companies into the ground by making bad decisions. We have been a developer of Windows based products since 1989 and are a direct competitor of Microsoft. Microsoft has never been anything other than an excellent software company and honest competitor.

I truly hope that we will see the end of DOJ meddling in the software business.

Sincerely,  
Don Elder,  
Vice President  
KIDASA Software, Inc.  
1114 Lost Creek Blvd.  
Suite 300  
Austin, TX 78746  
(512)-328-0167

**MTC-00021527**

From: Frank  
To: Microsoft ATR  
Date: 1/24/02 10:55am  
Subject: Microsoft Settlement.

Dear Reader, Microsoft has been singled out for unfair business practices, however these same practices are being used by every company on the planet. So, why is Microsoft under the microscope, because they are successful. They have great success because the LISTEN to what the consumer wants and then they went out and built it. Should anyone be punished for successes? This is just a waste of my tax dollars and the nations time, What is needed is not litigation but competition. Some needs to come up with a product as good as the one Microsoft has.

Thank you  
Frank Morales

**MTC-00021528**

From: sarjac@worldnet.att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sarha Lucas  
16040 Bahama St  
North Hills, CA 91343-3006

**MTC-00021529**

From: tbha@charter.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gerald & Hazel Bradford  
751 Adams Street  
Rockton, IL 61072-2150

**MTC-00021530**

From: THANNY@CROS.NET@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
THOMAS HANNY  
1170 E. WOODRICH RD.  
FREMONT, OH 43420

**MTC-00021531**

From: Imom22@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:55am  
Subject: Microsoft Settlement

To Whom It May Concern,

I am writing to voice my opinions and concerns about the ongoing litigation against the Microsoft Corporation.

From the very beginning, it has been clear to myself and to most of the public that the suit was initiated by the companies who compete against Microsoft rather than by the consumer. It is my understanding that the antitrust laws were designed to protect the consumer and not to protect the competition. As a consumer, I have seen Microsoft regularly improve the quality and content of its products while keeping their prices extremely reasonable and affordable. I am sure you would agree that the American consumer is a shrewd and frugal one, and that if we felt that some "big, bad, ruthless monopolist" were "ripping us off," it would be the consumer who would choose a better and cheaper product as they have done throughout our history. Many so called monopolists such as the Ford Corporation have been naturally "reigned in" by their competition who produced a more attractive or cheaper product which the consumer chose to purchase. Should the Walmart Corporation be sued by the Kmart Corporation for forcing it into bankruptcy because the consumer chose to shop at Walmart where prices were cheaper and goods more available?

The current suit by AOL against Microsoft is just as ridiculous. If I felt that the Netscape Browser was the superior product, believe me when I say that my family would be using it right now. I have tried that browser and found it to be more confusing and not as user friendly than the Microsoft browser. That is the reason I continue to use Microsoft's browser and not because my computer came with it! Believing that is to insult the intelligence of the American public. Whether Microsoft is or is not a monopoly is not the issue. If it is, it became that way naturally because we prefer its products and prices over its competition. Why should our government be wasting our taxes pursuing a company whose products its citizens want?

With all the other issues facing this country, especially since 9/11/01, it is time to put this case behind us and accept the proposed settlement as is. It would benefit the consumer and the country as a whole and especially the schools whose students would greatly benefit from the materials Microsoft has agreed to provide them with. The amount of litigation in this country has become nauseating and is paralyzing individuals and corporations from conducting their lives and businesses because of the fear of being sued. Even my 9 year old is encouraging me to "sue" anytime I express dissatisfaction with something. Is this the message we are communicating to the next generation?

Please settle this case immediately and send the message to our children that we cannot "sue" our way to success. End these suits and settle the case once and for all. If the competition truly want to punish Microsoft, let them develop products that we will want to buy and use instead of Microsoft's, and at a cheaper price. Walmart understood this and has "harmed their competition," to the benefit of it's consumers.

I don't see anyone suing them..... yet!!!  
Sincerely,  
Mrs. Shelley Mora

**MTC-00021532**

From: Ralph A Webb  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 9:18am  
Subject: Microsoft Settlement  
Ralph A Webb  
305 Arden Drive  
Jefferson City, MO 65109  
January 24, 2002  
Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Ralph A Webb

**MTC-00021533**

From: lew@getgoin.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft

competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Laura Wittorff  
Rt 1 Box 349  
Ava, MO 65608-9725

**MTC-00021534**

From: Victor Trombettas  
To: Microsoft ATR  
Date: 1/24/02 10:57am  
Subject: Microsoft Settlement

As a Network Manager for 8 years and a Technical Support person for 4 years prior to that, I can tell you that I have seen Microsoft have a neagative impact on the market in the following ways: -they would buy competitors (like FoxPro databases) only to eventually kill that product line and force customers from that former competitor to "upgrade" to Microsoft technology.

The whole thing with Internet Explorer ... they basically bought the rights to Mosaic's browser as I understand and basically killed Netscape by offering IE for FREE Java—a wonderful effort to create write-once-run-many apps. What did Microsoft do? They tried to sabotage it so it would only run on Windows.

Apple—I don't have to tell you what happened here with the whole "we'll sell Office for Mac if you kill QuickTime" Even in their settlement offer! they tried to increase market share by giving away Microsoft products in an effort to cut off competitors like Apple

It is extemely dangerous for ANY industry, a nation and world for that matter, to be SO dependent on ONE company. It is a national security issue given how easy it is for hackers and cyber terrorists since they can target their attacks for only 1 operating system and one messaging system, Outlook. We've put all our eggs in 1 basket and we are at risk.

They are dangerous because they are not the real "Innovators" in the personal computer realm. They are replicators and predators. There is only ONE solution. Microsoft must be broken up into two or more companies. One will be ONLY operating system(s) NOT including integrated web browser technology from IE. They can rip it out. The other company(ies) will be Apps. Microsoft Office. Their database products should ALSO be separate from their Office Apps because they also have a dangerous monopoly there with Office and MS SQL Server they try to exploit.

Much has been stated by Microsoft to the effect that altering the company will have an adverse economic impact on the nation.

Let me tell you what already has had a negative impact:

Sys Admins dealing with a never ending flood of virus and security problems for Windows. I forgot the last time I had a serious concern with our Macs.

the ever increasing licensing issues ... where we have to pay tithe to gates and co. to upgrade to the latest version of their software that's supposed to be more stable and secure.

Kindly,  
Victor Trombettas  
LAN/WAN Manager  
vic@ats.org  
American Technion Society  
http://www.ats.org  
Phone: 212-307-2503  
Fax: 212-262-6155

**MTC-00021535**

From: Theodore Howard  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 9:45am  
Subject: Microsoft Settlement  
Theodore Howard  
5818 NE 70th St A303  
Seattle, WA 98115-8136  
January 24, 2002  
Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Ted Howard

**MTC-00021536**

From: mrs\_rv6@bigfoot.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft

competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kristin McAllister  
17920 Alps Drive  
Tehachapi, CA 93561-0000

**MTC-00021537**

From: aram@dial.pipex.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:57am  
Subject: Microsoft Settlement

Hi,

I know you'll have heard this time and time again, but you'll hear it once more from me: splitting MS up would probably be the best solution for all. They could then get back to writing software products rather than marketing "software solutions."

Above and beyond anything else, far from promoting innovation in the software industry, they have stifled it, time and time again. So many of their supposed innovations were actually developed by others and either bought up or simply stolen outright. This is a company with a sick philosophy. Time to remind it that it doesn't have outright control of everything.

Yours sincerely,  
Aram Simon

**MTC-00021538**

From: Marc Webb  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 9:31am  
Subject: Microsoft Settlement  
Marc Webb  
707 Cardinal St.  
Jefferson City, MO 65109  
January 24, 2002  
Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Marc T. Webb

**MTC-00021539**

From: Michael Smallwood  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 10:17am  
Subject: Microsoft Settlement  
Michael Smallwood  
11800 Passage Way  
Cincinnati, OH 45240  
January 24, 2002  
Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,  
Michael Smallwood

**MTC-00021540**

From: Hazel McGregor  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/24/02 9:18am  
Subject: Microsoft Settlement  
Hazel McGregor  
P.O. Box 1462  
Euless, TX 76039  
January 24, 2002  
Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending

accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,  
H. McGregor

**MTC-00021541**

From: John Paoloemilio  
To: Microsoft Settlement  
Date: 1/24/02 9:17am  
Subject: Microsoft Settlement  
John Paoloemilio  
117 Victor St  
Weirton, WV 26062  
January 24, 2002  
Microsoft Settlement  
U.S. Department of Justice-Antitrust  
Division

950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

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Thank you for this opportunity to share my views.

Sincerely,  
John A. Paoloemilio

**MTC-00021542**

From: thelublinks@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:55am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Andrea Lublink

445 Margaret Terrace

Cary, IL 60013

**MTC-00021543**

From: MJor767@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:56am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Mike Jordan

4361 Frey's Farm Ln

Kennesaw, GA 30152

**MTC-00021544**

From: Mar3222Fra@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:58am

Subject: litigation

It is about time we stopped all litigation against Microsoft. Competition is the Mother of innovation, without it we would still be in the dark ages. It is costing the consumer a fortune. At the same time restricting industry to move forward. Let's solve our problems without the courts. I hope we have people intelligent enough to work out the troubles.

Frank J. Wisenant a concerned citizen!

mar3222fra@aol.com

CC:Msfin@microsoft.com@inetgw

**MTC-00021545**

From: kerrymorgan@pentaxtech.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:56am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

kerry morgan

605 aviara

johnstown, CO 80534

**MTC-00021546**

From: Ryan Dennis

To: Microsoft ATR

Date: 1/24/02 10:59am

Subject: Microsoft Settlement

To whomever this concerns,

It is widely believed by those familiar with the case that the proposed settlement is completely inadequate. It will do little to punish Microsoft for its plainly illegal conduct in the past, and virtually nothing whatsoever to prevent future violations of antitrust law. I urge all parties involved to reconsider the proposed settlement. Microsoft deserves more than a slap on the wrist for its destructive abuse of its monopoly power. More importantly, American consumers need to be protected against future abuses.

Thank you for your time,

Ryan Dennis

Ryan.Dennis@motorola.com

phone: (602)659-7757

pager: (877)812-3398 pager mail:

8778123398@skytel.com

**MTC-00021547**

From: Jeremy J. Nelson

To: Microsoft ATR

Date: 1/24/02 11:00am

Subject: Comments

United States Department of Justice;

The anti-trust case against Microsoft is wrong. Consumer choice has put Microsoft where it is today. If a consumer does not want Microsoft products they don't have to buy them. If it is packaged on a computer then they can choose to buy a different computer. The computer manufacturers are installing Microsoft operating systems because that is what the consumers want and if they don't they will lose sales. No one has

a right to tell Microsoft what they can and can not put into any of their proprietary products.

No one is forcing any consumers to buy Microsoft products at the point of a gun. I have run Windows, converted to Linux and now I am running on Mac OS X...because I chose to.

Best Regards,

Jeremy J. Nelson

CEO/Founder

Intahnet

224 Witchtrot Road

South Berwick, ME 03908

web: www.intahnet.com

e-mail: jnelson@intahnet.com

phone: 207.384.4736

**MTC-00021548**

From: M.L. McCauley

To: Microsoft ATR

Date: 1/24/02 11:01am

Subject: Microsoft Settlement

Sirs,

As a small businessman whose livelihood is based on the development of software, I feel that I am in as good a position as anyone to remark on the business practices of the Microsoft Corporation. Microsoft is not simply an "aggressive competitor". Microsoft is a monopolist that repeatedly has employed unfair and illegal practices to quash its competitors and manipulate the marketplace to their advantage and the loss of the consuming public.

Despite their "spin" rhetoric, the contempt that Mr. Gates and his executives have for their customer base and competitors, and their cavalier disregard for the law of the land, is legendary within the industry. These realities are often masked by the fact that the consuming public is virtually powerless against the Microsoft Windows juggernaut, and competitors fear the wrath of a company who has proven time and again that it can, and will, do virtually anything to insure its dominance of the software marketplace.

I cannot sufficiently emphasize that I feel that the currently purposed DOJ settlement with Microsoft is highly inadequate in terms of both remedies for those many parties who have been harmed by this unfair competitor, and future protections for software developers and the consuming public.

M.L. McCauley

President

Mtech Services

2423 Monaco Ln.

Dallas, Texas 75233-2825

**MTC-00021549**

From: BJRen@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:00am

Subject: Microsoft Settlement

I encourage support for Microsoft in resolving this case.

bj brendan,

25 Macleay Road,

Montville, NJ..07045

**MTC-00021550**

From: rangerdave@ifriendly.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:57am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Patti Pearsall

3209 N 3RD PL

Broken Arrow, OK 74012

**MTC-00021551**

From: Bob Brown

To: Microsoft ATR

Date: 1/24/02 11:58am

Subject: Microsoft Settlement

I think that the proposed settlement is a bad idea.

**MTC-00021552**

From: Darren Zrubek

To: Microsoft ATR

Date: 1/24/02 11:27am

Subject: Microsoft Settlement

please, please,... let the voice of "US" the small guy be heard in this case. "us" or "we" the end consumer have no power or voice in these proceedings, only the folks with the power of the almighty dollar get to speak (MS).

i think it to be a travesty that this case is just going to be brushed under the carpet and MS will get a nice soft slap on the hand and a Please do not do that again.

MS should be held accountable to the nth degree, they should be putting a billion dollars in cash into the schools, under privileged, and non-profit orgs. NOT MS PRODUCT!!! this will give MS even more of an unfair advantage, once again shoving aside the opportunity of the small guy!

please do not do this, we need free trade and competition. it is what the moral fiber of our country stands for!! or at least used to stand for.. thank you for your time,

dZ

darren zrubek

graphics manager/ senior illustrator

spyder active sports, inc.

303.449.0611 xt 20

dzrubek@spyder.com

**MTC-00021553**

From: doyle dennis@tmac.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:57am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This

has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Dennis Doyle

8109 Squirrel Run Road

Springfield, VA 22152

**MTC-00021554**

From: rangerdave@ifriendly.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:58am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

David Pearsall

3209 N 3RD PL

Broken Arrow, OK 74012

**MTC-00021555**

From: Leoslocks@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:01am

Subject: Microsoft Settlement

I don't understand how this settlement prevents Microsoft's monopolistic practices. The Internet browser is still embedded in the OS. The cost of software is still not in line with the changes in the cost of hardware.

Where does the computer consumer benefit from this settlement?

**MTC-00021556**

From: hedemand@digisys.net@inetgw

To: Microsoft ATR

Date: 1/24/02 10:58am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This

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Sincerely,

David R. Hedeman

P.O. Box 125

Dayton, MT 59914

**MTC-00021557**

From: donbarlove@juno.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:00am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now.

Thank you.

Sincerely,

Donald Love

11922 Co Rd 16

West Unity, OH 43570-9560

**MTC-00021558**

From: Bidwellmoore@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:02am

Subject: Microsoft Settlement

Doj: It is to be hoped that the ongoing and newly initiated litigation against Microsoft will be brought to a speedy conclusion. The interests of the American public and the national economy are at stake. Calvin Coolidge remarked that the business of America is business. Unfettered, this nation is unbeatable, tied in knots with wrangling, snarling litigation, America will loose its luster as preeminent in the global market place.

Sincerely,

Bidwell Moore

**MTC-00021559**

From: Hagy-Weatherbee

To: Microsoft ATR

Date: 1/24/02 11:02am

Subject: Microsoft Settlement

Hello,

Paragraphs 1–3: Former Consumer of Microsoft's public operating system (read—non business) software rant

Paragraph 4–7: Re-defining a Monopoly while keeping within the standard definition (I hope)

#### Final Questions and Statements

Any company that would put out products such as Windows 95, 98, Millennium and XP (the last two are based on my father and brother's experiences) should be put in a deep, dark, hole.

They are bug ridden operating systems internally incompatible (Win 95 and 98 both require DOS which is a 16 bit platform. They hid this in the 32 bit platform of an upgraded Windows 3.1 which they called Win 95 History lesson done).

Put upon a public with no other true OS options but to purchase Unix or Linux (both server software really) or Microsoft's business operating systems which seem to work within normal glitch parameters. The public could do as I did and by Apple software... but that means total abandonment of nearly all previous software and the purchase of all new hardware.

If the above is not enough to burn them how about this:

A Monopoly. I see Microsoft (and others to be fair) as attempting not to monopolize the computer Operating System and related software realm, but, trying to monopolize how we Communicate.

Microsoft bundles it's browser which is made to work perfectly with their os. Competitors do not get full os specs so their browsers do not function properly. Microsoft then starts MSN, their own video console game platform—the Xbox.

The last really caught my attention. Console platforms will soon be internet capable... what better way to extend MSN's influence. As I noted briefly above Microsoft is not the only one I see trying to limit my tele-communication choices: AOL-Time Warner, Disney-ABC and AT&T just merged with someone (damn sloppy of me not to have the facts... sorry) and a few others I can not recall, again, sorry.

All of them working on internet-cable/television-telephone operations, or some combination thereof. If we stick with the top three only is that competition? Are we really getting the best price for our choices?

No. Yet, I was speaking of Microsoft. With the melding of communications over the last few years the merging of companies the idea of a monopoly must move beyond the oil and railroad standards set a hundred years ago. A broader view must be taken. It can be taken while still using present law (mostly). Especially for the Communications arena.

Microsoft is in a position to be the software company for anything computer/internet/video gaming, whatever allows one to communicate...they have the position and the potential to corner the market.

Does the law require that a monopoly be present in order to bring the punishment to bear? Or is the potential enough?

If it is an Anti-trust suit brought by business, does that not also mean the anti-trust is affecting my family and those around me? Are you thinking of the public's future stake in the above? Or only the businesses involved?

Microsoft is a menace. I have software which I shall never be able to use because the new software sucks and old hardware and software is very difficult to come by (and usually much to degraded to be very useful). New hardware is to fast for my old software and Windows software does not work on Apple products without bridging software... like I need to learn a third computer language.

Mostly it is the company's potential to take over various portions of the communications arena. It is a subtle and very slow process. Like a company with many like subsidiaries (Time Warner owns DC comics and many other book houses), Microsoft links up with various computer and communication areas. Nothing to arouse overt suspicion... Oh, they have an internet browser bundled for free! Wow! They even have their own internet service!

How long before the Windows OS allows 'special' features for their other software (Word, Office, Internet Explorer) that say Apple's Os cannot give (Apple has versions of Word, Office and IE)? How long before that free browser allows "special" features for MSN? How long before Microsoft's in house games for the Xbox are available only through MSN and over the internet for half or a third the total price as a game created by an outside company? How long before the Xbox becomes more popular for tele-communications then even a personal computer and Microsoft starts demanding payment from Dell and Gateway for all those things which were once free?

Frightening in a paranoid sort of way... is it not? (OK... this went on waaaay to long...)

Look at all the areas which Microsoft could walk into. See the potential gains they could make at the expense of the consumers choice.

Thankee,  
RC Hagy Stamford,  
Vermont 05352-9531

#### MTC-00021560

From: Tom Field  
To: Microsoft ATR  
Date: 1/24/02 11:00am  
Subject: Microsoft Settlement

To Whom it may concern: Isn't it time we stop wasting tax payer money against Microsoft and look in the direction of Enron and terrorists in the United States where Americans are really suffering.

Tom Field  
Marlboro, NJ

#### MTC-00021561

From: howbarbl@flash.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:00am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those

supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Howard Lewin  
3 Katherine  
Placitas, NM 87043

#### MTC-00021562

From: Kevin Klug  
To: Microsoft ATR  
Date: 1/24/02 11:50am  
Subject: Microsoft Settlement

I applaud the actions taken against Microsoft, but I feel that the settlement being talk about is way too lenient. The issue is not simply that Microsoft has an unfair advantage because of their many different product lines. The issue is the tactics that Microsoft employed to make Windows the dominant operating system.

Back in the early Windows 95 days, Microsoft would not sell any copies of Windows to computer makers, unless they agreed to sell a copy of Windows with every PC. This forced buyers to purchase Windows, even if they wanted to use another Os like OS2, which was a much better operating system. Obviously this prevented the fair competition of other operating systems. This case should be about punishment for the wrongs of the company, not simply an attempt to keep the company from doing more wrongs.

Thank you for your time.  
Kevin Klug  
Colorado Springs, CO

#### MTC-00021563

From: Greika, Christian J  
To: Microsoft ATR  
Date: 1/24/02 11:04am  
Subject: Microsoft Settlement

I am writing to offer complaint against Section III.D of the proposed final judgment. Section III.D reads as follows:

D. Starting at the earlier of the release of Service Pack 1 for Windows XP or 12 months after the submission of this Final Judgment to the Court, Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, for the sole purpose of interoperating with a Windows Operating System Product, via the Microsoft Developer Network ("MSDN") or similar mechanisms, the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product. In the case of a new major version of Microsoft Middleware, the disclosures required by this Section III.D shall occur no later than the last major beta test release of that Microsoft Middleware. In the case of a new version of a Windows Operating System Product, the obligations imposed by this Section III.D shall occur in a Timely Manner.

The requirements laid forth in this section are insufficient to promote equality in



competing offerings' time to adapt their products in time to compete with new releases of Microsoft Middleware or to support a new version of Windows. Section III.H.3 also states the competing middleware can be locked out of competition by failing to meet "unspecified" technical requirements seven months prior to the the final beta test of a new version of Windows. Why are the requirements unspecified? This opens up opportunities to set demands too taxing for competitors to meet in the shortened time frame made available to them by the fact that they are introduced to the APIs related to new versions of Windows only after said new version has been released to 150,000 beta testers. Microsoft has, under this ruling, the full capability to "plan" development such that they can maximize the probability that competitors will be unable to meet said "unspecified" technical requirements prior to the final beta test. There is no requirement for Microsoft to announce planned beta release dates, so in effect the seven months requirement is unnecessary. You might as well make it one day. A more stringent and fair requirement would be to require Microsoft to publish proposed beta release dates and adjust the time requirement to meet the "unspecified" technical requirements to the date of the beta release. This would provide a more equitable environment, one in which Microsoft still maintains its competitive advantage, but one that gives competitors an opportunity to compete. The current proposal offers Microsoft the chance to erase competition without ever having to compete.

**MTC-00021564**

From: nagfed2@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:01am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
george feddirko  
1641 fairmount ave  
vineand, NJ 08361

**MTC-00021565**

From: John E Quigley II  
To: Microsoft ATR  
Date: 1/24/02 11:11am  
Subject: Microsoft Settlement

I am in support of Microsoft, and believe that Microsoft has done very little to hurt the industry, and has done a lot to help. Standardizing the basics has made things much better, and it is now cheaper and easier to purchase the OS, then it was to purchase the parts and pieces and deal with the issues to get it running. You are doing an injustice and doing nothing more than hurting the economy and a company that has done a lot for the country and industry that it is in. As a network Engineer Microsoft has made my life much easier, and my family loves the easy of use and functionality and integration of components.

John E Quigley II  
<http://www.johnnyq.com>

**MTC-00021566**

From: jm@mandrake.prospeed.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:05pm  
Subject: Microsoft Settlement

Dear Sir or Madam;

I am writing in opposition to the proposed anti-trust settlement with Microsoft.

Please excuse my need to state my qualifications so that you understand the reasons for my opposition. I am a graduate of MIT (1983) in Computer Science with 18 years of industry experience, so I feel competent to offer informed comments on the technical aspects (e.g., what qualifies as "innovation") of the case. I am also an owner of a 45 person, Subchapter S software company which develops for both Microsoft operating systems and various UNIX (e.g., Linux) operating systems, so I feel competent to offer informed comments on the economic aspects of the case.

With regard to technical matters, no company has acted more aggressively to quash technical innovation in the computer field. It is particularly surreal to hear Microsoft stay "on message" about "innovation," yet be unable to state clearly a single technical innovation they have produced (rather than bought or imitated).

If there is a single point I would have you understand, it is this: Microsoft acts only to defend its dominant market share. It does NOT proactively innovate. It REACTIVELY identifies innovative threats. It then leverages its market dominance to kill the innovation/threat by any means necessary, whether via dumping software, via secret contracts, via lobbying, and at least once via sabotage. To wit:

(1) Threat: the Netscape platform. It is well-known how Microsoft cost-shifted from their OS and office suite monopolies and "dumped" their browser on the market, and made it impossible for consumers to avoid it, and made it impossible for PC makers to include Netscape. As you know, Netscape is now irrelevant as a browser.

(2) Threat: the "write once, run anywhere" Java platform. Microsoft made incompatible changes to the platform, and they now refuse to ship a Java implementation, and they make it hard for consumers to receive the Sun one via PC manufacturers or via download (it is a huge download). They also cost-shifting from its monopolies and dumping a Java-like "C#" programming platform on the market.

(3) Threat: increasingly powerful game platforms from Sony and Nintendo. Microsoft

is cost-shifting from its monopolies to subsidize the "XBox" and drive these consoles from the marketplace.

(4) Threat: competitive DOS implementations, sabotage for which is described in detail at: <http://www.ddj.com/documents/s=1030/ddj9309d/9309d.htm>

While I urge you in the strongest possible way to take the time to read a single, simple web page describing such an egregious abuse of market power, I shall summarize. Microsoft wrote code in Windows 3.1 to try and detect any competitor's underlying DOS, and then notify the user that there is a "Non fatal error" so as to discourage use of a perfectly serviceable alternative. They covered their tracks by encrypting the code and disabling breakpoints (use of a debugger) so their act would not be exposed to the world for the anti-competitive act it is. As you know, these competitors were eliminated.

(5) Threat: the DOJ. Please forgive me if I have my facts wrong, but it is my understanding that Microsoft lobbied to have the DOJ budget cut after the anti-trust action began. I have read this in many sources, but here is one for your convenience: <http://zdnet.com.com/2100-11-501473.html?legacy=zdnm> No one can protect us consumers but you. It is the function of government to protect citizens from threats both external and internal. This is a dire internal threat to the health of the software market. I offer the following comments, suggestions, and pleas:

(1) Such anti-competitive, anti Free Market, and thus anti-consumer behavior must not be allowed to continue.

(2) Microsoft must not be allowed to continue to enjoy the market advantages and other economic benefits (e.g., approximately \$35 Billion in cash on hand) resulting from its illegal activities, and be able to leverage them to quash threats/innovations. To do so is unjust. I fail to understand how this is different from letting a convicted serial burglar keep all his ill-gotten goods when it is known exactly from whence they came. By themselves, "conduct" remedies on future behavior will not remove the illegally-obtained market and economic dominance of Microsoft.

(3) Neither will the lack of punishment for past illegal acts provide any deterrent whatsoever to future anti-competitive acts. Microsoft boasts about its "hard core" tactics, and the "hard core" way to think about conduct remedies is that they will continue to be able to benefit from illegal acts—they just might not be able to repeat them.

(4) Given that Microsoft has upwards of a 90% market share, there is NO competition left in the marketplace. Competition must be restored to protect consumers. Conduct remedies on future behavior will not restore competition.

(5) Many technical innovations come from venture-funded startups. Few VCs will now fund start-ups that will innovate if the innovation in any way threatens Microsoft's monopolies (they know what I said above—in order to survive, you must not be seen by Microsoft as a threat): <http://seattlepi.nwsource.com/venture/29375-vc29.shtml> You must act to restore

innovation by stopping this anti-competitive, anti-innovation behavior and restore faith in the free markets by those who help make free markets. Any penalty must be severe enough to do so. The current settlement does none of these things.

I apologize for the length of this message, but even so, it is ruthlessly abbreviated. Please, please feel free to call me if there is anything I can do to provide further information.

Very Truly Yours,  
John Morrison  
Chief Technical Officer  
p.s., home phone s 978-392-9315, cell phone is 617-388-3071  
John Morrison  
MAK Technologies Inc.  
185 Alewife Brook Parkway, Cambridge, MA 02138  
http://www.mak.com/  
vox:617-876-8085 x115  
fax:617-876-9208  
jm@mak.com  
CC:jm@mak.com@inetgw

**MTC-00021569**

From: Owen  
To: Microsoft ATR  
Date: 1/24/02 10:54am  
Subject: AOL Lawsuit

Dear Sirs,  
I find it very disturbing that once again Microsoft has to focus on legal battles instead of their efforts to bring computing ease to the masses. The Microsoft Internet Explorer Web browser is—and has for years, now—been the superior platform from which one can view and develop applications for the World Wide Web. I believe that the DOJ should dismiss this unfounded complaint immediately.

Thank you for your time,  
Owen A. Robbins—Network Consultant

**MTC-00021570**

From: David Steere  
To: Microsoft ATR  
Date: 1/24/02 11:05am  
Subject: Microsoft Settlement—against

I think the proposed settlement in the Microsoft antitrust case will not dissuade nor prevent Microsoft from taking monopolistic actions in the future.

In particular, the settlement does not:  
—prevent Microsoft from using its current monopolies to gain future monopolies in new areas. For example, Microsoft currently seems to be attempting to use its windows operating system monopoly to push the WMA digital music encoding standard instead of MP3.

—open APIs within the operating system, such as the file system driver APIs.

—open Middleware APIs.  
david.

**MTC-00021571**

From: Steve Sinnott  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 11:06am  
Subject: Microsoft Settlement

I would like to voice my objections to the proposed Microsoft Settlement, as proposed by the Department of Justice. On the surface, this appears to be a valid settlement. As they say, though, the devil is in the details. The qualifiers that have been placed on the

settlement would make it essentially useless in and of themselves, and make the settlement fatally flawed when combined with the lack of a valid dispute mechanism. It will not limit Microsoft's actions, it will not open Microsoft to competition, and it does not punish them; indeed, it makes their monopoly a defacto government-sanctioned one.

A single example of this is in section J1: "No provision of this Final Judgment shall:  
1. Require Microsoft to document, disclose or license to third parties:  
a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria; or  
(b) any API, interface or other information related to any Microsoft product if lawfully directed not to do so by a governmental agency of competent jurisdiction."

The restrictions of (a) are such that Microsoft is not required to disclose anything that they do not wish to, just as the existing case is an outgrowth of poor grammar and definitions of the Consent Decree.

This particular section would, in fact, serve to maintain Microsoft's Operating System monopoly in and of itself. In modern offices, the capability of sharing files is arguably the single most important use of servers.

Microsoft Operating Systems use a common protocol, called "SMB", for the file sharing, as does almost every other Operating System. However, Microsoft added an authentication system to their clients, so that their Operating Systems can only share files with servers running Microsoft Server Operating System software, unless non-trivial changes are made to the configuration of the Operating System of the client. This effectively prevents companies from moving to non-Microsoft Servers in their offices. Several of the alternatives to Microsoft have requested information on the APIs and Authentication systems that Microsoft uses, and Microsoft has refused to provide the data in a useful manner. Under this settlement agreement, Microsoft would be specifically allowed to not provide the data necessary to open the server market up to non-Microsoft servers.

This specific example, and with the lack of a reasonable dispute mechanism whereby Microsoft's interpretation of the proposed settlement agreement can be over-ridden, combine to make the settlement effectively useless in terms of restricting, much less punishing, Microsoft's behavior. The proposed settlement is far from being in the national interest, and rejection of it is amply supported by the trial record, the appeals court judgement, and the other comments submitted to the court.

Thank you,  
Stephen Sinnott

**MTC-00021572**

From: Pinkie Achor  
To: Microsoft ATR  
Date: 1/24/02 11:05am

Subject: microsoft settlement

Gentlemen—  
Enough is enough. Please stop spending OUR tax dollars and those of thousands of other taxpayers in this microsoft battle.

Thank you—  
Louise F. Achor  
Robert F. Achor  
pinkie22@erols.com

**MTC-00021573**

From: scnorthup@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
AN INTERESTING QUESTION:  
This question was raised on a Philly radio call-in show. Without casting stones, it is a legitimate question: There are two men, both extremely wealthy.

One develops relatively cheap software and gives billions of dollars to charity. The other sponsors terrorism. That being the case, why is it that the Clinton Administration spent more money chasing down Bill Gates over the past eight years than Osama bin Laden?

THINK ABOUT IT! Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mr. Steven D. Northup  
3663 Buchanan Street  
Space 124  
Riverside, CA 92503

**MTC-00021574**

From: wlockey@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
WILLIAM F. LOCKEY  
15115 MORNING TREE  
SAN ANTONIO, TX 78232

**MTC-00021575**

From: taxwatcher@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW,  
Suite 1200 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
C. A. Stubbs  
207 Highview  
San Antonio, TX 78228-1944

**MTC-00021576**

From: RSLands@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:07am  
Subject: microsoft

Microsoft products work and are affordable. They built a better product and serviced what they sold. I'd encourage the lessor penalty that can be imposed.

Rosetta Land  
1118 Linwood Dr.  
Tallahassee, FL

**MTC-00021577**

From: Frank (038) Debbie  
To: Microsoft ATR  
Date: 1/24/02 11:07am  
Subject: Microsoft Settlement  
I FAVOR the Settlement!

Let's stop wasting taxpayer dollars on frivolous litigation.

Respectfully,  
Frank Hobin  
409 S. Beech St.  
Winnsboro, Tx. 75494

**MTC-00021578**

From: crnorthup@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

**AN INTERESTING QUESTION:**

This question was raised on a Philly radio call-in show. Without casting stones, it is a legitimate question: There are two men, both extremely wealthy. One develops relatively cheap software and gives billions of dollars to charity. The other sponsors terrorism. That being the case, why is it that the Clinton Administration spent more money chasing down Bill Gates over the past eight years than Osama bin Laden?

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mrs. Carole R. Northup  
3663 Buchanan Street  
Space 124  
Riverside, CA 92503

**MTC-00021579**

From: rich cottle  
To: Microsoft ATR  
Date: 1/24/02 11:07am  
Subject: Microsoft Settlement

I do NOT agree with this settlement!

Sincerely,  
Richard Cottle  
rcottle@nc.rr.com

**MTC-00021580**

From: BAKERBASS45@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bill Baker  
318 Rash Ln. Terrell, TX 75160-1418

**MTC-00021581**

From: Michael Houda  
To: Microsoft ATR  
Date: 1/24/02 11:08am  
Subject: Microsoft Settlement  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001  
Ms. Hesse:

The proposed Microsoft (MS) anti-trust settlement does NOT remedy the problems with this company. Splitting the company into 2 companies, one a SYSTEM software company [Windows] and the other strictly an APPLICATIONS software company [Office, Internet Explorer, etc.], would solve most of the problems because MS [System Software/Windows] would then have to open up the system software to their APPLICATIONS company [Office, Internet Explorer, etc.] as well as to other COMPETING software applications companies.

As it stands now, MS is currently violating previous orders of the court. MS cannot be trusted. By separating MS into at least 2 companies, they are forced into "playing fair".

Sincerely,  
Michael Houda  
Senior Engineering Technician  
P.O. Box 813  
Capitola, CA 95010-0813

**MTC-00021582**

From: Lois@LoisFink.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
LOIS FINK  
912 WHITEHEATH COURT  
nashville, TN 37221

**MTC-00021583**

From: Scott Clausen  
To: Microsoft ATR  
Date: 1/24/02 11:06am  
Subject: Do It Right!

\*This message was transferred with a trial version of CommuniGate(tm) Pro\* I am a computer professional who uses Linux, Macs, Unix, and Windows. I do not begrudge

Microsoft success as a company. I do, however, believe they need to be held accountable for their criminal behavior as shown in the recent court decision.

The settlement, as currently proposed, does nothing to prevent them from continuing to do business in a manner harmful to the industry and society as a whole. By implementing the proposed settlement you will have signaled to all that mediocrity is the highest point we will strive for in this country. Microsoft has shown that they do not innovate but copy those companies that do excel and then dominate the market through illegal practices. If you allow this settlement to occur you will have shown that what is right does not matter, only the power of the dollar.

Thank you for your time.

Scott Clausen  
Edgewood, WA

**MTC-00021584**

From: lonnie\_wendling@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:04am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lonnie Wendling  
1614 Petri Place  
San Jose, CA 95118

**MTC-00021586**

From: fsantoro@rcn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:03am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Frank Santoro  
181 Bay 46th Street  
Brooklyn, NY 11214

**MTC-00021587**

From: Dan@hal-pc.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:08am  
Subject: Microsoft Settlement

I am attaching my Comments as a Text File called "MS-DOJ.txt".

Daniel Maddux  
Renata Hesse  
Trial Attorney  
Suite 1200  
Antitrust Division  
DEPARTMENT OF JUSTICE  
601 D Street, NW  
Washington, DC 20530

RE: Proposed MICROSOFT Antitrust Settlement

I am submitting these comments regarding the November 01, 2001 proposed settlement between Microsoft and the Department of Justice ("DOJ"). For the following reasons, I think the settlement is NOT in the public interest and should be rejected. Furthermore, I think the DOJ should pursue Judge Jackson's remedy of breaking MICROSOFT into 2 companies. I have divided my comments into 2 sections: General and Specific Objections. My General Objections address the proposed settlement in general. My Specific Objections parse the proposed Final Judgment line by line.

**GENERAL OBJECTIONS**

The proposed Final Judgment defeats the DOJ's goal in settling this case. Allegedly the DOJ is settling this case to devote more time and resources to the September 11, 2001 terrorist attacks (see "Circumstances Had Role in U.S.-Microsoft Deal" at <http://www.washingtonpost.com/ac2/wp-dyn/A32665-2001Nov2?language=printer>). However, the proposed Final Judgment requires more time and resources to implement than Judge Jackson's remedy of splitting MICROSOFT into 2 companies. This proposed Final Judgment requires the DOJ to monitor MICROSOFT'S compliance with this proposed Final Judgment and prosecute MICROSOFT when it fails to comply with this proposed Final Judgment. Monitoring MICROSOFT'S compliance with this proposed Final Judgment and prosecuting MICROSOFT when it fails to comply with this proposed Final Judgment will require the DOJ to devote additional time and resources to this case. Splitting MICROSOFT into 2 companies does not require the DOJ to monitor MICROSOFT'S compliance with this proposed Final Judgment and prosecute MICROSOFT when it fails to comply with this proposed Final Judgment. Since splitting MICROSOFT into 2 companies does not require the DOJ to monitor MICROSOFT'S compliance with this proposed Final Judgment and prosecute MICROSOFT when it fails to comply with this proposed Final Judgment, splitting up MICROSOFT does not

require the DOJ to devote additional time and resources to this case. Since this proposed Final Judgment requires the DOJ to devote more time and resources to this case than Judge Jackson's remedy of splitting MICROSOFT into 2 companies, this proposed Final Judgment defeats the DOJ's goal in settling this case.

The proposed Final Judgment fails to protect competition. The goal of United States' Antitrust Law is to protect competition. Some means of protecting competition from the antitrust violations of a monopolist like MICROSOFT are:

- \* punishing the monopolist
- \* deterring other parties from violating the law.

This proposed Final Judgment fails to accomplish any of these means.

First, this proposed Final Judgment fails to punish MICROSOFT. This proposed Final Judgment does not require MICROSOFT to pay a fine. Nor does it require MICROSOFT to reimburse purchasers of WINDOWS 98 upgrades for the \$40 monopoly tax that it imposed on these customers (see Paragraphs 63-65 on Pages 32-33 of Judge Jackson's FINDINGS OF FACT at <http://www.dcd.uscourts.gov/ms-findings2.pdf>). Nor does it require MICROSOFT to pay restitution to NETSCAPE (now a division of AOL) for the harm it inflicted on NETSCAPE's Web Browser (see Pages 177-190 of Judge Jackson's FINDINGS OF FACT). Nor does it require MICROSOFT to pay restitution to SUN MICROSYSTEMS for the harm it inflicted on SUN's JAVA software (See Pages 190-202 of Judge Jackson's FINDINGS OF FACT). Nor does it require MICROSOFT to disgorge its unlawfully obtained profits from these antitrust violations (a corporation enjoying a Rate of Return over 30% is generally considered a monopoly. Thus, MICROSOFT should be required to pay the government all of its profits exceeding a 30% Rate of Return starting from the filing date of this case). Nor does it prevent MICROSOFT from leveraging its monopoly in the PC market into other markets, like the Server Market, the Handheld Computer Market, the Television Set Top Box Market, the game console market, the PDA Market, the Telephone Market (particularly the Cell Phone Market), or other markets. Nor does it prevent MICROSOFT from bundling its web browser, streaming media player, or other software into its operating systems.

Nor does it prohibit MICROSOFT from adding proprietary extensions to open standards like KERBEROS to prevent interoperability with other operating systems. Furthermore, every restriction in this proposed Final Judgment contains an exception that allows MICROSOFT to continue its current business practices unchanged (See, for example, "States Scorning U.S.-Microsoft Deal" at <http://www.washingtonpost.com/ac2/wp-dyn/A27205-2001Nov1?language=printer>, "Accord Called Win For Software Giant" at <http://www.washingtonpost.com/ac2/wp-dyn/A27196-2001Nov1?language=printer>, "Settlement is 'a reward, not a remedy'" at <http://news.cnet.com/news/0-1003-202-7763195.html>, "Friends, foes see no change"

at <http://www.boston.com/dailyglobe2/306/business/Friends—foes—see—no—changeP.shtml>, “MS-DOJ Pact Disappoints” at <http://dailynews.yahoo.com/hx/zd/20011109/tc/ms-doj—pact—disappoints—1.html>, and “Not even a slap on the wrist for bully Microsoft” at <http://www0.mercurycenter.com/premium/opinion/columns/lenard8.htm>). For example, III.H.2. allows end users or OEMs to designate a Non-Microsoft Middleware Product to be invoked in place of a Microsoft Middleware Product. However, VI.N. defines “Non-Microsoft Middleware Product” as software “... (ii) of which at least one million copies were distributed in the United States within the previous year”. Since almost \*no\* non-MICROSOFT software (except possibly AOL Instant Messenger) had a distribution of at least one million copies in the United States within the previous year, III.H.2. does not require MICROSOFT to change their current practice of preventing end users and OEMs from designating Non-MICROSOFT Middleware Products in place of MICROSOFT Middleware Products.

Finally, this proposed Final Judgment does not even require MICROSOFT to allocute to the charges brought against it. Since this proposed Final Judgment does not punish MICROSOFT \*in any way\*, this proposed Final Judgment does not protect competition.

This proposed Final Judgment does not deter other parties from violating the law. A judgment should encourage parties to obey the law. However, this proposed Final Judgment has the opposite effect; it encourages parties to violate the law. Since this proposed Final Judgment does not punish MICROSOFT \*in any way\*, other monopolists are encouraged to violate United States Antitrust Law, knowing that they too will not be punished. Since this proposed Final Judgment will encourage other monopolists to violate our antitrust laws, it does not deter other parties from violating the antitrust laws. Since this proposed Final Judgment does not deter other parties from violating the antitrust laws, this proposed Final Judgment does not protect competition. Further, this proposed Final Judgment encourages crackers (malicious programmers who break into other people's computers) to violate the law and crack computers running MICROSOFT software. If caught, they can defend themselves by claiming they cannot obtain justice from MICROSOFT in a court of law. Also, other nations will refuse to honor extradition treaties with the United States to extradite crackers who attack our computers, citing this proposed Final Judgment as evidence that their citizens cannot obtain a fair trial in the United States. Since this proposed Final Judgment will encourage crackers to crack computers running MICROSOFT software and other nations to dishonor extradition treaties with the United States, this proposed Final Judgment will encourage persons and companies to violate our laws.

Finally, this proposed Final Judgment is an illusory and ineffective remedy because, in practice, the DOJ will not enforce it. As stated above, this proposed Final Judgment requires the DOJ to monitor MICROSOFT'S compliance with this proposed Final

Judgment and prosecute MICROSOFT when it fails to comply with this proposed Final Judgment.

Also as stated above, allegedly, the DOJ is settling this case to devote more time and resources to the September 11, 2001 terrorist attacks. Since the DOJ is settling this case to devote more time and resources to the September 11, 2001 terrorist attacks, the DOJ does not want to expend any more time and resources on this case. Furthermore, President Bush is a Republican. Republican Presidents and administrations historically are pro-business and do \*not\* enforce the antitrust laws.

The fact that the DOJ surrendered the remedy of splitting MICROSOFT into 2 companies, combined with the DOJ's capitulation to this proposed Final Judgment, indicates that the Bush administration will not enforce the antitrust laws, or this proposed Final Judgment. Since the DOJ does not want to expend any more time and resources on this case, and the Bush administration will not enforce the antitrust laws, or this proposed Final Judgment, the DOJ will not enforce it against MICROSOFT. Since the DOJ will not enforce this proposed Final Judgment against MICROSOFT, this proposed Final Judgment is an illusory and ineffectice remedy.

Since this proposed Final Judgment does not accomplish the DOJ's goal in settling this case or protect competition, and is in practice an illusory and ineffective remedy, this proposed Final Judgment is not in the public interest. Since this proposed Final Judgment is not in the public interest, this proposed Final Judgment should be rejected. Instead the DOJ should pursue, and the Court should uphold, Judge Jackson's remedy of splitting MICROSOFT into 2 companies.

MICROSOFT has consistently violated United States Antitrust Law.

MICROSOFT has illegally tied licenses of its operating systems to OEMs' sales of processors in computers (i.e., “per-processor” licenses. See THE MICROSOFT FILE: THE SECRET CASE AGAINST BILL GATES by Wendy Goldman Rohm, Times Business, copyright 1998, at Pages 41–42, 67–68, 73, and 83–85). When the first antitrust case settlement in 1995 prohibited per-processor licenses, MICROSOFT switched to illegally tying licenses of its operating systems to OEMs' sales of computer systems (i.e., “per-system” licenses. See THE MICROSOFT FILE at Pages 190–191 and 203–206). MICROSOFT has continually engaged in “vaporware” to kill competing products (See MEMORANDUM OPINION of February 14, 1995, by Judge Stanley Sporkin, Page 35, at <http://www.usdoj.gov/atr/cases/f0100/0102.htm>).

MICROSOFT has also engaged in predatory pricing by illegally tying/bundling its Middleware Products with its Operating System Products to kill competing products (MICROSOFT illegally tied sales of WINDOWS to MS-DOS; see THE MICROSOFT FILE at Pages 114 and 192–198.

MICROSOFT illegally tied sales of WINDOWS to MICROSOFT OFFICE SUITE; see THE MICROSOFT FILE at Page 159. MICROSOFT illegally tied its web browser, INTERNET EXPLORER, with its Operating

System, WINDOWS 98, to kill the competing web browser, Netscape COMMUNICATOR; see THE MICROSOFT FILE at Pages 268–269 and 274–275. MICROSOFT illegally tied its streaming media player, WINDOWS MEDIA PLAYER, with its Operating System, WINDOWS XP, to kill the competing streaming media player, Real Networks REAL PLAYER). By committing these acts, MICROSOFT has consistently violated the Antitrust Laws.

MICROSOFT violated the first antitrust settlement. MICROSOFT provoked this antitrust case by violating the first antitrust settlement.

MICROSOFT used its monopoly power in the PC market to coerce the computer industry to use MICROSOFT's web browser, INTERNET EXPLORER, and not the competing web browser, Netscape COMMUNICATOR. Specifically, MICROSOFT used predatory pricing (by illegally tying its web browser with its operating system to force Netscape to give away its web browser for free. See THE MICROSOFT FILE at Pages 268–269 and 274–275) and exclusionary contracts requiring IHVs, ISVs, IAPs, ICPs, and OEMs to use INTERNET EXPLORER and not COMMUNICATOR. By using its monopoly power in the PC market to coerce the computer industry to use MICROSOFT's web browser, INTERNET EXPLORER, and not the competing web browser, Netscape COMMUNICATOR, MICROSOFT violated the first antitrust settlement. MICROSOFT will violate this proposed Final Judgment and continue violating the antitrust laws. MICROSOFT's illegal concentration of monopoly profits make it the most highly valued corporation in the world. Since MICROSOFT's illegal concentration of monopoly profits make it the most highly valued corporation in the world, MICROSOFT can drag out any enforcement action that the DOJ brings against MICROSOFT for violating this proposed Final Judgment. In other words, MICROSOFT can simply outspend the DOJ and thereby avoid punishment for violating the antitrust laws. Since MICROSOFT can drag out any enforcement action that the DOJ brings against MICROSOFT for violating this proposed Final Judgment, MICROSOFT can, and will, violate this proposed Final Judgment.

To stop MICROSOFT from violating the antitrust laws, it must be split into 2 or more separate companies. As stated above, MICROSOFT's illegal concentration of monopoly profits allow it to violate the antitrust laws with impunity. Since MICROSOFT's illegal concentration of monopoly profits allow it to violate the antitrust laws with impunity, the only way to stop MICROSOFT from violating the antitrust laws is to disperse its illegal concentration of monopoly profits. And the only way to disperse MICROSOFT's illegal concentration of monopoly profits is to split the company into 2 or more separate companies. Thus, the only way to stop MICROSOFT from violating the antitrust laws is to split it into 2 or more companies. Since the only way to stop MICROSOFT from violating the antitrust laws is to split it into

2 or more companies, the remedy in this case should be splitting MICROSOFT into 2 or more companies.

#### SPECIFIC OBJECTIONS

##### 1. Proposed Final Judgment, paragraph 2:

The second paragraph is too lenient to MICROSOFT. The second paragraph states:

AND WHEREAS, this Final Judgment does not constitute any admission by any party regarding any issue of fact or law; Judge Jackson in his Findings of Fact and Conclusions of Law found that MICROSOFT was a monopoly and that MICROSOFT did abuse its monopoly power to violate United States antitrust law (see FINDINGS OF FACT at <http://www.dcd.uscourts.gov/ms-findings2.pdf> and CONCLUSIONS OF LAW AND ORDER at <http://www.dcd.uscourts.gov/ms-conclusions.pdf>). Furthermore, the Circuit Court of Appeals for the District of Columbia upheld these findings and conclusions. Since both the District Court and the Court of Appeals held that MICROSOFT was a monopoly and did abuse its monopoly power, the least that the DOJ should do is require MICROSOFT to allocute to these facts and conclusions of law. Optimally, MICROSOFT should allocute to all of the facts and conclusions of law contained in the DOJ's original complaint which initiated this case. Allowing MICROSOFT to settle this case without admitting that it is a monopoly which abused its monopoly power is like settling with Osama bin Laden and not requiring him to admit that he bombed the World Trade Centers. Since both the District Court and the Court of Appeals held that MICROSOFT was a monopoly and did abuse its monopoly power, allowing MICROSOFT to settle this case without allocuting to the facts and conclusions of law is too lenient to MICROSOFT.

For this proposed Final Judgment to be in the public interest, MICROSOFT should be \*required\* to allocute to Judge Jackson's Findings of Facts and Conclusions of Law. Since MICROSOFT should be \*required\* to allocute to Judge Jackson's Findings of Facts and Conclusions of Law, the second paragraph should state:

AND WHEREAS, this Final Judgment constitutes an admission by MICROSOFT of all facts contained in Judge Jackson's Findings of Facts and all conclusions of law contained in Judge Jackson's Conclusions of Law;

##### 2.III.Prohibited Conduct, A. First Paragraph

The first paragraph of III.A. is incomplete and thus ineffective as written. III.A. prohibits MICROSOFT from retaliating against OEMs for using Non-MICROSOFT software. However, III.A. does not prohibit MICROSOFT from making its software incompatible with Non-MICROSOFT software. Specifically, III.A. does not prohibit MICROSOFT from making its software prevent the use of other operating systems or middleware running on a PC. In the past, MICROSOFT has written Windows NT (later Windows 2000 and now Windows XP) to prevent OEMs and end users from installing LINUX or the BSD operating systems (FreeBSD, OpenBSD, and NetBSD) on the same hard drive and/or computer. Furthermore, MICROSOFT wrote its

Windows 98 upgrade to break the Dynamically-Linked Libraries for competing middleware (like WordPerfect Office Suite) so that the competing middleware would not work. Since MICROSOFT has previously written their Windows Operating Systems Products to prevent Non- MICROSOFT operating systems and middleware from working on the same hard drive and/or computer, and continues to do so with Windows XP, this proposed Final Judgment should prohibit MICROSOFT from writing its software to prevent Non-MICROSOFT operating systems and middleware from working on the same hard drive and/or computer. Since this proposed Final Judgment does not prohibit MICROSOFT from writing its software to prevent Non-MICROSOFT operating systems and middleware from working on the same hard drive and/or computer, III.A. is incomplete and thus ineffective.

For the first paragraph of III.A. to be in the public interest, the DOJ should rewrite it to expressly prohibit MICROSOFT from writing its software to prevent Non-MICROSOFT operating systems and middleware from working on the same hard drive and/or computer. In particular, MICROSOFT should be prohibited from making its software incompatible with LINUX, the BSD operating systems, Netscape COMMUNICATOR, the OPERA Web Browser, AOL Instant Messenger and related software, SAMBA, and any other Non-MICROSOFT software which runs on a PC. 05\_\_\_\_\_

3.III.Prohibited Conduct, A. Second Paragraph (from Page 4) The second paragraph of III.A. is incomplete as written. III.A. second paragraph (continuing from Page 4 onto Page 5) states in part:

...Microsoft shall not terminate a Covered OEM's license for a Windows Operating System Product without having first given the Covered OEM written notice of the reasons for the proposed termination and not less than thirty days" opportunity to cure. ...

As stated above in OBJECTION 1. regarding the second paragraph, both the District Court and the Court of Appeals found MICROSOFT a monopolist which abused its monopoly power. Since both the District Court and the Court of Appeals found MICROSOFT a monopolist which abused its monopoly power, the DOJ and the District Court should monitor MICROSOFT's future behavior very carefully for compliance with this proposed Final Judgment. In particular, this proposed Final Judgment should require MICROSOFT to provide the DOJ and the District Court with copies of any such notice of non-compliance sent to a Covered OEM. Furthermore, these notices should be published in the FEDERAL REGISTER to provide the public with notice of these events. Since this proposed Final Judgment does not require MICROSOFT to provide the DOJ and the District Court with copies of any such notice of non-compliance sent to a Covered OEM, it is incomplete.

For the second paragraph of III.A. to be in the public interest, it must require MICROSOFT to provide the DOJ and the District Court with copies of any such notice of non-compliance sent to a Covered OEM. Thus, the second paragraph of III.A. should be rewritten as follows:

...Microsoft shall not terminate a Covered OEM's license for a Windows Operating System Product without having first given the Covered OEM written notice of the reasons for the proposed termination and not less than thirty days" opportunity to cure. Microsoft shall provide the DOJ and the District Court with copies of this written notice, which shall be published in the FEDERAL REGISTER. ... .

4.III.Prohibited Conduct, A. Third Paragraph

The third paragraph of III.A. contradicts the first paragraph of III.A. The first paragraph of III.A. prohibits MICROSOFT from retaliating against an OEM for using Non-MICROSOFT software. The third paragraph allows MICROSOFT to reward OEMs based on "the absolute level or amount of that OEM's development, distribution, promotion, or licensing of that MICROSOFT product or service". However, OEMs have a limited amount of money. Since OEMs only have a limited amount of money, an OEM can only increase its promotion/usage of MICROSOFT products and services by decreasing its promotion/usage of Non-MICROSOFT products and services. Since an OEM can only increase its promotion/usage of MICROSOFT products and services by decreasing its promotion/usage of Non-MICROSOFT products and services, the third paragraph of III.A. allows MICROSOFT to reward OEMs who only use MICROSOFT products and services. By rewarding OEMs who only use MICROSOFT products and services, MICROSOFT punishes OEMs who do not use only MICROSOFT products and services. Thus, the third paragraph of III.A. allows MICROSOFT to retaliate against OEMs who use/promote Non-MICROSOFT products and services. Since the third paragraph of III.A. allows MICROSOFT to retaliate against OEMs who use/promote Non-MICROSOFT products and services, and the first paragraph of III.A. prohibits MICROSOFT from retaliating against OEMs who use/promote Non-MICROSOFT products and services, the third paragraph of III.A. contradicts the first paragraph of III.A.

For III.A. to be in the public interest, the third paragraph of III.A. should be deleted from this proposed Final Judgment.

5.III.Prohibited Conduct, C. First Sentence The first sentence of III.C. is incomplete and thus inadequate to protect competition. The first sentence of III.C. states:

Microsoft shall not restrict by agreement any OEM licensee from exercising any of the following options or alternatives: ...

This sentence is incomplete because it does not prohibit MICROSOFT from restricting an OEM licensee's options or alternatives by preferential treatment of an OEM licensee's competitors. For example, MICROSOFT might inform an OEM licensee like COMPAQ that if COMPAQ puts the AOL icon on its Windows desktop that MICROSOFT will offer COMPAQ's competitors a discount on MICROSOFT's products and services. Since MICROSOFT can restrict an OEM licensee's options or alternatives by threatening to offer preferential treatment to an OEM licensee's competitors, in addition to restricting an OEM licensee's options or alternatives by

agreement, the first sentence of III.C. is incomplete and therefore inadequate to protect an OEM licensee from exercising the options and alternatives of III.C.

For the first sentence of III.C. to be in the public interest, it should be rewritten as follows:

Microsoft shall not restrict by agreement \*or by any other means, including but not limited to, offering preferential treatment to an OEM licensee's competitors\*, any OEM licensee from exercising any of the following options or alternatives: ...

\_\_\_\_\_PAGE .

06\_\_\_\_\_

#### 6.III.Prohibited Conduct, C. 1.

III.C.1. contains an exception which allows MICROSOFT to continue its illegal business practices. The exception in III.C.1. states:

...except that Microsoft may restrict an OEM from displaying icons, shortcuts and menu entries for any product in any list of such icons, shortcuts, or menu entries specified in the Windows documentation as being limited to products that provide particular types of functionality, ... Although this exception requires MICROSOFT's restrictions to be non-discriminatory with respect to Non-MICROSOFT software, in practice MICROSOFT will claim that every Non-MICROSOFT software product that MICROSOFT wishes to destroy does not provide the requisite \*particular type of functionality\*. For example, MICROSOFT claimed that its Internet Explorer web browser was an integral part of Windows 98, providing a particular type of functionality that could not be separated from the operating system and the competing web browser, Netscape COMMUNICATOR, could not provide. MICROSOFT claimed this to destroy the competing web browser, Netscape COMMUNICATOR. Furthermore, MICROSOFT has bundled its streaming media player software with Windows XP to destroy Real Networks Real Player streaming media player. The fact that MICROSOFT has already claimed that a Non-MICROSOFT software product that MICROSOFT wished to destroy does not provide the requisite particular type of functionality, and continues to do so, indicates that they will use this exception to negate the prohibition of III.C.1. This exception allows MICROSOFT to destroy any competing software by modifying the Windows documentation to state that the corresponding MICROSOFT software provides a particular type of functionality. Since this exception allows MICROSOFT to destroy any competing software by modifying the Windows documentation to state that the corresponding MICROSOFT software provides a particular type of functionality, this exception allows MICROSOFT to continue its illegal business practices.

In practice, the condition placed upon this exception will not be enforced. III.C.1. places the following condition upon the above-stated exception:

...provided that the restrictions are non-discriminatory with respect to non-Microsoft and Microsoft products.

This condition is only effective if the DOJ polices MICROSOFT's business practices and prevents MICROSOFT from applying

discriminatory restrictions on OEM licensees. In theory, the DOJ will police MICROSOFT's business practices and prevent MICROSOFT from applying discriminatory restrictions on OEM licensees. However, the fact that the DOJ has surrendered the remedy of splitting MICROSOFT into 2 companies, combined with the DOJ's acceptance of this proposed Final Judgment, indicates that the DOJ will not police MICROSOFT's business practices and prevent MICROSOFT from applying discriminatory restrictions on OEM licensees. Furthermore, as stated in the GENERAL OBJECTIONS, the DOJ does not want to expend additional time and resources on this case. Since the DOJ will not police MICROSOFT's business practices and prevent MICROSOFT from applying discriminatory restrictions on OEM licensees, this condition will not be enforced. Since this condition will not be enforced, it is illusory and thus ineffective.

For III.C.1. to be in the public interest, the exception must be deleted. In other words, III.C.1. should be rewritten as follows:

Installing, and displaying icons, shortcuts, or menu entries for, any Non-Microsoft Middleware or any product or service (including but not limited to IAP products or services) that distributes, uses, promotes, or supports any Non-Microsoft Middleware, on the desktop or Start menu, or anywhere else in a Windows Operating System Product where a list of icons, shortcuts, or menu entries for applications are generally displayed. .

#### 7.III.Prohibited Conduct, C. 2.

As discussed above in OBJECTION 6. about III.C.1., III.C.2. contains an exception that allows MICROSOFT to continue its illegal business practices. The exception in III.C.2. states:

... so long as such shortcuts do not impair the functionality of the user interface.

As stated above in OBJECTION 6. about III.C.1., in practice MICROSOFT will claim that every Non-MICROSOFT software product that MICROSOFT wishes to destroy impairs the functionality of the user interface. The Internet Explorer web browser is an example of this behavior. Another example occurred in August 2001, when MICROSOFT allowed OEMs to place whatever icons they chose on the Windows XP desktop. COMPAQ, a MICROSOFT OEM licensee, subsequently placed the AOL icon on the Windows XP desktop in place of the MSN icon. MICROSOFT thereupon reversed its policy and stated that any OEM placing a Non-MICROSOFT icon on the desktop must place the corresponding MICROSOFT icon on the desktop as well. Thus, MICROSOFT's past behavior indicates that they will claim that every Non-MICROSOFT software product that MICROSOFT wishes to destroy impairs the functionality of the user interface.

Also, as stated above in OBJECTION 6. about III.C.1., the DOJ will not police MICROSOFT's compliance with III.C.2. Since the DOJ will not police MICROSOFT's compliance with III.C.2., MICROSOFT is free to prevent OEM licensees from installing or displaying Non-MICROSOFT desktop shortcuts. Since MICROSOFT is free to prevent OEM licensees from installing or

displaying Non-MICROSOFT desktop shortcuts, this exception allows MICROSOFT to continue its illegal business practices. For III.C.2. to be in the public interest, the exception must be deleted. In other words, III.C.2. should be rewritten as follows:

Distributing or promoting Non-Microsoft Middleware by installing and displaying on the desktop shortcuts of any size or shape.

#### 8.III.Prohibited Conduct, C. 3.

As discussed about III.C.1. above, III.C.3. contains an exception that allows MICROSOFT to continue its illegal business practices. The exception in III.C.3. states: ... provided that any such Non-Microsoft Middleware displays on the desktop no user interface or a user interface of similar size and shape to the user interface displayed by the corresponding Microsoft Middleware.

As stated above in OBJECTION 6. about III.C.1., in practice MICROSOFT will claim that every Non-MICROSOFT software product that MICROSOFT wishes to destroy does not display a user interface of similar size and shape to the user interface displayed by the corresponding MICROSOFT Middleware. For example, MICROSOFT inserted code in Windows 3.1 that detected if a user was running DR-DOS (a competitor to MS-DOS). Upon detecting DR-DOS, Windows 3.1 would warn the user that DR-DOS \*might be incompatible with Windows 3.1\* and the user should upgrade to MS-DOS (See THE MICROSOFT FILE: THE SECRET CASE AGAINST BILL GATES by Wendy Goldman Rohm, ISBN 0-8129-2716-8, copyright 1998, Times Books, at pages 102-104, 113-114, and 116-118). Since MICROSOFT will claim that every Non-MICROSOFT software product that MICROSOFT wishes to destroy does not display a user interface of similar size and shape to the user interface displayed by the corresponding MICROSOFT Middleware, this exception will allow MICROSOFT to prevent OEM licensees from launching automatically Non-MICROSOFT Middleware at the conclusion of the initial boot sequence or upon connection/disconnection to the Internet. Since this exception will allow MICROSOFT to prevent OEM licensees from launching automatically Non-MICROSOFT Middleware at the conclusion of the initial boot sequence or upon connection/disconnection to the Internet, this exception allows MICROSOFT to continue its illegal business practices. Also, as stated above in OBJECTION 6. about III.C.1., the DOJ will not police MICROSOFT's compliance with III.C.3. Since the DOJ will not police MICROSOFT's compliance with III.C.3., MICROSOFT is free to prevent OEM licensees from launching automatically Non-MICROSOFT Middleware. Since MICROSOFT is free to prevent OEM licensees from launching automatically Non-MICROSOFT Middleware, this exception allows MICROSOFT to continue its illegal business practices.

For III.C.3. to be in the public interest, this exception must be deleted. In other words, III.C.3. should be rewritten as follows:

Launching automatically, at the conclusion of the initial boot sequence or subsequent boot sequences, or upon connections to or disconnections from the Internet, any Non-



Microsoft Middleware if Microsoft Middleware that provides similar functionality would otherwise be launched automatically at that time.

9.III.Prohibited Conduct, C. 5.

The exception in III.C.5. allows MICROSOFT to continue its illegal business practices. III.C.5. states:

Presenting in the initial boot sequence its own IAP offer \*provided that the OEM complies with the reasonable technical specifications established by Microsoft, including a requirement that the end user be returned to the initial boot sequence upon the conclusion of any such offer\*.

As stated above in OBJECTION 6. regarding III.C.1., in practice MICROSOFT will claim that every Non-MICROSOFT IAP offer that MICROSOFT wishes to destroy does not comply with MICROSOFT's reasonable technical specifications. As stated above in OBJECTION 8. III.C.3., MICROSOFT inserted code in Windows 3.1 suggesting to users that DR-DOS does not meet MICROSOFT's technical requirements. Further, after negotiations between MICROSOFT and AOL broke down in August 2001, MICROSOFT made Windows XP incompatible with AOL's internet software. The fact that MICROSOFT has made their Windows Operating System Products incompatible with competing products indicates that MICROSOFT will use the exception in III.C.5. to claim that competing IAP offers from AOL, other IAPs, or OEMs does not meet MICROSOFT's reasonable technical requirements. Since MICROSOFT will use the exception in III.C.5. to claim that competing IAP offers from AOL, other IAPs, or OEMs does not meet MICROSOFT's reasonable technical requirements, this exception allows MICROSOFT to continue its illegal business practices.

Also, as stated above in OBJECTION 6. about III.C.1., the DOJ will not police MICROSOFT's compliance with III.C.5. Since the DOJ will not police MICROSOFT's compliance with III.C.5., MICROSOFT is free to prevent OEM licensees from presenting their own IAP offers in the initial boot sequence. Since MICROSOFT is free to prevent OEM licensees from presenting their own IAP offers in the initial boot sequence, this exception allows MICROSOFT to continue its illegal business practices. For III.C.5. to be in the public interest, this exception must be deleted. In other words, III.C.5. should be rewritten as follows:

Presenting in the initial boot sequence its own IAP offer . .

10.III.Prohibited Conduct, D.

The deadline stated in the first sentence for MICROSOFT to release its APIs and related Documentation to third parties is too long. The first sentence of III.D. states in relevant part:

Starting at the earlier of \*the release of Service Pack 1 for Windows XP or 12 months after the submission of this Final Judgment to the Court\*; Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs,

... the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product. Currently, the computer industry is operating on Internet time. In

Internet time, 3 months is considered equivalent to a normal year. Since MICROSOFT, like its competitors in the computer industry, operates on Internet time, allowing MICROSOFT up to 12 months to disclose their APIs and related Documentation is equivalent to giving MICROSOFT a 3 year head start in developing Middleware for Windows XP and its successors. Furthermore, MICROSOFT's Middleware programmers already have access to these APIs and related Documentation prior to the release of these Windows Operating System Products. Since MICROSOFT's Middleware programmers already have access to these APIs and related Documentation prior to the release of these Windows Operating System Products, and allowing MICROSOFT up to 12 months to disclose their APIs and related Documentation is equivalent to giving MICROSOFT a 3 year head start in developing Middleware for its Windows Operating System Products, this deadline effectively prevents third parties from developing competing Middleware for MICROSOFT's Windows Operating System Products. Since this deadline effectively prevents third parties from developing competing Middleware for MICROSOFT's Windows Operating System Products, the 12 month deadline for MICROSOFT to release its APIs and related Documentation is too long. Since the 12 month deadline for MICROSOFT to release its APIs and related Documentation is too long, this 12 month deadline should be shortened to 3 months. For this part of III.D. to be in the public interest, this deadline should be changed from 12 months to 3 months. In other words, the first sentence of III.D. should be rewritten as:

Starting at the earlier of the release of Service Pack 1 for Windows XP or \*3\* months after the submission of this Final Judgment to the Court,

11.III.Prohibited Conduct, D. The condition placed upon releasing MICROSOFT's APIs is too lenient to MICROSOFT. The first sentence of III.D. states in relevant part:

... Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, for the sole purpose of interoperating with a Windows Operating System Product, ...

As stated above in OBJECTION 1 regarding the second paragraph, MICROSOFT lost this case. Both Judge Jackson and the Court of Appeals held that MICROSOFT was a monopoly and that it abused its monopoly power. Furthermore, as stated in the GENERAL OBJECTIONS, MICROSOFT has consistently violated the antitrust laws. Since both Judge Jackson and the Court of Appeals held that MICROSOFT was a monopoly and that it abused its monopoly power, and MICROSOFT has consistently violated the antitrust laws, the DOJ should not be appeasing MICROSOFT by limiting the scope of use of MICROSOFT's APIs and related Documentation. Since the DOJ should not be appeasing MICROSOFT by limiting the scope of use of MICROSOFT's APIs and related Documentation, this limitation on third parties' right to use MICROSOFT's APIs and related Documentation is too lenient to MICROSOFT.

For this part of III.D. to be in the public interest, the scope of use of MICROSOFT's APIs and related Documentation should be unconditional. In other words, III.D. should be rewritten as:

... Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, ... the APIs and related Documentation ... .

12.III.Prohibited Conduct, D.

The scope of disclosure of MICROSOFT's APIs and related Documentation is too narrow. The first sentence of III.D. states in relevant part: ...

Microsoft shall disclose... \*the APIs and related Documentation\* that are used by Microsoft Middleware to interoperate with a Windows Operating System Product. ...

MICROSOFT has consistently withheld APIs from third party developers so that MICROSOFT Middleware would interoperate better with its Windows Operating System Products than with third party Middleware. In particular MICROSOFT has withheld APIs and functions regarding:

\* DOS (see UNDOCUMENTED DOS by Andrew Schulman, Addison-Wesley, ISBN 0-201-57064-5 and UNDOCUMENTED DOS 2nd Edition by Andrew Schulman, Addison-Wesley, ISBN 0-201-63287-X)

\* Windows 3.1 (see UNDOCUMENTED WINDOWS by Andrew Schulman, Addison-Wesley, ISBN 0-201-60834-0)

\* Windows 95 (see UNAUTHORISED WINDOWS 95 by Andrew Schulman, IDG, ISBN 1-56884-169-8)

\* Windows NT (see UNDOCUMENTED WINDOWS NT by Prasad Dabak, Sandeep Phadke, Milind Borate, Hungry Minds, Inc., ISBN 0-764-54569-8)

\* Windows 2000 (see UNDOCUMENTED WINDOWS 2000 SECRETS: A PROGRAMMER'S COOKBOOK by Sven B. Scheiber, Addison-Wesley, ISBN 0-201-72187-2)

Furthermore, MICROSOFT has also withheld information regarding their File Formats (see WINDOWS UNDOCUMENTED FILE FORMATS: WORKING INSIDE 16- AND 32- BIT WINDOWS by Pete Davis, Mike Wallace, CMP Books, ISBN 0-879-30437-5). The fact that MICROSOFT has consistently withheld APIs and related Documentation (and information about their File Formats) indicates that they will continue to withhold APIs and related Documentation from Third Party developers. Since MICROSOFT will continue to withhold APIs and related Documentation from Third Party developers, the scope of disclosure required of MICROSOFT in III.D. is too narrow.

Furthermore, III.D. does not explicitly require MICROSOFT to disclose \*all\* APIs and related Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product. Since III.D. does not explicitly require MICROSOFT to disclose \*all\* APIs and related Documentation, MICROSOFT will always argue that this proposed Final Judgment does not require it to disclose \*all\* APIs and related Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product. Since MICROSOFT will always argue that this proposed Final Judgment does not require it to disclose \*all\* APIs and related



Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product, the scope of disclosure required of MICROSOFT in III.D. is too narrow.

In addition, III.D. does not state who determines which APIs and related Documentation MICROSOFT must disclose. Since III.D. does not state who determines which APIs and related Documentation MICROSOFT must disclose, MICROSOFT will claim that they have the right to determine which APIs and related Documentation it must disclose. Furthermore, as stated in the above GENERAL OBJECTIONS, the DOJ will not expend additional time and resources on this case. Since the DOJ will not expend additional time and resources on this case, they will not contest MICROSOFT's right to determine which APIs and related Documentation MICROSOFT must disclose. Since MICROSOFT will claim that they have the right to determine which APIs and related Documentation it must disclose, and the DOJ will not contest this claim, III.D. basically allows MICROSOFT to determine its punishment. In other words, III.D. allows MICROSOFT to determine which APIs and related Documentation it will disclose. The fact that MICROSOFT is already determining which APIs and related Documentation it will disclose, and is withholding APIs and related Documentation, indicates that MICROSOFT will continue to withhold APIs and related Documentation. Since MICROSOFT will interpret III.D. to allow MICROSOFT to continue withholding APIs and related Documentation, the scope of disclosure in III.D. is too narrow.

Also, as stated above in OBJECTION 6. about III.C.1., the DOJ will not police MICROSOFT to ensure that MICROSOFT discloses all of the APIs and related Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product. Since the DOJ will not police MICROSOFT to ensure that MICROSOFT discloses all of the APIs and related Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product, MICROSOFT is free to continue withholding APIs and related Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product. Since MICROSOFT is free to continue withholding APIs and related Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product, III.D. does not deter MICROSOFT from continuing to withhold APIs and related Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product.

For III.D. to be in the public interest, III.D. must require MICROSOFT to disclose the complete source code to all of their Windows Operating System Products. As stated above, MICROSOFT has consistently withheld APIs and related Documentation from Third Party Developers. Since MICROSOFT has consistently withheld APIs and related Documentation from Third Party Developers, the only way to ensure that MICROSOFT discloses all of the APIs and related

Documentation used by MICROSOFT Middleware to interoperate with a Windows Operating System Product is to require MICROSOFT to disclose the complete source code of its Windows Operating System Products.

Furthermore, MICROSOFT must disclose the compilers used to compile the binary files for its Windows Operating System Products. MICROSOFT has history of altering its source code to prevent competitors from writing compatible software. In the mid-1990s, MICROSOFT consistently rewrote its Windows 3.1 source code to ensure that IBM's OS/2 operating system remained incompatible with Windows 3.1. More recently, during the trial of this antitrust case, MICROSOFT altered the code of Windows 98 in an attempt to impeach government witness Edward Felten (see "A Tangled Web" at <http://www.vcnet.com/bms/departments/dirtytricks.shtml> and "MS-DOJ: Microsoft on the retreat?" at <http://www.zdnet.com/filters/printerfriendly/0,6061,2175958-2,00.html>).

The only way to know if MICROSOFT has disclosed the complete source code of its Windows Operating System Products is to compile the source code and compare these compiled binaries with the binaries that MICROSOFT ships to OEMs and end users. Since the only way to know if MICROSOFT has disclosed the complete source code of its Windows Operating System Products is to compile the source code and compare these compiled binaries with the binaries that MICROSOFT ships to OEMs and end users, III.D. must require that MICROSOFT disclose the compilers it uses to compile binaries of its Windows Operating System Products' source code. Thus, III.D. should be rewritten as follows:

... Microsoft shall disclose... \*the complete source code of its Windows Operating System Products, together with the compilers used to compile the source code of the Windows Operating System Product\* . . . .

13. III.Prohibited Conduct, D. The means of disclosure of MICROSOFT's APIs and related Documentation in III.D. is inadequate. The first sentence of III.D. states in relevant part: ..Microsoft shall disclose..., \*via the Microsoft Developer Network ("MSDN") or similar mechanisms, the APIs and related Documentation...

MICROSOFT has made their websites unavailable to Non-MICROSOFT web browsers. In 1998, MICROSOFT inserted code in their MICROSOFT Office update website such that persons using Non-MICROSOFT web browsers got a warning message stating that they need to upgrade their web browser to Internet Explorer 4.01 to access the full edition of the update at the website (See "Use Internet Explorer or...?" at <http://www.vcnet.com/bms/departments/dirtytricks.shtml>). In October 2001, MICROSOFT altered their websites so that Non-MICROSOFT web browsers, like OPERA, could not view any webpages at MICROSOFT's website (See "New look MSN turns away non-MS lovers" at <http://www.theregister.co.uk/content/6/22441.html>, "The Browser Wars are back: Opera smacks MSN" at <http://www.theregister.co.uk/content/4/22618.html>, and "Opera tolerating MSN.co.uk goes live" at <http://www.theregister.co.uk/content/archive/22714.html>). The fact that MICROSOFT has made their websites unavailable to Non-MICROSOFT web browsers indicates that they will continue to do so. Since MICROSOFT will continue to make their websites unavailable to Non-MICROSOFT web browsers, requiring MICROSOFT to disclose their APIs and related Documentation on the MSDN, or any MICROSOFT website, means that these APIs and related Documentation will not be available to Non-MICROSOFT web browsers, the means of disclosure of MICROSOFT's APIs and related Documentation in III.D. is inadequate.

Also, as stated above in OBJECTION 6. about III.C.1., the DOJ will not police MICROSOFT to ensure that MICROSOFT does not block Non-MICROSOFT web browsers from accessing its websites. Since the DOJ will not police MICROSOFT to ensure that MICROSOFT does not block Non-MICROSOFT web browsers from accessing its websites, MICROSOFT is free to continue blocking Non-MICROSOFT web browsers from accessing its websites. Since MICROSOFT is free to continue blocking Non-MICROSOFT web browsers from accessing its websites, III.D. does not deter MICROSOFT from continuing to block Non-MICROSOFT web browsers from accessing its websites.

For III.D. to be in the public interest, MICROSOFT must be required to publicly disclose its APIs and related Documentation in Non-MICROSOFT websites like SLASHDOT (<http://slashdot.org>) and FRESH MEAT (<http://www.freshmeat.org>). In other words, III.D. should be rewritten as follows: ..Microsoft shall disclose..., \*via Non-MICROSOFT websites, including but not limited to, SLASHDOT (<http://slashdot.org>) and FRESH MEAT (<http://www.freshmeat.org>), the APIs and related Documentation...

14.III.Prohibited Conduct, D. The deadline for disclosure of MICROSOFT Middleware may be illusory and thus ineffective. The second sentence of III.D. states

...In the case of a major new version of Microsoft Middleware, the disclosures required by this section III.D. shall occur no later than the last major beta test release of the Microsoft Middleware.

MICROSOFT is currently moving towards a subscription-based model for its software. A subscription-based model for new software means that MICROSOFT may not release any more "new" software. Instead, MICROSOFT will simply update a user's current software every month or so. Since MICROSOFT will simply update a user's current software every month or so, MICROSOFT will not be releasing any new major versions of their Operating Systems or Middleware. Since MICROSOFT will not be releasing any new major versions of their Windows Operating

System Products or Middleware, MICROSOFT will not be required to release the APIs and related Documentation for these Windows Operating System Products or Middleware. Since MICROSOFT will not be required to release the APIs and related Documentation for these Windows Operating System Products or Middleware, this deadline may be illusory.

To summarize, the requirements of III.D. are too narrow and thus inadequate. For III.D. to be in the public interest, the first sentence of III.D. must be rewritten as follows: Starting at the earlier of the release of Service Pack 1 for Windows

XP or \*3\* months after the submission of this Final Judgment to the Court, Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, \*via Non-MICROSOFT websites, including but not limited to, SLASHDOT (<http://slashdot.org>) and FRESH MEAT (<http://www.freshmeat.org>), the complete source code of its Windows Operating System Products, together with the compilers used to compile the source code of the Windows Operating System Product and related Documentation\*.

#### 15.III.Prohibited Conduct, E.

For the same reasons stated in OBJECTION 10. regarding III.D., the deadline for releasing Communications Protocols in III.E. is too lenient to MICROSOFT. III.E. allows MICROSOFT to wait \*9 months\* after the submission of this proposed Final Judgment before disclosing its Communications Protocols. As stated above in OBJECTION 10. regarding III.D., MICROSOFT and its competitors operate on "Internet time", where 3 months comprises an "Internet year". Since 3 months comprises an "Internet year", the deadline of 9 months for MICROSOFT to disclose its Communications Protocols is too long. For the deadline of III.E. to be in the public interest, it must be shortened to 3 months. In other words, III.E. should be rewritten as follows:

Starting \*3\* months after the submission of this proposed Final Judgment to the Court,...

#### 16.III.Prohibited Conduct, E.

The terms of disclosure are too lenient to MICROSOFT. As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case at the District Court and Appellate Court levels. Since MICROSOFT lost this case at the District Court and Appellate Court levels, the DOJ should not concede anything to MICROSOFT, including the terms of disclosing MICROSOFT's Communications Protocols. III.E. states in the relevant part:

...Microsoft shall make available for use by third parties, \*for the sole purpose\* of interoperating with a Windows Operating System Product, \*on reasonable and non-discriminatory terms\* (consistent with Section III.I.), any Communications Protocol that is, on or after the date this Final Judgment is submitted to the Court, (i) implemented in a Windows Operating System Product installed on a client computer, and

(ii) used to interoperate natively (i.e., without the addition of software code to the client or server operating system products) with Windows 2000 Server or products

marketed as its successors installed on a server computer.

First, since MICROSOFT lost this case, the scope of disclosure of these Communications Protocols should not be limited to \*the sole purpose of interoperating with a Windows Operating System Product\*. Third Parties should be free to make whatever use of these Communications Protocols that they choose. Allowing MICROSOFT to limit their use to \*the sole purpose of interoperating with a Windows Operating System Product\* simply gives MICROSOFT the opportunity to deny disclosing these Communications Protocols by claiming that the Third Party is not using them for \*the sole purpose of interoperating with a Windows Operating System Product\*. Since limiting their use to \*the sole purpose of interoperating with a Windows Operating System Product\* simply gives MICROSOFT the opportunity to deny disclosing these Communications Protocols by claiming that the Third Party is not using them for \*the sole purpose of interoperating with a Windows Operating System Product\*, this limitation is too restrictive.

Second, \*reasonable and non-discriminatory terms\* is legalese for royalty-bearing terms. By allowing MICROSOFT to charge Third Parties royalties for disclosing its Communications Protocols, III.E. allows MICROSOFT to discriminate against Open-Source developers, who generally cannot afford to pay royalties. Since III.E. allows MICROSOFT to discriminate against Open-Source developers, who generally cannot afford to pay royalties, III.E. is too restrictive.

Third, the scope of disclosure in III.E. is inadequate because III.E. does not require MICROSOFT to disclose \*all\* Communications Protocols. III.E. limits MICROSOFT's disclosure to Communications Protocols that are:

(i) implemented in a Windows Operating System Product installed on a client computer, and

(ii) used to interoperate natively (i.e., without the addition of software code to the client or server operating system products) with Windows 2000 Server or products marketed as its successors installed on a server computer.

Since III.E. limits MICROSOFT's disclosure to only Communications Protocols meeting these requirements, III.E. does not require MICROSOFT to disclose all Communications Protocols which are necessary for Third Party developers to make their software interoperate with MICROSOFT's Windows Operating System Products as well as MICROSOFT's Middleware does. Since III.E. does not require MICROSOFT to disclose all Communications Protocols which are necessary for Third Party developers to make their software interoperate with MICROSOFT's Windows Operating System Products as well as MICROSOFT's Middleware does, III.E. allows MICROSOFT to continue withholding Communications Protocols that allow its Middleware to interoperate with MICROSOFT's Windows Operating System Products better than Third Parties' Middleware. Since III.E. allows MICROSOFT to continue withholding Communications Protocols that allow its Middleware to interoperate with

MICROSOFT's Windows Operating System Products better than Third Parties' Middleware, the scope of disclosure in III.E. is too narrow.

Furthermore, VI.B. of this proposed Final Judgment defines Communications Protocols too narrowly. The last sentence of VI.B. states:

...Communications Protocols shall \*not\* include protocols used to remotely administer Windows 2000 Server and products marketed as its successors.

Thus, III.E., when read in light of VI.B., further limits MICROSOFT's disclosure to only those Communications Protocols that are not used to remotely administer Windows 2000 Server and products marketed as its successors. Since III.E., when read in light of VI.B., further limits MICROSOFT's disclosure to only those Communications Protocols that are not used to remotely administer Windows 2000 Server and products marketed as its successors, the scope of disclosure in III.E. in light of VI.B. is too narrow.

For III.E. to be in the public interest, all of these limitations on MICROSOFT's disclosure of its Communications Protocols must be deleted. In other words, III.E. should be rewritten as follows: Starting \*3\* months after the submission of this proposed Final Judgment to the Court, Microsoft shall make available for use \*on royalty-free terms\* by third parties, \*all\* Communications Protocols used by \*all\* Microsoft software.

Furthermore, the last sentence of VI.B., excluding protocols used to remotely administer Windows 2000 Server and products marketed as its successors, must be deleted.

#### 17.III.Prohibited Conduct, F. 2.

The exception of III.F.2. negates the restriction placed on MICROSOFT.

The exception states:

...except that Microsoft may enter into \*agreements that place limitations on an ISV's development, use, distribution, or promotion of any such software\* if those limitations are reasonably necessary to and of reasonable scope and duration in relation to a bona fide contractual obligation of the ISV to use, distribute or promote any Microsoft software or to develop software for, or in conjunction with, Microsoft.

MICROSOFT will use this exception to avoid the restrictions of III.F.2., always claiming that the limitations are reasonably necessary to and of reasonable scope and duration in relation to a bona fide contractual obligation of the ISV to use, distribute or promote any Microsoft software or to develop software for, or in conjunction with, Microsoft. As stated above in OBJECTION 4. regarding III.A., ISVs have a limited budget. By requiring ISVs to spend that budget distributing and/or promoting MICROSOFT software, MICROSOFT can prevent ISVs from developing, using, distributing or promoting any software that competes with MICROSOFT software. Since MICROSOFT can prevent ISVs from developing, using, distributing or promoting any software that competes with MICROSOFT software, MICROSOFT will use this exception to avoid the restrictions of III.F.2. Since MICROSOFT will use this exception to avoid the restrictions of III.F.2., the exception negates

the restriction that III.F.2. places on MICROSOFT.

For III.F.2. to be in the public interest, the exception must be deleted. In other words, III.F.2. should be rewritten as follows:

Microsoft shall not enter into any agreement relating to a Windows Operating System Product that conditions the grant of any Consideration on an ISV's refraining from developing, using, distributing, or promoting any software that competes with Microsoft Platform Software or any software that runs on any software that competes with Microsoft Platform Software. .

18.III.Prohibited Conduct, G.1. The prohibition of III.G.1. is too narrow because it excludes Governments, Educational Institutions, Standards Setting Organizations and Non-Profit Organizations. III.G.1. states in relevant part:

Microsoft shall not enter into any agreement with:

1. any \*IAP, ICP, ISV, IHV or OEM\*...

Microsoft has been doing, and continues to do, business with:

- \* Local, State, and National Governments
- \* Standards Setting Organizations
- \* Non-Profit Organizations
- \* Educational Institutions like Universities and Public Schools

Since Microsoft has been doing, and continues to do, business with these groups, they should be included in the prohibition of III.G.1. Since these groups are not included in the prohibition of III.G.1., III.G.1. is too narrow.

For III.G.1. to be in the public interest, it must include these other groups. In other words, III.G.1. should be rewritten as follows:

1. any IAP, ICP, ISV, IHV, \*OEM, government, educational institution, standards-setting organization, or non-profit organization\*....

19.III.Prohibited Conduct, G.1.

The exception in III.G.1. negates the restriction placed upon MICROSOFT in III.G.1. The exception states:

...except that Microsoft may enter into agreements in which such an entity agrees to distribute, promote, use or support Microsoft Platform Software in a fixed percentage whenever Microsoft in good faith obtains a representation that it is commercially practicable for the entity to provide equal or greater distribution, promotion, use or support for software that competes with Microsoft Platform Software,...

MICROSOFT has a monopoly in the PC market. MICROSOFT's only competition comes from LINUX, which is available for free. Since LINUX is available for free, every company/entity will \*always\* be able to represent that it is commercially practicable for the entity to provide equal or greater distribution, promotion, use or support for software that competes with Microsoft Platform Software. Since every company/entity will \*always\* be able to represent that it is commercially practicable for the entity to provide equal or greater distribution, promotion, use or support for software that competes with Microsoft Platform Software, this exception allows MICROSOFT to continue requiring companies/entities to distribute, promote, use or support Microsoft Platform Software in a fixed percentage. Since this exception allows MICROSOFT to

continue requiring companies/entities to distribute, promote, use or support Microsoft Platform Software in a fixed percentage, this exception negates the restriction that III.G.1. places upon MICROSOFT.

For III.G.1. to be in the public interest, the exception in III.G.1. must be deleted. In other words, III.G.1. must be rewritten as follows:

1. any IAP, ICP, ISV, IHV, \*OEM, government, educational institution, standards-setting organization, or non-profit organization\* that grants Consideration on the condition that such entity distributes, promotes, uses, or supports, exclusively or in a fixed percentage, any Microsoft Platform Software\*, or .

20.III.Prohibited Conduct, G. The exceptions ending III.G. negate the restrictions that III.G. 1. and

2. place upon MICROSOFT. The exceptions state:

Nothing in this section shall prohibit Microsoft from entering into:

- (a) any bona fide joint venture or
- (b) any joint development or joint services arrangement with any ISV, IHV, IAP, ICP, or OEM for a new product, technology, or service, or any material value-add to an existing product, technology, or service, in which both Microsoft and the ISV, IHV, IAP, ICP, or OEM contribute significant developer or other resources, that prohibits such entity from competing with the object of the joint venture or other arrangement for a reasonable period of time.

This Section does not apply to any agreements in which Microsoft licenses intellectual property in from a third party.

These exceptions allow MICROSOFT to avoid the restrictions of III.G. by calling this prohibited conduct a joint venture, joint development, or joint services arrangement (Note that exception (b) does not prohibit \*MICROSOFT\* from competing with the object of the joint venture or other arrangement for a reasonable period of time, only MICROSOFT's partners) or by claiming that it is licensing intellectual property in from a third party. Since these exceptions allow MICROSOFT to avoid the restrictions of III.G. by calling this prohibited conduct a joint venture, joint development, or joint services arrangement or by claiming that it is licensing intellectual property in from a third party, these exceptions negate the restrictions that III.G. 1. and 2. place upon MICROSOFT.

For III.G. to be in the public interest, these exceptions must be deleted from III.G.

21.III.Prohibited Conduct, H.

The deadline in III.H. for MICROSOFT to conform to the restrictions is too long. As stated above in OBJECTION 11. regarding III.D., MICROSOFT and its competitors operate on "Internet time". Three months is a year in "Internet time". Since 3 months is a year in "Internet time", and MICROSOFT and its competitors operate on "Internet time", the deadline in III.H. should be \*3\* months, not \*12\* months. Since the deadline in III.H. is 12 months, the deadline is too long.

For the deadline in III.H. to be in the public interest, it must be shortened to 3 months. In other words, the first sentence of III.H. should be rewritten as follows:

Starting at the earlier of the release of Service Pack 1 for Windows XP or \*3\*

months after the submission of this Final Judgment to the Court, Microsoft shall: ... . 22.III.Prohibited Conduct, H.

The restrictions that III.H. places upon MICROSOFT are illusory in light of VI.N. III.H. allows end users and OEMs to select Non-MICROSOFT Middleware Products in place of MICROSOFT Middleware Products. However, VI.N. defines "Non-MICROSOFT Middleware Products" as a non-Microsoft software product running on a Windows Operating System Product ... and (ii) of which at least \*one million copies\* were distributed in the United States in the previous year.

Very few Non-MICROSOFT software products have a distribution of 1 million copies in the United States in the previous year. Only AOL's software and perhaps Adobe PHOTOSHOP meet this requirement. Furthermore, this requirement excludes practically all Open-Source software. Since very few, and practically no Open-Source, software products meet this requirement, III.H. actually reads as follows:

MICROSOFT shall allow end users and OEMs to select AOL and Adobe PHOTOSHOP in place of the equivalent MICROSOFT Middleware Product. In other words, VI.N. renders the restrictions of III.H. illusory. Since VI.N. renders the restrictions of III.H. illusory, VI.N. must be rewritten to delete requirement "(ii)". In other words, VI.N. should be rewritten as follows:

"Non-Microsoft Middleware Product" means a non-Microsoft software product running on a Windows Operating System Product that exposes a range of functionality to ISVs through published APIs and that could, if ported to or made interoperable with, a non-Microsoft Operating System, thereby make it easier for applications that rely in whole or in part on the functionality supplied by that software product to be ported to or run on that non-Microsoft Operating System. .

23.III.Prohibited Conduct, H.1.(a)

The exception in (a) of III.H.1. negates the restriction that III.H.1. places upon MICROSOFT. The exception states: ...except that Microsoft may restrict the display of icons, shortcuts, or menu entries for any product in any list of such icons, shortcuts, or menu entries specified in the Windows documentation as being limited to products that provide particular types of functionality, provided that the restrictions are non-discriminatory with respect to non-Microsoft and Microsoft products; ...

MICROSOFT will always claim that competing software that MICROSOFT wishes to destroy does not provide particular types of functionality. For example, MICROSOFT integrated their web browser, Internet Explorer, into their Operating System, Windows 95/98, and then claimed that Netscape's web browser did not provide similar functionality. MICROSOFT also integrated their streaming media player software, WINDOWS MEDIA PLAYER, to preclude OEMs installing Real Networks's streaming media player, REAL PLAYER. This past August MICROSOFT allowed OEMs to place Non-MICROSOFT icons and shortcuts on the Windows XP desktop. COMPAQ then announced that it was placing the AOL icon

and shortcut on the Windows XP desktop. MICROSOFT immediately changed its policy to requiring OEMs to place MICROSOFT icons and shortcuts alongside Non-MICROSOFT icons and shortcuts of similar functionality. The fact that MICROSOFT has integrated software into their Windows Operating System Products to preclude competition and required OEMs to place MICROSOFT icons and shortcuts alongside Non-MICROSOFT icons and shortcuts indicates that MICROSOFT will use the exception in III.H.1.(a) to claim that competing software that MICROSOFT wishes to destroy does not provide particular types of functionality. Since MICROSOFT will use the exception in III.H.1.(a) to claim that competing software that MICROSOFT wishes to destroy does not provide particular types of functionality, this exception negates the restriction that III.H.1. places upon MICROSOFT.

The DOJ will not stop MICROSOFT from using the exception in III.H.1.(a) to claim that competing software that MICROSOFT wishes to destroy does not provide particular types of functionality. As stated above in OBJECTION 6. regarding III.C.1., the DOJ will not police MICROSOFT to ensure that MICROSOFT complies with this proposed Final Judgment. Since the DOJ will not police MICROSOFT to ensure that MICROSOFT complies with this proposed Final Judgment, MICROSOFT is free to use the exception in III.H.1.(a) to claim that competing software that MICROSOFT wishes to destroy does not provide particular types of functionality. For III.H.1.(a) to be in the public interest, this exception must be deleted. In other words, III.H.1.(a) must be rewritten as follows:

(a) displaying or removing icons, shortcuts, or menu entries on the desktop or Start menu, or anywhere else in a Windows Operating System Product where a list of icons, shortcuts, or menu entries for applications are generally displayed\*; and .

24.III.Prohibited Conduct, H.1.(b)

The restriction in III.H.1.(b) is incomplete and allows MICROSOFT to circumvent the restriction. III.H.1.(b) requires MICROSOFT to allow end users and OEMs a "separate and unbiased choice" for enabling/disabling MICROSOFT software and automatic invocations of MICROSOFT software. However, this language is vague and allows MICROSOFT to circumvent this restriction. As mentioned above in OBJECTION 8. regarding III.C.3., MICROSOFT inserted code into Windows 3.1 warning DR-DOS users not to use DR-DOS with Windows 3.1. Currently, MICROSOFT has released Windows XP, which contains the Passport software. Passport includes code that causes a pop-up window to appear at least 5 times a day until a Windows XP user opens a Passport account. Furthermore, MICROSOFT refuses to provide technical support to Windows XP users who do not have a Passport account. Since MICROSOFT has inserted code in their Windows Operating System Products to coerce users to use MICROSOFT software and/or open accounts with MICROSOFT to obtain technical support, III.H.1.(b) should restrict MICROSOFT from engaging in this behavior as well. Since III.H.1.(b) does not restrict MICROSOFT from inserting code in

their Windows Operating System Products to coerce users to use MICROSOFT software and/or open accounts with MICROSOFT to obtain technical support, III.H.1.(b) is inadequate. For III.H.1.(b) to be in the public interest, it must be rewritten to prohibit MICROSOFT from engaging in the above-mentioned acts. In other words, III.H.1.(b) must be rewritten as follows:

... The mechanism shall not include warnings of incompatibilities warning the user to switch to MICROSOFT software, nor shall the mechanism require confirmation from the user more than once, nor shall the mechanism initiate requesting that the end user install or use MICROSOFT software. ...

25.III.Prohibited Conduct, H.2.

For the same reasons stated above in OBJECTION 23. regarding III.H.1. (a), III.H.2. is inadequate. III.H.2. requires MICROSOFT to allow end users to designate a Non-MICROSOFT Middleware Product in place of a MICROSOFT Middleware Product. However, III.H.2. allows MICROSOFT to require confirmation from the end user to making this change. As stated above in OBJECTION 24. regarding III.H.1.(b), MICROSOFT has used this confirmation technique to harass end users into using MICROSOFT software and opening accounts with MICROSOFT. Since MICROSOFT has used this confirmation technique to harass end users into using MICROSOFT software and opening accounts with MICROSOFT, III.H.2. must prohibit MICROSOFT from using these techniques. Since III.H.2. does not prohibit MICROSOFT from using these techniques, III.H.2. is inadequate. For III.H.2. to be in the public interest, it must be rewritten to prohibit these harassing techniques. In other words, III.H.2. must be rewritten as follows:

... (via a mechanism which may, at Microsoft's option, require confirmation from the end user. \*However, this confirmation shall not include warnings of incompatibilities warning the user to switch to MICROSOFT software, nor shall the mechanism require confirmation from the user more than once, nor shall the mechanism initiate requesting that the end user install or use MICROSOFT software.\*)...

26.III.Prohibited Conduct, H.3.

For the same reasons stated above in OBJECTION 23. regarding III.H.1. (a), III.H.3. is inadequate and should be rewritten to prohibit MICROSOFT from engaging in the above-listed harassing techniques.

27.III. Prohibited Conduct, H.

The 2 exceptions ending III.H. negate the restrictions that III.H. places upon Microsoft. The first exception allows MICROSOFT's Windows Operating System Products to invoke a MICROSOFT Middleware Product if the Middleware Product is invoked solely to interoperate with a server maintained by MICROSOFT. MICROSOFT's current .NET strategy is to have end users run their software from the Internet through a server maintained by MICROSOFT. In other words, MICROSOFT is modifying their Middleware Products so that they will be invoked solely for use in interoperating with a server maintained by MICROSOFT. Since

MICROSOFT is modifying their Middleware Products so that they will be invoked solely for use in interoperating with a server maintained by MICROSOFT, MICROSOFT's Middleware Products will completely avoid the restrictions of III.H. Since the first exception ending III.H. allows MICROSOFT to completely avoid the restrictions of III.H., the first exception negates the restrictions of III.H.

The second exception ending III.H. similarly negates the restrictions of III.H. The second exception allows MICROSOFT's Windows Operating System Products to invoke a MICROSOFT Middleware Product if a Non-MICROSOFT Middleware Product does not meet MICROSOFT's \*reasonable technical requirements\*. As stated above in OBJECTION 12. regarding III.D., MICROSOFT has consistently withheld APIs and related Documentation about their Windows Operating System Products to gain an unfair advantage over their competitors for Middleware Products. The fact that MICROSOFT has consistently withheld APIs and related Documentation about their Windows Operating System Products to gain an unfair advantage over their competitors for Middleware Products indicates that it will continue to do so. Furthermore, the fact that MICROSOFT will continue to withhold APIs and related Documentation indicates that MICROSOFT will withhold the reasonable technical requirements that competitors need to make their Middleware Products interoperate with Windows Operating System Products. By withholding the reasonable technical requirements that competitors need to make their Middleware Products interoperate with Windows Operating System Products and then claiming that Non-MICROSOFT Middleware Products do not meet MICROSOFT's reasonable technical requirements, MICROSOFT can preclude users from invoking Non-MICROSOFT Middleware Products and thereby avoid the restrictions of III.H. MICROSOFT can successfully withhold reasonable technical requirements in violation of this Final Judgment because the DOJ will not police MICROSOFT. As stated above in OBJECTION 6. regarding III.C.1., the DOJ will not police MICROSOFT to ensure that MICROSOFT complies with this Final Judgment. Since the DOJ will not police MICROSOFT to ensure that MICROSOFT complies with this Final Judgment, MICROSOFT will not comply with this Final Judgment. In other words, MICROSOFT will withhold reasonable technical requirements from their competitors to prevent them from making Middleware Products that meet MICROSOFT's reasonable technical requirements.

Since these 2 exceptions ending III.H. negate the restrictions of III.H. they should be deleted from the proposed Final Judgment.

28. III. Prohibited Conduct, I.2.

The scope of the license for MICROSOFT's Intellectual Property Rights ("IPRs") in III.I.2. is too narrow. III.I.2. states in relevant part: ...the scope of any such license (and the intellectual property rights licensed thereunder) need be no broader than is necessary to ensure that an ISV, IHV, IAP, ICP or OEM is able to exercise the options

or alternatives expressly provided under this Final Judgment...

As stated above in OBJECTION 6. regarding III.C.1., MICROSOFT has consistently withheld APIs and related Documentation from their competitors. The fact that MICROSOFT has consistently withheld APIs and related Documentation from their competitors indicates that they will consistently withhold IPRs from their competitors to prevent their competitors from making Middleware Products that can truly compete with MICROSOFT Middleware Products. Since MICROSOFT will consistently withhold IPRs from their competitors to prevent their competitors from making Middleware Products that can truly compete with MICROSOFT Middleware Products, limiting the scope of the license of MICROSOFT's IPRs to "no broader than necessary to ensure that an ISV, IHV, IAP, ICP or OEM is able to exercise the options or alternatives expressly provided under" this Final Judgment..." is too narrow.

Once again MICROSOFT can successfully withhold IPRs in violation of this proposed Final Judgment because, as stated above in OBJECTION 6. regarding III.C.1., the DOJ will not police MICROSOFT. Since the DOJ will not police MICROSOFT to ensure that MICROSOFT complies with this proposed Final Judgment, MICROSOFT will not comply with this Final Judgment. In other words, MICROSOFT will not grant their competitors the IPRs necessary to make Middleware Products that can truly compete with MICROSOFT's Middleware Products. Since MICROSOFT will not grant their competitors the IPRs necessary to make Middleware Products that can truly compete with MICROSOFT's Middleware Products, the scope of the license of MICROSOFT's IPRs under III.I.2. is too narrow. For III.I.2. to be in the public interest, it must be rewritten to grant all software developers a license to all of MICROSOFT's IPRs. Furthermore, this license should be royalty-free for Open-Source Software developers (who generally lack the money to pay royalties). In other words, III.I.2. should be rewritten as follows:

2. MICROSOFT shall license all of its IPRs to ISVs, IHVs, IAPs, ICPs or OEMs. Furthermore, MICROSOFT shall grant a royalty-free license of its IPRs to Open-Source Software developers.

#### 29.III.Prohibited Conduct, I.5.

The requirement of III.I.5. is too lenient to MICROSOFT. As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case in the District Court and the Court Appeals. Since MICROSOFT lost this case in the District Court and the Court Appeals, the DOJ should not concede anything to MICROSOFT, especially allowing MICROSOFT to require software developers to license back IPRs they developed from licensing MICROSOFT IPRs. Since the DOJ should not concede anything to MICROSOFT, they should not allow MICROSOFT to require software developers to grant back their IPRs developed from licensing MICROSOFT's IPRs. Since III.I.5. allows MICROSOFT to require software developers to grant back their IPRs developed from licensing MICROSOFT's IPRs,

III.I.5. is too lenient.

For III.I. to be in the public interest, III.I.5. should be deleted from the proposed Final Judgment.

30.III. Prohibited Conduct, J.1. III.J.1.(a) allows MICROSOFT to avoid most of the prohibitions of this Final Judgment by claiming they are related to anti-piracy measures. III.J.1.(a) states:

No provision of this Final Judgment shall:  
1. Require Microsoft to document, disclose or license to third third parties:

(a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria;...

III.J.1.(a) allows MICROSOFT to withhold APIs and related Documentation from competitors by claiming these APIs and Documentation relate to anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems. This concession to MICROSOFT is a joke, as MICROSOFT has the worst, bar none, record for security in the computer industry. Instead of allowing MICROSOFT to withhold APIs and related Documentation based on these grounds, this proposed Final Judgment should require MICROSOFT to disclose these APIs and related Documentation because MICROSOFT has no credible anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems. Since III.J.1.(a) allows MICROSOFT to withhold APIs and related Documentation from competitors by claiming these APIs and Documentation relate to anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, III.J.1. (a) allows MICROSOFT to avoid most of the prohibitions of this Final Judgment.

III.J.1.(b) is a tautology and is thus superfluous to this proposed Final Judgment. If a governmental agency of competent jurisdiction lawfully directs MICROSOFT not to release APIs or related Documentation, then this Court cannot order otherwise. Since if a governmental agency of competent jurisdiction lawfully directs MICROSOFT not to release APIs or related Documentation, then this Court cannot order otherwise, III.J.1.(b) simply restates the law. Since III.J.1.(b) simply restates the law, it is a tautology and thus superfluous to this proposed Final Judgment.

For III.J. to be in the public interest, III.J.1. must be deleted from this proposed Final Judgment.

#### 31. III. Prohibited Conduct, J.2.

III.J.2. is too lenient to MICROSOFT. III.J.2. allows MICROSOFT to condition licensing any API, Documentation, or Communications Protocol related to anti-piracy systems, anti-virus technologies, license enforcement mechanisms, authentication/authorization security, or third-party intellectual property protection mechanisms of any MICROSOFT product to any person or entity. As stated above in OBJECTION 30. regarding III.J.1.,

MICROSOFT's security is practically non-existent. Since MICROSOFT's security is practically non-existent, no harm can come from licensing these APIs, Documentation, Communications Protocols, etc. Since no harm can come from licensing these APIs, Documentation, Communications Protocols, etc., III.J.2. is too lenient to MICROSOFT. Furthermore, the conditions that III.J.2. allows MICROSOFT to place upon licensees are vague and thus subject to abuse. III.J.2. states these conditions as:

(a) has no history of software counterfeiting piracy or willful violation of IPRs,

(b) has a reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product,

(c) meets reasonable, objective standards \*established by Microsoft\* for certifying the authenticity and viability of its business,

(d) agrees to submit, at its own expense, any computer program using such APIs, Documentation or Communications Protocols to third-party verification, \*approved by Microsoft\*, to test for and ensure verification and compliance with Microsoft specifications for use of the API or interface, which specifications shall be related to proper operation and integrity of the systems and mechanisms identified in this paragraph.

(b) contains the vague phrase "reasonable business need". (c) contains the vague phrase "reasonable, objective standards". (d) contains the vague phrase "verification and compliance with Microsoft specifications".

III.J.2. is also troubling because it allows \*MICROSOFT\* to determine these conditions. (c) and (d) explicitly state that MICROSOFT shall determine the standards. (c) states "reasonable, objective standards established by Microsoft". (d) states that the program shall be submitted to a third party \*approved by Microsoft\*. (a) and (b) implicitly allow MICROSOFT to determine the condition. (b) does not explicitly state who determines whether a licensee has a reasonable business need, but given the leniency shown to MICROSOFT in III.J. as a whole, MICROSOFT will argue that it has the right to determine this condition. Likewise with (a). As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case; the District Court and Court of Appeals both held that MICROSOFT was a monopolist and abused its monopoly power to maintain its monopoly. Since these Courts held that MICROSOFT violated the law, MICROSOFT should not be the party determining these conditions. Furthermore, since MICROSOFT is computer-security challenged, MICROSOFT should not be allowed to condition the license of these IPRs on these, or other, conditions.

For III.J. to be in the public interest, III.J.2. should be deleted. To be more precise, III.J. should be deleted in its entirety.

Furthermore, this proposed Final Judgment should prohibit MICROSOFT from making software relating to anti-piracy systems, anti-virus technologies, license enforcement mechanisms, authentication/authorization security, or third-party intellectual property protection mechanisms until a jury of its peers (SUN MICROSYSTEMS, AOL, and IBM, for example) determines that

MICROSOFT is capable of making secure software. 32. IV. Compliance and Enforcement Procedures, A.1.

IV.A.1. allows MICROSOFT to continue violating the antitrust laws.

IV.A.1. states:

1. The United States shall have \*exclusive responsibility\* for enforcing this Final Judgment.

In other words, IV.A.1. deprives the States of their concurrent jurisdiction in this case and the corresponding right to enforce this Final Judgment. As stated above in OBJECTION 6. regarding III.C.1., the DOJ will not enforce this proposed Final Judgment. Since the DOJ will not enforce this proposed Final Judgment, the States will have to enforce this proposed Final Judgment. However, IV.A.1. ensures that \*no one\* will enforce this proposed Final Judgment by granting \*exclusive responsibility/ jurisdiction\* to the United States/DOJ. Since IV.A.1. grants exclusive jurisdiction to the United States/DOJ, and the DOJ will not enforce this proposed Final Judgment, IV.A.1. allows MICROSOFT to continue violating the antitrust laws.

For IV.A.1. to be in the public interest, it must grant concurrent jurisdiction to the States to enforce this proposed Final Judgment. In other words, IV.A.1. should be rewritten as follows:

1. The United States, and the individual States, shall share jurisdiction for enforcing this Final Judgment.

33.IV.Compliance and Enforcement Procedures, A.2.

IV.A.2. is an illusory and thus ineffective remedy. IV.A.2. allows the United States/DOJ to inspect MICROSOFT's documents, premises, and employees for compliance with this proposed Final Judgment. As stated above in OBJECTION 6. regarding III.C.1., the DOJ will not enforce this proposed Final Judgment. Since the DOJ will not enforce this proposed Final Judgment, the DOJ will never inspect MICROSOFT's documents, premises, or employees for compliance with this proposed Final Judgment. Since the DOJ will never inspect MICROSOFT's documents, premises, or employees for compliance with this proposed Final Judgment, this right to inspect is illusory and thus ineffective.

34.IV.Compliance and Enforcement Procedures, A.3.

IV.A.3. is too lenient to MICROSOFT.

IV.A.3. states in relevant part: The United States shall \*not\* disclose any information or documents obtained from Microsoft under this Final Judgment \*except for the purpose of securing compliance with this Final Judgment\*, in a legal proceeding to which the United States is a party, or as otherwise required by law, \*provided\* that the United States must provide ten days' advance notice to Microsoft before disclosing in any legal proceeding (other than a grand jury proceeding) to which Microsoft is not a party any information or documents provided by Microsoft pursuant to this Final Judgment which Microsoft has identified in writing as material...

As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case. Since MICROSOFT lost this case, the DOJ should not be making any concessions

to MICROSOFT, including withholding evidence from the public. Furthermore, the United States' taxpayers paid for this litigation. Since the United States' taxpayers paid for this litigation, they have a right to see what they paid for. In particular, the public have a right to see the documents that MICROSOFT produced pursuant to this litigation. Since the public have a right to see the documents that MICROSOFT produced pursuant to this litigation, and the DOJ should not concede anything to MICROSOFT, IV.A.3. is too lenient to MICROSOFT.

For IV.A.3. to be in the public interest, IV.A.3. should be rewritten to \*require\* the United States to disclose the documents and other evidence it obtained from MICROSOFT pursuant to this litigation. In other words, IV.A.3. should be rewritten as follows:

The United States shall disclose all information and documents obtained from MICROSOFT pertaining to this litigation, including but not limited to publishing this information and documents in the FEDERAL REGISTER and on the DOJ's website.

35.IV.Compliance and Enforcement Procedures, A.4.

IV.A.4. is too lenient to MICROSOFT.

IV.A.4. requires the United States to allow MICROSOFT "reasonable opportunity" to cure alleged violations of this proposed Final Judgment before seeking a court order to enforce this Final Judgment. However, this proposed Final Judgment does not define the term "reasonable opportunity". Since this proposed Final Judgment does not define the term "reasonable opportunity", MICROSOFT can prevent the United States from enforcing this proposed Final Judgment by claiming that "reasonable opportunity" means 5 years. Or, more likely, MICROSOFT can file consecutive motions delaying the United States from enforcing this proposed Final Judgment by claiming that they are "working on the problem and need more time" and thus extend indefinitely the "reasonable opportunity" to cure the alleged defect. Since IV.A.4. allows MICROSOFT to prevent the United States from enforcing this proposed Final Judgment, IV.A.4. is too lenient to MICROSOFT.

IV.A.4. also allows MICROSOFT to claim that its attempt to cure the defect is a defense to enforcement of this proposed Final Judgment.

IV.A.4. states in relevant part:

...provided further that any action by Microsoft to cure any such violation shall not be a defense to enforcement with respect to any \*knowing, willful or systematic\* violation. Proving a \*knowing, willful or systematic\* violation is extremely difficult. In fact, a lot of prosecutors will not prosecute fraud or other crimes requiring "knowing, willful or systematic violations" precisely because proving "knowing, willful or systematic violations" is so difficult. Furthermore, as stated above in OBJECTION 6. regarding III.C.1., the DOJ does not want to enforce this proposed Final Judgment. Since proving "knowing, willful or systematic violations" is so difficult, and the DOJ does not want to enforce this proposed Final Judgment, \*in practice\* MICROSOFT will \*never\* be charged with a \*knowing,

willful or systematic violation of this proposed Final Judgment. Since \*in practice\* MICROSOFT will \*never\* be charged with a \*knowing, willful or systematic violation\* of this proposed Final Judgment, MICROSOFT will always be able to use their actions to cure an alleged violation as a defense against enforcement of this proposed Final Judgment. Since MICROSOFT will always be able to use their actions to cure an alleged violation as a defense against enforcement of this proposed Final Judgment, IV.A.4. is too lenient. For IV.A.4. to be in the public interest, the term "reasonable opportunity" should be replaced with "30 days". Furthermore, the phrase "knowing, willful or systematic" must be deleted from IV.A.4. In other words, IV.A.4. should be rewritten as follows:

...provided, however, that the United States shall afford Microsoft \*30 days\* to cure alleged violations of Sections III.C., III.D., III.E. and III.H., provided further that any action by Microsoft to cure any such violation shall not be a defense to enforcement with respect to any violation.

36.IV.Compliance and Enforcement Procedures, B. The Technical Committee ("TC") described in IV.B. is an illusory and thus ineffective remedy. IV.B.2. describes the qualifications of the Technical Committee as:

The TC members shall be experts in software design and programming.

No TC member shall have a conflict of interest that could prevent him or her from performing his or her duties under this Final Judgment in a fair and unbiased manner. ...no TC member (absent the agreement of both parties):

a. shall have been employed in any capacity by Microsoft or any competitor to Microsoft within the past year, nor shall she or he be so employed during his or her term on the TC;

b. shall have been retained as a consulting or testifying expert by any person in this action or in any other action adverse to or on behalf of Microsoft; or

c. shall perform any other work for Microsoft or any competitor of Microsoft for two years after the expiration of the term of his or her service on the TC.

Practically every "expert in software design and programming" has been employed by Microsoft or its competitors either as a programmer or as an expert in this antitrust trial. Since practically every "expert in software design and programming" has been employed by Microsoft or its competitors either as a programmer or as an expert in this antitrust trial, no expert qualifies for the TC. The problem here is that, as stated above in OBJECTION 6. regarding III.C.1., the DOJ will not enforce this proposed Final Judgment. Since the DOJ will not enforce this proposed Final Judgment, MICROSOFT is free to pick a TC member biased towards MICROSOFT without the DOJ objecting under IV.B.2. Furthermore, MICROSOFT will object to every expert that the DOJ selects that is biased against MICROSOFT. For example, in the contempt proceeding in early 1998 preceding the present case, Judge Jackson appointed a technical expert to educate the court in computer software, operating systems, and

web browsers. This expert had made one off-hand comment about his APPLE computer. MICROSOFT objected to Judge Jackson appointing this expert based upon this 1 off-hand comment. The fact that MICROSOFT objected to Judge Jackson appointing this expert based upon this 1 off-hand comment indicates that MICROSOFT will object to \*any\* expert that the DOJ selects who is biased against MICROSOFT. Since MICROSOFT will object to every expert that the DOJ selects that is biased against MICROSOFT, and the DOJ will not enforce this proposed Final Judgment, the DOJ will ultimately select a TC member that is also biased towards MICROSOFT. Thus, both MICROSOFT and the DOJ will select TC members who are biased towards MICROSOFT. These 2 TC members will then select a third TC member. Since both MICROSOFT and the DOJ will select an expert biased towards MICROSOFT, this third TC member will also be biased towards MICROSOFT. Since all 3 members of the TC will be biased towards MICROSOFT, they will always find MICROSOFT in compliance with this proposed Final Judgment. Since the TC will always find MICROSOFT in compliance with this proposed Final Judgment, this Technical Committee is an illusory and thus ineffective remedy.

For IV.B. to be in the public interest, IV.B.2. and 3. must be rewritten to remove any input from MICROSOFT. MICROSOFT must be prohibited from selecting or having the right to object to \*any\* member of the TC. Furthermore, \*none\* of the TC members must have been employed or retained by MICROSOFT at any time. Finally, instead of MICROSOFT choosing a TC member, \*MICROSOFT's competitors\* should choose a TC member who, together with the DOJ's choice, choose the third TC member. In other words, IV.B.2. and 3. should be rewritten as follows:

2. ...The TC members shall be experts in software design and programming. No TC member shall have a conflict of interest that could prevent him or her from performing his or her duties under this Final Judgment in a fair and unbiased manner. ...no TC member:

a. shall have been employed in any capacity by Microsoft within the past year, nor shall she or he be so employed during his or her term on the TC;

b. shall have been retained as a consulting or testifying expert by any person in this action or in any other action on behalf of Microsoft; or

c. shall perform any other work for Microsoft for two years after the expiration of the term of his or her service on the TC.

3. Within 7 days of entry of this Final Judgment, the United States and MICROSOFT's competitors shall each select one member of the TC, and those two members shall then select the third member. ...

a. ..., the United States and MICROSOFT's competitors shall each identify the members it selects.

b. As soon as practical after their appointment by the Court, the two members selected by the United States and MICROSOFT's competitors shall identify the person they propose to select as the third member of the TC.

c. The United States shall apply to the Court for appointment of the person selected by the Standing Committee Members. .

#### 37.IV.Compliance and Enforcement Procedures, B.6.

The exception in IV.B.6. is too lenient to MICROSOFT. IV.B.6. requires MICROSOFT to compensate the TC members for their employment and expenses. However, IV.B.6. contains an exception that allows MICROSOFT to contest payment of the TC members. The exception in IV.B.6. states: ...except to the extent that such liabilities, losses, damages, claims, or expenses result from misfeasance, gross negligence, willful or wanton acts, or bad faith by the TC member.

In November 1998, shortly after this antitrust case was filed, MICROSOFT lobbied Congress to cut the DOJ's budget. Furthermore, in December 2001, MICROSOFT again lobbied Congress to kill a Senate Judiciary Committee Hearing questioning this proposed Final Judgment (see "Experts Question Microsoft Action" at [http://dailynews.yahoo.com/hlx/ap/20020111/tc/microsoft\\_antitrust\\_12.html](http://dailynews.yahoo.com/hlx/ap/20020111/tc/microsoft_antitrust_12.html)). The fact that shortly after this antitrust case was filed MICROSOFT lobbied Congress to cut the DOJ's budget, and that MICROSOFT recently lobbied Congress to kill the Senate Judiciary Committee Hearing questioning this proposed Final Judgment, indicates that MICROSOFT will refuse to pay the TC members if they do not find MICROSOFT in compliance with this proposed Final Judgment. Since MICROSOFT will refuse to pay the TC members if they do not find MICROSOFT in compliance with this proposed Final Judgment, the exception in IV.B.6. is too lenient to MICROSOFT.

For IV.B.6. to be in the public interest, this exception must be deleted. In other words, IV.B.6. should be rewritten as follows:

... Microsoft shall indemnify each TC member and hold him or her harmless against any losses, claims, damages, liabilities, or expenses arising out of, or in connection with, the performance of the TC's duties. The TC Services Agreement shall include the following: ...

#### 38.IV.Compliance and Enforcement Procedures, B.8.c.

The first sentence of IV.B.8.c. is too lenient to MICROSOFT. The first sentence of IV.B.8.c. starts:

The TC shall have access to Microsoft's source code, \*subject to the terms of Microsoft's standard source code Confidentiality Agreement\*

As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case. Since MICROSOFT lost this case, the DOJ should not concede anything to MICROSOFT. Furthermore, as stated above in OBJECTION 12. regarding III.D., MICROSOFT should be \*required\* to disclose the entire source code and compilers used to compile the binaries for their Windows Operating System Products to comply with the prohibitions of this proposed Final Judgment. Since the DOJ should not concede anything to MICROSOFT, and MICROSOFT should be \*required\* to disclose the entire source code and compilers used to compile the binaries for their Windows Operating System

Products to comply with the prohibitions of this proposed Final Judgment, the TC's access to MICROSOFT's source code should \*not\* be subject to \*any\* Confidentiality Agreement. Since IV.B.8.c. conditions the TC's access to MICROSOFT's source upon agreeing to MICROSOFT's standard source code Confidentiality Agreement, IV.B.8.c. is too lenient to MICROSOFT.

For IV.B.8.c. to be in the public interest, IV.B.8.c. must grant the TC access to MICROSOFT's source code without being subject to MICROSOFT's standard source code Confidentiality Agreement. In other words, IV.B.8.c. should be rewritten as follows:

The TC shall have access to Microsoft's source code. The TC may study, interrogate, ...

#### 39.IV.Compliance and Enforcement Procedures, B.8.c.

IV.B.8.c. is incomplete and thus inadequate for the TC to perform its duties. IV.B.8.c. states in relevant part:

... The TC may \*study, interrogate, and interact\* with the source code in order to perform its functions and duties, including the handling of complaints and other inquiries from non-parties. However, IV.B.8.c. does not \*explicitly\* grant the TC the power to compile the source code. As stated above in OBJECTION 12. regarding III.D., the only way to ensure that MICROSOFT is complying with this proposed Final Judgment is to compile the source code and compare the resulting binaries with the binaries that MICROSOFT ships to OEMs. Since the only way to ensure that MICROSOFT is complying with this proposed Final Judgment is to compile the source code and compare the resulting binaries with the binaries that MICROSOFT ships to OEMs, the TC needs the power to compile the source code of MICROSOFT's software. MICROSOFT will claim that since the proposed Final Judgment does not explicitly grant the TC the power to compile the source code, that the TC does not have the power to compile the source code. Furthermore, as stated above in OBJECTION 6. regarding III.C.1., the DOJ will not enforce this proposed Final Judgment. Since MICROSOFT will claim that this proposed Final Judgment does not grant the TC the power to compile the source code, and the DOJ will not contest MICROSOFT's claim, MICROSOFT will prevent the TC from compiling the source code. Since the TC needs the power to compile the source code of MICROSOFT's software to determine if MICROSOFT is complying with this proposed Final Judgment, and MICROSOFT will prevent the TC from compiling the source code, IV.B.8.c. is incomplete and thus inadequate for the TC to perform its duties.

For IV.B.8.c. to be in the public interest, IV.B.8.c. must \*explicitly\* grant the TC the power to compile the source code of MICROSOFT's software. In other words, IV.B.8.c. should be rewritten as follows:

... The TC may \*study, interrogate, compile, and otherwise interact\* with the source code in order to perform its functions and duties, including the handling of complaints and other inquiries from non-parties.



40.IV.Compliance and Enforcement Procedures, B.8.i.

IV.B.8.i. is too lenient to MICROSOFT. IV.B.8.i. allows MICROSOFT to object to the reasonable expenses and fees of the TC. Specifically, IV.B.8.i. states:

... Microsoft may, on application to the Court, object to the reasonableness of any such fees or other expenses. ...

As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case. Since MICROSOFT lost this case, the DOJ should not concede anything to MICROSOFT, including the right to object to the expenses and fees of the TC. Since the DOJ should not concede anything to MICROSOFT, including the right to object to the expenses and fees of the TC, IV.B.8.i. is too lenient to MICROSOFT.

For IV.B.8.i. to be in the public interest, MICROSOFT's right to object to the fees and expenses of the TC must be deleted. In other words, IV.B.8.i. should be rewritten as follows:

The TC shall account for all reasonable expenses incurred, including agreed upon fees for the TC members' services, subject to the approval of the United States. [END OF IV.B.8.i.]

41.IV.Compliance and Enforcement Procedures, B.8.

IV.B.8. is incomplete and thus inadequate for the TC to perform their duties of ensuring MICROSOFT's compliance with this proposed Final Judgment. IV.B.8. does not grant the TC the power to enjoin MICROSOFT from releasing products which violate this proposed Final Judgment. Without this power, this proposed Final Judgment is ineffective. As stated above in OBJECTION 6. regarding III.C.1., the DOJ will not enforce this proposed Final Judgment. Furthermore, IV.A. grants the United States exclusive jurisdiction to enforce this proposed Final Judgment, so the States cannot enforce this proposed Final Judgment. Since the DOJ will not, and the States cannot, enforce this proposed Final Judgment, the TC is the only body positioned to enforce it. Since the TC is the only body positioned to enforce this proposed Final Judgment, they should have the power to enjoin MICROSOFT from releasing products that violate this proposed Final Judgment. Since IV.B.8. does not grant the TC the power to enjoin MICROSOFT from releasing products that violate this proposed Final Judgment, IV.B.8. is incomplete and thus inadequate for the TC to perform their duties of ensuring MICROSOFT's compliance with this proposed Final Judgment. For IV.B.8. to be in the public interest, it must grant the TC the right enjoin MICROSOFT's products which do not comply with this proposed Final Judgment. In other words, IV.B.8. should include an additional part "j." as follows:

j. The TC shall have the power to enjoin the release, sale, or other transmission of any MICROSOFT software or products which do not comply with this Final Judgment.

42.IV.Compliance and Enforcement Procedures, B.9.

IV.B.9. is too lenient to MICROSOFT. IV.B.9. prohibits the TC from disclosing any information obtained in the course of performing his or her duties to anyone other

than MICROSOFT, the United States, and this Court. As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case. Since MICROSOFT lost this case, the DOJ should not concede anything to MICROSOFT, including the public dissemination of information that the TC learns in the course of performing his or her duties pursuant to the proposed Final Judgment. Furthermore, the United States taxpayers paid for this antitrust trial. Since the United States taxpayers paid for this antitrust trial, they have a right to know what the TC learn in the course of performing their duties pursuant to this proposed Final Judgment. Since IV.B.9. prohibits the TC from disclosing any information obtained in the course of performing his or her duties to anyone other than MICROSOFT, the United States, and this Court, IV.B.9. is too lenient to MICROSOFT. For IV.B.9. to be in the public interest, it must \*require\* the TC to publicly disclose all information that it discovers in the course of performing their duties. In other words, IV.B.9. should be rewritten as follows:

The TC shall publicly disclose, in the FEDERAL REGISTER and any other forum deemed necessary, all information obtained in the course of performing their duties pursuant to this Final Judgment.

43.IV.Compliance and Enforcement Procedures, B.10.

IV.B.10. is too lenient to MICROSOFT, for the same reasons as stated above in OBJECTION 42. regarding IV.B.9. For IV.B.10. to be in the public interest, it must \*require\* the TC to make public statements relating to the TC's activities. In other words, IV.B.10. should be rewritten as follows:

Each member of the TC shall be required to make public statements relating to the TC's activities.

44.IV.Compliance and Enforcement Procedures, C.1.

The qualifications of the MICROSOFT Internal Compliance Officer in IV.C.1. are illusory and thus ineffective. IV.C.1. requires MICROSOFT to designate an Internal Compliance Officer who shall supervise MICROSOFT's activities in complying with this proposed Final Judgment. However, IV.C.1. states that this Internal Compliance Officer "...shall be an employee of Microsoft...". MICROSOFT has consistently violated the antitrust laws of the United States and the European Union, among other jurisdictions (for details, see THE MICROSOFT FILE: THE SECRET CASE AGAINST BILL GATES by Wendy Goldman Rohm, Times Business, copyright 1998, ISBN 0-8129-2716-8). MICROSOFT's employees have worked to make these antitrust violations possible. Since MICROSOFT's employees have worked to make these antitrust violations possible, MICROSOFT's employees have a conflict of interest in administering MICROSOFT's program for complying with this proposed Final Judgment. To be more precise, MICROSOFT's employees have \*no interest or incentive\* to comply with this proposed Final Judgment. Since MICROSOFT's employees have \*no interest or incentive\* to comply with this proposed Final Judgment, they will \*not\*

ensure that MICROSOFT complies with this proposed Final Judgment. Since MICROSOFT's employees will \*not\* ensure that MICROSOFT complies with this proposed Final Judgment, designating a MICROSOFT employee as Internal Compliance Officer is an illusory and thus ineffective remedy.

For IV.C.1. to be in the public interest, the qualifications of the Internal Compliance Officer must require that the Officer \*not\* be an employee of MICROSOFT. Furthermore, IV.C.1. must require that the Officer be selected from MICROSOFT's competitors, specifically SUN MICROSYSTEMS, AOL, and/or IBM. In other words, IV.C.1. should be rewritten as follows:

Microsoft shall designate, within 30 days of entry of this Final Judgment, an internal Compliance Officer who shall be an employee of SUN MICROSYSTEMS, AOL, or IBM with responsibility for administering Microsoft's antitrust compliance program and helping to ensure compliance with this Final Judgment.

45.IV.Compliance and Enforcement Procedures, C.3.d.

The warning contained in the certification that MICROSOFT officers and directors must sign is inadequate and thus ineffective. IV.C.3.d. requires MICROSOFT's officers and directors to sign a certification that he or she:

- (i) has read and agrees to abide by the terms of this Final Judgment; and
- (ii) has been advised and understands that his or her failure to comply with this Final Judgment may result in \*a finding of contempt of court;

The officers and directors of MICROSOFT control the actions of MICROSOFT. Since the officers and directors of MICROSOFT control the actions of MICROSOFT, the actions of the officers and directors of MICROSOFT should be imputed to MICROSOFT. To be more precise, the failure of MICROSOFT's officers and directors to comply with this Final Judgment should be considered a \*knowing, willful or systematic violation\* of this proposed Final Judgment. Furthermore, punishing an officer or director does not stop MICROSOFT from continuing to violate the antitrust laws. Since punishing an officer or director does not stop MICROSOFT from continuing to violate the antitrust laws, the warning of IV.C.3.d. is not adequate to deter MICROSOFT from continuing to violate the antitrust laws. Since the warning of IV.C.3.d. is not adequate to deter MICROSOFT from continuing to violate the antitrust laws, it is ineffective.

For IV.C.3.d. to be in the public interest, the warning in the certification must be rewritten to impute the officer or director's failure to comply with this proposed Final Judgment to MICROSOFT. In other words, IV.C.3.d. should be rewritten as follows: obtaining from each person designated in Section IV.C.3.a. above...

- (ii) has been advised and understands that his or her failure to comply with this Final Judgment comprises a knowing, willful or systematic violation of this Final Judgment;

46.IV.Compliance and Enforcement Procedures, D.3.a. IV.D.3.a. renders this proposed Final Judgment an illusory and ineffective remedy. IV.D.3.a. states in



relevant part: ... the United States may submit complaints related to Sections III.C., III.D. III.E., and III.H. to the Compliance Officer

\*whenever doing so would be in the public interest. In other words, IV.D.3.a. allows the United States to abdicate responsibility for enforcing this proposed Final Judgment to MICROSOFT. As stated above in OBJECTION 6. regarding III.C.1., the DOJ will not enforce this proposed Final Judgment. Since the DOJ will not enforce this proposed Final Judgment, the DOJ will seize any opportunity to abdicate enforcing this proposed Final Judgment. Since IV.D.3.a. allows the DOJ to abdicate responsibility for enforcing this proposed Final Judgment to MICROSOFT, and the DOJ will seize any opportunity to abdicate enforcing this proposed Final Judgment, the DOJ will in fact use IV.D.3.a. to claim that letting MICROSOFT resolve these complaints is in the public interest. Since MICROSOFT has no interest in resolving these Complaints, MICROSOFT will ignore these Complaints and continue violating this proposed Final Judgment (Note that MICROSOFT's customers will be submitting the exact same complaints to MICROSOFT's technical support department. Since MICROSOFT's customers will be submitting the exact same complaints to MICROSOFT's technical support department, MICROSOFT will already know about these complaints. Since MICROSOFT will already know about these complaints, they can resolve these complaints without the DOJ submitting the complaints to MICROSOFT). In fact, allowing MICROSOFT to resolve these Complaints is like asking the fox to guard the hen house. Since MICROSOFT will ignore these Complaints and continue violating this proposed Final Judgment, IV.D.3.a. renders this proposed Final Judgment an illusory and ineffective remedy.

For IV.D.3.a. to be in the public interest, the DOJ must be prohibited from allowing MICROSOFT to resolve complaints submitted to the DOJ. In other words, IV.D.3.a. must be rewritten as follows:

a. Third parties may submit to the Compliance Officer any complaints concerning MICROSOFT's compliance with this Final Judgment. [END OF IV.D.3.a.]

47.IV.Compliance and Enforcement Procedures, C.4.d. IV.D.4.d., in practice, prevents the DOJ from ever enforcing this proposed Final Judgment. IV.D.4.d. states:

No work product, findings or recommendations by the TC may be admitted in any enforcement proceeding before the Court for any purpose, and no member of the TC shall testify by deposition, in court or before any other tribunal regarding any matter related to this Final Judgment.

In other words, should the TC find evidence that MICROSOFT is violating this proposed Final Judgment and refers this evidence to the DOJ, the DOJ cannot use this evidence to enforce this proposed Final Judgment against MICROSOFT. Furthermore, as stated above in the GENERAL OBJECTIONS, the DOJ does not wish to spend any more time and resources prosecuting MICROSOFT. Since the DOJ does not wish to spend any more time and resources prosecuting MICROSOFT, the DOJ

will not make any effort to discover this evidence through additional depositions or discovery requests against MICROSOFT. Since the DOJ will not make any effort to discover this evidence through additional depositions or discovery requests against MICROSOFT, and IV.D.4.d. prevents the DOJ from using the evidence the TC discovers, IV.D.4.d. has the practical effect of preventing the DOJ from enforcing this proposed Final Judgment against MICROSOFT.

As a sidenote, IV.D.4.d. stands the Federal Rules of Civil Procedure on their head. The Federal Rules of Civil Procedure prevent an \*opponent\* from discovering and/or using a party's work product. Here, the TC is representative of the DOJ. Since the TC is a representative of the DOJ, the TC and the DOJ are in a sense the same party. MICROSOFT is the DOJ's opponent. IV.D.4.d. prevents a party from using its own work product to prosecute an opponent. In other words, IV.D.4.d. prevents the DOJ from using its own work product against its opponent, MICROSOFT.

Since IV.D.4.d. prevents the DOJ from using its own work product against its opponent, MICROSOFT, IV.D.4.d. stands the Federal Rules of Civil Procedure on their head. For IV.D.4.d. to be in the public interest, it must be rewritten to \*require\* that the work product, findings, and recommendations of the TC and testimony of the TC be admissible evidence in \*any\* legal proceeding, in this or any other country or region like the European Union. In other words, IV.D.4.d. should be rewritten as follows: The work product, findings or recommendations by the TC shall be admitted in every enforcement proceeding before the Court for any purpose, and all members of the TC shall testify by deposition, in Court and/or before every other tribunal that calls upon the TC for testimony, regarding every matter related to the Final Judgment.

48.V.Termination, B. V.B. is an illusory and thus ineffective remedy. V.B. allows the Court to extend this proposed Final Judgment when MICROSOFT is found to have engaged in "a pattern of \*knowing, willful and systematic violations\*". As stated above in OBJECTION 35. regarding IV.A.4., proving a \*knowing, willful or systematic\* violation is extremely difficult. Furthermore, as stated above in OBJECTION 6. regarding III.C.1., the DOJ does not want to enforce this proposed Final Judgment. Since proving "knowing, willful or systematic violations" is so difficult, and the DOJ does not want to enforce this proposed Final Judgment, \*in practice\* MICROSOFT will \*never\* be charged with a \*knowing, willful and systematic violation\* of this proposed Final Judgment. Since \*in practice\* MICROSOFT will \*never\* be charged with a \*knowing, willful or systematic violation\* of this proposed Final Judgment, this Court will never find MICROSOFT to have engaged in "a pattern of \*knowing, willful and systematic violations\*". Since this Court will never find MICROSOFT to have engaged in "a pattern of \*knowing, willful and systematic violations\*", V.B. is an illusory and thus ineffective remedy. As a sidenote,

the inclusion of V.B. is kind of amusing. As detailed in the above 47 OBJECTIONS, this entire proposed Final Judgment contains so many exceptions that allow MICROSOFT to continue violating the antitrust laws that MICROSOFT will probably never be in violation of it. Furthermore, the DOJ's reluctance to oppose MICROSOFT's demands in any way indicates that the DOJ will probably never enforce this proposed Final Judgment against MICROSOFT. Thus, given the extreme unlikelihood that this proposed Final Judgment will ever be violated, let alone enforced, including a provision to extend this proposed Final Judgment appears farcical. For V.B. to be in the public interest, the conditions for extending this proposed Final Judgment should be changed to \*any\* violation of Local, State, National, or International law. In other words, V.B. should be rewritten as: In any enforcement proceeding in which the Court has found that Microsoft has violated any Local, State, National, or International law, the Court shall extend this Final Judgment for at least two years, together with such other relief as the Court may deem appropriate.

49.VI.Definitions, B. As stated above in OBJECTION 16. regarding III.E., VI.B. defines Communications Protocols too narrowly. Since VI.B. defines Communications Protocols too narrowly, VI.B. should be rewritten as explained in OBJECTION 16. regarding III.E. In other words, VI.B. should be rewritten as follows:

"Communications Protocol" means the set of rules for information exchange to accomplish predefined tasks between a Windows Operating System Product on a client computer and Windows 2000 Server or products marketed as its successors running on a server computer and connected via a local area network or a wide area network. These rules govern the format, semantics, timing, sequencing, and error control of messages exchanged over a network. [END OF VI.B.]

50.VI.Definitions, J.1. The definition of "MICROSOFT Middleware" is too restrictive. Specifically, VI.J.1., VI.J.2., and the conjunctive ending VI.J.3. are too restrictive. VI.J.1. states:

"Microsoft Middleware" means software code that

1. Microsoft distributes separately from a Windows Operating System Product to update that Windows Operating System Product;

J.1. is too restrictive in requiring that the software code be distributed separately from the Windows Operating System Product. MICROSOFT has a history of bundling Middleware into its Windows Operating System Products to destroy competing Middleware. For example, MICROSOFT bundled Internet Explorer into its Windows 98 operating system product to destroy the competing Netscape COMMUNICATOR web browser. MICROSOFT subsequently bundled its streaming media player, WINDOWS MEDIA PLAYER, into its Windows XP operating system product to destroy the competing Real Networks' REAL PLAYER streaming media player. Since MICROSOFT has a history of bundling Middleware into its Windows Operating System Products to

destroy competing Middleware, MICROSOFT can avoid the requirements of VI.J.1. by bundling all of its Middleware into its Windows Operating System Products. Since MICROSOFT can avoid the requirements of VI.J.1. by bundling all of its Middleware into its Windows Operating System Products, VI.J.1. is too restrictive.

For VI.J.1. to be in the public interest, the requirements of VI.J.1. should be changed to software code that competitors distribute or that was not bundled into previous Windows Operating System Products. In other words, VI.J.1. should be rewritten as follows:

1. competitors distribute as a Middleware Product or that was not bundled into previous Windows Operating System Products;

51.VI.Definitions, J.2. The requirement of VI.J.2. is too restrictive. J.2. states: "Microsoft Middleware" means software code that ... 2.is trademarked;

Whether or not software code is trademarked is irrelevant to whether or not the code is Middleware. For example, MICROSOFT did not own the trademark to INTERNET EXPLORER when it released the product. Since MICROSOFT did not own the trademark to INTERNET EXPLORER when it released the product, INTERNET EXPLORER arguably did not qualify as MICROSOFT Middleware under J.2. Since trademarking software code is irrelevant to whether or not the code is Middleware, VI.J.2. is too restrictive.

For VI.J. to be in the public interest, VI.J.2. should be deleted. 52.VI.Definitions, J.3. The conjunctive ending VI.J.3. is too restrictive. VI.J.3. states: "Microsoft Middleware" means software code that ...

3.provides the same or substantially similar functionality as a Microsoft Middleware Product; \*and\* The conjunctive "and" is restrictive, requiring software code to meet all 4 criteria listed in VI.J. to qualify as "Microsoft Middleware". As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case. Since MICROSOFT lost this case, the DOJ should not concede anything to MICROSOFT, including the definition of "Microsoft Middleware". In other words, the DOJ should define "Microsoft Middleware" as broadly as possible. To define "Microsoft Middleware" as broadly as possible, VI.J. should use the conjunctive "or", which requires software code to meet only 1 of the 4 criteria listed in VI.J. to qualify as MICROSOFT Middleware. Since VI.J. does not use the conjunctive "or" to end VI.J.3., the conjunctive ending VI.J.3. is too restrictive.

For VI.J.3. to be in the public interest, the conjunctive ending VI.J.3. should be changed from "and" to "or". In other words, VI.J.3. should be rewritten as follows:

3.provides the same or substantially similar functionality as a Microsoft Middleware Product; \*or\* 53.VI.Definitions, J. The paragraph ending VI.J. is too restrictive and too lenient to MICROSOFT. The last paragraph of VI.J. states:

Software code described as part of, and distributed separately to update, a Microsoft Middleware Product shall not be deemed Microsoft Middleware unless identified as a new major version of that Microsoft Middleware Product. ...

In other words, this paragraph allows MICROSOFT to avoid designating software code as MICROSOFT Middleware by not identifying it as a new major version of a MICROSOFT Middleware Product. Since this paragraph allows MICROSOFT to avoid designating software code as MICROSOFT Middleware by not identifying it as a new major version of a MICROSOFT Middleware Product, this paragraph is too restrictive as to what qualifies as MICROSOFT Middleware.

As stated above in OBJECTION 52. regarding VI.J.3., the DOJ should define "Microsoft Middleware" as broadly as possible. To define "Microsoft Middleware" as broadly as possible, the last paragraph should be deleted. Thus, for VI.J. to be in the public interest, the last paragraph of VI.J. should be deleted.

54.VI.Definitions, K.2.b.ii. The definition of "Microsoft Middleware Product" in VI.K. is too restrictive and this too lenient to MICROSOFT. Specifically, the conjunctive ending VI.K.2.b.ii. and VI.K.2.b.iii. are too restrictive. VI.K.2.b.ii. states:

ii. is similar to the functionality provided by a Non-Microsoft Middleware Product; \*and\* For the same reasons stated in OBJECTION 52. regarding III.J.3., the conjunctive ending VI.K.2.b.ii. should be changed from "and" to "or". In other words, for VI.K.2.b.ii. to be in the public interest, it should be rewritten as follows:

ii. is similar to the functionality provided by a Non-Microsoft Middleware Product; \*or\* 55.VI.Definitions, K.2.b.iii. The requirement of K.2.b.iii. is too restrictive for the same reasons stated in OBJECTION 51. regarding VI.J.2. For K.2.b. to be in the public interest, K.2.b.iii. should be deleted.

56.VI.Definitions, N. The definition of "Non-Microsoft Middleware Product" in VI.N. is too restrictive for the reasons stated in OBJECTION 22. regarding III.H. For VI.N. to be in the public interest, requirement "(ii)" of "Non-Microsoft Middleware Product" must be deleted. In other words, VI.N. should be rewritten as follows:

"Non-Microsoft Middleware Product" means a non-Microsoft software product running on a Windows Operating System Product that exposes a range of functionality to ISVs through published APIs and that could, if ported to or made interoperable with, a non-Microsoft Operating System, thereby make it easier for applications that rely in whole or in part on the functionality supplied by that software product to be ported to or run on that non-Microsoft Operating System. [END OF VI.N.]

57.VI.Definitions, P. For the same reasons stated in OBJECTION 52. regarding VI.J.3., the definition of "Operating System" in VI.P. is too restrictive. For VI.P. to be in the public interest, the conjunctive ending VI.P.(ii) must be changed from "and" to "or". In other words, VI.P. should be rewritten as follows:

"Operating System" means the software code that, inter alia

(i) controls the allocation and usage of hardware resources such as the microprocessor and various peripheral devices) of a Personal Computer,

(ii) provides a platform for developing applications by exposing functionality to ISVs through APIs, \*or\*

(iii) supplies a user interface that enables users to access functionality of the operating system and in which they can run applications. .

58.VI.Definitions, Q. The definition of "Personal Computer" in VI.Q. is too restrictive. In particular, the second sentence of VI.Q. exempting certain devices from the definition of "Personal Computer" is too lenient to MICROSOFT. The second sentence of VI.Q. states:

... Servers, television set top boxes, handheld computers, game consoles, telephones, pagers, and personal digital assistants are examples of products that are not Personal Computers within the meaning of this definition.

As stated above in the GENERAL OBJECTIONS, the purpose of an antitrust action is to stop monopolizing behavior and to prevent future monopolizing behavior. Here, MICROSOFT is leveraging their monopoly in the Personal Computer ("PC") market to monopolize the markets for these other products. By excluding these other devices from the definition of PC, VI.Q. allows MICROSOFT to continue leveraging their monopoly in the PC market to monopolize the markets for these other products. Since the purpose of an antitrust action is to stop monopolizing behavior and to prevent future monopolizing behavior, and MICROSOFT is here using their current monopoly to pursue future monopolies in these other markets, VI.Q. defeats the purpose of this antitrust action. Since VI.Q. defeats the purpose of this antitrust action, VI.Q. is too restrictive.

In addition, the first sentence of VI.Q. is too restrictive. The first sentence of VI.Q. defines a PC as a computer containing an Intel x86 compatible processor. Since APPLE computers contain Motorola processors, which are not x86 compatible, VI.Q. excludes APPLE computers from the definition of PC. However, MICROSOFT sells software that runs on APPLE computers, such as MICROSOFT Office Suite and Internet Explorer. Furthermore, as explained in Judge Jackson's Findings of Facts, MICROSOFT conditioned continued releases of its Office Suite on APPLE only using Internet Explorer as the web browser for their computers. Since MICROSOFT conditioned continued releases of its Office Suite on APPLE only using Internet Explorer as the web browser for their computers, MICROSOFT's monopolizing behavior has affected the software market for APPLE computers. Since MICROSOFT's monopolizing behavior has affected the software market for APPLE computers, the definition of PC should include APPLE computers. Since the definition of PC in VI.Q. does not include APPLE computers, VI.Q. is too restrictive.

For VI.Q. to be in the public interest, the definition of PC must include APPLE computers and all other electronic devices for which MICROSOFT sells software. In other words, VI.Q. should be rewritten as follows:

"Personal Computer" means any computer configured, or which can be configured, to run MICROSOFT software, including but not limited to, computers containing an Intel x86 processor or a Motorola processor, servers,

television set top boxes, handheld computers, game consoles, telephones, pagers, and personal digital assistants.

59.VI.Definitions, S. For the same reasons stated in OBJECTION 52. regarding VI.J.3., the definition of "Top-Level Window" in VI.S. is too restrictive. For VI.S. to be in the public interest, the conjunctive ending VI.S.(b) must be changed from "and" to "or". In other words, VI.S. should be rewritten as follows:

"Top-Level Window" means a window displayed by a Windows Operating System Product that (a) has its own window controls, such as move, resize, close, minimize, and maximize, (b) can contain sub-windows, \*or\* (c) contains user interface elements under the control of at least one independent process.

60.VI.Definitions, U. The definition of "Windows Operating System Product" in VI.U. is too restrictive. As stated in OBJECTION 58. regarding VI.P., MICROSOFT is leveraging their monopoly in the PC market into other product markets. Since MICROSOFT is leveraging their monopoly in the PC market into other product markets, VI.U. should define "Windows Operating System Product" to prevent MICROSOFT from leveraging their monopoly in the PC market into other product markets. Since the definition of "Windows Operating System Products" in VI.U. does not include MICROSOFT operating systems for servers, television set top boxes, handheld computers, game consoles, telephones, pagers, and personal digital assistants, VI.U. is too restrictive.

For VI.U. to be in the public interest, the definition of "Windows Operating System Product" in VI.U. must include \*all\* of MICROSOFT's operating systems. In other words, VI.U. must be rewritten as follows: "Windows Operating System Product" means the software code that MICROSOFT distributes for use with \*any electronic device\*.

61.VI.Definitions, U. The second sentence of VI.U. is too lenient to MICROSOFT. The second sentence states:

The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion. As stated above in OBJECTION 1. regarding the second paragraph, MICROSOFT lost this case. Since MICROSOFT lost this case, the DOJ should not concede anything to MICROSOFT, including the definition of what comprises a Windows Operating System Product. Since the DOJ should not concede the definition of what comprises a Windows Operating System Product, VI.U. should \*not\* allow MICROSOFT to determine what comprises a Windows Operating System Product. Since VI.U. allows MICROSOFT to determine what comprises a Windows Operating System Product, VI.U. is too lenient to MICROSOFT.

For VI.U. to be in the public interest, the second sentence of VI.U. must be deleted. For the above reasons stated in the General and Specific Objections, I respectfully submit that this proposed Final Judgment is \*not\* in the public interest. I further submit that even if this proposed Final Judgment is rewritten as the above SPECIFIC OBJECTIONS recommend, it still will not be in the public

interest because the DOJ will not enforce it. Since the proposed Final Judgment will not be in the public interest even if rewritten as the above SPECIFIC OBJECTIONS recommend, I respectfully submit that the DOJ and the Court should reject this proposed Final Judgment and adopt Judge Jackson's remedies.

Sincerely yours,  
Daniel Maddux  
4100 Greenbriar Street  
Number 342  
Houston, Texas 77098

#### MTC-00021588

From: richter@zianet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jeff Richter  
P.O. Box 1648  
T or C, NM 87901

#### MTC-00021589

From: Patrick Wyatt  
To: Microsoft ATR  
Date: 1/24/02 11:09am  
Subject: Microsoft Settlement

Dear Sirs and Madams,

I wanted to respond to the proposed Microsoft Settlement. Through the course of my career in computer programming, Microsoft has been both an ally and a competitor, so while I don't think that I'm unbiased I believe that I have some insight into both sides of the case. Microsoft has always been a fearsome competitor because of their control of the operating system and their ongoing ability to leverage that control to create other business opportunities, like giving users simple and easy access to MSN and Hotmail over other competing alternatives. Going forward, I think that this is just the first small vision of what we'll see in the long term, where Microsoft's power enables them to dominate significantly larger parts of our lives. While this isn't technically illegal, it does give me pause, because too much power concentrated in one location can easily create tyranny.

Without being too long-winded, the solution that I wanted to mention for your consideration is this: make Microsoft convert their "Office Suite" of programs to run on

other operating systems. Inasmuch as Office already runs on the Macintosh, I expect that they would be able to make it run on the open-source Unix environments like OpenBSD, FreeBSD, NetBSD, and Linux, all of which are quite similar in terms of their interoperability. These operating systems would benefit greatly from having a solid, professional suite of office productivity applications, and would somewhat mitigate Microsoft's ability to dominate the operating system market going forward and hence reduce the concentration of power they now have.

I realize that this proposal would require considerably more thought before implementation, but I wanted to bring the idea up for your consideration. I hope that whatever settlement does eventually get approved does take into consideration not just remedies to correct past wrongs, but also creates mechanisms which will create a free marketplace and reduce the opportunity for dominance by a single entity.

Best of luck, I'm expect that you'll need a fair bit of it before the process is complete!

Patrick Wyatt

#### MTC-00021590

From: gdevrt@surfside.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
George DeVry  
803 Magnolia Ave  
Corona, CA 92879-3193

#### MTC-00021591

From: Tj1840@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:08am  
Subject: settlement

I think Microsoft has unjustly been picked on. They are the top in the computer world and everyone wants to knock them off. They have great products and have changed the technological world.

Thank you  
CC:microsoftsettlement@alexbrubaker.com@inetgw

#### MTC-00021592

From: j.a.carlson@ieee.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:06am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jeffrey A. Carlson  
5950 NW Scheel Terrace  
Portland, OR 97229-7957

**MTC-00021593**

From: Deborah Tribble  
To: Microsoft ATR  
Date: 1/24/02 11:10am  
Subject: Microsoft Settlement

Microsoft is getting off easy, their history of unfair and unethical business practices prove that they cannot be trusted to act in the best interest of their industry or customers. The settlement does not come close to an appropriate reprimand. Please reconsider the terms of the agreement.

**MTC-00021594**

From: aquaterre@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:07am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Robert Reneau  
27 Loggerhead Lane  
Ponte Vedra, FL 32082

**MTC-00021595**

From: LEONARD LIVSCHITZ  
To: Microsoft ATR  
Date: 1/24/02 11:09am  
Subject: Microsoft Settlement

I strongly disagree with the proposed settlement

PeoplePC: It's for people. And it's just smart.

<http://www.peoplepc.com>

**MTC-00021596**

From: Oystein Lunde  
To: Microsoft ATR  
Date: 1/24/02 11:10am  
Subject: Microsoft Settlement

I truly believe this is a bad settlement.

Best regards,  
Oystein Lunde

**MTC-00021597**

From: papanohair@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:07am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Skip Queen  
2539 Rector Ave  
Orlando, FL 32818-3954

**MTC-00021598**

From: Jan (038) Bill Leth  
To: Microsoft ATR  
Date: 1/24/02 10:59am  
Subject: Microsoft Settlement  
January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft

We currently use Microsoft products and are also concerned Microsoft stockholders. The purpose of this letter is to express our opinions regarding the settlement made between Microsoft and the Department of Justice. As tax payers and Microsoft stockholders, we feel that to continue litigations would simply be a waste of time and money. Microsoft has agreed to many terms and conditions, which should allow other companies to compete with Microsoft effectively.

For instance, Microsoft has agreed to design future versions of Windows, beginning with an interim release of Windows XP, to provide a mechanism to make it easier for computer makers, consumers, and software developers to promote non-Microsoft software within Windows. This mechanism will make it easy

to add or remove access to features built into Windows or non-Windows software.

Overall, we feel that Microsoft has done all, if not more than it should have. The settlement should be finalized and all litigations ended.

Sincerely

William H. and Janet E. Leth  
2603 Borst Avenue  
Centralia, WA 98531-1415

**MTC-00021599**

From: patrick\_yu@aliusa.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:13am  
Subject: Microsoft Settlement

To Whom It May Concern,

I am writing to support settlement made between DoJ and Microsoft. I learnt that the settlement is now in the Tunney Act review period. I am therefore writing to state that making the settlement stayed "as-is" is in the public interest.

The whole law-suit between DoJ and Microsoft might have started with good intention. Unfortunately, time has changed, the industry has changed, companies' attitude have either changed or revealed its true self. In particular, the private suit filed against Microsoft in the last few days is simply a demonstration of corporate greed rather than the interest of the public. Please do not be distracted in any way by this stupid suit which is nothing but another demonstration of the abuse of the American legal system, tax-payers' money, and time & resource of government officials that can be better spent on the more pressing issues like terrorism.

Once again, I believe that the settlement made will meet the public interest. The time of our society should be spent on other matters that are more meaningful.

Thank you for the attention to this communications.

Yours truly,

Patrick Yu  
An American citizen  
Residence of San Jose, California

**MTC-00021600**

From: jkimura(a)attglobal.net  
To: Microsoft ATR  
Date: 1/24/02 11:19am  
Subject: Microsoft Settlement

I think that the proposed settlement does not adequately restrict Microsoft's anticompetitive business practices. Accepting the settlement will not be in the public interest. I am opposed to it.

James H. Kimura, Ph.D.

End User

**MTC-00021601**

From: LaGrua Jeffrey A NORC  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 11:13am  
Subject: Microsoft Settlement

To whom it may concern,

I am shocked and appalled at the laxity of this proposed settlement. As a former U.S. Marine and Gulf War veteran I have friends who were wounded in combat, and even died on foreign soil fighting for what this country stands for. If they saw that \*this\* insulting mockery of (alleged) justice was what they fought and died for, I'd hate to see how they

would feel. It's a joke and a slap in the face to all law-abiding citizens to see this megalithic juggernaut get away with the crime of the century just because it has the deepest pockets, the most market power, and the most "juice on the beltway". I know that it is a matter fact that large companies, like Microsoft, contribute money to both sides of the political fence as a way of hedging their bets and ultimately getting their fat pulled from the fire when the "merde" hits this "ventilateur", but I am urging you not to let Microsoft turn our justice system into "the best that money can buy".

Respectfully,  
 Jeff A. La Grua, Corporal  
 USMC, Former  
 "It's GOD's responsibility to forgive Bin Laden... It's our responsibility to arrange the meeting."  
 - Anonymous US Marine

**MTC-00021602**

From: cheifpetty@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:09am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
 Sincerely,  
 Ralph Bryant  
 1249 Creighton Ave  
 Dayton, OH 45420

**MTC-00021603**

From: mwaite0613@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:07am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Maureen Waite  
 1501 Oberlin Terrace  
 Lake Mary, FL 32746-0000

**MTC-00021604**

From: Hobson, Terrance D  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 11:11am  
 Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

**MTC-00021605**

From: goldandblack@ecr.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:08am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 marie black  
 17 Colony Drive  
 Fredericktown, OH 43019

**MTC-00021606**

From: Mike Graessle  
 To: Microsoft ATR  
 Date: 1/24/02 11:14am  
 Subject: Microsoft Settlement

As a computer user for the last 10 years, I have watched Microsoft stomp on every perceived threat or competitor. I would like it boycott Microsoft but that isn't an option. I have no choice but to use Microsoft products and the proposed settlement will do nothing to change this.

A just penalty, I continue, would at barest minimum include three additional features: Any remedy seeking to prevent an extension of Microsoft's monopoly must place Microsoft products as extra-cost options in the purchase of new computers, so that the user who does not wish to purchase them is not forced to do so. This means that for the price differential between a new computer with Microsoft software and one without, a computer seller must offer the software without the computer (which would prevent computer makers from saying that the difference in price is only a few dollars). Only then could competition come to exist in a meaningful way.

The specifications of Microsoft's present and future document file formats must be made public, so that documents created in Microsoft applications may be read by programs from other makers, on Microsoft's or other operating systems. This is in addition to opening the Windows application program interface (API, the set of "hooks" that allow other parties to write applications for Windows operating systems), which is already part of the proposed settlement.

Any Microsoft networking protocols must be published in full and approved by an independent network protocol body. This would prevent Microsoft from seizing de facto control of the Internet.

Thank you.  
 Michael C. Graessle  
 ph: (314) 301-2587 fax: (314) 919-1452  
 mike.graessle@wwt.com

**MTC-00021607**

From: Fischer Mark S CONT KPWA  
 To: Microsoft ATR  
 Date: 1/24/02 11:14am  
 Subject: Microsoft Settlement

Your proposed settlement has more holes than a block of swiss cheese and you be assured that Microsoft will use the loophole your weak settlement has in it.

**MTC-00021608**

From: Jennifer Woelke  
 To: Microsoft ATR  
 Date: 1/24/02 11:13am  
 Subject: "Microsoft Settlement" Do not let them get away with this. It is not right.  
 Jennifer A Woelke

**MTC-00021609**

From: mark galvin  
 To: Microsoft ATR  
 Date: 1/24/02 11:15am  
 Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. Not only does it not solve Microsoft's anti-competitive activities, it allows them access to a market (education) where they are not a clear leader, thus helping them to expand their monopoly even further.

**MTC-00021610**

From: jrogers@midmo.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:10am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Marilyn Rogers  
29039 E. Gibson Point Road  
Gravois Mills, MO 65037

**MTC-00021611**

From: Fred Hammer  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 12:09pm  
Subject: netscape suit

the last thing the industry and our country needs is more litigation on frivolous issues such as netscapes' allegations.

I used to use Netscape, but have switched to Internet Explorer out of my own volition and choice. Others have chosen Netscape. Let the market—and consumers decide.

Quit the legal bleeding—our economy needs to move forward

Fred E. Hammer  
17292 Cornerstone Lane  
Parker CO 80134

**MTC-00021612**

From: seapuppy99@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:09am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sandy Winston  
po box 664  
morro bay, CA 93443

**MTC-00021613**

From: bettone@hubserv.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:09am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Betty Arnold  
71 Wiggins Lane  
Hattiesburg, MS 39402-9719

**MTC-00021614**

From: Bill Baker  
To: Microsoft ATR  
Date: 1/24/02 11:15am  
Subject: Microsoft Settlement  
To the Department of Justice,

I am grateful that the Tunney Act requires the acceptance of public comment on a case such as Microsoft's.

This particular comment focuses on Microsoft's behavior with respect to the Java programming language. In summary, I believe that any settlement agreement must strictly require Microsoft to either support cross-platform compatibility standards, or to assist third parties in developing support for them, in Microsoft Windows, and to allow their inclusion, in fully-functioning and fully-compatible form, on newly purchased computers running Windows. A few examples of such standards are Posix, Java, TCP/IP, .NET, Open/GL, Kerberos, and NFS.

Summary: As a professional programmer, I have been dismayed at the results of Microsoft's oppressive response to Java. When Bill Gosling and a team of engineers at Sun Microsystems invented Java, they created a foundation for software that could run on any operating system, transparently, without recompilation. Microsoft appears to have seen this as a threat and has tried to both fragment and debilitate Java, using the leverage of its operating system monopoly. Microsoft's attacks have limited Java's potential to make computing easier and more universal, and appear to have been motivated not by any technological motivation, but merely by the desire to maintain a monopoly on operating systems.

Java's Potential: Java is a language that simply takes modern computer language principles, implements them elegantly and simply, and uses them to provide a means to write software that will run on virtually any computer. Microsoft was one of its first adopters. Microsoft licensed Java from Sun Microsystems and quickly developed, for Windows, one of the best environments to develop and run Java programs. At the same time, many other companies had developed or licensed Java environments, including IBM and Netscape.

Microsoft's Actions: In addition to building a fantastic Java system for Windows, Microsoft also immediately snubbed its license contract with Sun, by removing certain parts (Java Native Interface, or JNI) of the Java language from its own implementation and substituting its own (Component Object Model, or COM). The effect was to make Microsoft's Java subtly but very deliberately incompatible with Sun's standard. Full compatibility would have been

required if Java was to become an OS-neutral platform. When Sun protested, Microsoft simply refused to comply with the contract it has previously agreed to. A long court battle ensued, with the result that Microsoft ceased active development on Java, ultimately disabling it by default in Windows XP. There appear to have been no technological reasons for Microsoft's actions. It is understandable that Microsoft would want to add extensions to Java to connect it to Windows (COM), but that extension could have been added

1.without breaking compatibility with Sun's standard (in fact, it has been added in such a fashion by other software companies as Java-COM bridges), and

2.without modifying an important part of Sun's specification for Java (JNI).

Recourse: I believe that since Microsoft has a monopoly on desktop operating systems for Intel x86 architecture computers, and since it is in the public interest that those computers be as fully functional as possible, and not artificially limited in functionality solely to allow Microsoft to retain its monopoly, Microsoft Windows should be strictly required to interoperate with cross-platform standards. Interoperability need not be the sole responsibility of Microsoft, but I believe that Microsoft must 1.provide the documentation necessary to achieve interoperability, and 2.not hinder interoperation by compromising standards or by restricting deployment of software on new computers.

Sincerely,  
Bill Baker  
Software Engineer  
bbbaker@1to1service.com  
<http://www.orangecrayon.com>

**MTC-00021615**

From: sharonenos@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:13am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sharon Enos  
6657 Heron Way  
Nine Mile Falls, WA 99026

**MTC-00021616**

From: Cox, William R

To: 'microsoft.atr(a)usdoj.gov.'

Date: 1/24/02 11:14am

Subject: Microsoft Settlement

The Microsoft settlement is indeed in the public interest, for the past ten years I have worked in the IT world. I have seen Microsoft products get better cheaper and easier to maintain. This has led to the ability of even small business to reap rewards from new technologies without having a full time IT staff.

I use other products (SUN/Linux/Oracle) but I see these companies as failing to invest as heavily in the type of R&D that brings us the improvements that MS gamers.

Companies such as AOL, Netscape, Sun, Oracle seem to be asking for some court room help for their inability to compete.

Sun & Oracle for years had an iron grip on the consumer, companies I worked for paid extremely high licensing fees for products that were at best cryptic to use and maintain. Now that MS has brought us better products at for much less they should be rewarded not punished.

I only hope that MS is left to it's own means to innovate and continually bring us better and cheaper products. Thanks, W. Cox  
Scottsdale, Arizona  
CC: 'MSFIN(a)microsoft.com'

**MTC-00021617**

From: Steven Work

To: Microsoft ATR

Date: 1/24/02 11:09am

Subject: Microsoft Settlement

The proposed settlement in the Microsoft case is grossly unfair to all computer users in this country.

Microsoft has single-handedly strangled small software businesses which tried to offer software which might compete with Microsoft, and provide useful, secure, or original solutions to users.

A settlement is needed that would significantly penalize Microsoft, and also encourage competition in OS and Application development.

Sincerely,

Steven Work

Steven.Work@uvm.edu

802-656-7867, fax: (802)656-0747

Health Science Research Facility

Rm: 115A, Dept. of Mol. Physiology

University of Vermont

Burlington, VT USA 05405

"Home of the Light Tweezers"

**MTC-00021618**

From: Wykehur88@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:14am

Subject: Microsoft Settlement

January 24, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft:

I write you in reference to the recent settlement between Microsoft and the Department of Justice. I have been opposed to the government's intervention in Microsoft's success from the very beginning. It seems ridiculous to have the government

protesting against the whole aspect of free enterprise, when free enterprise is exactly what America has been founded on. More than this, it is puzzling to see, even after Microsoft has complied with the settlement, that there may be even more delays in this process.

I urge you to support this settlement in its current form, and hope you will stop any further actions against this agreement. As our economy weakens, it is evident that we have to support our technology industries. As our IT sector stands by and waits for the government to allow this process to move forward, the global market is sailing past us. That is why if we allow the terms of this agreement to speak for themselves, then we would benefit the consumer, the technology industry, and our economy as a whole.

Let's not be the ones to slow down the growth of our own economy. Let's make sure that this agreement is pushed forward and allowed to take hold. Thank you for your support.

Sincerely,

McDonald Wellford, Jr.

530 Wykehurst Drive

Richmond, VA 23233

**MTC-00021619**

From: Andrew Misyura

To: Microsoft ATR

Date: 1/24/02 11:14am

Subject: Microsoft Settlement

I think the proposed settlement is bad idea

**MTC-00021620**

From: karynmorton@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 11:12am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Enough is enough. Please put a stop to the economically-draining witch-hunt against Microsoft. Microsoft has already agreed to hide its Internet Explorer icon from the desktop. The issue is resolved.

The fact is, this case against Microsoft is basically "welfare" for Netscape and other Microsoft competitors. Not a nickel goes to those supposedly harmed by Microsoft—the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Karyn Morton

1030 E El Camino Real

133

Sunnyvale, CA 94087

**MTC-00021621**

From: ABELF1361@AOL.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 11:13am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

AL BELFIORE

3253 GIEGERICH PL.

BRONX, NY 10465-4011

**MTC-00021622**

From: Freda Douglas

To: Microsoft ATR

Date: 1/24/02 11:15am

Subject: microsoft settlement

For far too long I have witnessed the political prosecution of Microsoft. Ever since I have been aware of the so called anti-trust suits I have asked myself why would anybody want to prosecute a company just because the man at the top is so much smarter than his peers in other companies. We certainly have more to worry about than poor losers who can't admit anybody else is smarter than they are. Jealously hurts the corporate big shot as much as the little man who is jealous of his wife for no reason.

Let's quit the bickering and let Microsoft go back to doing what they do best—keeping their customers happy.

Freda Douglas

Hardee County, FL

**MTC-00021623**

From: Arnoes@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:13am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Arno Schelhorn



224 W. Maplemere  
Williamsville, NY 14221-3156

**MTC-00021624**

From: .buenodeoro@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:13am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Tschauder  
732 Sunrise Street  
Rathdrum, ID 83858

**MTC-00021625**

From: Ross Peterson  
To: Microsoft ATR  
Date: 1/24/02 11:16am  
Subject: Microsoft Settlement

To whom it may concern:

I just wanted to say that I think the proposed Microsoft Settlement is bad.

Thank you.  
Ross Peterson  
President, Trilocal Inc.  
Missoula, Montana

**MTC-00021626**

From: Kamal.Maheshwari@Sun.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:13am  
Subject: Microsoft Settlement

Dear Sir/Madam,

With all due respect, I disagree with the proposed antitrust settlement between DOJ and Microsoft. The root of the problem in this case is the monopoly powers that Microsoft undeniably holds but more troubling is how they have used it illegally to "twist" other companies into their way or no way.

I am against this settlement. This does nothing to improve the competitive landscape. Thank you.

Kamal Maheshwari.

**MTC-00021627**

From: agetwoage@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Renee Rodriguez  
6985 Big Timber Dr.  
Colorado Springs, CO 80918

**MTC-00021628**

From: Reilly, Andrew  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 11:17am  
Subject: Microsoft Settlement

The settlement proposed for the M\$ antitrust suit is a sham! You aren't seeking remedies that would punish or curb the monopolistic behavior of Microsoft. Clearly, you would ask that the browser be removed from the Operating system if you were seeking even the minimum amount of recourse for their transgressions.

No, you apparently have caved to the wishes of big money in politics by choosing to ignore all evidence. They took a separate software product and started to irreversibly place it in their OS product. This is illegal, and the purpose of the Sherman antitrust laws. Yet you ignore the basics of this case. Clearly your department is not of Justice, rather more like the SS of a new fascist regime. Was it the legislative losers that take large sums from companies like Microsoft that asked you to ignore the evidence?

Or is it as all would conclude, that the new administration stuck it's nose in and said, "Give old Billy Gates and his goons the green light for consumer raping." Either way you should in no way settle for the lopsided, loop-hole riddled "settlement" that you are seeking comment on.

A. Reilly

**MTC-00021629**

From: fair.in@netzero.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dale Fair  
436 S Morgantown Rd  
Greenwood, IN 46142

**MTC-00021630**

From: Thom Cleland  
To: Microsoft ATR  
Date: 1/24/02 11:13am  
Subject: Microsoft Settlement

Greetings,  
I am distressed by the weakness of DOJ's "proposed final judgment" with Microsoft (US vs. Microsoft). Microsoft's offenses have been firmly and clearly established in findings of fact as well as by numerous third parties not financially influenced by the settlement terms. This settlement, despite its rhetoric, is fundamentally a full concession to Microsoft that does a disservice both to the American justice system and to consumers.

Despite Microsoft's claims to the contrary, the public is never served well by monopoly. If Microsoft's products are as good as they claim, then they should not need privileged access to the operating system based on secret APIs in order to win customers. Certainly Microsoft should be disallowed from using coercive tactics against original equipment manufacturers to bundle Microsoft products with their own—yet Sections III.A-B. clearly permit this practice: one of the primary and most egregious offenses that initiated this lawsuit in the first place.

Microsoft has squelched far more innovation in computer hardware and software than it has enabled. This lawsuit has the potential to structure the playing field so that Microsoft can compete fairly on its merits, without the temptation or ability to "cheat" based on its financial and political power. The present PFJ ensures that this will not occur, and should be rejected in favor of a strong, clearly enforceable statement restricting Microsoft's behavior, punishing their scorn for the Justice Department's inquiry, and creating a strong, stable playing field that will foster innovation from a diversity of companies and individuals, including

Microsoft.  
Sincerely,  
Dr. Thomas A. Cleland

**MTC-00021631**

From: md55@se-iowa.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the



fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mike Holeton  
12576 148th Ave  
West Burlington, IA 52655

**MTC-00021632**

From: Paul Ludecke  
To: Microsoft ATR  
Date: 1/24/02 11:18am  
Subject: Microsoft Settlement

I take issue with the proposed settlement issue of Microsoft donating software to the public school system.

Microsoft has been found guilty of being a monopoly, and has been found guilty of harm thru monopolistic actions. Significant and measureable harm.

Harm to an essential engine of American industry.

Offering Microsoft a settlement by allowing them to essentially "print money" (thru the donation of their software products to parties that wouldn't otherwise purchase the products anyway) at cents on the dollar is absurd, and cynical. This smarmy collusion between government and corporate interests offers up a mighty stink that everyone can recognize, from the common Joe to the corporate executive.

If the government really wanted to cook up a deal with some teeth involving Microsoft products, I would suggest this:

A government-wide free site license (in perpetuity, or for a significant number of years) of Microsoft products.

Microsoft would see significant impact on their bottom line, and the American taxpayer would see significant relief thru a drop in Government spending on software.

-Paul Ludecke

**MTC-00021633**

From: Art Liles  
To: Microsoft ATR  
Date: 1/24/02 11:16am  
Subject: Microsoft Settlement

Dear Sirs,

In regards to the litigation between AOL and Microsoft, I firmly believe AOL is way out of line. The founders of Microsoft were people who followed the American dream. They used their knowledge and talent to build a company that has forever lead the world market in computer programs, operating systems and yes, the Internet Explorer browser.

America was founded on competition. We strive economically on competition. But if one builds, designs and markets something better than another, why knock him down and drag him through court from it? Do Ford and GM design, build and market their cars and trucks competitively and then drag each

other down and through the courts when one offers better deals, service or incentives? I personally have used each of the two web browsers and Internet Explorer does offer a better experience to the user in most all ways one could compare them. My personal views. But as AOL forces it's users to be advertised to, as it does, in order to use it, AOL advertising intergration into AOL is no different than Microsoft intergrating IE into it's Operating Systems. You have the choices to buy/use or not. It is how they each have chosen to do for their own reasons. I feel that "Windows" really does benefit from the way IE is made apart of it. As I do have the choice to add Netscape to my system and use it and not IE to browse, then Microsoft has not made Netscape any less of a product or hindered it a choice to use. Netscape is just not as good as Internet Explorer!

Creative design and marketing should be encouraged and praised. Even if a fortune and empire is built from it. All AOL-Time Warner needs to do is develop a better operating system and then make Netscape apart of it. They were founded on selling products and advertising, not technology to better the american way of life through computers as Microsoft had done. You slap Microsoft down for what AOL wants and you slap down the American Dream in all of us. Microsoft became what it is today because it lead the "world" in design and marketing while making it affordable for all of us to have. What's AOL done but create a private community for it's users and placed them into a world of "forced" advertising to be apart of it. Case closed.

Sincerely yours  
Authur Liles 01/29/2002 9:31

**MTC-00021634**

From: sharon Enos  
To: Microsoft ATR  
Date: 1/24/02 11:19am  
Subject: Microsoft Settlement

Please settle and stop all the money grabbers.

Sincerely, Sharon Enos

**MTC-00021635**

From: r—norton@lycos.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:16am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Randy Norton  
877 Valley Chapel Road  
Walla Walla, WA 99362

**MTC-00021636**

From: wmclayton@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:19am  
Subject: Microsoft Settlement  
To Attorney General

While I believe free markets are the best way to move technology forward, I also believe that for this to occur that one player cannot be allowed to use its power to suppress competition unless others have the power to act in concert to overcome or suppress that single player. If the gloves are to be off for MicroSoft then they should be off for Netscape, Apple, Redhat, Adobe, IBM, AOL,Omni etc. Allowing Microsoft as part of an antitrust settlement to suppress competition further by giving software and computers to poor schools seems unfair because those who abided by the law and their customers have already been damaged. Poor schools are not the only ones damaged by MS, everyday consumers have also been damaged. It would seem more equitable to give consumers or if need be poor schools a voucher redeemable only for non MS products.

William M Clayton

**MTC-00021637**

From: Jim Smith  
To: Microsoft ATR  
Date: 1/24/02 11:42am  
Subject: Settlement comments.

The settlement sucks. I am opposed to the settlement as it stands.

Jim Smith

**MTC-00021638**

From: Auguste Schwab  
To: Microsoft ATR  
Date: 1/24/02 11:18am  
Subject: Microsoft settlement  
Sirs/Mesdames:

I read with dismay that Netscape, really its parent AOL, has initiated a lawsuit against Microsoft. Certainly everyone knows that the timing of the lawsuit during the hearing process was intentional and not in the best interests of justice.

AOL and Microsoft have battled for many years. This latest move is just another example of the extent to which AOL and other competitors of Microsoft will go to cause a hardship to Microsoft.

Foremost in everyone's mind should be how much Microsoft has done for the consumer, for the country and for the world and how much they have improved the education of our children. Petty fights about Instant Messaging and the like show that AOL is not objective and is more concerned with their corporate success than they are with the good of the country.

I hope that the DOJ does not allow corporate politics to influence justice.

Auguste Schwab  
6281 Evian Place  
Boynton Beach FL 33437

**MTC-00021639**

From: roycestowe@hotmail.com@inetgw

To: Microsoft ATR  
 Date: 1/24/02 11:16am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 royce stowe  
 425 dove lane  
 Fort Worth, TX 76108

**MTC-00021640**

From: melvin—wellons@dell.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:16am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Melvin Wellons  
 987 S. Post Oak Ln.  
 Houston, TX 77056-2203

**MTC-00021641**

From: djharris@csupomona.edu@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:18am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the

fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Diahann Harris  
 9830 Allesandro Court  
 Rancho Cucamonga, CA 91730

**MTC-00021642**

From: McLanahan  
 To: Microsoft ATR  
 Date: 1/24/02 11:20am  
 Subject: Microsoft settlement

Attached is a letter for Judge Kollar-Kotally with respect to the Microsoft settlement.

Bruce McLanahan  
 81 Woodway Ridge Lane  
 New Canaan CT 06840  
 Tel 203 966 4895  
 Fax 203 966 9690  
 Cellphone 203 247 5429 (often turned off)  
 e-mail: bmcll@ix.netcom.com

CC: Chris Senecal  
 MTC-00021642-0001

Bruce McLanahan  
 81 Woodway Ridge Lane  
 New Canaan, CT 06840  
 (203) 966-4895  
 January 24, 2002

Dear Judge Kollar-Kotally,

Proposed Settlement would Expand Microsoft Monopoly. I urge you to carefully consider Connecticut's position opposing the settlement of the Microsoft antitrust case. In a lengthy and widely publicized trial, a court found that Microsoft illegally monopolized the market for computer operating systems. The Department of Justice proposed settlement, in the view of many, would permit Microsoft to expand its monopoly powers.

The Threat to Users of Windows. Objections to an antitrust settlement may seem arcane—but the practical implications are far reaching. An economist recently testified in the private antitrust hearing that Microsoft used its monopoly power to overcharge the consumer by 85 billion for Windows. Other economists have suggested higher figures.

Proposed Settlement is too Weak. What does this have to do with the proposed Microsoft settlement? The settlement attempts to protect other producers of software from Microsoft's use of its monopoly position in the Windows operating systems. However, it unfortunately falls far short. As Attorney General Blumenthal stated, "the settlement simply has too many gaps and ambiguities that undermine the remedies necessary against substantial violations of law found by two federal courts." In the details, there are so many limitations that it will be business as usual for Microsoft. Additionally, the enforcement mechanism is not supervised by the court, as

it should be, but by a committee of limited powers reporting to the Department of Justice. The enforcement is really so weak as to be almost non-existent, especially in view of Microsoft's past history of pushing the law to, and perhaps beyond, its limits. Lastly, if you or I were to have broken the law, we would expect some punishment. There really is nothing in the settlement which addresses the issue of redress for the proven past illegal monopolization.

Greatest Loss is Loss of Choice to the Consumer. Freedom of choice is important. In its new XP version of Windows, Microsoft has or will including programs to provide directories and facilitate internet credit verification. Potentially, if everyone used these two programs, Microsoft could become the "gatekeeper" for commercial transactions on the internet, taking a little piece out of every transaction. A fabulous business to be sure but if this happens, it will mean that Microsoft has been able to use one monopoly to create another. With the weak provisions of the proposed Microsoft antitrust settlement, consumers are almost certain to lose that choice. Four years from now, there will be another Microsoft antitrust case. We will have gotten nowhere. We deserve an agreement which is fair to all parties.

Respectfully submitted  
 00021642-0002

**MTC-00021643**

From: Mears, Ed  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 11:20am

Subject: This is a copy of the letter I submitted to americans for technology

This is a copy of the letter I submitted to americans for technology leadership. Since I doubt they will forward it to you, I am doing so myself.

You probably will not like nor use this message, but I am glad to express myself. After 20 years of being at the mercy of Microsoft and watching and being involved in their high-handed tactics for doing away with the competition—an usually unfairly—I am disgusted at the hand slap they got. When a company can completely dominate an industry because they have deep pockets, it goes against everything we Americans believe in. And who is Microsoft and her allies kidding—most innovation and competitiveness in American business comes from small business, not large money-hungry corporations.

Give me a break! Microsoft as a hero? Come on! They have been stifling and killing the competition for years. Many of my favorite programs and/or features of common applications have either disappeared or become almost non-entities because of Microsoft's aggressive competitive stance and deep pockets. In their place, we have Microsoft telling us what we want—not usually what we need.

Score: 0 for free enterprise  
 1 for monopolies

**MTC-00021644**

From: John  
 To: Microsoft ATR  
 Date: 1/24/02 11:20am  
 Subject: Microsoft Settlement

From: JOHN KOLMAR  
 To: microsoft.atr@usdoj.gov  
 Subject: Microsoft Settlement  
 Gentlemen:

I oppose the Microsoft settlement agreement. This is a large, subtle, multi-faceted issue about which one could write volumes. I will state my objections as succinctly as possible.

The agreement provides no penalty for the misbehavior that the courts have found. The agreement provides for only weak oversight for enforcement of the agreement.

The agreement contains enormous loopholes which would enable Microsoft to work around the spirit of the agreement and therefore to bypass the weak remedies provided.

The agreement offers inadequate safeguards against Microsoft's monopoly power.

JOHN KOLMAR  
 418 W Hackberry dr.  
 Arlington Hts.  
 IL 60004

**MTC-00021645**

From: Harry Crowell  
 To: "Microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 11:21am  
 Subject: Microsoft Settlement

This has gone on long enough. Our economy is in turmoil and this case and others like it do nothing more than add to the turbulence of uncertainty. The only winners are the attorneys from both sides that continue to make a mockery of the justice system of the United States. Please stop the destruction of the reason for people to become entrepreneurs.

**MTC-00021646**

From: jl9@bellsouth.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:18am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 James LeBlanc  
 53334 LeBlanc Rd.  
 Bogalusa, LA 70427

**MTC-00021647**

From: vnmh  
 To: Microsoft ATR  
 Date: 1/24/02 11:23am

Subject: Your Honour,  
 Your Honour,

In accordance with the Tunney Act, I would like to say the following: Microsoft is an illegal monopoly. Bill Gates and Microsoft are trying to get away with what Rockefeller and Standard Oil achieved at the end of the last century in the oil business: a vertical and horizontal monopoly that controls all aspects of the industry and inhibits competition which not only hurts the economy but the public.

In the last twenty years the buzzword in government and the private sector has been deregulation. Fine. That is why Bell Telephone was broken up into AT&T and Sprint and MCI were allowed access to the market. Microsoft makes new operating systems stillborn by threat, coercion and bullying.

Microsoft has shown nothing but contempt for the consumer and government since day one of this case. If the solution pushed by the Ashcroft is set into place, then Microsoft wins and they get to expand their monopoly. When I took economics in college, everything I read said this was bad and this is the reason we have antitrust legislation.

I do not personally begrudge Microsoft a red cent of profit. They produced a product and people buy it. However, if I must buy the product because I am forced to purchase Microsoft programs because other programs which are better will not run on an O/S of my choice, then is this the market place freedom this country is famous for?

Please take the open letter by Dan Kegel seriously as well as Scott Rosenberg's article.

Sincerely,  
 Marcus Sellers  
 Homer City, PA  
 Masters Canidate Biology  
 Indiana University of Penna

**MTC-00021648**

From: ALOK JOSHI  
 To: Microsoft ATR  
 Date: 1/24/02 11:23am  
 Subject: Microsoft Settlement  
 Sir,

I am a user of Microsoft products and developer in Microsoft technologies.

I would like to say that Microsoft has done the greatest benefit to the American Industry by consistently bringing out the best products at most reasonable prices.

Just look at Word, Excel, Outlook, Project and such products. They beat the competition hands down.

They were never bundled with the computer and were never given free.

Just because one product—Explorer was given free and was bundled with the computer—it is no reason to hold Microsoft as using unfair trade practices. Netscape could have given Netscape browser free if it wanted to compete? Netscape could have entered into agreement with computer manufacturers to put its Browser on the computers. Why did it not? Did it try doing it for even those computers which were in agreement with Microsoft?

If the Software industry is where it is today it is in a great part because of Microsoft. Please give them accolades and awards instead.

Thanks.  
 Alok

**MTC-00021649**

From: seaman1181@cox.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:19am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Tom Taylor  
 2465 Southern Oak Road  
 Ramona, CA 92065

**MTC-00021650**

From: Jackie Meese  
 To: Microsoft ATR  
 Date: 1/24/02 11:23am  
 Subject: Microsoft Settlement

I believe it is a very poor choice to accept the current settlement in the Microsoft case, as nothing has been done to remove the ability of Microsoft to abuse its monopoly, something that has been judged to be true. Basically, the current settlement allows Microsoft to continue to exhibit the behavior that has been found to be illegal, with merely a slap on the wrist. A solution needs to be found that will help consumers and other companies more freedom to do with their computers as they wish, and not what Microsoft has forced other companies to do with computers.

**MTC-00021651**

From: Robert George Smith  
 To: Microsoft ATR  
 Date: 1/24/02 11:21am  
 Subject: Microsoft Settlement  
 Greetings:

The fact that a 51 year old doctor with no computer training is even able to E-mail you is evidence that Microsoft hasn't harmed consumers. I hear that Linux is preferred by computer cogniscenti, and is FREE, and yet is not as popular as Microsoft-designed software.

Drop your drawn-out prosecution (persecution?) of Microsoft, and aid the INS in deporting the 600,000 potential terrorists with defective visas.

Sincerely,  
 Robert Smith MD

**MTC-00021652**

From: wportg@charter.net@inetgw

To: Microsoft ATR  
 Date: 1/24/02 11:20am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Dr. William Gibbons  
 703 Beaumont Drive  
 Altoona, PA 16602

**MTC-00021653**

From: Tryggvi Larusson  
 To: Microsoft ATR  
 Date: 1/24/02 11:10am  
 Subject: Microsoft Settlement  
 To whom it may concern.

I'm writing to say that I am deeply worried about the settlement the US Justice Department made in the antitrust case against Microsoft. The settlement does virtually nothing, neither to correct the unfair state of the software market today, nor nothing to punish Microsoft for their un-competitive and illegal actions in the past years in the software and PC industries. The question in this case is on one hand: "What is a monopoly?"—My definition on a monopoly is: "A situation where people have no choice other than to deal with one party on a specific matter" and this is exactly the state in the PC industry regarding Operating Systems today.

The strangle hold Microsoft holds on the market consists mainly of API (Application Programming Interface—the tools developers use to make programs) blocks that prevents other players to enter the Operating System market and therefore to compete on healthy grounds with Microsoft on both the OS and general Applications front.

In my opinion a good way to resurrect the competition on the OS market could be if the government would some how mandate Microsoft to open up some parts of its API's (most specifically Win32/MFC). In this way there could finally be an opportunity for new players to enter the OS market. Up to this day all attempts to enter this market have failed and there are numerous examples (OS/2, BeOS and Linux—which has only gained share in server applications but not on users desktops). The Macintosh platform stays alive although it holds only about 4-5% market share of personal computers. It could be argued that Microsoft keeps the Mac platform barely alive (by giving away

versions of its Internet Explorer and Windows Media Player and producing its Office suite etc.) to make its case of monopoly in Operating Systems more convertible to the antitrust case.

There are already attempts to "reverse engineer" the Windows API's and the one that has come furthest is an open-source project called "Wine" (<http://www.winehq.com>) but that project has still a lot to go. The government could make sure the Windows API's are kept open for some time in cooperation with this project as this project is open-source and therefore accessible to everyone, either commercial vendors or individuals. The government could ensure that Microsoft publishes the API's in question and makes sure there are open implementations (i.e. Wine) that are sufficiently compatible to run most Windows applications. Another way could be to fine Microsoft a considerable amount and use the money to found a non-profit organization that would provide an open-source implementation compatible with the Windows API's and make users run Windows applications (including Microsofts own) on other platforms than Windows.

In my opinion it is very important that the US government does something about the situation because if Microsoft's progression continues as it has it could have even more damaging effects for users of information technology in the world. The impending risk is that Microsoft would extend it's monopoly from the OS software (as it has already done with Office software) to the Internet and could take control of many commercial services on the Internet and gain access to personal information on every Windows user (this is part of the upcoming .Net, Passport and Hailstorm projects from Microsoft). Users could do little other than participating as almost all other people would continue to use Windows and therefore .Net.

Regards,  
 Tryggvi Larusson,  
 tryggvi@idega.com,  
 Chief Software Architect,  
 idega Software

**MTC-00021654**

From: Jennifer Woelke  
 To: Microsoft ATR  
 Date: 1/24/02 11:24am  
 Subject: "Microsoft Settlement"

They deliberately cripple other programs.

They cost too much, for the volume that they sell—and you have to buy the books separately—so if I pay 300.00 for Win XP, I have to pay them another 30.00-60.00 to get a book to trouble shoot the system?

This is so wrong.

Don't let them get away with everything. I have no faith in government, and this post is a waste of my time, but I was urged to DO something, so here it is.

Jennifer A Woelke

**MTC-00021655**

From: Scott Bolden  
 To: Microsoft ATR  
 Date: 1/24/02 11:24am  
 Subject: Microsoft Settlement  
 TUNNEY ACT COMMENT ATTACHED I have attached my comments on the Microsoft

Settlement to this email. For your convenience, I have attached the same file in two different formats. The first format is .rtf, which is readable in most word processors. The second format is plain ASCII .txt, which should be readable in all word processors.

Thanks,

Scott Bolden

TUNNEY ACT COMMENT ATTACHED

**MTC-00021655-0001**

January 23, 2002  
 From: Scott Bolden  
 3902 5th Street N Apt. 3  
 Arlington, Virginia 22203  
 To: Judge Coleen Kollar-Kotelly  
 United States District Court for the District of Columbia  
 Antitrust Division  
 Department of Justice  
 Re: Tunney Act Comments for the Microsoft Settlement Agreement U.S. District Court, District of Columbia Civil Action No. 98-1232 (CKK)

My name is Scott Bolden and I am writing in my own capacity as a user of Microsoft Corporation's ("Microsoft") Operating System ("OS") products, as a consumer, and as a citizen. I believe the Revised Proposed Final Judgment in United States v. Microsoft Corp. ("the agreement") should be rejected because it is fundamentally flawed and usurps the remedies it was intended to provide. First, the agreement contains several vague provisions that are open to interpretation and will likely be exploited by Microsoft. Particularly troubling is the fact that the provisions are so broad that they allow Microsoft to define and control the terms of the agreement. Second, Microsoft has a proven history of violating the antitrust laws and a prior agreement with the Justice Department. Finally, the agreement takes few steps to restore competition and may significantly hinder true competition in the operating system market. The proposed agreement does not punish Microsoft, does not restore competition, and harms consumers. Accordingly, I urge the court to reject the agreement in its entirety.

**I. The Agreement is Vague and Gives Too Much Power to Microsoft**

The agreement is lacking in several critical aspects. Although a thorough analysis of this agreement is beyond the scope of this comment, I have highlighted a few areas of general and one area of specific concern.

The first area of general concern is the agreement's provisions that include the clause: "...for the sole purpose of interoperating with a Windows Operating System Product..." This clause is extraordinarily restrictive, especially considering that Microsoft has violated the Sherman Antitrust Act in the OS-market for x86-architecture computers. In essence, Microsoft will be "forced" to divulge key information (such as APIs) to the designers of application programs that use Microsoft's OSes. Microsoft already provides much of this information to application designers in an effort to encourage the creation of a wide variety of applications for its OSes. The restrictive clause merely sanctions conduct beneficial to and already performed by Microsoft, and does not aid competitors and

consumers. Therefore, this clause should be removed.

Another troubling clause that is often employed is: "...specified in the Windows documentation...particular types of functionality .... "See III.C.1; III.H.1. As opposed to the previously discussed clause, this open-ended clause is virtually meaningless. Allowing Microsoft to restrict the agreement's remedies based on its own documentation gives Microsoft the power to control the terms of the agreement.

Although I do not disagree with the general provisions regarding the Technical Committee, see IV, I do disagree with the provisions that eschew public disclosure in favor of nondisclosure. The agreement is drafted to avoid all public disclosure throughout each stage of enforcement. This is an unconscionable result, and effectively allows a company who acted against the public interest to shield any future misconduct from the public. At the very least, the reports of the Technical Committee should be available to the public for review.

The time periods listed in the agreement are a final area of general concern. The five-year length of the agreement is wholly inadequate to remedy Microsoft's anticompetitive behavior. See V.A. In addition, the "one-time extension of [the agreement] of up to two years" is laughable. V.B. Microsoft does not even have to release any APIs before 12 months from the entry of this agreement, see III.C. 1, so this agreement is effectively a four-year agreement. The effective length of the agreement is curtailed further by the generous (and undefined) provision that gives Microsoft a "reasonable opportunity" to fix any violations of the agreement, before submitting to a lengthy closed arbitration process for continued violations. IV.A.4. A more appropriate remedy would be to enlarge the length of this agreement to seven years, and remove the limitation on the number of extensions available in the future "when the Court [finds] that Microsoft has engaged in a pattern of willful and systematic violations." V.B.

The area of specific concern is section III.J.2 of the agreement. This section allows Microsoft to condition the release of information to a licensee that, inter alia: (b) has a reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product, (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business... Id. (emphasis added)

Again, this section allows Microsoft to control the terms of the agreement. By allowing Microsoft to define the phrases "reasonable business need" and "meets reasonable, objective standards," this agreement forecloses competition in the OS market by denying information to Microsoft's only potential competitor: the open-software community.

## II. Microsoft Has a History of Anticompetitive Behavior

Microsoft has an anticompetitive history, and its past conduct evidences a disregard for the law. The Government first filed suit against Microsoft for antitrust violations in

1994, obtained a consent decree against the company in 1995, and filed suit against Microsoft for violations of the consent decree in 1998. Microsoft's misconduct during the trial court phase is legendary (but was overshadowed by the conduct of Judge Jackson). In addition, representatives of the company have often demonstrated an attitude that borders on contempt for the law and the judicial system. This past conduct is not cause alone for punishing Microsoft, but it compels caution and strict oversight in enforcing antitrust remedies.

### III. The Agreement Harms Competition

Finally, and most importantly, the flaws of the agreement and Microsoft's actions in and out of court mandate the view that this agreement will harm competition. Many of the agreement's provisions give Microsoft too much control, permitting the company to avoid disclosure, act anticompetitively, and harm competitors and consumers. The Court of Appeals warned against this result when it stated: "[I]t would be inimical to the purpose of the Sherman Act to allow monopolists free reign to squash nascent, albeit unproven, competitors at will particularly in industries marked by rapid technological advance and frequent paradigm shifts." Unfortunately, the proposed agreement permits Microsoft, a proven monopolist, to continue its anticompetitive behavior against third-party OSEs and middleware. Accordingly, I urge the Court to reject this agreement in its entirety.

Sincerely,  
Scott Bolden

### MTC-00021656

From: amarathonman@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:20am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lan Nowotny  
2639 Westwood Dr. NW  
cedar rapids, IA 52405-2142

### MTC-00021657

From: Boopster2626@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:23am  
Subject: Fwd: Attorney General John Ashcroft Letter

Dear Mr. Ashcroft,

Please get on with this suit and let it be settled now. I feel that it is in the best interest to focus on other matters, that are more important than this issue, like the ENRON PROBLEM, which has effected all middleclass workers, who were going to retire on that now are worthless and bankrupt now. I feel that Microsoft has done everything to work with the Justice Department and the US Government.

Sincerely,  
Janice Schiavo

### MTC-00021658

From: Gary Heller  
To: Microsoft ATR  
Date: 1/24/02 11:23am  
Subject: Microsoft Settlement

Dear Sirs;

In the anti-trust settlement between the DOJ and Microsoft I feel the responsibility to be heard.

I am not a supporter of the proposed settlement. I have been in the IT / Computing, and particularly Computer Software industries for all my professional life, some 30 years, and I'm appalled with what Microsoft has done to our industry and is allowed to continue to do. They have hurt our economy immensely by being allowed to indiscriminately and unfetteredly enforce their predatory and monopolistic practises. They have inflicted grave damage to the American Industry and citizens.

Innovation has been crushed—the innovators can never make any money from their contributions. Because of the monopoly Microsoft holds no other product has a chance in the marketplace and all those working in the competing industry disappear as a tax base for the American government.

Microsoft continues to give away software until they gain a monopolistic beach-head and then gouge for their software. Their practices have destroyed superior products, or so severely eliminated their revenue streams so that they can no longer afford to maintain a competitive product in the marketplace. Netscape, Lotus, RealAudio, WordPerfect and others are prime examples of fantastic products that Microsoft alone destroyed by being allowed to freely enforce monopolistic practises.

Microsoft should be held accountable. But more importantly, they should be stopped from continuing their practises. They continue to display a total disregard for the laws of our great nation and any code of ethics. They have stolen or bought most of their products and actually innovated nothing unless its the method of getting away scott-free with anti-trust activities.

The Open Source movement is the last bastion against Microsoft. The world over programmers are working \*FOR FREE\* because a) there's no chance of selling a product that doesn't come from Microsoft and b) because that's the only way to get a product that is any good in many areas. Microsoft has a stranglehold on computing in general, and software development in particular because no one can ever get a return from their software development investment in this environment.

Please don't let this thievery and suppression of proud American engineers, users and industry continue unrestrained.

Thank you,  
Gary Heller.  
The box said "Requires Windows NT 4.0 or better", so I installed LINUX  
Gary Heller  
407-667-3793  
Gary.Heller@ImageSoft.Fiserv.com

**MTC-00021659**

From: Wilfred W.  
Clarkson@HUD.GOV@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:25am  
Subject: Microsoft Settlement  
DOJ

I have to say that the resolution you proposed is far from adequate. It seems you missed the Appeals Court finding. Microsoft is still doing harm to competitors and needs to be controlled. Please re-examine your proposed settlement. It is insufficient and we will all be back at this again if you don't lasso Microsoft while you have the court findings to back up a much stronger settlement. Every day, I find the Microsoft OS to be inadequate and yet only Linux at this time has any hope of competing with Microsoft. And that is because its free. Any bonafide competitor has no chance against a monopoly that keeps its monopoly by anti-competitive behavior.

cheers,  
Willy Clarkson  
email: willyclarkson@earthlink.net

**MTC-00021660**

From: pegmg@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:22am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Peggy Griffin  
6725 W. Canal Pointe Lane  
Fort Wayne, IN 46804-4771

**MTC-00021661**

From: Leonardo Alcantara  
To: Microsoft ATR  
Date: 1/24/02 11:25am  
Subject: Microsoft Settlement

It would be a shame for justice worldwide. For god sake, DO something to punish MS now!

Leonardo Alcantara

**MTC-00021662**

From: klessig@webound.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:21am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Donna Klessig  
HC2 Box 95  
Gainesville, MO 65655-9209

**MTC-00021663**

From: Larrywatsn@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:25am  
Subject: Microsoft Settlement

Gentlemen:  
In my opinion, the settlement between Microsoft and DOJ is fair and should be concluded immediately. Any extension of this settlement only serves to waste Government monies, and does not serve the best interest of either taxpayers or users of Microsoft products.

Sincerely,  
Lawrence J. Watson  
109 Melrose Court  
Ponte Vedra Beach, FL 32082  
larrywatsn@aol.com

**MTC-00021664**

From: boltzs@alfalfa.ifea.rl.af.mil@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:21am  
Subject: Microsoft Settlement

Dear Sir/Madam,  
This letter presents my response to the revised proposed Final Judgement to resolve the United States' civil antitrust case against Microsoft, which is currently up for public review. I am a citizen of the United States, and a resident of rome, ny.

I. Critique of Proposed Final Judgement  
The proposed Final Judgement that the US and Microsoft agreed to on November 6th appears to have the best intentions, and addresses many of the major issues raised by the case. Unfortunately, I feel that it falls short of being an effective remedy.

I agree with many of the points in the following critique of the proposed final judgement, and it is more complete than my own statement will be.

Please review the statement on the antitrustinstitute.org website at:

<http://www.antitrustinstitute.org/recent/149.cfm>

There is much to consider in that document, the points in the proposed final remedy that I consider most important to review are that:

1) it makes no attempt to address "ill-gotten gains" garnered by microsoft through its anticompetitive practices. This is a serious shortcoming because the company's illegal tactics have placed it in a very advantageous position in the industry. In order to make anticompetitive behavior unprofitable, there must be substantive punishment that reduces those gains.

2) the anti-retaliatory clause is insufficient. Section 3.A.1 specifies that Microsoft shall not retaliate against and OEM for "developing, distributing, promoting, using, selling, or licensing any software that competes with Microsoft Platform Software or any product or service that distributes or promotes any Non-Microsoft Middleware;"

Section 6.L defines Microsoft Platform Software as "(i) a Windows Operating System Product and/or (ii) a Microsoft Middleware Product."

As I read this clause, it still allows retaliation against OEM's for developing, distributing, promoting, using, selling, or licensing, software that competes with other Non-Platform Microsoft Products, such as Office, .Net, and other applications. This opens an important window for Microsoft to continue its anticompetitive practices.

3) the api disclosure provision in section 3.D is impossible to enforce.

The only way to ensure that microsoft isn't hiding undocumented API's is to audit the source code. No body with sufficient manpower has been appointed to do this. A more appropriate solution would be to require disclosure to API's AND source to ISVs, IHVs, IAPs, ICPs, and OEMs. They could then audit suspect code themselves, and present an informed complaint to the Technical Committee, which could verify and investigate.

4) The only punitive measure specified to discourage Microsoft from non-compliance is a 2 year extension of the terms of the judgement. If Microsoft is not complying with the judgement anyway, this is an extraordinarily ineffective punishment.

II. Support for Plaintiff Litigating States' Remedial Proposals  
(December 7, 2001)

The proposal filed by the state on December 7th, 2001 is a much more complete remedy. The proposal is available on the web at:

[http://www.naag.org/features/microsoft/ms-remedy\\_filing.pdf](http://www.naag.org/features/microsoft/ms-remedy_filing.pdf)

1) It addresses the Microsoft's ill-gotten gains in section H by Open Sourcing the code to Internet Explorer. The Court's Findings of Fact, issued on 11/5/99, state that Microsoft successfully used its monopoly power to increase the market share of Internet Explorer. These findings of fact can be found on the US Department of Justice webpage at: <http://www.usdoj.gov/atr/cases/f3800/msjudex.htm#vh> By Open Sourcing the code to Internet Explorer, Microsoft is deprived of the gains associated with their anti-competitive behavior.

Additionally, consumers and the entire computing industry benefit by augmenting the publically available software infrastructure of the internet.

2) Section E offers a stronger anti-retaliatory clause which covers all microsoft products, and not just Platform Products.

3) Section C offers an API Disclosure provision that is enforceable. ISV's, OEM's, etc are provided access to source as well as API documentation.

This will allow them to inspect suspicious code and present well informed complaints to the Technical Committee.

4) Section O offers excellent punitive measures in the event that Microsoft does not comply with the judgement. Additionally, section L of this document provides excellent protection against Microsoft co-opting and breaking standards compatibility, as the findings of fact show it did with the JAVA standard. This topic is not addressed in the Proposed Final Judgement.

### III. General suggestions

Unbundling microsoft middleware/products/services is a superior solution than requiring alternatives be bundled as well. The latter has the effect of favoring a small number of well established middleware/products/services by creating large barriers of entry to new middleware/products/services that are not included in the OS distribution.

Mandating that Microsoft offer licenses to third-party companies to port its applications to alternative Operating Systems is a superior solution than requiring that Microsoft maintain ports of particular products to particular OS's. Determining whether a port of a given application to a given platform can be profitable is difficult and should be decided by the market. Microsoft should not be allowed to lock-out existing markets by not porting applications and not allowing others to do so. However, is it not feasible to expect Microsoft to port every application to every platform. There is not always a demand.

There should be a reward in the event that microsoft makes every effort in good faith to comply with the judgement. Perhaps make the judgement applicable for 10 years, with an option to terminate the measures in 5 if microsoft makes efforts in good faith to comply.

### IV. Relevant Links

1) The Proposed Final Judgement (11/6/2001)

<http://www.usdoj.gov/atr/cases/f9400/9495.htm>

2) The commentary on the Proposed Final Judgement at antitrustinstitute.org

<http://www.antitrustinstitute.org/recent/149.cfm>

3) Plaintiff Litigating States' Remedial Proposals (12/7/2001)

[http://www.naag.org/features/microsoft/ms-remedy\\_filing.pdf](http://www.naag.org/features/microsoft/ms-remedy_filing.pdf)

### V. Closing

Thank you for your time and consideration. I hope an appropriate set of remedial measures can be decided upon soon.

Scott Boltz

**MTC-00021665**

From: Wayne Dernoncourt

To: Microsoft ATR

Date: 1/24/02 11:24am

Subject: the proposed settlement isn't just

I don't feel adequate to express myself, but I will try. There are smarter people than I, hopefully they are also writing on this issue.

Microsoft has been found guilty of illegally using a monopolistic position to further its market in other areas. They have done the same thing in the past, if allowed they will do the same thing in the future.

The settlement only seems to allow for profit companies to seek a license (going from memory here) to use protocols that MS has modified. Protocols that were originally developed as public protocols thus making the internet possible. MS has made slight modifications to the protocol and called the result proprietary extensions. Legal, yes, just, no.

Specifically, the SMB protocol that MS uses for file transfers(?). This has been reverse engineered to allow non-Microsoft systems to inter-operate with Microsoft based systems. The reverse engineering was done as non-profit by individuals with a need to inter-operate with Microsoft systems. My reading of the proposed settlement would allow Microsoft to declare the use of such free tools to be illegal. As a consumer, I need to be able to work among different systems, but since I don't operate a company that markets such a product, I would be prohibited from using free software that does. Also, Microsoft would have the ability to prohibit companies to essentially stop marketing a product by denying them the ability to use Application Program Interfaces (API's). Again, would it be legal? Yes, would it be just? No.

Take care

Wayne D.

**MTC-00021666**

From: Joshua D. Sholes

To: Microsoft ATR

Date: 1/24/02 11:26am

Subject: Microsoft Settlement

I am writing to express my disagreement with the proposed Microsoft anti-trust settlement. After reviewing the proposal, it is my belief that it is insufficient to curtail Microsoft's unethical business practices which are hurting the computer industry.

One particular change I recommend is that Microsoft be required to publicly release on the Internet full documentation for all of its API's and file formats, such as those used by Microsoft Office. This would allow competitors to create software that is compatible with Microsoft's.

Sincerely,

Joshua D. Sholes

**MTC-00021667**

From: dawnhhill@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:22am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Dawn Hill

6246 Guadalupe Ave.

Las Vegas, NV 89108-3353

**MTC-00021668**

From: Blair Jennings

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/24/02 11:25am

Subject: Microsoft Settlement

The Microsoft settlement should be closed this has gone on long enough Netscape is a poor product which would have died in the market anyway. (I am a Software Engineer who specializes in Internet applications). My biggest problem is the support I have to give to a product which is buggy, unstable and highly behind the times i.e.. Netscape Navigator. The company which needs to be talked to about Netscape is AOL and its handling of the browser after the acquisition of Netscape. Please settle this lawsuit so that the world can get onto more important things. Like finding Osama bin Laden.

Blair Jennings

Software Engineer

Lion bioscience, Inc.

(858)410-6582

blair.jennings@lionbioscience.com

<<Blair Jennings.vcf>>

**MTC-00021669**

From: macrae\_meadow@

hotmail.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:22am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Cynthia Dungan

3803 Chablis Cv  
Memphis, TN 38115

**MTC-00021670**

From: jvanhouten@msi-  
insurance.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:25am

Subject: Microsoft Settlement

The need to consider the state of the US economy must be an important consideration in any decision regarding govt vs business litigation. This lawsuit against Microsoft creates great uncertainty —made worse by others—tobacco, asbestos, the 9–11 deaths, Enron, Etc. There is a growing, and general feeling that no firm's financial situation can be counted upon or understood in what to most of us non-lawyers or non-regulators appears to be an out-of-control litigation feast. I suggest that a high priority be to settle this matter as quickly as possible on mutually acceptable terms rather than continuing litigation.

James F. Van Houten  
President  
Mutual Service Cooperative, MSI Insurance  
Cos  
Tele: 651-631-7004

**MTC-00021671**

From: jim jordan

To: Microsoft ATR

Date: 1/24/02 11:25am

Subject: Microsoft Settlement

Hello;  
I would just like to say that microsoft should be made to include java in its operating system as this is a direct attempt to squash all competing systems.

**MTC-00021672**

From: jason.c.miller@home.com@inetgw

To: Microsoft ATR

Date: 1/24/02 12:29pm

Subject: Microsoft settlement

I reject the Microsoft Settlement. I don't believe I said that in my previous e-mail. :)  
"Love is not Turing Computable"

Jason C. Miller  
<http://members.home.com/jason.c.miller>  
Raytheon Imagery and Geospatial Systems  
(IGS)

NASA Goddard Space Flight Center  
jason.c.miller@home.com [home]  
jmiller@eoc.ecs.nasa.gov [work]

**MTC-00021673**

From: hartzell@methow.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:23am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ward Hartzell  
87 Mountain Vista Lane  
Twisp, WA 98856

**MTC-00021674**

From: ELewerenz@ocalafl.org@inetgw

To: Microsoft ATR

Date: 1/24/02 11:23am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eric Lewerenz  
pob 1270  
ocala, FL 34478

**MTC-00021675**

From: Al Smith

To: Microsoft ATR

Date: 1/24/02 11:26am

Subject: microsoft settlement

In my humble opinion the witch hunt of Microsoft has gone on far too long. Let the marketplace take care of them. The rapid move to Linux shows that MS does not in fact hinder other companies efforts. We have one PC using Windows and another using Mandrake Linux. Linux is somewhat harder to grasp than Windows. Let's allow the free market to work. Many people are using Windows because Linux is harder to install and use.

Sincerely,  
Alvin C. Smith  
Easley S.C.

**MTC-00021676**

From: Audrey Swearngen

To: Microsoft ATR

Date: 1/24/02 11:25am

Subject: Welfare for Netscape?

Dear Sir:

Why your company should be penalized for being successful is a distortion of our American dream. You have done nothing wrong except failing to give huge sums of money to the Democratic Party, as Netscape and other of their ilk did.

This entire matter should be halted now, and abject apologies paid to all the Microsoft crew who have had to endure this insult to their abilities to make a better "mousetrap".

Audrey Swearngen

**MTC-00021677**

From: Christian Russell

To: Microsoft ATR

Date: 1/24/02 11:27am

Subject: Microsoft Settlement

I am appalled that our Justice department has seen fit to cower to the interests of a "fat cat" like Bill Gates. Microsoft has clearly demonstrated in the past its desire to snuff out competition. Numerous leaked internal memos diagram perfectly the insidious nature of the Microsoft war machine and its unparalleled desire to crush opposition. Hopefully this settlement will die and we can re-examine all the facts of the case. The Federal government should take a hint from the state-level civil lawsuits currently being waged.

Christian Russell

**MTC-00021678**

From: dvastlik@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:24am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Sincerely,  
DONALD VASTLIK  
16 CR 173  
CORINTH, MS 38834-1373

**MTC-00021679**

From: Curtis Bowman

To: Microsoft ATR

Date: 1/24/02 11:26am

Subject: Microsoft Settlement

I am disappointed by the Department of Justice's cave-in on the ruling of Microsoft's Anti-trust case. Once again, the government panders to big business at the expense of the ordinary citizen and a free-market economy. A product should fail or succede on the overall value not by the marketing and strongarm tactics of the company pushing the product.

Microsoft's paractices as taught to me by our school system are in the same vein of anti-competitor and monopoly as the Vanderbilts and the IBM of old. Once again the case of do as we say and not as we do



is enforced by the system. The case of money makes right is spoken to the new generations of American children by your ruling. Thank you for making me disbelieve the American Justice even more than before.

Curtis Bowman

**MTC-00021680**

From: toby@smartz.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:24am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Toby Cundell

1162 NE Ulysses

Bend, OR 97701

**MTC-00021681**

From: Richard C. Anderson

To: Microsoft ATR

Date: 1/24/02 11:28am

Subject: Microsoft Settlement

I DO NOT AGREE here again, Microsoft get's off with changes in definitions of already known words and concepts and all changes are in their favor This company needs to be stopped

eComStation V1, Netscape 4.61

Yahoo Messenger

richard\_iesco\_dms

**MTC-00021682**

From: sscheibert@indy.rr.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:27am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Shelly Scheibert

11361 Royal Ct.

Carmel, IN 46032

**MTC-00021683**

From: Luke deGruchy

To: Microsoft ATR

Date: 1/24/02 11:28am

Subject: Microsoft Settlement

To whom it may concern,

I am writing to express my complete disapproval of and total disillusionment with the Microsoft/United States Department of Justice (DOJ) Settlement. Furthermore, I implore you to recommend that this settlement be soundly overturned.

In my opinion, this settlement does not address the most flagrant aspects of Microsoft's previous anti-competitive behaviour. Furthermore, it does little, if anything, to prevent future antitrust violations. I cannot determine if the DOJ agreed to this settlement due to collusion with Microsoft or sheer incompetence. However, there are a number of blatant oversights in this settlement. The most glaring of these oversights is the specification of Microsoft's competitors as being exclusively for-profit enterprises. This definition completely ignores Microsoft's single biggest competitor and threat: the OpenSource and Free Software communities. These two communities, respectively, are completely non-profit entities and comprise of volunteer programmers writing code in their spare time. They have produced, among many other excellent free and Open Source software, the Linux and FreeBSD operating systems, which their users are free to distribute, modify and copy to whatever extent they choose, in stark contrast with Microsoft's closed source and expensive operating system: Windows. Microsoft will not be required to adjust its behaviour with respect to these communities in this settlement. Therefore, consumers' greatest hope of seeing competition, and thus lower prices and better software, in the software and operating systems markets is not being helped in any way, shape or form by this settlement.

Microsoft was found guilty of illegally integrating its Internet Explorer browser with its Windows operating system in a vain and ultimately successful attempt to defeat the rival Netscape Communicator browser. This settlement does next to nothing to punish this anti-competitive behaviour, nor does it seek to prevent similar behaviour in the future or to restore competition in the browser market. Consumers will suffer greatly because of this.

Microsoft is guilty of entering into exclusive arrangements with computer original equipment manufacturers (OEM's), the sellers of personal computer (PC) systems, to not only distribute Windows to the exclusion of all other operating systems, but to FORCE computer consumers to buy Windows with each new system. There is no option for consumers to buy a "naked" PC,

that is, a PC without an operating system installed, unless they do business with one of the smaller, independent, less known computer retailers. This agreement has the same effect as a mandatory tax on PC consumers, because if a user wanted to install another operating system, such as Linux, that consumer would have to pay for the Windows license in addition to the cost of the alternative operating system, whether or not that user chose to use it.

Furthermore, upon the purchase of the system, the user is not allowed to sell his or her copy of Windows if he or she chooses not to install it. There is very little in this settlement that addresses this inequitable, semi-regulatory system by a non-governmental entity. Microsoft has illegally leveraged its operating system monopoly to force competitors out of business, many of whom were making better products than Microsoft. For example, when Microsoft introduced its Office productivity suite, it charged a mere \$40 for the entire package, using the profits from its Windows and DOS monopolies to cross-subsidize the scheme, an option not available to its competitors. Its competitors had no other sources of revenue but from their primary products (productivity applications), so Microsoft had an unfair advantage in leveraging its Windows monopoly to put its competitors out of business.

This is exactly the kind of behaviour that antitrust laws are designed to prevent.

Microsoft chairman Bill Gates was found to have perjured himself on the stand, denying the existence of an email that the DOJ had later reproduced in court. Why has he not been personally punished for this crime?

Where are the provisions preventing Microsoft from future behaviours not covered by the settlement, such as Microsoft's exclusion of Java software in its latest operating system, Windows XP? This is despite the fact that a large percentage of web sites run Java applets on their sites. Nothing in this settlement will prevent Microsoft from continuing this practice, which clearly goes against consumers' wishes. In conclusion, I urge you strongly to push for a complete rejection of this highly flawed and totally ineffective settlement. Thank you for your attention in this matter.

Luke deGruchy

Java Developer

Distributel

740, Notre-Dame Ouest, Suite 1135

Montreal, Quebec, CANADA H3C 3X6

tel: (514) 877-0054

fax: (514) 877-5549

ldegruchy@distributel.net

CC: pdeg@abacom.com@inetgw

**MTC-00021684**

From: Stewart Walker

To: Microsoft ATR

Date: 1/24/02 11:28am

Subject: Microsoft Settlement

I don't think the proposed settlement has enough teeth to do any good. Microsoft has a clear history of circumventing, undermining and lying. It needs to face a significant penalty and damages if more law-abiding companies are to be able to have a fair chance of competing against them. The

cost of Microsoft abuses to other Americans who are law-abiding is very high. The proposed settlement is a cave-in by the DOJ which smacks of political or other interference.

**MTC-00021685**

From: umi@intnet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Linda Batdorf  
1940 Rainbow Dr  
Clearwater, FL 33765

**MTC-00021686**

From: jamesrk709@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:25am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James R. Kendig  
560 S. Fairmount Rd  
Ephrata, PA 17522-8533

**MTC-00021687**

From: peochsner@netzero.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:25am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001 Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Paul Ochsner  
1015 Raffon Court S.E.  
Salem, OR 97301

**MTC-00021688**

From: Rev. Randell E. Tonn  
To: Microsoft ATR, Activist@conservativehq.com@inetgw  
Date: 1/24/02 11:28am  
Subject: Microsoft Settlement

To those concerned:

In total departure from the rabid comments being furthered by the "conservative" Sixty Second Activist, I write to ENCOURAGE the Department of Justice to aggressively pursue its legal actions against the predatory, monopolistic corporation known as Microsoft which has repeatedly and consistently used its monopolistic situation to produce upgrades which often function less productively and efficiently than their predecessors while charging unconscionably, ridiculously and ludicrously high prices for this "bloatware" while computer hardware manufacturers find it necessary to produce ever faster and larger equipment (without significant improvement in through-put) It is high time that the full faith and authority of the federal government and the state governments (in which the predatory and monopolistic Microsoft does business) be brought to bear upon the best interests of the consumer.

The strident voice of the Sixty Second Activist to the contrary notwithstanding, the Microsoft suit is not a waste of taxpayers' tax dollars, it is a fundamental purpose for which government exists—the protection of its citizens from those who would use monopolistic and quasi terroristic threats (ala the most recent release of the XP Windows) in which a corporation seeks to infiltrate and exercise its control over the citizen's computer.

It is my fervent plea, prayer and hope that the Department of Justice will find the moral courage to pursue the high ground of idealism by repudiating the strident Sixty Second Activist and actively pursuing the break-up of Microsoft in the interest of pursuing its primary function, i.e., the protection of its citizens.

Thank you.  
Sincerely,  
Rev. Randell E. Tonn

Zapata, Texas  
956.765.6197  
randyton@Netscorp.Net

**MTC-00021689**

From: Blatchley, Brett  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 11:29am  
Subject: Microsoft Settlement  
Dear Sirs;

I did not realize until this morning that I could submit comments related to the Microsoft Settlement, but I've been fuming about this case since it began.

As a 20+ year computer professional, I've been in this business as long as Bill Gates, and I am ever amazed at the degree of audacity, arrogance, and underhanded behavior displayed by Microsoft.

Microsoft is a convicted abuser of the American version of the Free Enterprise System. Moreover, and more to my point: they have not repented— if anything, they continue the very behavior that there conviction is supposed to put an end to. For example, they are up to their old ways with their .Net initiative, their Windows [instant] Messenger, and they are trying to crush Palm inc. in a manner similar to Netscape. They continue to bully their customers with questionable end-user-license-agreements (ELUAs), and now they are infringing in individuals free-use rights with their XP product-activation policies.

Letting Microsoft off the hook will only encourage more of this kind of behavior. And for Microsoft, delay is victory because once they take-over an area there is no undoing the damage; they will readily pay a fine later if it means capturing a market now.

Generally I'm for less government in the affairs of people, but Microsoft as a major problem and they need to be punished appropriately (read: harshly).

Thanks for your time, consideration, and opportunity to speak-out.

Brett Blatchley, MCSD  
Technical Architect  
Stratapult  
2650 Pilgrim Court  
Winston-Salem, NC 27106  
Ph (336) 631-2825  
Brett.Blatchley@stratapult.com  
www.stratapult.com <http://www.stratapult.com/>

**MTC-00021690**

From: Mark Nahabedian  
To: Microsoft ATR  
Date: 1/24/02 11:29am  
Subject: Microsoft Settlement

To Whom it May Concern:

I am writing concerning the proposed settlement in the Microsoft antitrust case.

I have been working professionally as a software developer since 1983 and, I feel, am well qualified to distinguish between operating system and application software capabilities. At no time during my working career have I been employed by any of the numerous companies which have fallen victim to Microsoft's anti-competitive practices. I have no reasons to bear Microsoft any enmity other than for the consistent substandard quality of their products or their heavy-handed anti-free-market business

practices. Such practices harm us all, not just those in direct competition with Microsoft.

In 1994 Microsoft resolved earlier antitrust allegations by signing a consent decree. It's clear from the court's findings in the antitrust case which Microsoft is now battling that they have not moderated their monopolistic behavior since 1994. It is also clear from the manner of their recent entry into the online messaging market that the current case has also not encouraged them to alter their behavior. The only possible remedy that will prevent such egregious behavior in the future is to break up the company, thus denying them the means to engage in future monopolistic practices.

Microsoft should be divided into three separate companies, one for the operating system, one for applications, and one for network services. I'll refer to these entities as OS (Operating Systems), AS (Applications Software) and NS (Network Services) respectively. These companies must operate according to the following rules: No person can serve in a management position or as a director of more than one such entity at a time. No technical consultant shall be employed by more than one company at a time.

There can be no communication among these entities concerning technical issues surrounding their products unless such communication is made publicly and is available to all companies involved with similar development efforts. For example:

OS can not add any functionality that is already available from another software vendor except by broad industry consensus. If such functionality is already provided by another vendor to run under an OS provided operating system, such functionality should be considered to be application software. Applications software may be developed by AS but not OS.

If AS requires a new feature from OS, it must request it publicly. When OS alters or extends the behavior of the operating system, it must document the changes publicly.

Any protocol which OS or AS software employs to communicate with NS services must be publicly documented at least six months prior to the public distribution of such software by OS or AS.

In addition to the above outlined breakup, Microsoft should pay all fines which have accrued as a result of violation of the previous consent decree.

If the Justice Department lets Microsoft off the hook with anything short of these terms, it is violating its public trust. Any DoJ associates responsible for such compromise are not fit to serve in a government agency.

Do the right thing.  
Mark Nahabedian  
66 Prospect Street  
Cambridge MA 02139-2503

#### MTC-00021691

From: optimal  
To: Microsoft ATR  
Date: 1/24/02 11:29am  
Subject: Microsoft Settlement

Dear Sirs/Madams:

I am a web developer and a share holder in both Microsoft and AOL Time Warner and I believe that "Tunney Act" is \*just, fair\* and

\*in the public interest\* and should be implemented to bring an end to this soap opera. The latest AOL action is both disturbing and frivolous. As an experienced long-time developer for both browsers, I can attest that IE won its market share on its merits.

Thank you.  
Mike Sarieh.

#### MTC-00021692

From: Bob Deneen  
To: Microsoft ATR  
Date: 1/24/02 11:30am  
Subject: Microsoft Settlement and AOL law suit

It seems to me that we have more important things to solve in this country than frivolous corporate badgering.

What laws did Microsoft violate? Fine them or quit this charade. AOL-Time Warner is a greater threat! They are creating confusion with a frivolous court case that gives "the law" its bad reputation for using legal gymnastics to solve marketplace failures.

AOL has no justified claim! I have used the Internet daily for ten years. I looked at Netscape—in no way was I deprived from accessing it. I didn't like it and therefore I don't use it. There is no other reason than that for any non-user.

Is this a free market or not? If consumers decide not to use a product must our tax dollars be used to force us to use it? All of this lawsuits will RAISE PRICES TO CONSUMERS—which AOL is already is doing!

Robert N. Deneen  
deneen@adelphia.net

#### MTC-00021693

From: Huber, Blake  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 11:31am  
Subject: Microsoft Settlement

I believe the proposed settlement is a bad idea because it is too lenient on Microsoft. I do not believe that this action will prevent further monopoly abuses by Microsoft in the marketplace.

Sincerely,  
Blake Huber  
Blake Huber  
Coremetrics  
Engineering Operations  
Ph: 512.342.2623 x2250  
Cel: 512.297.8725  
Fax: 512. 346.1395  
Email: bhuber@coremetrics.com

#### MTC-00021694

From: apark925@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:28am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Alan Park  
2193 Ridgepointe Court  
Walnut Creek, CA 94596

#### MTC-00021695

From: Julian Shapiro  
To: Microsoft ATR  
Date: 1/24/02 11:30am  
Subject: Microsoft settlement

To Whom It May Concern:

I would like to suggest a remedy for the case against Microsoft. Neither the current proposal (a lame slap on the wrist) nor huge monetary fines nor Judge Jackson's breakup scheme will actually benefit the consumer. They are all negative proposals that will hurt Microsoft's stock price but accomplish little else.

Instead I propose that Microsoft be required to provide complete documentation, as well as free technical support 24 hours a day, 365 days a year for all of their products for any licensed customer.

This will cost Microsoft a great deal but the consumer would be the direct beneficiary. Microsoft, for its part, could only reduce its burden by improving the software and the documentation, or by getting out of a particular area of software development—making room for competition. Again, the consumer would benefit.

It has been suggested to me that this proposal would hand Microsoft a monopoly in the "help desk" business. That might be true but the requirements of this proposal would be so huge that Microsoft would have to outsource the work to every "help desk" company it could find.

Thank you for taking this under consideration  
Julian Shapiro  
CC:sarah72

#### MTC-00021696

From: Walter Metcalf  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 11:30am  
Subject: Microsoft

Dear Sir:

I don't agree!

I think the proposed USDOJ "settlement" is little more than a capitulation to Microsoft. During the original trial, there were hundreds and hundreds of pages of original testimony proving beyond doubt that Microsoft has strong-armed companies—even companies as large as IBM—into doing its will. The proposed DOJ agreement almost completely ignores this mountain of evidence! Microsoft also made a deliberate attempt to raising the entry barrier into the operating system industry to achieve a monopolistic position.

Walter F. Metcalf

**MTC-00021697**

From: John B. Proffitt  
 To: Microsoft ATR  
 Date: 1/24/02 11:28am  
 Subject: Microsoft Settlement

Dear DOJ,

Thanks for undertaking a legal battle against Microsoft on behalf of the American nation. You fought a good fight, but it looks as though Microsoft will emerge essentially unscathed. Microsoft may have lost the judgement, but no effectively punitive measures are forthcoming as a result of the antitrust action. Considering the cost of the case to the taxpayer, one might fairly characterize the outcome as a Pyrrhic victory.

Note that I am in no way personally opposed to Microsoft Corporation. I use their software products daily at home and at work. Through long habituation I have come to prefer the Wintel computing environment over available competition. Yet I believe it may be time to bring Microsoft to heel.

There are negative aspects of Microsoft's business practices that you chose not to address in your brief. But more than this, there is the general condition that corporations wield too much power in this country. They abuse their customers, bamboozle their investors and thumb their nose at governments. When called to account for their actions they simply hire more lawyers and disburse more campaign contributions. Justice, apparently, is for sale in the United States. If we are to reverse this trend, there is no better place to start than with Microsoft.

Our leaders must be able to see through an incessant deluge of advertising. They must be capable of resisting the lure of short-term capital gains. If we, the people, cannot regain control of the tiller of the ship of state, if we cannot assert our will to govern with fairness and wisdom, then it will be time for a second American Revolution. The first one will have failed.

John B. Proffitt

**MTC-00021698**

From: Michael Pierce  
 To: Microsoft Settlement U.S. Department of Justice  
 Date: 1/24/02 11:27am  
 Subject: Microsoft Settlement  
 Michael Pierce  
 3806 Juliana's Way  
 Round Rock, Tx 78664  
 January 24, 2002  
 Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better

products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
 Michael R. Pierce

**MTC-00021699**

From: Jill McKenzie  
 To: Microsoft ATR  
 Date: 1/24/02 11:33am  
 Subject: Microsoft Settlement  
 To Whom It May Concern:

I would like to ask you to please approve the settlement so that our country can get on with other business.

Jill McKenzie  
 San Diego, CA

**MTC-00021700**

From: Joshua  
 To: Microsoft ATR  
 Date: 1/24/02 11:31am  
 Subject: Microsoft Settlement  
 Dear DOJ,

I must make my thoughts known regarding the proposed Microsoft settlement. It is simple, Microsoft illegally kept the makers of personal computers from controlling their own choice of computer operating systems. This behavior was and continues to be predatory and anti-competitive. American's belief in opportunity, competition, and fair play have routinely been trampled by the self sustaining tactics of this industry giant.

Therefore, any settlement or resolution should insure that Microsoft cannot continue its anti-American behavior. I believe that the current settlement does not meet this criteria and implore you to consider more appropriate measures to this end.

Sincerely,  
 Joshua Pennington  
 Fresno, CA

**MTC-00021701**

From: crelfor@sears.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:32am  
 Subject: Microsoft Settlement

I think the settlement you people in the government have come up with is a joke. Anyone, even an average computer user, can see that this will in no way deter Microsoft from continuing their monopolist practices. If you do not crack down on them now, they will feel free to continue to produce buggy, insecure bloatware at will without fear of competition. I personally agree with the holdout states that Microsoft should make a version of windows that does not contain a browser, media player or word processor and leave those choices up to the individual consumer. Many of us are smart enough to get around Microsoft's pigeonholing us on applications but it is not always easy. By

them consistently adding more and more "functionality" to their operating system, it is allowing them to little by little squeeze out other utility companies.

The new XP version comes with a built in browser, media player, scanner and digital camera, and printer drivers that are normally supplied by other companies. This is allowing MS to leverage these other companies out because they are creating the operating system these drivers are installed into. I for one think it is high time the government stepped in and really did something for the PEOPLE that it is supposed to represent instead of big business.

Thank You for your time  
 Carl Relford  
 Sears Computer Technician  
 Tucson, Arizona

**MTC-00021702**

From: mdvjoejbates@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Joe Bates  
 4041 S Dells  
 Harvey, LA 70058-2107

**MTC-00021704**

From: Edsullivan@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Edwin Sullivant  
PO Box 1576 La Pine, OR 97739-1576

**MTC-00021705**

From: leytning—2k@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:30am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Cone  
P.O. Box #421  
Denton, TX 76202

**MTC-00021706**

From: RWK2817@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:30am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Kelley  
2817 Kelling Street  
Davenport, IA 52804-1551

**MTC-00021707**

From: RWK2817@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:30am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Sincerely,  
Robert Kelley  
2817 Kelling Street  
Davenport, IA 52804-1551

**MTC-00021708**

From: Bill Randall  
To: Microsoft ATR  
Date: 1/24/02 11:10am  
Subject: Microsoft Settlement

To whom it may concern,

I'd like to express my outrage at the offer laid upon the table by Microsoft. Once again a Microsoft is playing a shell game. "Now you see us, now we own you."

The idea that a corporation could design its own punishment is laughable. Especially considering this so called punishment actually will benefit Microsoft. If this is really going to be a punitive decision, Microsoft should put up the money for purchases and buy equipment and software that they have no financial relationship with. Now that would actually be punishment.

With the settlement previously reached by the DOJ regarding Microsoft's monopoly and anti-competitive tactics, I would, however, believe that true justice will not be achieved and Microsoft will, yet again, benefit from their so called punishment.

Sincerely,  
William T. Randall, Jr.

**MTC-00021709**

From: Bill Bamert  
To: Microsoft ATR  
Date: 1/24/02 11:26am  
Subject: Microsoft Settlement

To Whom It May concern,

I am opposed to the current settlement that is being pursued in the Microsoft Antitrust Case. Another concern I have is the sudden change in my governments stance on this case. Why is Microsoft now being let off with less then a slap on the wrist?

The current settlement is not sufficient to compensate for what has been done or to keep it from happening again. I am a Networking Specialist and I work with a multiple operating systems including those offered by Microsoft. I have been in the field for over 15 years now and have watched and am watching a number of good software products get obliterated by Microsoft. I have also watched as the price tag on Microsoft products goes up and up. If something is not

done to correct Microsoft's business practices, there soon will be only one vendor option at an exorbitant prices.

The reason I work on multiple vendor platforms and software packages is that the products from different vendors have different strengths and weaknesses. I like having this choice and variety. It pushes the vendors to make the best product possible and come up with new ideas. I also like that the competition between vendors keeps the price down.

**MTC-00021710**

From: jedwards@golden  
exploration.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
John Edwards  
265 Monroe Street  
Denver, CO 80206

**MTC-00021711**

From: Jamie Starkel  
To: Microsoft ATR  
Date: 1/24/02 11:35am  
Subject: Microsoft Settlement  
I think that the Microsoft Settlement is a bad idea and do not support it.  
Jamie Starkel  
Network Administrator  
KTU+A Landscape Architecture  
jamie@ktua.com

**MTC-00021712**

From: Fleming, Grant  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 11:27am  
Subject: microsoft settlement

I must say, I have been tremendously disappointed by the Microsoft anti-trust settlement. I don't pretend to admit that I have the legal knowledge to propose what should be done in this case, but I think any professional in the IT industry that is not directly affiliated with Microsoft (or in their pockets) knows that the giant in Redmond is as much of a monopoly as the world has today. It devours other companies, crushes competition, envelops the industry, represses innovation and is putting us in the position where we all have to neatly line up and use

their mediocre products or be "left in the dark". They have ingrained themselves in so many aspects of the industry that these days you would be hard pressed not to have many of their products on your machine..and if you are one of those who actually manage that, you are constantly "swimming upstream" and wrestling to be able to function in the Computer Society. One company should not have that sway and domination....especially not one who is known to turn out substandard, vulnerable and unreliable products. If Microsoft had achieved their market dominance through superior software, superior support and superior service, I would hold them in high regard. I know...and I'm sure you know....this is not the case.

Thus, much like I have heard from others, I view the settlement as more of an endorsement of their practices than anything else.....and I consider it a travesty. I'm sure deciding what should be done in the case is an incredibly difficult issue and I don't pretend to have the answer. I just know what is proposed is NOT it.

Grant J. Fleming  
PC/LAN Administrator  
Wellpath Community Health Plans  
6330 Quadrangle Drive (Suite 500)  
Chapel Hill, NC 27514  
(phone) 919-493-1210 x 3756  
(pager) 877-683-3820  
(fax) 919-419-3854

**MTC-00021713**

From: Bob McLennan  
To: Microsoft ATR  
Date: 1/24/02 11:36am  
Subject: Microsoft Settlement  
You should be ashamed of yourselves.  
Sincerely,  
Bob McLennan

**MTC-00021714**

From: Troy Folger  
To: Microsoft ATR  
Date: 1/24/02 11:30am  
Subject: Microsoft Settlement

I think that the proposed settlement will have little or no effect on Microsoft's business practices, and therefore should be rejected. The most telling point is this: the only viable competition to Microsoft operating systems are FREE ones. OS/2, Netware, BeOS, and other operating systems offered for the Intel hardware platform have been crushed by Microsoft's stranglehold monopoly. Linux and other free unix variants survive only because millions of people worldwide are donating their time and talent to the projects.

In addition, Microsoft has not used their monopoly position to strengthen their products. Instead, they have added utilities and features designed to crush competition outside the operating system category (utilities, browsers, media players, etc). Meanwhile, their products suffer from security flaws so outrageous that the public would reject Microsoft products outright—except that there is no alternative.

Any settlement must address the fundamental issue: Microsoft has been found to be a monopoly, and consumers will continue to suffer, more and more, unless an effective barrier to Microsoft's monopolistic

practices is erected. The proposed settlement contains no such barrier.

Sincerely,  
Troy Folger  
Austin, TX  
Citizen and Taxpayer of the USA

**MTC-00021715**

From: failover  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 11:35am  
Subject: Microsoft Settlement  
I DON'T AGREE  
//Jesper

**MTC-00021716**

From: Tim Seltzer  
To: Microsoft ATR  
Date: 1/24/02 11:35am  
Subject: Microsoft Settlement  
To Whom It May Concern:

I would like to add my voice against the DOJ proposed Microsoft settlement. Microsoft has a history of predatory behavior and I believe the settlement is neither punitive nor preventive of future recurrences of such actions. We must protect the integrity of the competitive environment for the good of the technology sector, which is probably among the most critical there is, and for the long-term good of United States economy.

Regards,  
Tim Seltzer  
Plano, TX

**MTC-00021717**

From: Krimo Salem  
To: Microsoft ATR  
Date: 1/24/02 11:36am  
Subject: Microsoft Settlement  
Attorney General John Ashcroft  
The Department of Justice  
Washington DC 20530  
Dear Mr. Ashcroft,

Since the suit was brought up, three years ago, the market went down and it never recovered. Let say that Microsoft is like a good quarterback, and the industry is the team. The team (industry) wants to hurt its quarterback (Microsoft), and when the team succeeds in causing harm to its quarterback, it wonders why did not do so well. So this suit is like a losing game for the industry. Carrying on litigation against Microsoft causes harm to the industry. Thus the settlement reached between Microsoft and the Justice Department must be finalized so the team (industry) can get back to scoring.

The settlement might be a 15-yard penalty, but not to settle would mean forfeiting the game altogether. The settlement instructs Microsoft to make all future versions of its Windows OS to be compatible to non-Microsoft software. Moreover, Microsoft has also agreed not to retaliate against any computer makers that would want to ship software that would compete with Windows, such as products from AOL.

As fan of Microsoft and the industry, I must urge you to referee this case fairly. I recommend that you make certain that this settlement is confirmed, and the nation turns to focus on other pressing issues.

Sincerely,  
Krimo Salem  
President & CEO

**MTC-00021718**

From: FrankButash  
To: Microsoft ATR  
Date: 1/24/02 11:37am  
Subject: Microsoft Settlement  
Dear Sirs,

I think that the U.S. Government should get out of the Free Market regarding Microsoft's alleged monopolistic practices. Let the market place adjust itself without political interference from the DOJ and the Democratic Party.  
FB

**MTC-00021719**

From: lpdjgd37@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:34am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
leonard p daniels  
37 crisfield street  
yonkers, NY 10710

**MTC-00021720**

From: johnsboy@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:33am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,

David Rumbaugh  
511 McKenzie Court West  
North Augusta, SC 29841

**MTC-00021721**

From: Steve Carlson  
To: Microsoft ATR  
Date: 1/24/02 11:38am  
Subject: Opposition to Microsoft Settlement  
I am a computer user and also publisher of industry-specific software that runs on Windows. The proposed settlement would be tragic for small business persons such as me. Please, we cannot afford to have our government prop up a dictatorial monopoly that quashes all semblance of competition in the computer industry.

Steve Carlson  
Upper Access Books  
Non-fiction books and Publishers"  
Assistant software  
www.upperaccess.com and  
www.pubassist.com

**MTC-00021722**

From: Lars Fredrik Dietrichson  
To: Microsoft ATR  
Date: 1/24/02 11:35am  
Subject: Microsoft Settlement

Dear Sirs,  
My firm has been an unwilling "hostage" of Microsoft's monopoly for 7 long years, and it is our sincere conclusion that the more we pay for "buggy" software and upgrades, the less we actually get!

We will now finally make the transition to wonderful, trustworthy LINUX as opposed to Microsoft, who makes unreliable, unpredictable, and expensive "bloated" software. When complaining about numerous "bugs" and annoyances, they have the nerve to claim they are actually "wonderful features". This would not be possible, if there was some competition on the desktop, and not only on the server market. We do believe Mr. Gates & Co. have made a tremendous destructive impact on the software market, and they should be severely punished for falsifying evidence in court. (Contempt for court.)

Yours sincerely  
NAVAL Systems & Electronics A/S  
Lars Fredrik Dietrichson/LFD  
Head Master in charge/MMIC

**MTC-00021723**

From: FrankButash@email.msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Frank Butash  
229 South Quaker Lane  
West Hartford, CT 06119-1943

**MTC-00021724**

From: John Carter  
To: Microsoft ATR  
Date: 1/24/02 11:38am  
Subject: Microsoft settlement  
Once again—Don't hurt the innovative goose[Microsoft] that has laid so many extraordinarily useful golden eggs!!!  
John R.Carter

**MTC-00021725**

From: dfryk@surewest.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Dan Fryk  
302 Sundance court  
Roseville, CA 95661

**MTC-00021726**

From: Steve Burbeck  
To: Microsoft ATR  
Date: 1/24/02 11:39am  
Subject: Microsoft Settlement

First, let me be clear that my views do not represent those of my employer, IBM, in any way.

I read the proposed final judgement in its entirety the day after it was published, and yet again today. It is an artful document. I do not have the legal expertise to appreciate the many subtle uses of legal terms of art presumably put in by the DOJ to place real restrictions on Microsoft's future conduct. But, in the end, this settlement is about how the software industry works. I am enough of a software industry "expert" to see many artful ways that Microsoft has virtually neutered its usefulness in redressing past distortions or in preventing further distortions in the software industry caused by their illegal use of their monopoly

position. Here are the three I find most egregious:

1) The restrictions on who can be on the three member technical committee or its supporting staff rule out most competent participants in at least two ways. First, each must be a software design and programming expert. That is a peculiar requirement in this increasingly networked world. Expertise is also needed on networking and Web issues, yet many such experts do not necessarily qualify as software designers and programmers. Restricting all of their support staff to be software designers or programmers is too limiting. I have lived and worked with "design and programming" experts for more than twenty years (and am one myself). Few of them also understand the business, Web, and Internet subtleties that Microsoft wields so well. Second, the restrictions on employment rule out most viable candidates. Of those that meet the technical requirements, nearly all either have recently or soon will work for Microsoft or one of its competitors (note that Microsoft is a competitor of nearly every kind of software firm, not to mention ISP's, banks, travel software providers, game manufacturers, the news media, and many others). The few that have not and do not intend to work in the software industry (e.g., those who do are retired, independently wealthy, or work for military, the steel industry, university, or perhaps some other nonprofit organization) typically have very little understanding of how the software industry works. Between these two restrictions, the Technical Committee will likely not be of very high quality. Microsoft has proven to be very good at fooling those who try to restrict its ambitions. This committee is designed to be easy to fool.

2) The definition of "Microsoft middleware" and "Microsoft middleware products" is both vital to the settlement (since much of the settlement is specific to middleware), and quite peculiar, especially from the perspective of an "expert in software design and programming" such as those who will populate the TC. And Microsoft has demonstrated willingness to manipulate such definitions when they converted IE from a stand-alone product to an integral part of the operating system. Nonetheless, the TC experts must use this contorted definition instead of their own understanding. Many others have analyzed the middleware definitions and found them wanting as well. All I can say here is that when I first read the definition it was clear to me that Microsoft has won enormous flexibility to determine what is, or is not, middleware. It reminds me of the loophole Microsoft foisted on Ann Bingaman and the DOJ in the "95 settlement that turned out to virtually emasculate that settlement. That blunder did not help the DOJ's reputation. Nor will this one.

3) Even if the above issues are solved, five years is too short a period of oversight. The two year extension for bad behavior does not materially affect the issue. It will take at least ten years.

Regards,  
Steve Burbeck  
109 Dundee Court

Cary, NC 27511

**MTC-00021727**

From: aaronawizards.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Aaron Alberg  
9027 West Shorewood Drive  
Apt. 603  
Mercer Island, WA 98040

**MTC-00021728**

From: Charlotte Martin  
To: Microsoft ATR  
Date: 1/24/02 11:39am  
Subject: Microsoft Settlement

We believe this case has been settled and nothing further needs to be done. We believe the settlement to be in the public interest.

Charlotte Martin  
Donald Perry  
fluffydg@pacifier.com

**MTC-00021729**

From: GMRands@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:41am  
Subject: Microsoft Settlement

To whom it may concern, which is everyone!

My husband and I are dismayed at the amount of time and money spent to ruin a successful American company that is providing jobs, helping the economy, etc. It appears we have been pulled in to favor competitors. This is not governments job.

As other companies are developing software etc. it appears to even us as novices that they aren't going to be the dominating force in the market. Settle. Let everyone get on with business and life.

We can not help wondering if we paid as much attention to our foreign policy as we do to stopping an American business company if we wouldn't be a lot better off.

Pouring money and most of their efforts into law suits can ruin any company. And why? Let's settle and move on.

Thank you for your help in this matter.  
Gary and Marilyn Rands  
gmrands at AOL.com

**MTC-00021730**

From: Elbertsstuff@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elbert Pirtle  
247 Jones Rd  
Hampton, GA 30228-2838

**MTC-00021731**

From: mcloc@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary C. Weaver  
2501 W. 63 St.  
Mission Hills, KS 66208-1909

**MTC-00021732**

From: gayle@andersonsplace.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gayle Anderson  
1221 Zaragoza Ave.  
Colton, CA 92324

**MTC-00021733**

From: irinaen@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Irina Edirisinghe  
3905 N. Prospect Ave  
Shorewood, WI 53211

**MTC-00021734**

From: Gerald Meyer  
To: Microsoft ATR  
Date: 1/24/02 11:37am  
Subject: Microsoft Settlement

This country is in the midst of profound trauma and war—enough already with the persecution of Microsoft.

Sincerely  
Gerald Meyer

**MTC-00021735**

From: Scott Burns  
To: Microsoft ATR  
Date: 1/24/02 11:43am  
Subject: Microsoft Settlement

Dear Concerned:

I believe that the proposed settlement between Microsoft and the US DOJ DOES NOT SUFFICIENTLY PUNISH Microsoft Corporation for past illegal behavior. It also DOES NOT PROVIDE A SUFFICIENT DETERRENT to future like behavior. If approved Microsoft will know that it can continue to bury potential competitors with



monopolistic business practices with no fear of more than a slap on the wrist from those charged with protecting the American public from this sort of behavior. ...s. —

Scott Burns <scott@lentigo.net> http://www.lentigo.net  
pub 1024D/9DA64618 2001-11-17 Scott Burns <scott@lentigo.net>  
Fingerprint: 2F1B A22E 33C3 FD3D BBE4 D5E2 728B 4753 9DA6 4618

**MTC-00021736**

From: Matt—Conway@i2.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:42am  
Subject: Microsoft Settlement

I think the proposed settlement is a very bad idea.

Matthew Conway  
matt—conway@i2.com

**MTC-00021737**

From: albo1319@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:39am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Alison Bliss  
1319 Chuckawala Drive  
Cottonwood, AZ 86326

**MTC-00021738**

From: Matt Smyj  
To: Microsoft ATR  
Date: 1/24/02 11:37am  
Subject: Microsoft Settlement

To Whom It May Concern,  
The settlement is wrong. It is an insufficient reprimand and does nothing to remedy the Monopoly that Microsoft holds.

Sincerely,  
Matthew K. Smyj

**MTC-00021739**

From: Douglas, Thack  
To: “microsoft.atr(a)usdoj.gov”  
Date: 1/24/02 11:43am  
Subject: Microsoft Settlement

the compromise settlement is a bad idea. microsoft will use the ability to freely distribute their software at a price they are allowed to set to solidify and perpetuate their illegal monopoly practices. they will never be dislodged until they can be actually punished.

thackery douglas  
senior network administrator

**MTC-00021740**

From: w4js@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:42am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Sproat  
1419 E. Manasota Beach Rd.  
Englewood, FL 34223-6341

**MTC-00021741**

From: Chris Leazure— Systems Engineer  
To: Microsoft ATR  
Date: 1/24/02 11:44am  
Subject: Microsoft Settlement

Hi, I would like to add my opinion that the proposed final judgment in United States vs Microsoft case is insufficient and lacks many corrective actions especially in the area of use of monopoly power to control a market. Microsoft is and has been reacting to the growing use and popularity of Java and cross-platform Java tools to squelch its use by creating incompatible knock-off versions that break the “write once and run anywhere” (multi-OS) support, leveraging their 95 desktop OS market monopoly to create market dispersion and trying to kill any form of competition against their OS/Application monopoly. Microsoft could take Java and make it better and run faster on their OS/platform (Intel) without breaking compatibility which would represent some amount and form of goodwill towards the overall computing market being the huge monopoly that they are today. Instead they are sore losers and are leveraging every ounce of energy they have to preserve their monopoly by pushing, through their huge marketing voice, that they have a better computing methodology (so what if it only runs on our OS), stifling competition and steering the market into a Microsoft and MS partners only environment.

Usually, the open market that the US has proudly built takes care of monopolistic activities such as what Microsoft is doing with Java and their OS/Application integration but it is sometimes a slow process. Hopefully, with minor thoughtful action by the USDOJ in this case the ground

work will be laid to feed continuing innovation in the computing and high-tech markets in relation to monopolistic powers and allow the open market to correct itself. Regards,

Chris Leazure 972-788-3140  
CC:chris.leazure@central.sun.com@inetgw

**MTC-00021742**

From: klm117@gte.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:40am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Keith Miller  
11727 SE 270th St.  
Kent, WA 98031-7840

**MTC-00021743**

From: Anthony Lucente  
To: Microsoft ATR  
Date: 1/24/02 11:39am  
Subject: Microsoft Settlement

To be as blunt as possible; Microsoft has proven itself time and again that they cannot be trusted. They’ve been caught lying in court, they’ve already exploited loopholes in remides from previous law suits (referring to the 1995 case) and they even attempt to craft remides that seruptiously benefit themselves (referring to the on-going case concerning the 100 or so school districts). Microsoft is evil. They aggressively pursue an anti-competative business strategy that hurts the computer industry. Their anti-competative acts, in the long run, hold back progress and innovation in the computer industry. For these reasons the Sherman Act was created, and rightly so.

I believe Judge Jackson saw exactly this, that Microsoft is evil and untrustworthy, and concluded that the only real way to protect the computer industry is to break-up Microsoft. It is my belief that a broken-up Microsoft would not only protect the computer industry but protect Microsoft as well. Without any true competition Microsoft products would stagnat, and some believe that this is already happening. In the end, competition not any individual company, is the true innovator.

Thank you,  
Tony Lucente  
Anthony Lucente  
Mac and Network Specialist  
The Wistar Institute

3601 Spruce Street  
Philadelphia, PA 19104  
Phone: 215 898-3737  
mailto:alucente@wistar.upenn.edu

**MTC-00021744**

From: james@crawford.to@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:43am  
Subject: Microsoft Settlement

Pro Microsoft. The only way that this settlement could be MORE in the public interest is if it were LESS punitive against Microsoft. It's high time that consumer be returned to the position of judge in software competition. Using the courts to restrain and cripple your competition is unethical even if it IS legal. Stop punishing success.

-Jim Crawford  
1104 S 223rd St  
Des Moines, Wa  
98198  
206 371 1776

**MTC-00021745**

From: cwatts@GUILFORD.EDU@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:43am  
Subject: Microsoft Settlement

Dear Sirs, I oppose the proposed settlement because it would do nothing to solve the problem of Microsoft's monopoly powers. Yours, Coleman Watts, Greensboro, NC

**MTC-00021746**

From: novacalif@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Novinger  
5067 Cumberland Dr  
Cypress, CA 90630

**MTC-00021747**

From: os2fan@gmx.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:47am  
Subject: subject=Microsoft

Hi!

I simply wanted to state that in my opinion the proposed settlement in the MS case is absolutely unacceptable. It doesn't take into consideration the constant threat MS has posed and is posing against its competition, and it will instate MS's suppressive

monopolistic behaviour as an acceptable economic outcome in this market segment. This suppresses innovation, because innovation has to be a chance given to everybody instead to only one large company (which in fact hardly ever innovates but uses its monopolistic and financial power to stifle anyone else's innovative thoughts or products). Let's give Microsoft the same treatment they have given everyone else in the last 10 years; control their every move (as you did when IBM had its monopoly back in the 60s and 70s) and force them to play by the rules which they otherwise will surely be not. They've always found some backdoor, and this settlement is full of backdoors already!

With regards,  
Phil  
(os2fan@gmx.net)

**MTC-00021748**

From: JCir2000@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:45am  
Subject: Microsoft settlement

To Whom It May Concern:

I am responding to the recent law suit filed by AOL, through their Netscape devision. This law suit alleges that microsoft brought unfair business practices to the browser market place. I consider this nonsense and an attempt on AOL's part to further disrupt Microsofts ability to develop new products and run its business effectively. The bottom line is that Microsoft was much more aggressive in the market place and infact had a better product for the user. AOL, is part of the group who influenced the investigation by the Justice department. This kind of corporate behavior using the legal system to bring down a competitor is very disruptive to our American corporate way of life and to the consumer. It is costly and counter productive.

Sincerely,  
Joe Cirillo

**MTC-00021749**

From: jeffs@gandmadagency.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:41am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jeffrey Saul  
719 Westfield Ave.

Westfield, NJ 07090-3324

**MTC-00021750**

From: James A. Wood Jr.  
To: Microsoft ATR  
Date: 1/24/02 11:46am  
Subject: Microsoft Settlement  
James A. Wood Jr.  
16 Montagu Street, Apt E  
Charleston, SC 29401  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

As a resident of South Carolina, I am writing to express my support of the settlement between Microsoft and the Justice Department. After three years of litigation, Microsoft and the government have settled a suit that has profound implications for all software developers and the rest of the IT industry.

For example, Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. The company has also agreed to document and disclose for use by its competitors various interfaces that are internal to Windows' operating system products.

Furthermore, a technical committee will be in place to make sure Microsoft is in compliance with the settlement, and aid in dispute resolution. I urge that you back off your pursuit of Microsoft, and go after companies like Wal-Mart who are destroying our communities.

Sincerely,  
James A. Wood Jr.  
cc: Senator Strom Thurmond

**MTC-00021751**

From: Robert J. Gervais  
To: Microsoft ATR  
Date: 1/24/02 11:45am  
Subject: DOJ Microsoft Crusade  
Department of Justice:

Please stop this unneeded and tax spending dollar crusade against Microsoft. Supposedly the government has reached an agreement with Microsoft settling the ludicrous charges against them. Settle it. Bill Clinton who couldn't shake them down is out of office. This case is an affront to the few corporations with integrity left in business in the United States. Settlement time has come. Please do what your paid to do. Investigate, reach an accord, settle it. Spend your time worrying about the Taliban Johns' of the world, prosecute them as you failed to do with Jane Fonda. Investigate those corporations such as ENRON whose CEO and other high officials who are alleged to have bilked their small shareholders and employees IRA holdings out of a billion dollars in the past year. That's where your efforts need to be directed. GOD BLESS AMERICA

Bob Gervais  
Chelan, WA 98816 \_\_\_\_\_ Phil  
Send and receive Hotmail on your mobile device: <http://mobile.msn.com>

**MTC-00021752**

From: cherokeesv@aol.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 11:42am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Ed Wenigman  
 25825 104th Ave. SE  
 Suite 150  
 Kent, WA 98031

**MTC-00021753**

From: roselync@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:44am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Roselyn Cresse  
 P O Box 133  
 Acton, CA 93510

**MTC-00021754**

From: Bill Clinton  
 To: Microsoft ATR  
 Date: 1/24/02 11:50am  
 Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. With the security of our country and financial infrastructure more and more dependent upon the security of our computer systems, allowing Microsoft a monopoly through unfair practices imperils us all.

William Clinton  
 Deerfield Beach Florida

**MTC-00021755**

From: R B Clontz  
 To: Microsoft ATR

Date: 1/24/02 11:51am  
 Subject: Microsoft Settlement

It is my greatest desire to see Microsoft receive the most severe, swift, and direct punishment for forcing its monopoly of software usage on the computing public. Microsoft has unfairly squelched competition by making itself the only software available for many users and wants its web browser to be the default for all operating systems. Please render a strong and costly judgment against Microsoft for its monopoly!

Sincerely,

Randy Blake Clontz

**MTC-00021756**

From: Bill Y.  
 To: Microsoft ATR  
 Date: 1/24/02 11:43am  
 Subject: Microsoft Settlement

Sirs:

I would like to comment on the proposed settlement in the Microsoft antitrust suit.

I find the proposed settlement both insufficient and unenforceable. Here are some justifications for that statement.

A) Not-for-profits fail to be represented. This essentially disenfranchises the second-largest operating systems group in the world (that being Linux) as well as the single most common web server software (that being Apache) as well as the most common file server (that being Samba). III(j)(2) specifies that non-profits need not receive API, Documentation or Communications Protocols, the proposed "relief from monopoly" actually—encourages—further monopolistic practices on the part of Microsoft.

B) Section III(d) allows Microsoft to determine who is to be permitted access to interoperability data (thereby allowing Microsoft to freeze out any up-and-coming competitor), thus ensuring that Microsoft will—continue—to be a defacto monopoly.

C) The final issue, enforceability, is due to the penalty clause should Microsoft violate the terms of the agreement. Simply stated, the sole penalty is that Microsoft would suffer, should they violate the terms, is to have the time duration of the agreement extended.

This would imply that Microsoft could accept the agreement in court, the judge could bang the gavel and close the case, and then Microsoft could literally rip up the agreement on the court house steps, because the only—penalty—for disobeying the agreement is to have the agreement extended in duration- which, if you're disobeying the agreement in the normal course of doing monopoly business, is no impediment to the monopoly business at all. That's no penalty at all.

Having followed the original trial case with great interest, I would recommend a far more severe penalty for Microsoft, including adding the following penalties: 1) adding significant fines ( on the order of 10% of the total market value of Microsoft ) 2) requiring, within 2 years, forced divestiture of the following business segments from Microsoft's core (operating system) business: -optional and office software -network / ISP services -mass media, entertainment services, entertainment devices 3) adding a penalty

that bars Microsoft from bidding on any government sales when in violation of the current agreement. 4) opening an investigation as to whether any of the responsible individuals at Microsoft committed actionable acts.

I would recommend the following documents as interesting commentary on the proposed Microsoft settlement. —An activist site- written by lawyers for the lay public:

<http://www.cciinet.org/papers/ms/sellout.php3> -Robert Cringely (noted computer commentator on P.B.S. and all-around smart guy): <http://www.pbs.org/cringely/pulpit/pulpit20011206.html>

-Sincerely

William S. Yerazunis, PhD,  
 Research Scientist,  
 Mitsubishi Electric Research Laboratory

**MTC-00021757**

From: Chris Dalla  
 To: with a subject of "Microsoft Settlement"  
 Date: 1/24/02 11:47am  
 Subject: Microsoft settlement

As an individual who has been involved in the field of personal computing almost since its inception, and as a U.S. Citizen who believes that the unbiased administration of justice, above all else, should be the primary end goal of our court system, I would like it known that it is my firm belief that the proposed settlement in the case of the United States v. Microsoft does not levy sufficient punitive action against Microsoft. One of the founding precepts of our nation is that all citizens or entities will be treated equally and dispassionately in the eyes of the law. The market influence, bankroll, and corporate size associated with Microsoft and Bill Gates should in no way except them from just punishment for wrongdoing. For years, Bill Gates and Microsoft have been leeching the vitality out of the field of personal computing, unfairly wielding their market influence to the detriment of their competitors, and conducting business in a manner that is not in the best interest of the public. The time is now to send a message, not only to Microsoft and Bill Gates, but to big business everywhere that the sort of bullying, whiny business practices which Microsoft has established as its standard operating procedure are unacceptable. Acceptance of this settlement does nothing more than send a clear signal to big business, and to the world in general, that our court system is really interested in nothing more than finding in favor of the highest bidder. Furthermore, I feel that this settlement is likely to set a precedent which is could easily to hinder the court's ability to hand down a strong judgement in the future, should a similar case arise in the months or years to come.

Thank you for your time.

With concern,  
 Chris Dalla  
 Vice President,  
 Clear Blue Engineering, Inc.  
 email: [chris@cbe.cc](mailto:chris@cbe.cc)  
 smail: 6040 West 91st avenue  
 Westminster, CO 80031  
 phone: 303-412-9477  
 fax: 303-412-9457

**MTC-00021758**

From: Potter, Bob Ext.1411  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 11:51am  
 Subject: Microsoft Settlement.

(The business world is not a philanthropic organization)

Microsoft should be given an award not continually harassed by their competition. I'm begging you, Please stop this insanity. Bring this case to conclusion and lets get on with life.

Regards,  
 Bob Potter  
 (831) 796-1411  
 www.co.monterey.ca.us

**MTC-00021759**

From: mhp52@attbi.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:43am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
 Sincerely,  
 Rebecca Mihopulos  
 49728 High St. Ext.  
 St.Clairsville, OH 43950-1677

**MTC-00021760**

From: Tony Mangan  
 To: Microsoft ATR  
 Date: 1/24/02 11:46am  
 Subject: On the Microsoft issue

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. "This is just another method for states to get free money, and a terrible precedent for the future," states the AOCTP, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen."

Please end this witch hunt against one of our finest American traditions, "free enterprise"! If there was a point to be made at the onset of all the Microsoft nonsense, I am sure you would agree that it has been made and it's time to stop the nonsense that can only inhibit companies from trying to grow in the future.

Sincerely,

Anthony Mangan

**MTC-00021761**

From: Robert Allinson  
 To: Microsoft ATR  
 Date: 1/24/02 11:54am  
 Subject: Microsoft Settlement

I would like to state that as a firm supporter of open source and and gnu-gpl, I think that the settlement is not going to suffice. I would like to see microsoft hit hard for this, and I would like to see there tactics forced to change. These guys are responsible for some of the nastiest business tactics known to man. And we let it slide. Please do something to aid us in our fight to survive against the giant. Free open source.

Robert Allinson

**MTC-00021762**

From: Tim Poschel  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 11:47am  
 Subject: Microsoft Settlement

My experience of Microsoft is a company that provides tools and business agreements that encourage smaller companies to endeavor to create new technologies and new markets. Unfortunately, when those markets begin to reach a status that would truly be economically advantageous to smaller companies and their shareholders, Microsoft apishly integrates inferior versions of the technology into there operating systems and declare them "innovation". Whether the motivation is malice or fear, the impact is the same.

I've not been closely following the details of the DOJ's case against Microsoft. While I agree with the findings of the District and Appellate courts that Microsoft engaged in illegal practices, I believe the proposed final judgment in the case is weak and ineffective. I comment here with reservation, as I typically embrace a free trade stance in which government has an extremely limited roll in the function of business. Truly, I believe governments prosecute monopolies because they want to eliminate their own competition. As it is, the previous administration's handling of the case was a root cause in the burst of the .com bubble effectively committing one of the largest destructions of personal wealth in modern history. Although the decline in technologies may have been inevitable and warranted, I don't believe the government should have been the trigger.

As the lines between networking and operating system continue to blur, however, I believe the government has a roll in enabling free trade in the computer technology arena. Specifically, the proposed final judgment should include the following remedies:

(1) Microsoft should be mandated to provide at no fee, open source licensing of all operating system code including networking and middleware protocols, device drivers, etc.

(2) Compliance should be monitored and enforced by external independent audit. Operating systems—specifically networking and middleware stacks—comprise a "software bus" structure that enables real innovation and competition to occur.

Requiring Microsoft to release these would be similar to requiring the AT&T of old to publish standards on transmission voltages, switch requirements, dial tones frequencies, etc. As to compliance, I frankly don't trust Microsoft to self-police; not out of malice, rather out of incompetence.

Thank you for allowing me to comment,  
 Timothy Poschel  
 Winix Solutions, Inc.  
 Roswell, GA

**MTC-00021763**

From: rogerp@cwnet.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:45am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.  
 Sincerely,  
 Roger Pervere  
 6706 Tam O'Shanter Dr.  
 # 128  
 Stockton, CA 95210-3320

**MTC-00021764**

From: judyjohal@msn.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:44am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.  
 Sincerely,  
 John R. Fish, Jr.  
 1410 N. Nevada Avenue  
 Colorado Springs, CO 80907-7431

**MTC-00021765**

From: Saishankar  
 To: Microsoft ATR  
 Date: 1/24/02 11:46am  
 Subject: Microsoft Settlement

I completely oppose the settlement proposed by the States against Microsoft because:

a) It is purely driven by the personal goals of the companies rather than the needs of the consumers. I being a consumer, feel, I have all the choices in the market to run any OS I want or any applications I want

b) Killing Microsoft is just going to create another one in its place under government sanction

c) All is fair, in Love, Business and War.

d) This will set a bad precedence, as any unsuccessful company, can gain market share by suing the market leader.

Please consider SUN, AOL, ORACLE, IBM. Their track records aren't any better than Microsoft.

Thanx for giving the opportunity to voice our opinions.

A Happy Consumer.

**MTC-00021766**

From: jimbrown@tconl.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:47am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
 James Brown  
 1865 Maayfair Drive  
 Omaha, NE 68144-1049

**MTC-00021767**

From: Travis Watkins  
 To: Microsoft ATR  
 Date: 1/24/02 11:49am  
 Subject: Microsoft Settlement

I would like to state my disapproval of the Microsoft Anti-Trust Settlement:

1) With Regards to Microsoft settling by giving computers and software to schools:

A) Allowing Microsoft to buy it's way out by getting a wedge into a market where it has been unsuccessful in the past is not a good Idea in my opinion

B) At the least, Microsoft should be forced to give Money instead of forcing the schools in question to use Microsoft or gain no benefit from the settlement

2) So long as their "Dubious business practices" are more profitable than "playing

fair" they will continue to use their monopolistic advantage to force out competitors in all fields that they choose to enter.

A) Example: Windows XP. XP, due to it's design is almost like a petri dish for internet viruses. The TCP/IP Stack is completely open, allowing anything from the standard Microsoft attacking viruses to ones that allow a cracker(the malicious type of Hacker) to copy everything off of your computer and take complete control of it (I believe that this sort of virus may already exist, but I think they mostly require that a Trojan program(a program that claims to be one thing but does something else instead, like a word processing program that actually formats the hard drive) to be run before they can work properly. With XP, I would expect that this could easily be incorporated in a worm like the "I Love You" virus. While I have not ever written a virus, I am quite familiar with scripting and network protocols, and a whenever you make something easier for the naive user, you also make it much easier for the malicious user, That would be why there are so many more Windows viruses as compared to Unix/linux viruses(in addition to the greater installed Windows base) I have even heard many claims that the vulnerabilities in XP are designed to make the Internet as it is today(Primarily using the TCP Protocol on top of IP(TCP/IP)) untenable due to virus proliferation. This could pave the way for Microsoft to introduce their own proprietary Protocol to go on top of TCP or even IP that would basically divide the internet into two pieces, Those systems running on a Microsoft Operating System, and those that are not, and those that are not could not access anything that was on a system running a MS OS.

The only reason that I would suspect that this is not indeed a Microsoft plot to force everyone on-line to use a Microsoft Operating system, is the fact that Microsoft uses Linux for their own web servers(Probably having found their own operating systems too fragile/bulky/high-maintenance for any serious/vital/mission-critical usage) This is not the first time Microsoft has tried something of this nature, and it won't be the last, unless they are shown that they cannot treat computers as their own private domain.

Travis Watkins  
 Implementation Services  
 Data Junction Corporation  
 512.467.1801 x354  
 2110 White Horse #E  
 Austin, TX 78756  
 twatkins@datajunction.com  
 www.datajunction.com

**MTC-00021768**

From: ken—lowe@amat.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:46am

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer

icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
 George Lowe  
 1031 Waterbird Way  
 Santa Clara, CA 95051-4214

**MTC-00021769**

From: MMalo10677@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:47am

Subject: Microsoft Settlement

We believe the Microsoft Settlement is fair and equitable, and would like to see us move on without further delay.

Louise and Michael Maloney  
 Hardy, VA

**MTC-00021770**

From: bebruce@greeleynet.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:45am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
 Barbara Bruce  
 2315—20 ST  
 Greeley, CO 80634

**MTC-00021771**

From: Phil Oliver  
 To: Microsoft ATR  
 Date: 1/24/02 11:49am  
 Subject: Microsoft Settlement  
 From: Philip Oliver

To whom it may concern,

Speaking personally as a self taught programmer of over 20 years—and seeing firsthand the computer industry rise from virtually non-existent to the powerhouse that it is today—I can safely say that Microsoft has been enormously productive and enormously —good— in this industry. It is safe to say that without Microsoft there

wouldn't be a PC software industry worth talking about. (No, I do not work for them.)

The success of Microsoft was not due to coercion. That is the realm of the government. Its success was due to simple marketplace success and the fact that its products, for whatever their faults, generally work very well and aid hundreds of millions of people globally, every day, in doing their jobs better, or to state it more dramatically, in doing their jobs period. Those who whine that they couldn't compete are overlooking two simple facts—(1) There are plenty of companies, an entire industry—, which—does— compete with Microsoft—(2) Microsoft has no moral obligation to “help out” those who cannot compete. This is business. Competitive products are a fact of life. So is making a profit, if a company wishes to survive.

It is not however all about competition.

My business, and the business of hundreds of thousands if not millions of other programmers, ultimately depends on the existence of widespread standards which facilitate our ability to work on any one of an enormous number of projects. The operating systems and office application software produced by Microsoft have provided such de-facto standards. It is a safe bet that the very software used by the government to attack Microsoft was written by Microsoft itself! Think about the meaning of that.

In short, the real question here is why the U.S. government is attacking one of America's greatest success stories. I say, personally, as an American citizen: I absolutely do not support any government anti-trust action against Microsoft, and I find it morally repugnant that any such action was ever taken. While the terrorists of the world conspired and successfully took the lives of thousands of Americans, and plunged the American economy into chaos in the process, the U.S. government was spending untold millions of dollars attacking its own companies. Rather than focusing on its actual job of protecting Americans, it showed itself completely incompetent to the job and is, in actual fact, aiding the very work the terrorists wish to accomplish: the undermining of America. This is a monstrously evil inversion of priorities on the part of the U.S. government, and the fact that it suffered grievously itself in the attacks is actually justice, rewarding it for its own inaction and incompetence. It's quite easy to attack Bill Gates, you know where he works and where he lives, and he probably doesn't even own a gun.

Where's Osama bin Laden?

In short—there are plenty of real threats against this country that ought to be taking 100% of the attention of its government. Stop attacking the lifeblood that makes the country worth defending in the first place. If there were such a thing, Bill Gates deserves a medal for the enormous good he and his company have achieved in a scant 27 years of existence.

#### MTC-00021772

From: madisco@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:46am

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Dwight Miller  
4027 Green Road  
Springfield, TN 37172-6956

#### MTC-00021773

From: kcurtis@mvhs.sad3.k12.me.us@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:48am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Robert Curtis  
143 Palmer Rd.  
Thorndike, ME 04986

#### MTC-00021774

From: grannyllc@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft

competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Linda Childers  
N 613 Conklin Rd  
Veradale, WA 99037

#### MTC-00021775

From: Mike Choy  
To: Microsoft ATR  
Date: 1/24/02 11:51am  
Subject: Microsoft Settlement

I am against the proposed settlement. Microsoft has clearly engaged in anti-competitive behavior for many years and the remedy should be more than just a slap on the wrist.

Thank you.  
Michael Choy  
Stanford, CA

#### MTC-00021776

From: lanie@hartcom.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Elaine Jones  
2284 Hartwell Hwy  
Elberton, GA 30635

#### MTC-00021777

From: Allen D. Ball  
To: Microsoft ATR  
Date: 1/24/02 11:49am  
Subject: Microsoft Settlement  
To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. The proposed settlement does not provide a remedy for Microsoft's monopolistic practices but instead reinforces its anti-competitive stance. What's more, providing compensation in “free” software costs Microsoft nothing and simply reinforces their monopoly power. An appropriate remedy should punish Microsoft

for their anticompetitive practices and provide real remedies to foster competition.

Sincerely,  
Allen D. Ball

**MTC-00021778**

From: BruLou161@Juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
bruce hudson  
161 Bent Tree Drive  
Palm Beach Gardens, FL 33418

**MTC-00021779**

From: mpyleslive@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:46am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Margaret Pyles  
5846 Hickory Hollow Lane  
Doylestown, PA 18901

**MTC-00021780**

From: marrsian@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:49am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Dave & Celia Marrs  
2819 Longmeadow  
San Antonio, TX 78224-1212

**MTC-00021781**

From: Kevin  
To: Microsoft ATR  
Date: 1/24/02 11:52am  
Subject: Microsoft Settlement,  
NO!

This settlement is not in the public interest. It is bad for competition in software by not placing protections in place for competing businesses. It does not properly prevent predatory practices by Microsoft because of its narrow definitions and generous provisions. It does not help improve competition in the software world (or for any other business Microsoft decides to get into) because it fails to prohibit Microsoft from using restrictive license terms. It does not protect consumers, because Microsoft can continue to make their product even more incompatible over time, requiring users to upgrade. It also fails to prevent Microsoft from punishing OEMs who attempt to provide consumers additional services or choices that are not in Microsoft's interests or that compete with Microsoft products.

Kevin L. Sitze

**MTC-00021782**

From: VRDMD@AOL.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:47am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.

Sincerely,

MARY DEMARCO  
1182 WEDGEWOOD TERRACE  
WESTERVILLE, OH 43082

**MTC-00021783**

From: Bill McGonigle  
To: Microsoft ATR  
Date: 1/24/02 11:52am  
Subject: Microsoft Settlement  
To whom it may concern:

Please know that I am against the proposed Microsoft settlement. No settlement for abuse of monopoly power should strengthen said monopoly position, which is the inevitable outcome of the proposed settlement.

Sincerely,  
Bill McGonigle  
251 Croydon Tpke  
Plainfield NH 03781—  
-Bill McGonigle  
Research & Development  
Medical Media Systems, Inc.  
<http://www.medicalmedia.com>  
+1.603.298.5509x329

**MTC-00021784**

From: Tom (038) Wilma Llewellyn  
To: Microsoft  
Date: 1/24/02 11:38am  
Subject: Microsoft settlement

I feel Microsoft has been hassled enough, Lets stop these frivolous litigations and get on with doing business.

Tom D. Llewellyn  
593 Vintage Dr.  
Elkton, OR 97436  
[tomwilma@wanweb.net](mailto:tomwilma@wanweb.net)

**MTC-00021785**

From: Blair Heiserman  
To: Microsoft ATR  
Date: 1/24/02 11:54am  
Subject: Microsoft Settlement

I would just like to take a moment to voice my displeasure with the current settlement / remedy against Microsoft. The proposed settlement lets Microsoft off with no real punishment for using and abusing their desktop monopoly. Microsoft has leveraged their monopoly to unfairly stop competition. This can be seen in many different areas from the boot loader (restrictions against allowing other operating systems to be able to load with or instead of Windows, BeOS being a good example, through their OEM contracts), the browser (Internet Explorer and prohibitions against bundling Netscape in contracts with OEM manufacturers and even with Apple.

Another recent example is attempting to artificially lock out non-Microsoft browsers from MSN), add on products (Windows Media Player, the built-in DVD player on XP, the MP3 ripper on XP, all of which are inferior products to those sold by independent vendors, but because of their inclusion in the OS will likely cause consumers to put up with the limitations inherent to the included products rather than finding the superior replacements), default application preferences (Windows uses various methods to define what the default application will be for a given file extension, and it is often extremely difficult to change or remove the preference of using a Microsoft application over any alternate program, Programming API (Microsoft maintains

closed Application Programming Interfaces for its products, but the greater problem is the frequency with which they are willing to change underlying code to leverage monopoly power, this was seen with Dr. DOS, with Internet Explorer, and frequently crops up as incompatibilities between OS versions, which force users to upgrade to keep their programs running), file formats (the proprietary and constantly changing file formats for Excel, Word, and Powerpoint, which frequently force upgrades to Microsoft Office since the newer versions are incompatible with earlier versions [note that this has been less true since Office 97]), and version upgrades (Windows 95, 98, 98SE, ME, NT, 2000, and XP. Most of these have simply been bug fixes of the previous versions, and in most cases it was impossible to obtain these bug fixes without upgrading to the newer version which typically introduced new features along with the bug fixes which would create further instability in the system. Additionally Microsoft has canceled service packs for systems in order to force upgrades. Service Pack 7 for NT was canceled, leaving many to apply hundreds of hot-fixes to achieve a secure/stable system). Given the numerous and varied ways that Microsoft is using and perpetuating its monopoly a much stronger judgment should be created. I see a whole host of options from not allowing Microsoft to further integrate other applications into their OS, and in fact forcing them to strip out many of their current add on products, open sourcing their APIs or forcing them to keep their APIs open to vendors who would like to create compatible products, forcing continued maintenance of OS releases, splitting the company to keep the integration for allowing Microsoft to be the single source for all computer programs, limiting their ability to lock out other vendors with OEM contracts. Given Microsoft's proven guilt in this case and non-compliance with previous anti-trust violations I can only hope that this time a more serious punishment will be tendered. Microsoft should be allowed the freedom to innovate, but they should actually have to be innovative as opposed to simply leveraging out their competition.

-Blair Heiserman

Please do not publish my address.  
55 Barrett Rd Apt 509  
Berea, OH 44017

**MTC-00021786**

From: Bob Koh  
To: Microsoft ATR  
Date: 1/24/02 11:52am  
Subject: Microsoft Settlement

I am strongly opposed to the DOJ proposed settlement with Microsoft. It is far from adequate in controlling the monopolistic practices of MS. The DOJ must formulate a much tougher package from scratch.

**MTC-00021787**

From: John Zink  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 11:51am  
Subject: Microsoft Settlement

I thought the purpose of the anti-trust laws was to protect U.S. consumers from harmful practices by businesses. I also thought the

beauty of our system was that companies would battle head-to-head for markets based on the quality and price of their products. The consumer would then benefit from these "fair fights". It seems to me that it is not in accord with this spirit that one company can gain an advantage over another, who is beating it in the marketplace by offering superior products and prices, by unleashing a barrage of lawyers. It also seems to me that is what has happened in the Microsoft case. Microsoft should not have been punished for being innovative and offering good products at good prices. But that is what happened. To end the matter, the company agreed to terms which should be acceptable to all but their competition. Surely, the competition would prefer to have the market to themselves, and will continue to press any advantage to harm Microsoft. The government should not be a party to such business antics. For the record, own both Microsoft and AOL-TW stock...and more of the latter than the former. But fair is fair, and I think the ultimate aim of our elected officials should be that they are fair to all citizens. Thanks for the opportunity to comment.

John Zink

**MTC-00021788**

From: KWM  
To: Microsoft ATR  
Date: 1/24/02 11:52am  
Subject: Microsoft Settlement  
To: microsoft.atr@usdoj.gov  
Subject: Microsoft Settlement  
To: Renata B. Hesse, Antitrust Division  
U.S. Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

I agree with the problems identified in Dan Kegel's analysis on the World Wide Web at <http://www.kegel.com/remedy/remedy2.html>. I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Sincerely,

Kenneth W. Melvin  
email: k-w-melvin@yahoo.com  
East Bend, North Carolina, U.S.A  
CC:k-w-melvin@yahoo.com@inetgw

**MTC-00021789**

From: BCoolGranny@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than

"welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.

Sincerely,  
Billie Powell  
23927 60th Ave. S.  
#H-102  
Kent, WA 98032

**MTC-00021790**

From: Brown, Terry  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 11:50am  
Subject: Microsoft

I absolutely oppose any judicial action against Microsoft. Based on the evidence, they did not forcefully expropriate money or property from anyone, nor did they through the use or threat of force, prohibit fair competition.

Terry S. Brown  
Vice President,  
Manufacturing and Process  
Industry Practice,  
Balanced Scorecard Collaborative, Inc.  
55 Old Bedford Road  
Lincoln, MA 01773  
Tel. 781.402.1183  
Fax 703.991.7542  
Cell 781.929.2713  
tbrown@bscol.com  
Join Balanced Scorecard Online Free at  
<http://www.bscol.com>

**MTC-00021791**

From: Doug Cure  
To: Microsoft ATR  
Date: 1/24/02 11:53am  
Subject: Microsoft Settlement

I fully support the settlement. I think it gives the small amount of justice that was needed and still allows Microsoft to develop great software. Microsoft has been bogged down now for a couple years working on this lawsuit that never should have happened anyway. Microsoft is a good company and is providing great solutions for many customers. The fact that their product is better and more people use it should not be case for litigation. It is time for the Government and Microsoft to be done with this, as there are more important things in the world to accomplish right now, like supporting the war on terrorism.

**MTC-00021792**

From: Todd Perumal  
To: Microsoft ATR  
Date: 1/24/02 11:54am  
Subject: Microsoft Settlement

If microsoft were split up into two companies that would be great for the economy. Office is still a well selling product and with the success with office v.x for mac os x, it can easily be seen that if office didn't have to worry about cutting into profits for windows, it could be ported to every platform out there and thus stimulate the large market for productivity software where



Microsoft is king. This is the same for other products that Microsoft produces. Also, since Windows would now be separate, it could compete with other operating systems. I do feel that first something needs to be done to even the playing field. Microsoft has been stealing ideas for the past 20 years from other companies and getting rich through bully tactics. It is time to give something back...like maybe having Microsoft make Windows open source .....all the other OS'es are open source. Whatever the choice is, the industry will be much better if it were not dominated by one company.

Todd Perumal  
College Student, Dallas, TX

#### MTC-00021793

From: glendamacrn@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now.

Thank you.  
Sincerely,  
Glenda Macdonald  
2188 Roaring Camp Dr.  
Gold River, CA 95670-7640

#### MTC-00021794

From: Erratadata@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:54am  
Subject: Microsoft Settlement

With regard to the suit recently filed against Microsoft by AOL Time Warner: I feel that AOL Time Warner should spend its time competing for market share through innovation and customer service rather than spending time, money and energy whining to lawyers and judges.

Gary Prickett

#### MTC-00021795

From: David Suminsky  
To: Microsoft ATR  
Date: 1/24/02 11:54am  
Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

I agree with the problems identified in Dan Kegel's analysis (on the Web at <<http://www.kegel.com/remedy/remedy2.html>>), namely: \*The PFJ doesn't take into account Windows-compatible competing operating systems \*Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional

incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry. <<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

\*The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered. <<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

\*Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

<<http://www.kegel.com/remedy/remedy2.html>>

\*Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

<<http://www.kegel.com/remedy/remedy2.html>>

\*Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

\*Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

\*The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

<<http://www.kegel.com/remedy/remedy2.html>>

\*The PFJ as currently written appears to lack an effective enforcement mechanism.

<<http://www.kegel.com/remedy/remedy2.html>>

I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Sincerely,  
J. David Suminsky  
Sr. Software Engineer  
Fundtech Corp.  
Burlington, MA

#### MTC-00021796

From: Jon Grizzle  
To: Microsoft ATR  
Date: 1/24/02 11:55am  
Subject: Microsoft Settlement

I am an Electrical Engineer with 20+ years in hardware and software designing. I have seen the birth of both the MSN browser and

the Netscape browser. The computer market has and is supported by customers that like friendly and intuitive computers. Early computers were very unfriendly and not intuitive. They intimidated the user. Software developers have been known to say the user is a dummy when really they were the dummies. Why software designers are. The control mechanism of the computer is the software which the software person designs, and we the user try to logically use the computer. If the mind of the software designing person is logical the logical mind of the user can easily use the computer. Consequently, the software designers mind or the computer user's mind is not logical. Which one is illogical? Through many reasons job security is not high inside Corporate America. Therefore, the designer adds complexity in his design to prevent other designers from taking their jobs away. Then only the original designer has the life long support of the design. Through Corporate America lay offs a very inexperienced new illogical designer must take over support of the old illogical design, and the logical mind of the computer user, we, must tolerate to be connected and use the computer. I received the following message by e-mail the other day: Some days this story rings true! An unemployed man goes to apply for a job with AOL or Microsoft as a janitor. The manager there arranges for him to take an aptitude test (Floors, sweeping and cleaning). After the test, the manager says, "You will be employed at minimum wage, \$5.15 an hour. Let me have your e-mail address, so that I can send you a form to complete and tell you where to report for work on your first day. Taken aback, the man protests that he has neither a computer nor an e-mail address. To this the MS manager replies, "Well, then, that means that you virtually don't exist and can therefore hardly expect to be employed. Stunned, the man leaves. Not knowing where to turn and having only \$10 in his wallet, he decides to buy a 25 LB flat of tomatoes at the supermarket. Within less than 2 hours, he sells all the tomatoes individually at 100% profit. Repeating the process several times more that day, he ends up with almost \$100 before going to sleep that night. And thus it dawns on him that he could quite easily make a living selling tomatoes. Getting up early every day and going to bed late, he multiplies his profits quickly. After a short time he acquires a cart to transport several dozen boxes of tomatoes, only to have to trade it in again so that he can buy a pick-up truck to support his expanding business. By the end of the second year, he is the owner of a fleet of pick-up trucks and manages a staff of a hundred former unemployed people, all selling tomatoes. Planning for the future of his wife and children, he decides to buy some life insurance. Consulting with an insurance adviser, he picks an Insurance plan to fit his new circumstances. At the end of the telephone conversation, the adviser asks him for his e-mail address in order to send the final documents electronically. When the man replies that he has no e-mail, the adviser is stunned, "What, you don't have e-mail? How on earth have you managed to amass

such wealth without the Internet, e-mail and e-commerce? Just imagine where you would be now, if you had been connected to the Internet from the very start!" After a moment of thought, the tomato millionaire replied, "Why, of course! I would be a floor cleaner at AOL or Microsoft!" ;;;Moral of this story: ;;; 1. The Internet, e-mail and e-commerce do not need to rule your life. 2. If you don't have e-mail, but work hard, you can still become a millionaire. 3. Because you got this story via e-mail, you're probably closer to becoming a janitor than you are to becoming a millionaire. 4. If you do have a computer and e-mail, you have already been taken to the cleaners by AOL and Microsoft. I would like to see Corporate America stop laying off and firing their workers for making more money and saving themselves from becoming the next EMRON. Corporate America needs to work together, especially AOL & Microsoft. Take the best of the best designs and work on them together. Otherwise, a new and smaller company will win favor over the computer user and job security at AOL & Microsoft will become reality... I have never used the Netscape browser that much, but have used the MSN browser a lot. The truth is I like what I've used and know best MSN. I don't like Netscape a change I would have to learn new things. My world is very busy. Therefore, say "I do" and get hitched the Netscape and MSN browser. It should be required that this integrated browser be in compliant to, none other, a window type operating system. I believe AOL will be the first to disagree and Microsoft will agree. It is time for some attitude adjustments from AOL. Microsoft has been a good sport, and I'm sure Bill Gates will do what best for science and technology. We all want a logical world to live in and work in. Design out all complexities by taking the extra time to simplify. Give the working people sense of job security, and will be more open to simple designs they can share with management.

**MTC-00021797**

From: Pjludlow@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:57am  
Subject: AOL accusations

As a subscriber to AOL I must submit comments in defense of Microsoft. For the last several versions, certainly AOL6.0 and 7.0 their Netscape browser has been conspicuously absent from the scene. Earlier versions queried the user as to which browser they wished to use—Microsoft Internet Explorer or Netscape. Also Netscape appeared as an icon on the desktop. The last two AOL versions do not offer the choice. As a result I end up using Internet Explorer, as it is available with the basic Windows package. It is a fine product and I am happy with it. There are numerous aspects of AOL that I and many others do not like and products from Microsoft would serve the user better if AOL would offer the option, such as a decent word processor. It seems strange that AOL would file a suit when they fail to promote their product. Or is this a ploy to serve a basis for suit against Microsoft. The question you, DOJ, should be addressing is what the benefit is to the consumer not wining companies that are in search of a

quick buck for themselves and their attorneys! Maybe that's too much to ask a government agency.

Peter J. Ludlow

**MTC-00021798**

From: Mike Choy  
To: Microsoft ATR  
Date: 1/24/02 11:48am  
Subject: Microsoft Settlement

I am against the proposed settlement. Microsoft has clearly engaged in anti-competitive behavior for many years and the remedy should be more than just a slap on the wrist.

Thank you.

Michael Choy  
Stanford, CA

**MTC-00021799**

From: Brian Riel  
To: Microsoft ATR  
Date: 1/24/02 11:56am  
Subject: Microsoft Settlement

Dear DOJ authorities, All through this long and drawn out court action involving Microsoft and their business practices, I must say, I have been thoroughly and utterly appalled at the way in which it has been used to do one thing. Bring down Microsoft. Period. It makes me ashamed of the way this countries judicial system has been used and abused to further the ends of Microsoft's direct competitors. No one is denying that Microsoft's strategies aren't aggressive in the market place, but did they do something illegal that warranted this crusade to bring them down. NO. I don't think so for a minute. We, the people, created and molded the economic structure that a retailer has to contend with. From childhood on up, we learn about this arena... look for the best bargain, get the most for your money, "shopping" is the catch word of our free enterprise. The american public as consumers are demanding and voracious in their expectations of retailers to "give" them reason to give them their business. It is this consumer attitude that is driving this whole issue.

You ask a grandparent, or better yet, a great-grandparent, about the market place in their day. You'll hear about quality products, good service, friendly, neighborly relations, and something that is all but extinct now, loyalty. Even I can remember a time when my dad would do business with one retail establishment, and continue to do so as long as they gave him a fair and honest deal.... out of loyalty. Many consumers did the same. This generation has been taught loyalty to one thing...getting the MOST for their money. Never mind if the offer of a retailer IS a quality product, if it MEETS their needs, or is at a FAIR price. They want "Added Value", and they "shop" for it. Literally, pitting retailer against retailer to "battle" for their patronage.

I can give you a very distinct example. Look at the photocopier/office equipment industry. I entered it as service technician in '89. At that time, sales was the bread-winning component of the business. Sales made a very tidy revenue, while service was much a necessary by-product of selling. In a very competitive market, the customers

demanding more to give their business, each company dropped sales prices to beat out their competitors. Only problem is, did consumers stop at a "fair" price? No way. They knew the position they had the retailers in, and squeezed. By about "92, office equipment companies were selling equipment for almost no profit. So, what to do? The customer's appetite for "added value" didn't stop or wane. Service rates and quality picked up the baton. Companies started offering "competitive" rates for service, and that worked. For a while. A company would sell., place., a copier, or very little profit, and look to service to make the revenue. But, once again, the consumers didn't relent. More. More. Until, the companies are now selling, and servicing machines for relatively so little that they barely stay in business. Why do I go to length to describe this? Because, like all retailers, this is the arena in which Microsoft deals. Just like everybody else in business today. Including, Sun, Oracle, AOL, and the rest. What did Microsoft do? They gave "added value" to the customer. NO different than any other retailer has, and is, doing. When you go to the grocery store, and buy a bottle of soda, and it is offered at "buy one, get one free". They gave you something more, something free, to entice you to buy. When the car dealer, "throws in" an option, say, sporty wheels, or the racier interior, at no extra cost, to entice you to buy. So, Microsoft gave customers something extra, at no extra cost, a browser, to entice them to buy.

HOW IS THAT DIFFERENT?! For crying out loud, there is a tire store retailer who gives the customer \$100 in free BEEF to get their business. Microsoft is larger, and more successful than a lot of companies.... yes. That is not a crime. Microsoft could afford to do it. That is not a crime. No doubt, it had the desired affect. It drew customers. The competitors, then, had a choice. Like any other retailer, in any other industry, they needed to innovate, strive to find ways to make their product more appealing than Microsoft's. Or, not. No doubt, it is a hard position to be in. Exactly, like my illustration of the copier industry. Microsoft didn't create the consumer/retail game, but like all others, they learned to play in it. But now, the competitors found a third choice. To use the judicial system to do something they were failing to do in the market place. Beat Microsoft. I could go on. But, enough.

The retail arena Microsoft, and all other companies, deal in every day is not an easy, lackadaisical one. It is very competitive to say the least. Microsoft did nothing that no one else is not doing. The main difference may just be that Microsoft is larger than many, and so was more effective because of it. But, being successful, and growing, is what the american dream is all about. What? Is there now a limit put on it? Oh, you have grown enough now...stop and don't do it anymore..... Nothing Microsoft did, is anywhere near deserving harsh judgement, or much less, anything on the scale of "breaking them up". Get these competitors out of the courtrooms, and send them back to their drawing rooms. If they spent more time there. Maybe. Just maybe. They might "make" or "sell" their products better, and win in the

marketplace that way.... Gain back the dignity of our Judicial system. Stop catering and listening to biased, vengeful retailers with less than honorable agendas! Thank you. Brian Riel MSN Photos is the easiest way to share and print your photos: Click Here

#### MTC-00021800

From: dcalabre@twcny.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Diane Calabrese  
704 Massena Ave.  
Rome, NY 13440-2651

#### MTC-00021801

From: Eli Geller  
To: Microsoft ATR  
Date: 1/24/02 11:56am  
Subject: Microsoft Settlement

This would definitely be a horrible situation.

Eli Geller  
49 Elm St. #2 Somerville, MA 02143

#### MTC-00021802

From: nhrain@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Sincerely,  
Neal Rainwater  
1725 Country Way  
Gainesville, GA 30501-1432

#### MTC-00021803

From: DavisD58@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Sincerely,  
Debbie Davis  
835 Sievers Way  
Dixon, CA 95620-3734

#### MTC-00021804

From: Charlie428cj@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sharlene Cartier  
58 W. Grand View Ave.  
Arcadia, CA 91006-1515

#### MTC-00021805

From: Kenneth R. Brownsberger  
To: Microsoft ATR  
Date: 1/24/02 11:55am  
Subject: Microsoft Settlement  
To: microsoft.atr@usdoj.gov  
Subject: Microsoft Settlement

I wish to comment on the proposed Microsoft settlement. First, I whole-heartily agree with the long list of problems with the settlement which have been identified by Mr. Dan Kegel. Mr. Kegel's analysis of the Proposed Final Judgment (PFJ) is on the Web at <http://www.kegel.com/remedy/remedy2.html>. In particular, I agree that as written the PFJ, ? Contains misleading and

overly narrow definitions and provisions, ? Fails to prohibit anticompetitive license terms currently used by Microsoft, ? Fails to prohibit intentional incompatibilities historically used by Microsoft, ? Fails to prohibit anticompetitive practices towards OEMs, and ? Appears to lack an effective enforcement mechanism. Second, I believe the settlement will actually help increase Microsoft's monopolistic dominance in the desktop Operating System environment—by actively placing a great many additional Microsoft platforms into the education field, one of the few areas where Microsoft does not currently maintain an overpowering monopoly. Allowing Microsoft to flood the education field with copies of their software is not a significant, punitive measure—as the real dollar cost to Microsoft will be only a small portion of the claimed “market value” of this software, and more importantly, it will only serve to solidify Microsoft's market stronghold—making it that much harder to curb the anticompetitive practices that brought about the lawsuit in the first place! In summary, I feel that the Proposed Final Judgment allows and encourages significant anticompetitive practices to continue and is therefore not in the public interest. It should not be adopted without substantial revision to address these issues.

Sincerely,  
Dr. Kenneth R. Brownsberger  
Software and Operations Scientist Center  
for Astrophysics and Space Astronomy  
Campus Box 593  
University of Colorado—Boulder  
Boulder, CO 80309-0593

**MTC-00021806**

From: Stu Cameron  
To: Microsoft ATR  
Date: 1/24/02 11:56am  
Subject: Microsoft Settlement  
To Whom It May Concern:

If you are working on the case with Microsoft, please don't let AOL blur your vision. AOL bought Netscape when it was going down the tubes..they knew what they were getting into. AOL just wants to hurt Microsoft so they can step in, they are trying to crush Microsoft through the courts and not competition. Because AOL has inferior products and cannot overcome Microsoft in any other way.

William Cameron

**MTC-00021807**

From: IVictor@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:57am  
Subject: Microsoft Settlement

As a citizen of the United States, voter and avid computer user I strenuously object to the DOJ settlement in the Microsoft anti trust case. Microsoft has done considerable harm in the market place because of their business practices, further, because it has used it's monopoly status it has stifled competition and innovation. Their software really is awful and you guys (and gals) are weenies for buckling under.

Sincerely,  
Victor Medina

**MTC-00021808**

From: rcndonna@aol.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 11:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roy Brooks  
27752 E. 340 Rd,  
Big Cabin, OK 74332-9801

**MTC-00021809**

From: T90GEEB@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:58am  
Subject: MICROSOFT SETTLEMENT

Microsoft should be praised for the work it has done in this great country. Look at the taxes and contributions it pays. What other country would jump all over them with lawsuits and keep knocking them down? Please drop all lawsuits and let them get along with the work that they do best—the American way.

Thank you,  
Norm Blackburn,  
Tenino, WA.

**MTC-00021810**

From: shane  
To: Microsoft ATR  
Date: 1/24/02 11:59am  
Subject: Microsoft Settlement

Please see that is forwarded to the Offices of the states attorneys general involved in the case. Microsoft is a dishonest company, and we should all think long and hard before doing business with them. From “DOS ain't done ‘till Lotus won't run”, to the stealing of Stac's patented algorithms in order to run them out of business, to putting code in the Windows 3.1 beta to detect if it was being run under anything other than MS-DOS and spit out an error message in order to drive a competitor out of business, to marking the opening of a new e-greeting card service by releasing a version of Outlook that sorted Blue Mountain e-greeting cards into the trash so users never saw them, they have shown they are untrustworthy. They also claim to have invented in-house every technology which they have copied from somewhere else, have payed people to write “independent” pro-Microsoft opinions to editors of newspapers and magazines and to Usenet, have created phoney “grassroots” groups (including “members” from non-existent towns and real but deceased people) to push for dropping the anti-trust case, and

have used the Business Software Alliance as a club to force copyright-infringing companies to switch all their Novell software to NT. They continue to pay computer science professors to exclusively teach Microsoft tools, fake evidence in a court of law, forbid OEM customers of Windows from buying and loading another company's third party software under threat of losing their Windows license (Netscape specifically), forbid OEM customers from developing competing software under threat of losing their Windows license (IBM OS/2, and HP OpenMail specifically), lay out plans to defeat hobbyist software by noting that it generally complies with accepted Internet standards so Microsoft can break these standards to prevent hobbyist software from inter operating with theirs. They charge OEMs the cost of a Windows license for each processor shipped, and once shipped a version of Kerberos that refuses to log into any but a Microsoft Kerberos implementation. They create misleading “Can Your Palm Do That?” ads referring to features that Palms have by default and are costly add-ons to WinCE devices, and appended an advertisement written in the first person (I recently..) to MSN users’ outgoing email's without their knowledge. They have also required that corporations purchasing computers with Windows licenses must purchase additional licenses to reinstall these same computers with the corporate standard desktop, as well claiming that the default install of NT 3.51 met C-2 security standards when the rating is only made for a single physical installation and the installation which earned the rating had no network connection or removable media. They later claimed that NT4 met C-2 standards when it had not been tested simply because they had said NT3 met the standards. In the past they claimed that you do not need a trained network administrator to run a Windows-based network, claimed that DOS 6.0 was completely stable and didn't crash like DOS 5.0, claimed that Windows 95 was completely stable and didn't crash like DOS 6 and Windows 3.1, claimed that Windows 98 was completely stable and didn't crash like Windows 95, claimed XP is secure despite enabling by default a known security hole. Microsoft has shown itself to be untrustworthy. Over and over again. But then you know that, because Bill Gates lied under oath, to a judge, and submitted faked video as court evidence. Microsoft does not need to be fined. Nor do they need to be split into 2 or more companies. They need to be abolished, destroyed, disbanded and the major executives banned from working in the tech sector until after 2025. Your “settlement” is a joke and travesty. Pretend you are representing the people long enough to finish this case.— “There won't be anything we won't say to people to try and convince them that our way is the way to go.”—Bill Gates.

**MTC-00021811**

From: whlycw@foxinternet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Joseph James  
3442 SW 111th St.  
Seattle, WA 98146-1765

**MTC-00021812**

From: Laury D. Coultas  
To: Microsoft ATR  
Date: 1/24/02 12:00pm  
Subject: Monopoly

We truly need more choices, as Microsoft is continually shoving their products down our throats by constantly coming out with "newer" products that you must upgrade to, just to stay "current". Window 98 is enough for the home user..Windows 2000 is enough for a road warrior, Windows XP is too much...yet you cannot buy a new system without getting XP, which is not an improvement, it just makes more money and gives more control to Microsoft. Don't let Microsoft monopolize the online access and Internet too!

Laury D. Coultas

**MTC-00021813**

From: gobinbj@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:57am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Betty Jean Gobin  
713 S Spring  
Nevada, MO 64772-3006

**MTC-00021814**

From: rcndonna@aol.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 11:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Roy Brooks  
27752 E. 340 Rd,  
Big Cabin, OK 74332-9801

**MTC-00021815**

From: wt.catch1  
To: Microsoft ATR  
Date: 1/24/02 11:56am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

VA 22902-5845

**MTC-00021816**

From: TLusa84757@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:58am  
Subject: Microsoft Settlement

I am a concerned citizen and take exception to the suit filed by AOL against Microsoft. I believe its easy to cry foul when you get beat at your own game. Remember Netscape was given away free for many years and I heard no protest then. Lets make the doj read Ann Rands "Atlas Shrugged" and take a lesson.

Sincerely,

tlusa84757@aol.com

**MTC-00021817**

From: crocent@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Louis Croce  
115 W. Montgomery Avenue  
Ardmore, PA 19003-1509

**MTC-00021818**

From: fstoppa@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:55am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Frank Stoppa  
8044 Swamp Flower Dr. E.  
Jacksonville, FL 32244-6160

**MTC-00021819**

From: caldwell68@ureach.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:57am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of

innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kimberly Caldwell  
430 Diversey Parkway  
Apartment 302 Chicago, IL 60614

**MTC-00021820**

From: S(038)K  
To: Microsoft ATR  
Date: 1/24/02 11:59am  
Subject: Microsoft settlement

We use both Netscape and Microsoft. We find the MS programs to be much more user friendly, and we wish this would be over and let Microsoft go on down the road and invent more great products that we didn't know we needed, but find indispensable once available. It's time for this to be over. thank you,

Taxpayer Karen Frantzen  
Crossville, TN 38572

**MTC-00021821**

From: Marcello Missiroli  
To: Microsoft ATR  
Date: 1/24/02 11:59am  
Subject: Microsoft Settlement  
No, don't do it this way!  
Marcello Missiroli (1)  
marcello.missiroli@tiscalinet.it

**MTC-00021822**

From: Philip Smith..Rus..ADZOOX  
To: Microsoft ATR  
Date: 1/24/02 11:58am  
Subject: Microsoft Settlement

A very bad idea to do nothing less than break Microsoft into four companies. Hardware Gaming Internet Software A straight cash settlement of 1 billion directly divided equally to all states for the purchase of technology upgrades that do not exclude Linux, Sun, Macintosh.

**MTC-00021823**

From: Bevans, Len  
To: Microsoft ATR  
Date: 1/24/02 11:59am  
Subject: Microsoft Settlement

Dear Sir or Madam,  
The settlement achieved between Microsoft, the Department of Justice, and a bipartisan group of State Attorneys General in the original antitrust case against Microsoft is in the interest of consumers and the high-tech industry. I ask that it be accepted by the Court. At a specific level the Revised Proposed Final Judgment ("RPFJ"), represents over 5 weeks of dialogue between Microsoft, the United States, and the plaintiff States undertaken at Court's own instruction that the parties "steadfast in their efforts to reach a mutually agreeable resolution." According to neutral experts, this effort culminated in a RPFJ that goes considerably further than the Court of Appeals' decision could be reasonably said to warrant. For example, the RPFJ offers relief on the issue of "client-server interoperability", which was not addressed either at trial or by the Court of Appeals. At a general level, continuing litigation in this case or similar ones, such as that filed by AOL on Tuesday, January 22, are a detriment to consumers and the high-tech industry because they require that massive

resources be diverted from market place competition and cooperation. It is engagement in these two situations that advances the rich benefits technology brings to our lives both at home and work. I would welcome the opportunity to discuss this with you or to respond to your inquiries. I may be reached by phone at work: (513) 745-2157 or home: (513) 941-3680 or by e-mail: lenb@gasullivan.com.

Sincerely,  
Leonard W. Bevans

**MTC-00021824**

From: VAILS2@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:59am  
Subject: Microsoft Settlement

We hope that the settlement can go through. We don't believe that any further litigation is in our best interest, i.e. the interest of the consumer. Microsoft has given us excellent products.

Doris & John Vail  
vails@compuserve.com

**MTC-00021825**

From: Wade  
To: Microsoft ATR  
Date: 1/24/02 12:01pm  
Subject: Microsoft Settlement

Hi,  
I have been following the Microsoft hearings for the past few years and the proposed settlement would do nothing to curve the activities of the software giant. In fact, parts of the proposed settlement would actually help Microsoft ensure their market dominance. This is neither fair to competition or in the interest of the antitrust laws. Microsoft has proven time and time again that they cannot conduct themselves in a law-abiding and ethical manner, for which they must be punished for. They need to realize that they cannot do anything they wish because they own the largest market share. There are several alternative operating systems that millions of people use everyday which deserve to be used with full confidence that they will work with the rest of the computing world. If Microsoft had their way everyone would be forced to use their products without being given a choice. One example of this is their recent lobbying to get the Music industry to use the Microsoft Media Player file format for all audio CDs. This would ensure everyone who buys a CD would install the Media Player application on their computer, forcing out competing products. There is absolutely nothing wrong with the current AIFF audio file format that CDs come in today, which is an open format that hundreds of applications support, not a proprietary format that only Microsoft supports. There are literally hundreds of cases like this where Microsoft uses their market dominance to ensure their competition is unfairly stifled. Please make Microsoft accountable for their illegal actions and police them in the future, since they are obviously unable to do it themselves.

Wade C

**MTC-00021826**

From: Glen (038) Karen Guenther  
To: Microsoft ATR  
Date: 1/24/02 12:01pm

Subject: Microsoft Settlement

Dear Sirs,

I'm writing to say how appalled I am by the DoJ's proposed settlement with Microsoft. As far as I know, all of the findings of fact were upheld so why are you capitulating to Microsoft like this?!? You act like the DoJ was the loser here, not Microsoft! Haven't you paid ANY attention to what Microsoft has been doing with Windows/XP and their ".Net" plans? They're working hard to extend their monopoly and to shut out all other companies.

I recently upgraded my Internet Explorer browser to version 5.5 and I found even MORE examples of Microsoft promoting its monopoly. I mis-keyed the web address for a website I was wanting to look at. Instead of bringing up the old "Cannot find..." screen, it took me to an MSN screen where I could search for the website I was trying to find. I've never used MSN to look up websites before so there's no reason why IE 5.5 should have taken me there.

This is just another way that Microsoft is trying to extend their monopoly by forcing everyone on the Internet to use their services. Windows/XP is even worse. Microsoft is forcing people to use drivers that THEY approve. How easy it is for Microsoft to simply refuse to approve drivers for competing devices and services (or to simply delay them for long periods of time to give themselves a big advantage in time)! They should NOT be allowed to force only using their approved drivers. Or, if there's a valid reason why only approved drivers can be used, there should be an independent group that provides this approval but, no, we've got the fox guarding the henhouse here! And you're just encouraging them by giving them this weak slap on the wrist. Now that they know that they have nothing to fear from the DoJ, I'm worried about what Microsoft will do to extend their monopoly next!

I tend to think that even the opposing states' proposed remedies to the Microsoft settlement don't go far enough. Still, it's MUCH better than the DoJ's proposal. I think that the opposing states' remedies should be considered the absolute minimum agreement that should be considered! I still wouldn't be happy with it but at least it wouldn't stink to high heaven like the DoJ's capitulation does. You'll ignore this note, just like you'll ignore all of the other notes that disagree with your subservience to Microsoft, but I had to at least voice my opinion.

I guess the thing that disappoints me the most about this is that I've voted for Attorney General Ashcroft in every election where I COULD vote for him. I've met him and campaigned for him in a few different elections. I was thrilled when he was nominated for Attorney General, all the way up until I heard about the DoJ's capitulation to Microsoft. Maybe he isn't the person who is making all of these decisions about giving in to Microsoft but I know that he could right this wrong if he chose to do so. I know that he's a man of integrity so I am totally baffled why he would let Microsoft get away with electronic murder (of Netscape) here. There are certainly other matters which are more important than this. Nevertheless, this is important enough to me that if this proposed

settlement gets enacted as is then I'll never be able to vote for Governor/Senator/ Attorney General Ashcroft again with a clear conscience and will have to consider campaigning for his opponents. I'm so disappointed in him...

Sincerely and sadly,  
Glen Guenther  
715 S. 4th Street St.  
Charles, MO 63301  
(636) 946-8325

**MTC-00021827**

From: Jonathan McKamey  
To: Microsoft ATR  
Date: 1/24/02 12:00pm  
Subject: Microsoft Settlement

I do not believe that this settlement is in the best interest of the American people. All evidence indicates that Microsoft has taken advantage of it's position of power to extend it's monopoly, and has competed unfairly in the market of both Operation System and Web Browser. I am sure that you are receiving thousands of such e-mails, so i will not ramble on any further. Thank you. pity this busy monster manunkind not... e.e.cummings

-Jon McKamey

**MTC-00021828**

From: rcndonna@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:57am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Donna Brooks  
27752 E. 340 Rd.  
Big Cabin, OK 74332-9801

**MTC-00021829**

From: Maurice H. Lamothe  
To: Microsoft ATR  
Date: 1/24/02 12:15pm  
Subject: Microsoft Settlement

I don't agree with the settlement offers on Microsoft!

Maurice H. Lamothe  
8008 Cardigan Way  
Shreveport LA 71129-4901

**MTC-00021830**

From: Scott—J—Golightly@  
Keane.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:00pm  
Subject: Microsoft Settlement

This letter is in response to the proposed settlement between Microsoft and the United States Government and 9 states.

After reading the terms of the proposed settlement I believe that the settlement will provide for a fair and equitable manner in ensuring that Microsoft does not further abuse its market power but still allowing OEMs, ISVs and others the information that they need to work with Microsoft products.

As a professional software developer I would like to see a speedy resolution to the case against Microsoft so that I can work without fear of changes to the underlying operating system which my code is dependent upon.

Scott Golightly  
Senior Principal Consultant—Keane, Inc.  
Scott—J—Golightly@keane.com  
801.576.8800

**MTC-00021831**

From: Tucker, Chad  
To: Microsoft ATR  
Date: 1/24/02 12:02pm  
Subject: Microsoft Settlement

To whom it may concern:

I am writing to express my extreme displeasure with the Department of Justice's antitrust case against Microsoft.

As a professional economist, I can state unequivocally that the products manufactured by the Microsoft corporation contribute immensely to my productivity and to the productivity of my coworkers. I use Microsoft software everyday, and the forecasts and reports I produce are much better off as a result. None of the software in competition with Microsoft's Office Suite, and none of the operating systems in competition with Microsoft's Windows, are capable of achieving the results that I must have in order to satisfy my company's clients.

As a professional economist, I can also state unequivocally that the antitrust laws are based upon a profound misunderstanding of the factors that govern the economy. Unless the government grants a monopoly to a corporation, that corporation cannot become a monopoly. Microsoft's large market share is not due to any "restraint of trade" or anything else of which the DoJ is accusing it, but rather it is due to its superior products. Microsoft sells many copies of its software because consumers of software recognize that its products are worth buying, and for no other reason. The DoJ suit threatens to punish Microsoft for no reason other than because Microsoft excels at giving its customers what they want. Its customers will be hurt to precisely the same extent as Microsoft itself if antitrust action is taken against it.

And, based on my knowledge as a professional economist, I can state unequivocally that the Microsoft antitrust suit is odious in another area: morality. The products produced by Microsoft, and the company itself, are the rightful property of its shareholders and of no one else. The Department of Justice has no right to abrogate the rights of the owners of the Microsoft corporation in demanding that it change its

products or be split into separate companies. That the products of a man's mind (in this case, Bill Gates' and Microsoft's programmers' minds) are rightfully his, is not only the very basis of American society; it is the exclusive basis of a just and moral society. The DoJ lawsuit against Microsoft undermines the most fundamental underpinnings of American capitalism, and it is a slap in the face to anyone who has ever produced anything of value.

And thus, as a professional economist, I urge you to reconsider your antitrust case against Microsoft. Don't punish Bill Gates for having created something of great value to the vast majority of computer users; rather, commend him for a job well done.

Sincerely,  
Chad Tucker  
chad.tucker@dri-wefa.com  
1200 G Street, NW 10th floor  
Washington, DC 20005  
(202) 383-2043

**MTC-00021832**

From: ViolaAbraham@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:02pm  
Subject: Microsoft Settlement

January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

The antitrust case against Microsoft has been resolved, and I want to give my support to this agreement. It has gone on far too long, and should never have happened in the first place. I cannot believe Microsoft had a suit brought against them. Bill Gates, through Microsoft, has done so much for this country. Microsoft has provided thousands of jobs directly, and correspondingly, auxiliary jobs. Our government is trying to find ways to rebound from the recession, yet punishes the one company that is the major engine of our economy. Further, competitors of Microsoft, not consumers, instigated this suit. I could go on and on, but I want to reiterate my support of this agreement so we can get back to business. Microsoft has also agreed to a great many demands of the Department of Justice. Microsoft has agreed to terms that extend well beyond the products and procedures that were actually at issue in the original suit. Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to Windows' operating system products—a first in an antitrust settlement. Give your approval to this agreement. It is time to go forward and quit second-guessing judicial decisions.

Sincerely,  
Viola Abraham  
10005 Humphrey Road  
Cincinnati, OH 45242

**MTC-00021833**

From: Fred L. Drake, Jr.  
To: Microsoft ATR  
Date: 1/24/02 12:01pm  
Subject: Microsoft Settlement

I think the settlement with Microsoft does not solve the problems which caused the suit to be brought. The settlement should not be made.



Fred  
 Fred L. Drake, Jr.  
 <fdrake at acm.org>  
 PythonLabs at Zope Corporation

**MTC-00021834**

From: Linda Welshons  
 To: Microsoft ATR  
 Date: 1/24/02 12:01pm  
 Subject: Goose and Golden Egg

Please, please, please settle this destructive lawsuit against Microsoft! They are one of the United States' strongest companies and exporters into the international market. Our economy needs them and our government needs the taxes that they and their employees pay. Let us not kill the goose that lays the golden egg!

Linda Welshons

**MTC-00021835**

From: JimMiller@bluecrossmn.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:02pm  
 Subject: Microsoft Settlement

I am writing to object to the proposed Microsoft settlement. To date, Microsoft has used unfair and illegal tactics to garner the vast market share of several software arenas, including operating systems, web browsers, and office software. In doing so, they have made their products the de facto standard in these areas. The proposed settlement does nothing to remedy these problems. In fact, by not forcing full sharing of APIs, file formats, and other key information, the settlement will further solidify Microsoft's monopoly on the industry. I strongly recommend that the settlement as outline NOT be accepted, and an alternative found that will "level the playing field".

**MTC-00021836**

From: Roger Haler  
 To: Microsoft Settlement U.S. Department of Justice  
 Date: 1/24/02 11:58am  
 Subject: Microsoft Settlement  
 Roger Haler  
 141 Fowler Drive  
 Leesburg, GA 31763-5013  
 January 24, 2002  
 Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations,

consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
 Roger L. Haler

**MTC-00021837**

From: Eric Schatzberg  
 To: Microsoft ATR  
 Date: 1/24/02 12:05pm  
 Subject: Microsoft Settlement

I wish to express my strong opposition to the proposed settlement agreement to the antitrust action by the Department of Justice against the Microsoft Corporation. This agreement completely fails to prevent the strengthening of Microsoft's monopoly in software, let alone reduce it.

Microsoft's dominance of the operating system market is a perfect example of market failure resulting from path dependence effects and the economics of increasing returns, a phenomenon whose significance has been explained by the economist W. Brian Arthur. Microsoft clearly owes its market dominance to these effects, and not to the quality of its products, which are widely criticized by independent software experts.

Microsoft's interests are simply not identical with those of computer users. Users need simple, user-friendly software that does not require professional instruction and hours of frustration to master. Microsoft, in contrast, produces bloated, complicated, expensive and buggy software. Take word processing, for example. While the price/performance ratio of computer hardware has fallen by more than an order of magnitude in the past ten years, Microsoft Word has maintained its high price. I use a version of Word last updated in 1992, as well as the current version. Nine years of innovation have failed to improve usability, while adding a host of secondary features irrelevant to 90 percent of Word users. If there had been real competition in word processing software, I'm convinced that price would have decreased and usability would have increased. The economic consequences of this market failure are tremendous. Numerous studies have documented the failure of information technologies to increase productivity in any degree close to their potential. It is very difficult to quantify the economic losses caused by bad software, but every computer user knows the wasted hours spent getting such software to work properly. The original remedy, breaking up Microsoft into separate companies, at least would add some competition back into the software industry.

Sincerely,  
 Eric Schatzberg <eschatzb@facstaff.wisc.edu>  
 Associate Professor  
 Department of the History of Science  
 University of Wisconsin-Madison, USA  
 (608) 262-3973; fax: (608) 262-3984

**MTC-00021838**

From: aanh@mcsi.net@inetgw  
 To: Microsoft ATR

Date: 1/24/02 12:03pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Hugh N. Bodey  
 451 Taylor Street  
 Myrtle Creek, OR 97457-9733

**MTC-00021839**

From: lwaite@ptd.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:01pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Larry Waite  
 333 Layfield Road  
 Perkiomenville, PA 18074

**MTC-00021840**

From: David Medinets  
 To: Microsoft ATR  
 Date: 1/24/02 12:07pm  
 Subject: Microsoft Settlement

Under the Tunney Act, I want make my opinion known about the proposed Microsoft settlement. I feel that Microsoft has acted very much like a monopoly used predatory tactics against competitors. In fact, this behavior continues today.

Please impose monetary fines (used to provide unfettered funds to schools) instead of allowing Microsoft to supply "free" software which will only serve to further their market share.



thank you.  
David Medinets,  
Consultant, <http://www.codebits.com>  
World-Renowned Nested Tree Modeler

**MTC-00021841**

From: digl@gwl.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:02pm  
Subject: Microsoft Settlement is bad for the country and the software industry.

Dear Renata Hesse, Trial Attorney,  
The current settlement with Microsoft is unacceptable. The current proposed settlement would strengthen Microsoft's monopoly and that is in spite of the fact that Microsoft has been found GUILTY of maintaining its operating system monopoly in violation of section 2 of the Sherman Act. I would suggest at least the follow penalties for Microsoft as proposed by Dennis E. Powell in the article "Speak Now or Ever After ... Regret Your Silence". "Any remedy seeking to prevent an extension of Microsoft's monopoly must place Microsoft products as extra-cost options in the purchase of new computers, so that the user who does not wish to purchase them is not forced to do so. This means that for the price differential between a new computer with Microsoft software and one without, a computer seller must offer the software without the computer (which would prevent computer makers from saying that the difference in price is only a few dollars). Only then could competition come to exist in a meaningful way.

The specifications of Microsoft's present and future document file formats must be made public, so that documents created in Microsoft applications may be read by programs from other makers, on Microsoft's or other operating systems. This is in addition to opening the Windows application program interface (API, the set of "hooks" that allow other parties to write applications for Windows operating systems), which is already part of the proposed settlement.

Any Microsoft networking protocols must be published in full and approved by an independent network protocol body. This would prevent Microsoft from seizing de facto control of the Internet.

I then point out that if the national interest is at issue, as I believe it is and as the judge has suggested it is, it is crucial that Microsoft's operating system monopoly not be extended, and in this I quote the study released a year ago by the highly respected Center for Strategic and International Studies, which pointed out that the use of Microsoft software actually poses a national security risk. In closing, I say that all are surely in agreement that the resolution of this case is of great importance, not just now but for many years to come. This suggests a careful and deliberate penalty is far more important to the health of the nation than is a hasty one."

**MTC-00021842**

From: Joseph Majeske  
To: Microsoft ATR  
Date: 1/23/02 9:06pm  
Subject: Microsoft Settlement

Having read about the proposed settlement, I must say that I am not in favor of it in its

current form. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to consumers, Microsoft's competitors, and the industry as a whole.

Thank you,  
Joseph Majeske  
100 S. 4th Avenue  
Highland Park, NJ 08904

**MTC-00021843**

From: vldiehl@pdt.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:01pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Sincerely,  
V.Louise diehl.  
203 S.Spruce St.  
Liltitz-Lancaster, PA 17543-2315

**MTC-00021844**

From: Mike  
To: Microsoft ATR  
Date: 1/24/02 12:05pm  
Subject: Microsoft Settlement

This settlement appears to be written by Microsoft FOR Microsoft. Microsoft has killed off Netscape, Wordperfect, and many other companies. I think the settlement needs to be much tougher.

Mike Hampton

**MTC-00021845**

From: NORSKPOLE@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:06pm  
Subject: Microsoft Settlement

The recent suit by AOL regarding Netscape is a travesty. AOL purchased Nestscape at a very low cost, lwith full knowledge that Microsoft had the dominant position for a browser.

This move by AOL, on top of the cases being presented by the nine states that have not agreed with the settlement between the U. S. Government and the other states, is just another example of the bad faith that these parties have brought to the attempt to reach a fair and reasonable settlement. It is not in the best interests of the people of the world to prolong this debacle. Micorsoft has been a stabilizing force which allowed the entire world to communicate in a common language. The integration of the Microsoft Browser into Windows is a basic integration tool for the user. Much more effort is needed

by the computer user to use Netscape in conjunction with text programs and spreadsheets.

The entire case of the dissenting nine states, as published in the newspapers is clearly an attempt to gain competitive advantage for companies with strong political ties in the dissenting states.

I am neither a microsoft employee, nor am I a Microsoft stockholder.

Bernard E. Nelson

**MTC-00021846**

From: dave@oct.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:02pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Pflum  
110 w. bertrand  
St. Marys, KS 66536

**MTC-00021847**

From: Mord  
To: Microsoft ATR  
Date: 1/24/02 11:05am  
Subject: Microsoft Settlement

As a concerned citizen it boggles my mind that the DoJ can even think that the current proposed settlement with regards to Microsoft's illegal use of a monopoly has even a chance at terminating that illegal monopoly and denying the defendants the illegally acquired market dominance that they have obtained. This proposal doesn't even take any direct measures to reduce the Applications Barrier to entry faced by any new entrant into the markets that Microsoft has already monopolized.

The court of appeals confirmed that Microsoft has a monopoly on x86 based PC OS's, and that the company's market position is protected by a serious barrier to entry, as well as that Microsoft was liable under the Sherman Act for maintaining it's monopoly via licensing restrictions placed on OEM's IAP's, ISV's and Apple Computer (re: JVM.) From these practices, licensing, etc Microsoft managed to strengthen the barrier to entry into its markets and weakened its competition (those that weren't put out of business.) Doesn't the judgement have to find a direct way to reduce those barriers to entry and increase competition to be meaningful?

Some examples of problems with the PFJ. Section III.A.2 allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. Basically this lets Microsoft impose a PC tax on everybody who buys computers from large OEM's since no large OEM can afford to ship all their machines without windows on it.

Section III.B allows Microsoft to do anything they want to smaller OEM's. Don't the small OEM's deserve the same protection as the 20 largest? Is there something special about being 20th vs 21st? This section must give the same protection to all OEM's regardless of size. Also this section would allow Microsoft to continue leveraging its monopoly by offering "Market Development Allowances" (basically a discount) to OEM's based on the number of copies of X product sold by that OEM.

Sections III.F and III.G don't put an end to several of Microsoft's exclusionary practices towards ISV's. The Microsoft Windows Media Encoder 7.1 SDK EULA doesn't allow it to be distributed with any software that contains, or is derived in any manner (in whole or in part) from any software that is distributed as free software, open source software or similar licensing or distribution models. The EULA goes on to list anything licensed under GPL, LGPL, Artistic License, Mozilla Public License, Netscape Public License, Sun Community Source Public License. Should Microsoft be able to dictate that anyone who uses this piece of their software cannot also distribute other software? Almost every Windows API is shipped as an add-on SDK with associated redistributable components. Anything that wishes to use that API is effectively banned by the EULA from utilizing any free software and this penalizes all companies that chose to use Open Source as a method to distribute their program. This also harms products like Netscape 6 and StarOffice. On top of this the Microsoft Platform SDK makes it illegal to run programs generated by Microsoft Visual C++ on a non Microsoft Windows-compatible operating system.

We should also regulate how Microsoft licenses its products to non OEM's. This includes site licenses or "enterprises" and "enterprise licensing" as well as end user consumer licensing. Most of the "enterprise license" agreements have a strong semblance to per-processor licenses which were prohibited by the 1994 consent decree, in which Microsoft gets money for every computer that could possibly run a Microsoft OS not just the ones that are running it. These agreements are anticompetitive because they remove the financial incentive for individuals or departments to run non Microsoft software since you already have to pay for it. It's like insisting that everybody that has a car buy 4 Goodyear tires, even if you want to use somebody else's tires the Goodyear tires are paid for and you have to pay for them. How many people do you think would go buy the Pirelli tires then? The same is true with these licenses. End user license issues can be shown from MSNBC's NewsAlert software, which has a EULA which says "MSNBC Interactive grants you the right to install and use copies of the

SOFTWARE PRODUCT on your computers running validly licensed copies of the operating system for which the SOFTWARE PRODUCT was designed [e.g., Microsoft Windows(r) 95; Microsoft Windows NT(r), Microsoft Windows 3.1, Macintosh, etc.]. This makes it illegal to try running the software under WINE for instance which can run some windows programs under Linux. Yet the EULA states that this is illegal, hence the only legitimate way to use this software is to own a copy of Microsoft Windows of some form— they mention Macintosh, yet there isn't a mac version of this software.)

Isn't this practice anticompetitive? Why has no court fully examined information from the 1996 Caldera vs Microsoft antitrust suit, which clearly showed that there was sufficient evidence that Microsoft intentionally created incompatibilities in their Windows 3.1 product to discourage competition.

I think for the final judgement to be in the public's best interest we need to have the following.

1) ALL Microsoft API's, software hooks, etc must be public, and must be given to the public at least 6 months prior to release.

2) All Microsoft file formats must be also given to the public 6 months prior to use in a product.

3) All OEM's should be under the same restrictions, not just the top 20.

4) All Microsoft software licensing must allow for the software to be run on any validly licensed machine regardless of what OS is running on it. If the machine can run the software it shouldn't be prohibited from doing so by a EULA. Basically instead of Windows/Microsoft OS should be any Windows compatible OS.

5) Any "middleware" product should be replaceable by another competing "middleware" product. The ability to replace Java with Sun's Java is meaningless after .NET comes about. We must be able to replace .NET with another competing middleware.

6) Windows should include ANY machine that uses any part of the Win32 API (including X-Box, Pocket PC, Windows CE, etc.)

7) There must be an advance notice requirement with regard to ISV's regarding middleware. As it stands Microsoft could simply change the requirements just before the deadline and not inform the ISV's.

8) Competitors must not be prohibited from using the API documentation to build Microsoft compatible Operating Systems.

9) Microsoft must be required to list which software patents protect the windows APIs if any. Non disclosure on said patents should be considered the same as the granting of the actual patent to the public domain.

10) OEM's must be allowed to ship machines in any number with any OS on them without fear of retaliatory pricing on the part of Microsoft.

11) Microsoft discounts should not allow monopoly leveraging in any way shape or form. In other words any discount Microsoft chooses to offer must only be linked to the product being bought, and must be offered to any and every OEM.

12) There must be an active and effective enforcement mechanism (one that will also

make Microsoft want to fix their problems.) And no a fine of a million dollars a day isn't sufficient. That would be like fining Michael Jordan a dollar a day because of his Nike affiliation. Do you think he'd care about the dollar? Also there must be an effective monitoring system put into place to observe Microsoft's behavior, review all license agreements, review all OEM agreements, etc.

These things are necessary to protect the consumer. Real remedies must be implemented on a company that has blatantly broken the law. Real insurances must be made that they cannot continue to break the law.

Scott Francis  
1812 Herald Ln  
Murfreesboro, TN  
37130

#### MTC-00021848

From: Richard Cacciato  
To: Microsoft ATR  
Date: 1/24/02 12:05pm  
Subject: Microsoft Settlement

Gentlemen:

I am a firm believer in free enterprise, but abuses of the system simply don't further free enterprise. Microsoft has engaged in tactics which are restrictive of markets and are bad for competition. As a principal in a web development firm, I have watched initiative after initiative which Microsoft has promoted as "progress" which have resulted in customers having less choice and being committed to inferior software and solutions. Its latest attempts, .NET and Passport, threaten to undermine the open standards of the web which have made it such a successful communications medium. .NET and Passport are closed technologies which, like EDI in the past, will restrict information flow in a costly and non-productive manner.

I urge you to reject the proposed Microsoft settlement.

Thank you.

Richard Cacciato <rcacciato@blue-iceberg.com>

Blue Iceberg LLC  
Website Development √ Strategic  
Marketing √ Business Solutions  
<http://www.blue-iceberg.com>  
Tel: 212.413.9226 Fax: 212.413.9201

#### MTC-00021849

From: rosejake@stratuswave.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:04pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roseanne Jacobsen  
53 Circle Drive  
Burgettstown, PA 15021

**MTC-00021850**

From: Dan Lipofsky  
To: Microsoft ATR  
Date: 1/24/02 12:13pm  
Subject: Microsoft Settlement

To whom it may concern:

I believe that the proposed settlement agreement in the Microsoft antitrust case is insufficient. It does not go far enough to punish Microsoft for its past violations nor does it provide sufficient protection against future violations. The donations to schools is actually the worst part because it gives Microsoft a tool to increase its market share and thus become a worse monopoly.

Thank you for listening.

Sincerely,  
Daniel Lipofsky  
San Rafael, CA 94903

**MTC-00021851**

From: pierson@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:09pm  
Subject: Microsoft Settlement

The MS settlement is a frustrating one. Why should one company be allowed to so totally control the computer world? The settlement simply adds what amounts to a government approval of monopoly, and engenders the horrific marketing and sales schemes that we see Microsoft so blatantly push as of late.

As a US citizen, I am more than disappointed with our judicial system in this regard.

Roger A. Pierson

**MTC-00021852**

From: Richard Tennis  
To: Microsoft ATR  
Date: 1/24/02 12:06pm  
Subject: Microsoft

Dear Sirs,

I do not believe that the current settlement terms put forth by the DOJ will be effective in correcting the monopoly abuses which Microsoft has committed. Please reconsider this important matter.

Thank You,  
Richard Tennis  
San Antonio, TX

**MTC-00021853**

From: waggene941@webv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:04pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Paula Waggener  
2950 E. Marshall St.  
Charleston, MO 63834

**MTC-00021854**

From: John Folk  
To: Microsoft ATR  
Date: 1/24/02 12:06pm  
Subject: Microsoft Settlement

To Whom It May Concern:

I feel the settlement regarding this case is much too lenient. It still allows for the preservation of the company's monopolization tactics. This was not the purpose of the suit. I feel ashamed to be living in a country where a large company's monopolistic market hold and tactics are considered outside the laws that affect all other companies. If the government cannot reign in this beast, then who can?

By not punishing this behemoth with more than what amounts to the court costs, there is no real punishment. Please reconsider your decisions before we are pledging allegiance to a flag with a Microsoft logo in each corner.

Signed,  
John Folk

**MTC-00021855**

From: jandrako@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:07pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Wanda Andrako  
1970 Albion Rd.  
Midlothian, VA 23113-4147

**MTC-00021856**

From: JB Bock  
To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 12:13pm  
Subject: Microsoft Settlement  
To whom it may concern;

The Proposed Final Judgment against Microsoft does not adequately address their monopolistic behavior. It does not stop them from "bolting" their applications as part of their software bundle, it does not require them to be penalized for their past monopolistic behavior and it does not offer a break-up or convincing regulation to stop their monopolistic behavior. A regulation team with 1/2 of the team represented by Microsoft is not going to sway their past behavior.

As someone who is involved in the technology industry and very well one day could be looking to start a company that competes with Microsoft, the thought is rather daunting if Microsoft is not permanently altered. Microsoft inherently is monopolistic in order to maximize profits. It has the ability and willingness to crush its competitors, quash America's entrepreneurial spirit and forever change the landscape of the software industry.

Thank you for your time,  
JB Bock  
Somera Communications  
PH: 805-681-3322 x323  
FX: 805-681-3325  
jbock@somera.com

**MTC-00021857**

From: Stephen Quinn  
To: Microsoft ATR  
Date: 1/24/02 12:09pm  
Subject: Microsoft Settlement

Come on, guys, this is obviously a ploy by AOL to stall the settlement and keep Microsoft distracted from the core business. Please do something to end this on-going and out of date court case against Microsoft. I almost don't care what you do, just end it.

Thanks.

Stephen Quinn, Test Mgr  
"The more I want to get something done, the less I call it work."—R.

Bach <<http://www.ag.wastholm.net/author/Ashleigh—Brilliant>>

.NET Enterprise Server, SQL Business Intelligence

Office Phone: 425.703.5351, Cell Phone: 425.829.3727

**MTC-00021858**

From: musikathy@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:06pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kathleen Johnson  
73-540 Woodward Dr.  
Palm Desert, CA 92211

**MTC-00021859**

From: Guthrie, John  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 12:00pm  
Subject: Microsoft Settlement

I would like to add my opinion to those you consider in light of the proposed settlement of the Microsoft anti-trust case. It is my belief that the settlement does not go far enough in its remedy in terms of allowing for a competitive atmosphere in the desktop software development arena. The settlement will pretty much allow Microsoft to continue in it's business-as-usual, a practice that has indeed been adjudged as monopolistic.

Thank you for your consideration.  
john guthrie  
senior software specialist  
american institutes for research  
jguthrie@air.org  
202-298-2716

**MTC-00021860**

From: lloyd@jcn1.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lloyd Gish  
12854 Hencher Rd.  
De Soto, MO 63020

**MTC-00021861**

From: RumaRosa@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:06pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you. Rosa soliz

Sincerely,  
Rosa Soliz  
9227 ridge town  
SanAntonio, TX 78250

**MTC-00021862**

From: Vaughan Johnson  
To: Microsoft ATR  
Date: 1/24/02 12:09pm  
Subject: Microsoft Settlement

Under the provisions of the Tunney Act, I want to voice my deep disappointment in the proposed Microsoft Settlement, as I believe it is far insufficient penalty for the crimes committed by Microsoft for so many years. As a computer software professional, I have seen Microsoft operate with impunity in what appear to me to be clearly unfair trade practices, that profoundly stifle innovation and the benefits of competition, for 16 years. To see them now on the verge of minimal punishment for one of these many practices, and after all the work the DOJ has put into the case, is indeed deeply disappointing. Please reconsider.

Thank you,  
Vaughan Johnson

**MTC-00021863**

From: Ivan Thomson  
To: Microsoft ATR  
Date: 1/24/02 12:10pm  
Subject: Settlement comments

I find it ironic that a company which for over a decade crushes every other company in it's way, mkes billions upon billions of dollars for itself and it's founders, has destroyed any competition in the computer industry to the point where there is now only one major OS producer other than microsoft—that being Apple which only has 3%—8% of the market share....so then there is Microsoft...around 98% market share world wide....and they get a slap on the wrist from the U.S. Government....and we the people are supposed to have faith int he system?

The lesson here that you have provided to the next generation is that doing honest business will put you out of business....but doing mean, hurtful, monopolistic business will get you everything. In other words...if you are a crook and make \$10 and only get fined \$1...then you are \$9 ahead aren't you?

Ivan Thomson  
769 Crescent Dr.  
Palm Springs, CA 92262  
Macintosh User—Ex Atari User, Ex-Commodore User, Ex-Amiga User, Ex-Every other Computer system that used to exist prior to Microsoft user

**MTC-00021864**

From: Peter M. Jansson  
To: Microsoft ATR  
Date: 1/24/02 12:10pm  
Subject: Microsoft Settlement

I think the proposed Microsoft settlement is not adequate because it fails to remove from Microsoft the gains made from its illegal activities, and it will be very difficult to implement, as opposed to such a structural remedy as separating Microsoft's browser development activities from the rest of the company (a relatively simple remedy that would have a dramatic effect on the competitive landscape). In the absence of such a strong remedy, Microsoft will clearly continue on its path, even if adjusts a little, and will damage consumer choice.

Peter M. Jansson 410 435 2200

**MTC-00021865**

From: wkflint@pacbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:07pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Flint  
P.O. Box 905  
Danville, CA 94526-0905

**MTC-00021866**

From: Aaron Sago  
To: Microsoft ATR  
Date: 1/24/02 12:10pm  
Subject: Microsoft Settlement

If Apple computer can create an application to run Linux Applications, why can Linux not create an application to run Windows applications. If you find for Microsoft in this case you must also file anti-trust against Apple.

Aaron Sago  
Director, Software Development  
nuMethods, LLC  
1000 Abernathy Road  
Building 400, Suite 632  
Atlanta, GA 30328  
Phone: 770/730-3600  
email: aaron.sago@numethods.com  
Business Phone: 770-730-3732  
Mobile: 678-938-1237

**MTC-00021867**

From: REYECUELO7@CYBERTRAILS.COM

@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:07pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 ROBERT JACKSON  
 3845 S. VIA DEL REYECUELO  
 GREEN VALLEY, AZ 85614-5418

#### MTC-00021868

From: Pats413@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:10pm  
 Subject: settlement case Stop all these lawsuits

Stop all these Lawsuits. AOL is the pot calling the kettle black and is continuing the disruption of an economic recovery! Create your rules and pardon what ever violations you think Microsoft committed. The consumers are being hurt by these Companies using the Justice system to destory one another so they may take control of the market. Throw out the AOL case immediately. I have stock in both companies and use AOL as you can see by my email address. Microsoft has not inhibited my ability to choose a browser! AOL wants to only be compensated for their own poor judgement in purchasing Netscape and wants to disrupts the competition for broadband. These lawsuits are bad for the consumer, the stock holders and the Country. The only people who win are the lawyers!

"The Stillmans"  
 Pepper Pike, OH

#### MTC-00021869

From: Galehnhard@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:09pm  
 Subject: aol timewarner suit  
 a note to express my disagreement with aol timewarner decision to bring suit against microsoft. enough of this litigation crap. I own no microsoft stock and have no interest in microsoft other than following the legal turmoil over the past years and I say enough!  
 geogre lehnhard  
 galehnhard@aol.com

#### MTC-00021870

From: latricia@missouri.edu@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:09pm

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Latricia Vaughn  
 3404 Mexico Gravel Rd.  
 Columbia, MO 65202-2626

#### MTC-00021871

From: Al Turner  
 To: Microsoft ATR  
 Date: 1/24/02 12:11pm  
 Subject: Microsoft Settlement

In my experience, Microsoft products have consistently been the best product for the consumer. If you build a better mousetrap the world will beat a path to your door. Microsoft has done that and should be commended for their effort, not called to task and punished for their good work.

Albert Turner  
 28101 SW Mohave Terrace  
 Wilsonville, OR 97070-9257  
 alturner@hevanet.com

#### MTC-00021872

From: John (038) Dorothy Johnston  
 To: Microsoft ATR  
 Date: 1/24/02 12:12pm  
 Subject: Microsoft Settlement

I believe that Microsoft is and has done a great service to the advancement of the personal computer in it's usage by the general public. The inclusion of Microsoft's Internet Explorer teamed with Outlook Express has made life much easier for me. My 84 year old responses are not as capable as are my grandkids, who can even work with AOL.

Recently I tried AOL and then Worldnet on a new laptop with disgusting results. After a great deal of effort they both worked in a very sloppy manner. When I tried to uninstall them I found that they had corrupted my Microsoft files so badly that I now must reinstall my Microsoft programs in order to function. This, I think, is a deliberate attack on Microsoft.

Both these companies would rather cry than compete—why do you help them in there attempt to destroy competition?

Wilbur T. Johnston  
 PO Box 448  
 Port Angeles, WA  
 98362-0069  
 wtj@olympus.net

#### MTC-00021873

From: Meir Levi  
 To: Microsoft Settlement  
 Date: 1/24/02 12:11pm  
 Subject: Microsoft Settlement

Honorable Judge,

Much like many other citizens in this country, and an owner of a small business, I am very concerned about the outcome of the federal Government proposed settlement with MS.

This shame full settlement SHOULD NOT BE APPROVED. Approval of it, would lead to ONE COMPANY, ONE MAN to decide which promising technologies would live or die. This proposed settlement clearly does not serve the consumer's interest.

By all mean, your honor, Please, reject even the thought of approving it, and help restore the healthy competition in US marketplace.

Meir Levi  
 Saratoga, CA  
 (Silicon Valley)

#### MTC-00021874

From: jandrako@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:08pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 John Andrako  
 1970 Albion Rd.  
 Midlothian, VA 23113-4147

#### MTC-00021875

From: Jim.Collins@goodrich.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:11pm  
 Subject: Microsoft Settlement.

The settlement isn't a deturnet to future activity.

James E. Collins, Jr.  
 373 Hayden Hill Rd  
 Hinesburg, VT. 05461

#### MTC-00021876

From: Ben Aein  
 To: Microsoft ATR  
 Date: 1/24/02 12:12pm  
 Subject: Microsoft Settlement

I would like to express my disappointment in the DOJ's meaningless deal with Microsoft. The DOJ under Ashcroft seems much to eager

to settle this matter with no serious changes to Microsoft or even financial penalties for abusing their monopoly power.

Microsoft holds way too much power in the computer world. They keep bringing out new products with new features, thus crushing any competing software providing the same services. But as anyone knows, they do not fix the tens of thousands of bug's in their software. Nor do they address their serious security issues, until after the damage is done. In a competitive market place, a company would not stay in business if they had a track record like Microsoft's. The consumer would stop buying a shoddy product and use something else. But the fact of the matter is that Microsoft has no real Competition, so consumers are left with no other Choice.

At first Bill Gates thought nothing of the internet, even as Netscape was happily turning out new versions of Navigator. Then a light went on in Gates head. People can shop on the internet! People can pay for services like news sights. If Microsoft did not create a program to compete with Netscape, MS would not control the internet and web commerce like they do with the desktop OS space.

So MS created explorer. Then they gave it away for free, in order to gain market share against the established Netscape. But that did not give them the kind of market share they needed. So they decided to merge their OS which has no rivals with their poorly adopted Web browser, thus giving the OS monopoly to the web software. Netscape could no longer compete against a product that was included in an OS.

Which brings up another point. What company or investor would put money in a project that would try to challenge Microsoft in the computer operating system? How would you get distribution from the big computer makers like Dell, when Microsoft charges a TAX for every machine sold whether or not it has Windows loaded on it. A small company called Be tried to gain market share for their OS, but could not get distribution or bundled with the Major Pc makers. Even the FREE linux is not readily available from the Major pc makers.

Microsoft now wants to charge a subscription fee for their software. Why? Because many users are not upgrading their software every time Microsoft releases a new version. So MS is having a hard time sustaining their huge growth. So you make them pay whether they want to upgrade or not, thus becoming a "utility" like service.

I believe that if MS is not made to play fair, they will become unstoppable. I see a future in which MS will have their own bank, and their own credit cards for Windows users. So when you shop on line with a windows computer, you will buy things from MS owned sites, with MS credit cards, using MS banks. All that's really left for MS is to start a shipping service! Thus MS would be stepping on the toes of Big Banks and using their monopoly power in the desktop space to steal the business of well established industries that can not compete because they do not own the desktop OS monopoly.

It is clear that MS abused their Monopoly power, continues to do so, and will not stop

until they are forced to! They Have caused Billions of dollars of damage to users, business, and the government by having such gaping security holes that allow devastating email viruses like "I Love you", "Love Bug", and "Melissa" to shut down and cause havoc for millions of Windows users. They should be liable for damages for these security issues. IF they were, they would fix the problems!

If MS is split up, they would then Have to be more concerned with fixing all the bugs and security issues with their operating system instead of trying to integrate every feature under the sun into their core operating system, because this would no longer be an option.

Please do not let MS have the ability to continue to stifle the computer industry and control how many business that thrive off it operate. Split them up and let new Competition begin. Please stop them before it is too late.

Ben

**MTC-00021877**

From: Ireilly754@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:10pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Leo Reilly  
194 Tuckers Corners Road  
Highland, NY 12528

**MTC-00021878**

From: Digger777@world  
net.att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:10pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Edward Miller  
P.O. Box 255  
Moyers, OK 74557

**MTC-00021879**

From: Connor Smith  
To: Microsoft ATR  
Date: 1/24/02 12:12pm  
Subject: Microsoft Settlement

I am opposed to the proposed settlement.  
Connor Smith  
Computer Support  
Cline Davis & Mann, Inc.

**MTC-00021880**

From: ajwar@ptd.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:10pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Andrew Warren  
POB 476  
New Tripoli, PA 18066

**MTC-00021881**

From: Mike Choy  
To: Microsoft ATR  
Date: 1/24/02 11:48am  
Subject: Microsoft Settlement

I am against the proposed settlement. Microsoft has clearly engaged in anti-competitive behavior for many years and the remedy should be more than just a slap on the wrist.

Thank you.  
Michael Choy  
Stanford, CA

**MTC-00021882**

From: mhalay@satx.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:09pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Renee Halay  
8044 Garden North Drive  
Garden Ridge, TX 78266-2714

**MTC-00021883**

From: bill@copper.jeffuswilliams.com@inetgw

To: Microsoft ATR

Date: 1/24/02 12:12pm

Subject: Microsoft Settlement

I think it is a severely bad idea to reward Microsoft with a large number of school kid customers as the punishment for their illegal business practices.

Thank you for taking the time to consider my opinion on this matter.

Bill Arnold  
bill@jeffuswilliams.com  
Jeffus & Williams Company  
907 Capitol Avenue,  
Juneau, Alaska 99801  
907-586-3700 or fax 586-3703

**MTC-00021884**

From: Kathie Gregory

To: Microsoft ATR

Date: 1/24/02 1:34pm

Subject: microsoft case

To Whom It May Concern,

I'd like to communicate my thoughts on the Microsoft case. I think this case has gone far enough and don't want any more of my taxes to pay for this. This government intrusion into private business is not what I pay taxes for. It has already cost the taxpayer way too much and should be stopped. Let free enterprise work. I don't want to support a bunch of government attorneys who have nothing better to do than make life difficult for those that succeed.

Sincerely,  
Kathie Gregory  
20950 S.W. Rock Creek Rd.  
Sheridan, Oregon 97378

**MTC-00021885**

From: gerrymcc@yhti.net@inetgw

To: Microsoft ATR

Date: 1/24/02 12:10pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gerald Mcclenning  
9891 Little Indian Cr Rd  
Lonedell, MO 63060

**MTC-00021886**

From: Tom Dyess

To: Microsoft ATR

Date: 1/24/02 12:12pm

Subject: Microsoft Settlement

Dear Sir,

As a software developer, I am deterred from creating any type of software because of the Microsoft Corporation. Let me explain. If I were to create a software product and release it, one of two things could happen.

First, it would be a great hit, thousands of customers would purchase my company's software boosting the bottom line. I would be thoroughly interested in reinvesting the monies earned from sales into a larger, more robust product, a larger sales force, a larger customer service technician force, and a larger accounting and MIS department to coordinate it all. This would be a wonderful scenario except one thing: if Microsoft saw that it was making money, or saw that it was in any way a threat to their hegemony, they would force me to sell at a depreciated price or threaten to crush the company, putting all my work to rest and all my employees out of work. Under normal circumstances, this would be competitive, but in Microsoft's case it is not.

Similar to Rockefeller, Microsoft takes earnings from one branch of their company, lets say Office or Windows and allocates them to a new branch. Rockefeller executes similar techniques when he took the profits from one town to undercut his competition in another, this eliminating the competition. Once the competition in the new geographic location was removed, he could then raise his prices in that location. This has been done to stiffen competition from their Internet Explorer, Windows Media Player, and other products.

Second, I could purposely retard marketing and promotion in the hopes that I could keep my software "under the radar" of Microsoft so I could keep my company. Unfortunately without a well planned and executed marketing campaign, I cannot hire the new developers, new sales force, new customer service representatives and new accounting and MIS teams. Microsoft already has these teams in place and would hire much fewer if any new employees.

Furthermore, since my company was either bought out or purposely reined, other companies would not form to support my

software. No new companies to make plugins would form, I could not offload the documentation to a third party, and I would be too small to hire outside consultants to improve my software.

Much of the innovation has been decapitated in this way. Software visionaries, even with a brilliant product that would branch off the technology sector with a totally new discipline would eventually face the obstacle of Microsoft "competing" as they call it for the niche. The rhetorical question of "Why bother?" comes to mind. Why exerting the blood, sweat and tears of building a company when it will just be bought out at a huge discount, or merely squashed into a quickly fading memory by a company who discovers that this new niche can make money.

Restricting Microsoft will, in the short term, harm the technology sector, but to use an analogy, if you cut a flower off a branch properly, two will grow in it's place. There is no doubt that Microsoft has done wonders for the technology sector, but their wonders are now self-fulfilling. Their only interest is making money, and they no longer need to accomplish that through innovation, which would make money for the entire industry rather than a single company.

Thank you for your interest,

Tom Dyess  
Orlando, Florida

**MTC-00021887**

From: Jason Gilbert

To: Microsoft ATR

Date: 1/24/02 12:13pm

Subject: Microsoft Settlement

I think the proposed settlement is completely inadequate to prevent further monopolistic abuse from Microsoft. However, in order to not just provide negative without some positive suggestion, here is my remedy.

(1) Force Microsoft to not change file formats in Office products to force consumer upgrades. How many users would actually upgrade if they didn't have to be compatible with other users/companies that had upgraded.

(2) Make the file formats publicly available and any changes must go through a public review process. The file formats have (for better or worse) become a defacto standard interchange format. They should most likely be controlled by an existing standards body.

(3) Microsoft must ship Office products with the default save format being the standard format and every attempt should be made to keep the user from inadvertently saving in a non-standard format.

Aside from these issues, forcing the release of a windows 2000/XP based OS that only provides the core OS (no IE, IIS, etc) would be advantageous. It might actually be an OS we could use.

Hoping this doesn't go into an abyss,

jason  
Jason Gilbert  
Homewood, AL

"First, they ignore you. Then they laugh at you. Then they fight you. Then you win"—Mahatma Gandhi

**MTC-00021888**

From: T. Shannon Gilvary

To: Microsoft ATR  
Date: 1/24/02 12:17pm  
Subject: Microsoft Settlement

For the reasons listed in Dan Kegel's comments <<http://www.kegel.com/remedy/letter.html>>, I object to the Proposed Settlement. The Settlement is a slap on the wrist and will not prevent Microsoft from further anti-competitive practices.

T. Shannon Gilvary  
Union Beach, New Jersey

**MTC-00021890**

From: Steven The  
To: Microsoft ATR  
Date: 1/24/02 12:13pm  
Subject: Microsoft Settlement  
Dear Sir or Madam,

I've been using computers for more than 20 years and was one of the first to use Internet Browser. I have never paid a penny for a browser even when Netscape was the only company that made production version browser.

I don't think it's right for Netscape and then AOL to go to our government to seek legal remedy for their bad business strategy. I think an internet browser should always be free as File Explorer has always been because with the current technology trend they are indistinguishable. Imagine paying extra for DIR command on DOS or ld command on Unix.

In my conclusion, I wish that AOL lawsuit will not interfere with the current Microsoft Settlement and the lawsuit will be dismissed.

Sincerely yours,  
Steven The

**MTC-00021891**

From: Webmaster  
To: Microsoft ATR  
Date: 1/24/02 12:13pm  
Subject: Microsoft Settlement

To whom it concerns,  
I strongly disagree with the proposed final judgement in the Microsoft Antitrust trial. There are many anticompetitive practices that would be permitted to continue if this judgement is accepted.

A few of the concerns that I have are as follows.

APIs directly to the operating system and some critical middleware would not be given.

File formats could still remain hidden and proprietary.

The provisions still do not allow for competitors in the operating system field. For instance, competing operating systems could not be developed that would run microsoft applications.

I cannot say at this time that these are my only concerns, but in my brief initial scan of the proposal, these were a few of the main concerns that immediately grabbed my attention.

In conclusion, I feel that if this proposal were to be accepted, competition would see no significant improvement in the software market.

Thank you for hearing my Concerns,  
Jon Caudill

**MTC-00021892**

From: Larry G. Earp & Assoc.  
To: Microsoft ATR

Date: 1/24/02 12:14pm  
Subject: Microsoft Settlement  
Dear DOJ,

I, as a consumer, computer user, and taxpayer, say it is time that we settle this case against Microsoft. This has gone on long enough and a settlement will, among other things, settle down the stock market. And if anyone doubts this, the decrease in the stock market does show a strong correlation to the start of this suit going back to the Clinton DOJ.

Further more, this is a vehicle that certain states and corporations are using to stuff their coffers at the expense of Microsoft.

Please settle this case, and put and end to all litigation against Microsoft.

Sincerely,  
Gordon Earp  
Charlotte, NC

**MTC-00021893**

From: Richard Zak  
To: Microsoft ATR  
Date: 1/24/02 12:15pm  
Subject: Microsoft Settlement

I think Microsoft should be broken up to allow for better and more healthy competition in the computer technology industry.

—Richard Zak  
The Odyssey Tech Team  
Technology Associate  
<http://www.theodysseyschool.org/>  
(410) 467-6668

**MTC-00021894**

From: colel5@nationwide.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:12pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 2000  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Larry Cole  
2023 Hog Mountain Rd  
Watkinsville, GA 30677

**MTC-00021895**

From: doug.crabtree@aei.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:12pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Doug Crabtree  
918 Conifer Ct  
Windsor, CO 80550

**MTC-00021896**

From: JpNieb@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:15pm  
Subject: Microsoft%20Settlement

I think the proposed settlement with microsoft, is very bad for the American consumer and the hurt the recovery of our economy, it is a very bad idea!

Jonathan Niebling

**MTC-00021897**

From: Sheila  
To: Microsoft ATR  
Date: 1/24/02 12:14pm  
Subject: Anti Trust Restitution

Your Honors:

I work in computer sales and have a front seat to the issues that the end users are up against. This is an industry truly in its infancy. Our homes and businesses are flooded with computers and many users who barely understand just what it is that piece of equipment is capable of doing or how it performs. The Virtual world of the internet is hard for many to understand and their own vulnerability is something I discuss with them at purchase. Microsoft and its recent claim two days ago of making security foremost in development is very sad. Billions have been already lost due to careless and irresponsible software authoring by them. Now that Microsoft is in court and in the limelight it is timely of Mr. Gates to profess security. Software production is tedious and much more so when the software is written with security in mind from the very beginning.

Today when a Microsoft product is purchased duplication is illegal and prosecution is real for the end user. In the beginning Microsoft distributed the product for little or no cost and encouraged duplication to blanket the market. Pirating became the norm and they were successful. With that premise Microsoft's responsibility to the public has grown exponentially and abuse of that power is dangerous to millions of people world wide. In this industry's infancy if laws are developed now and enforced strongly we can all enjoy the experience that computers have brought into our lives. Without strict guidelines the



industry will cause great harm to businesses and private citizens.

Microsoft's donation of one billion dollars to the schools would be fine if any product other than Microsoft or Microsoft driven equipment could be purchased. I am tired of trying to explain to my children why so many high profile crimes are lessened and no punishment is given. We owe our children an answer. When customers ask why Microsoft is in trouble I give them a very simple analogy: Imagine most of the country drove Chevrolets and you drove a Ford and the only parts you can find are Chevrolet parts. Those parts will not work with your Ford and Chevrolet will not modify or make available parts that will work with vehicles other than theirs, forcing the market their way. Microsoft's decision to not allow their customers a choice and actually forcing the market is why they are in court.

Embedding their browser software so deeply in the operating system that removal of it is next to impossible is direct proof, choice with Microsoft is out of the question. I don't want Microsoft or any company delegating or restricting the software I use on my computer. If they are allowed to continue in this fashion all choice is gone. Mr. Gates understands the power of the computer industry and has blatantly abused that power. He understands code writing and knows his company has failed to protect the public but did it anyway. I admire business leaders that have built businesses and gave something back to those that have supported them. I don't admire unethical businesses that have violated the public trust and have damaged what so many of us work for everyday. I love my job and enjoy helping my customers understand the computer industry and all of its possibilities. Microsoft's punishment/restitution is pivotal to the future of this industries development and the way business will be conducted in the coming years. Set the precedent now, please.

Sheila Parker  
Computer Base  
Reno, NV  
sheila@computerbase.com

#### MTC-00021898

From: Jay Martin  
To: Microsoft ATR  
Date: 1/24/02 12:16pm  
Subject: Microsoft Settlement  
To Who It May Concern:

This message serves to voice my opinion AGAINST the Microsoft settlement.

The settlement is a travesty to the American People and the nation in general.

Jay Martin  
9 Jacqueline St.  
Hudson, NH 03051-5308

#### MTC-00021899

From: Scott Rockwell  
To: Microsoft ATR  
Date: 1/24/02 12:18pm  
Subject: Microsoft Settlement

There are many issues I have with Microsoft however one sticks out. I do not want Microsoft's Internet Explorer. As a consumer, I feel it and it's Outlook mail system are garbage. Why does my machine have to have these programs? As a consumer,

it is almost impossible to buy a Windows operating system and not be forced to have these products. Clearly MS is in an unfair competitive position causing harm to firms like Netscape and Qualcomm.

Thank you,  
Scott Rockwell  
408-360-0351

#### MTC-00021900

From: seabeerex@centurytel.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rex RoarkMCPO USN RET  
213 E Bradley St  
Star City, AR 71667

#### MTC-00021901

From: fredm@pop.erols.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:16pm  
Subject: Microsoft Settlement

The proposed settlement between the Department of Justice and Microsoft is insane. It does little if anything to address the egregious transgressions of Microsoft against developers in the software community. What about Netscape and it's browser? What about DR-DOS? What about Java? What about the myriad of other companies that innovate only to have Microsoft strong-arm them, threatening sell to us at our price or will build a competing product and give it away for free.

Embrace, Embellish, Extinguish. That is the mantra of Microsoft, all under the guise of competition.

The proposed settlement does little to nothing to address these past problems and basically allows Microsoft to continue in its errant business ways. Giving poor schools money to buy only computers that run Microsoft products provides a lock-in to a new market and excludes other system vendors. Is the "punishment" to provide Microsoft with additional revenue streams? What about those other companies that were injured?

I could go on but I am bitter and cynical that the US government would just throw away a solid case and worse, establish a precedence.

In closing, I'll just say that the browser is not part of an operating system.

Fred Muhlenberg 2286 Emerald Heights Court  
Reston, VA 20191-1746  
703.620.1653

#### MTC-00021902

From: sermines@accutek.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:14pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sergio Pastor  
3680 Grant Ste. K  
Reno, NV 89509

#### MTC-00021903

From: tumnus@nb.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:11pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ward Graham  
4261 Milligans Cove Road  
Manns Choice, PA 15550-8030

#### MTC-00021904

From: rvanderh1@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:16pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Robert Vander Hart

8 Hara St

Worcester, MA 01604

**MTC-00021905**

From: Louisekeane@aol.com@inetgw

To: Microsoft ATR, attorney.general@po.state.ct.us@inet...

Date: 1/24/02 12:20pm

Subject: MICROSOFT SETTLEMENT

DATE: January 24, 2002

TO: microsoft.atr@usdoj.gov

ATT: RITA B. HESSE

FROM: Louise Keane

22 Allen Road

North Haven, CT 06473-1424

louisekeane@aol.com

RE: MICROSOFT SETTLEMENT

I cannot accurately speak to all my specific concerns about the pending Microsoft case because I am not technically proficient enough to do that. Some of my concerns relate to problems I am having using a Macintosh computer from home, which I have only been doing since the end of November, 2001. Clearly, some of my problems arise from the fact that my new computer is not a Microsoft product. I am just beginning to see some of the problems I am having that may be related to the fact that Microsoft has such rigid control of the home computer market.

I have had this computer for less than two months, but have encountered various problems because it is not a Microsoft product. I have difficulty sending and receiving some kinds of e-mail. AOL, my Internet service provider tells me that the problem exists because my version of AOL cannot perform certain functions for the Mac. Attempts to download various files over the Internet have also been thwarted because either the Internet site or AOL cannot accommodate an interface with my Mac.

I know that I could buy a software package from Microsoft that would allow my computer to emulate a Microsoft product, but I find that solution irritating and unsatisfactory. Why shouldn't the Internet sites and service providers be totally compatible with both Microsoft and Macintosh products? Is it because 90% of their clients use Microsoft?

I made the choice of a Macintosh partly because the first small computers that I ever

used (in the early 1980's) were Apples. They were efficient, easy to use, and I was familiar with them. Just over four years ago, when I changed jobs, I had to adjust to Microsoft computers because those were the computers that were available in my new workplaces.

When purchasing my Macintosh computer for home this past fall, there were only three possible vendor choices within a twenty-mile radius of my home. I began at the closest location, a Circuit City. In that store, the particular model in which I was interested was disconnected from any power source, making it unavailable for me to try out. Attempts to flag-down a sales person were fruitless, and I decided to try to find a store that would be more helpful for me.

I ultimately had to go to a store that I hoped to avoid, that was a twenty mile drive from my house. I hoped it would be worth the drive and the trouble and that the staff would seem more knowledgeable and available to help me.

Had I not been so determined to buy an Apple product, I'm sure I could have gone to any number of closer locations to purchase a Microsoft computer. I am thinking about buying a new mouse and an external disk drive for my computer. Were they Microsoft brand, I would have many options at the Circuit City store about 8 miles from my house. I could probably even buy the components from an office supply store.

When people hear about the problems I have encountered, I feel sure that they will be even more likely to avoid buying non-Microsoft computer equipment. They will not want to be bothered with these kinds of things. The fact that Apple has a smaller share of the current market will probably only prove to ensure that their market share will continue to decrease with time unless something is done to turn this situation around.

I don't know how this can be done, but to continue to allow Microsoft to run as they are currently running, will do nothing to encourage competitive companies to even try to come to market. As long as Microsoft continues to dominate the market for small computers, vendors will continue to ignore the handful of us non-Microsoft users. We will be left to purchase Microsoft programs to assist us.

The Microsoft Corporation doesn't seem to realize that they have been charged with operating unlawfully as regards the antitrust laws of the nation. Have they yet even attempted to make any recompense for those violations beyond an offer to extend their corporate influence further into disadvantaged schools by furnishing those schools with refurbished Microsoft equipment? Why did they not offer instead to purchase Macintosh equipment for those schools, in the interest of lessening their dominance in the market?

Unless Microsoft's operating system and applications systems are separated, and unless more technical information about the operating system is made available to those who wish to promote competing products, Microsoft will continue to increase its grip on the computer purchasing public and to increase its influence on the access to the Internet.

I hope that the initial promise we saw at the dawn of the computer age will not diminish. We need to encourage creative minds to feel rewarded for innovation, growth, and development. We want to continue to see true expansion of communication in all directions, not limitations and obstructions imposed by a small controlling group.

I put my trust very firmly behind Richard Blumenthal, Connecticut's Attorney General. I hold out hope that he will be able to help us to determine what is the right thing to do. He has become an uncompromising champion of THE PUBLIC INTEREST. He is reluctant to let Microsoft off the hook for their blatant disregard of antitrust law and their continuing arrogance and abuse of monopoly power. I know that he will bring many urgent concerns to your attention.

cc: Richard Blumenthal,

Attorney General,

State of Connecticut

attorney.general@po.state.ct.us

**MTC-00021906**

From: Roland Gauthier

To: Microsoft ATR

Date: 1/24/02 12:19pm

Subject: Microsoft Settlement

Dear DOJ,

As a concerned american, consumer, and professional who uses computers in my daily work, I believe that it is crucial that the Department of Justice follow through with this long drawn out process of rendering justice for the americans who have been harmed by Microsoft's monopolistic behavior. Microsoft should not be allowed to get through this without more than a slap on the wrist and a pat on the back, as the current proposed settlement would do. Letting them give away their own technology and to our schools is not going to remedy the harm they have done to consumers and to technology innovators in the past 15 years. This would not only be a negligible monetary punishment (in comparison to what they've made off of us all), but would instead encourage their choke-hold on school children and consumers alike. Microsoft is thumbing its nose at the american justice system, and I would hope that this administration will not ignore the sins of big business, and instead protect the rights of american people and foster competition in business and technology.

A big problem with Microsoft is that they offer mediocre software. And everyone is force to use it because it is the de-facto standard. One appropriate remedy would be to put Microsoft on probation: to have their software checked by an appointed outside panel of government technology experts—examining potential security issues (for which Microsoft is notorious) and in terms of further monopolistic behavior (ie creating its own standards to control media)—BEFORE they can ship it. This probation should last 5 to 10 years, with a possibility for a "parole" for good behavior. Microsoft can improve their software and competitors can more easily flourish.

Microsoft would create (and replenish yearly, based upon its profits) a large

endowment to fund all levels of education. Not by giving away software, or making any ads for their products, but supporting public schools throughout the country to encourage math, science and artistic programs, or school enhancement where they are needed most. That would make an impact, be fair to other tech companies, and give Microsoft a better name.

Thank you. I trust you will serve justice in this case.

Sincerely,  
Roland Gauthier  
Oakland, CA

**MTC-00021907**

From: Ken Ian  
To: Microsoft ATR  
Date: 1/24/02 12:13pm  
Subject: Microsoft Settlement

To Whom It May Concern:

As part of the Tunney Act comment process, I wish to inform you that I am strongly opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor does it in any real way inhibit their ability (or desire) to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Ian T. Flockhart  
61 Gilson Road  
Littleton, MA 01460-1300  
ian@flockhart.org / templen@yahoo.com

**MTC-00021908**

From: joanne.rainey@grandecom.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:17pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joanne Rainey  
130 Elm St #122  
Maxwell, TX 78656

**MTC-00021909**

From: Aliaksandr Dzeshchanka  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 12:33pm  
Subject: Microsoft Settlement

I think the proposed settlement is bad idea.

**MTC-00021910**

From: Christopher Elliott  
To: Microsoft ATR  
Date: 1/24/02 12:21pm  
Subject: settlement

To Whom it May Concern:

I am opposed to the current Microsoft settlement. I believe the company should be more heavily regulated at the least. Ideally, it should be split into several competing entities.

I also think the government is doing its citizens a disservice by allowing Microsoft to remain intact, with little more than a proverbial slap on the wrist. I intend to fully articulate my displeasure at the ballot box this November.

Best wishes,  
Christopher Elliott  
<http://www.elliott.org>  
19 Oceana Drive  
Key Largo, FL 33037  
(305) 453-4781  
<mailto:christopher@elliott.org>

**MTC-00021911**

From: Steve Schott  
To: Microsoft ATR  
Date: 1/24/02 12:08pm  
Subject: Microsoft Settlement

To whom it may concern

It is disappointing to me that the proposed settlement does little to penalize Microsoft for the vast amount of destruction and abuse that they have caused.

There is nothing in the settlement to prevent further abuse, nor are the penalties enough to even be noticed.

I believe that Microsoft was shown to be a monopoly, and that is from my understanding illegal.

Dividing the company and preventing them from crating their virtually exclusive OEM licensing are the answers.

I am not optimistic that public comment really matters. The decision was purely political.

I am a strong Republican, but this is blatantly political. Microsoft will never agree

to anything that will truly disrupt their current business practices.

It would be refreshing to see some moral strength from the DOJ by having this proposed settlement rejected, and pursuing a course that would prevent this from happening again. These problems are the same ones that existed at least as early as 1993.

It is sad to say that I do not believe that the public is being served.

Thank's  
Steve Schott  
Network Administrator  
Waterford Institute  
Sandy, UT USA  
<mailto:steve@waterford.org>  
Definition of insanity: Repeating the same action over and over expecting a different outcome.

**MTC-00021912**

From: Vincent P. Broman  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

I think the proposed DOJ settlement with microsoft looks like a bad idea; it does not sufficiently remedy past nor future monopolist activity by MS.

Vincent Broman  
US Citizen and registered voter  
[vpbroman@mstar2.net](mailto:vpbroman@mstar2.net)

**MTC-00021913**

From: Dirk A. Watson  
To: Microsoft ATR  
Date: 1/24/02 12:21pm  
Subject: Microsoft Settlement

Good Afternoon:

The object of this message is to protest the legal perambulations against Microsoft via court challenges. As settlement finally appeared imminent in the Government case, now new allegations have been put forth against the company (Microsoft) by a competitor, AOL (America Online). This is corporate harassment! Indeed, by permitting the "sniping away at success," our legal system condones the restriction of corporate creativity and innovation. Elements that made this country truly great. Freedom is the keystone of our American way, and just as it is for our citizens, so too should it be for business.

Sincerely,  
Dirk A. Watson

**MTC-00021914**

From: miketpetrojr@core.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:17pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just

another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Michael Petro, Jr.  
1021 Irving Avenue  
Cleveland, OH 44109

**MTC-00021915**

From: Greg Raclaw  
To: Microsoft ATR  
Date: 1/24/02 12:23pm  
Subject: microsoft settlement  
dear sirs/madam:

the recent filing of litigation by aol/time warner against microsoft is just another example of how we interpret or mis-use the justice system. instead of these two companies competing to acquire market share by offering consumers the best product, we use the courtroom to determine who can compete and who can't. let's not give one or the other the competitive advantage.

determine the strenghts and weaknesses of both organization and see where each has gained the most from consumers respect and resolve from there. let them compete based on their strengths. by giving one company the benefit of a settlement, could create another monopolistic advantage for the othere. i am a stockholder of both companies; aol and microsoft. thanks for listening to me.

sincerely, greg  
Greg Raclaw  
Genesis Manufacturing Inc.  
847-839-9898  
Fax: 847-839-9918

**MTC-00021916**

From: Steve Madancy  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Under the Tunney Act, I am writing today in order comment on the proposed Microsoft settlement.

I wish to voice my strong opposition to the settlement as it now stands, as I believe it does not address many of the anti-competitive practices that Microsoft employs against any potential competitors. Not only is the proposed settlement an ineffective solution to Microsoft's burgeoning monopoly, it actually helps Microsoft extend its reach by providing it entry into the few areas that it does not currently dominate (education, for example).

I urge that this settlement be scrapped, and a solution that effectively breaks Microsoft's stranglehold on the software industry be adopted.

Thank you,  
Steve Madancy

**MTC-00021917**

From: plinda385@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:18pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Linda Parent  
1401 E Calvert St  
South Bend, IN 46613

**MTC-00021918**

From: dave mallery  
To: Microsoft ATR  
Date: 1/24/02 12:36pm  
Subject: microsoft settlement

I signed the open letter from kegel.com regarding the many difficulties with the settlement. I believe that the settlement as it now stands only rewards microsoft for their past criminal behavior and gives them new tools to continue their illegal domination of the computer market worldwide.

Thank you for the opportunity to comment.  
Dave Mallery, K5EN  
PO Box 520  
Ramah, NM 87321

**MTC-00021919**

From: downeyb@ev1.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brenda Downey  
405 Ranger Dr.  
Buda, TX 78610

**MTC-00021920**

From: Sheley, Todd A.  
To: "Microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 12:23pm  
Subject: Microsoft Settlement

Here are a few opinions I have about this settlement...

1. I don't think that it goes far enough. I don't think that Microsoft should be broken up but something should be done about the bundling of applications. I just installed Windows XP Pro and I can not even remove Internet Explorer or MSN Messenger. I do not want to use MSN Messenger but I have to have it on my PC. Same goes with the new Microsoft Movie Maker.

2. Microsoft should be made to provide Office for competing OS's. If Office was available for Linux and so forth there would be more competition. The first thing most people say when asked why the don't change Operating Systems it is because of Office.

3. Microsoft should also be made to not only make there products available to other Operating Systems but make them work the same. I run Mac OS X and I have Windows Media Player installed on my Mac. Half the stuff on www.windowsmedia.com does not even work through Windows Media Player for Mac. These are just a few thoughts about the situation. I believe that the settlement is a good thing but it did not nearly go far enough.

Todd Sheley  
Programmer/Analyst II  
Franciscan Skemp Healthcare  
700 West Ave. South  
La Crosse, WI 54601  
Phone: 608-791-9781 Ext. 4656  
Fax: 608-791-9712  
Email: sheley.todd@mayo.edu

**MTC-00021921**

From: wullybuger@rkymtnhi.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ray smith  
pob 972  
kremmling, CO 80459

**MTC-00021922**

From: Maher Saba  
To: Microsoft ATR  
Date: 1/24/02 12:24pm  
Subject: Microsoft Settlement  
Dir Sirs,

I am writing this email to let you know of my personal support for the Microsoft settlement. I have been a customer of

Microsoft for a long time and I like their products. The settlement is fair and a good ending for a long trial. I hope the judge approves the settlement.

Thanks,  
Maher Saba  
15720 NE 61st Court  
Redmond, WA 98052

**MTC-00021923**

From: Kay Brooks  
To: Microsoft ATR  
Date: 1/24/02 12:15pm  
Subject: Microsoft Settlement

The Clinton Administration started this action against Microsoft to help out their political buddies at Netscape, as well as some others. Everything that has happened so far has hurt the consumer and Microsoft and benefited these FOB's.

It does not hurt the consumer to have Internet Explorer on their computer, and it is easy to delete the icon if you don't want to see it there. It does not cost the consumer anything. It is, like so many other technology based products, a feature you can use or not use depending upon your particular needs.

On the other hand, all of this litigation has cost Microsoft a lot of money and goodwill. The result is that Microsoft's products are now becoming more restrictive, less compatible, and more intrusive than they were before this litigation began. Your continued prosecution will probably result in more and more inconvenience for the users of Microsoft products. It is time to stop it now.

Kay Brooks  
14309 Bauer Rd NE  
Albuquerque, NM 87123  
citizenkay@home.com

**MTC-00021924**

From: Mark Ebaugh  
To: Microsoft ATR  
Date: 1/24/02 12:23pm  
Subject: Microsoft Settlement

As Microsoft has been found guilty of unfair business, please change the settlement offer in a way that will possibly punish prior actions, and definitely restrict further improper actions. The settlement, as is, is completely anemic, and new methods of exploiting monopoly power are waiting at every point. Please allow competition to allow freedom to continue.

Mark Ebaugh

**MTC-00021925**

From: davidsaenz@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:24pm  
Subject: Microsoft Settlement

I have sent a letter on to Attorney General John Ashcroft. Sorry for any delay, my printer went down. I am happy to take part.

David F. Saenz

**MTC-00021926**

From: spinner50o@mindspring.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:21pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
charles griffin  
3935 loblolly dr  
naples, FL 34114

**MTC-00021927**

From: Steve Bennett  
To: Microsoft ATR  
Date: 1/24/02 12:23pm  
Subject: Microsoft Settlement

To whom it may concern,

I recently had an opportunity to review the proposed settlement in the Microsoft antitrust trial. I have been developing software for Microsoft operating systems (including nearly every released version of Windows) for nearly 20 years now.

On numerous occasions going back to the Windows 95 days, I encountered issues with various Windows APIs which would have allowed software I was writing to function significantly better in the Windows environment, yet these APIs were either completely undocumented, or their documentation was incomplete. Asking Microsoft for more details on these APIs invariably failed to get that information—Microsoft always had some excuse not to release the information to us, although we've noted that certain 3rd party developers who do not directly compete with Microsoft have received such information.

Many of these APIs fell into two categories:

The first category are undocumented APIs which were part of the operating system as released, but were clearly used by Microsoft application packages. Since these APIs were undocumented, Microsoft's applications had a clear competitive edge by using them.

The second category were APIs which were added into the operating system when installing a Microsoft application package, such as Office, or Intellimouse. These types of APIs were added into system DLLs replaced by the application package, thus enhancing the OS. It is fairly common for Microsoft to enhance their OS in this fashion, giving their own applications exclusive access to the new APIs, before later rolling them into the next OS release. Interestingly, the documentation of these APIs usually is not available until well after they are merged into the OS release, again giving their own applications a longer competitive edge.

I bring this up because, in reading through the proposed settlement, Section VI-A, it appears that it would only require Microsoft to document APIs in use between Windows and various Middleware packages, NOT those APIs which are used by Microsoft

application programs. In my opinion, any settlement which fails to require Microsoft to document \*all\* Windows and Middleware APIs being used by any Microsoft application or middleware program will be completely ineffective in preventing further abuses.

Also, I believe that the specification of what consists of Microsoft Middleware in Section VI-J and K is limited in that it does not include any mention of .Net, does not make allowance for additional types of middleware which may appear in the future, and could easily be bypassed by making name changes or changes in how version numbers are reported. These are the most glaring problems with this settlement—there are many others I will not go into. Overall, it appears to me that this settlement as written will have little if any effect on Microsoft's future behavior, given the number of loopholes it leaves for Microsoft to slip through. Further, it makes little effort to redress the damages Microsoft has done in the past.

While I understand the desire for a settlement on this issue, I'm afraid that this is neither an appropriate nor sufficient settlement, and register my strong objections to it at this time.

Sincerely,  
Steven A. Bennett

**MTC-00021928**

From: John Victor  
To: Microsoft ATR  
Date: 1/24/02 12:24pm  
Subject: Microsoft Settlement.

I strongly urge the Dept. of Justice to forge ahead with the proposed settlement with Microsoft. It is time to end this once and for all. I firmly believe this lawsuit has been politically motivated and has been detrimental to consumers. Please accept the proposed settlement.

sincerely,  
John Victor

**MTC-00021929**

From: Great Horned Owl  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement

I am neither a law school student nor an attorney. However, as a member of the public invited to comment on the Revised Proposed Final Judgment, I must object.

As a private citizen who has followed the Federal Government's complaint against Microsoft, I have long believed Microsoft to be a monopoly. In my opinion, Judge Thomas Penfield Jackson's Memorandum and Order, dated June 7, 2000, was correct, and His Honor's Final Judgment, also dated June 7, 2000, was correct and appropriate.

Furthermore, I object to and believe to be entirely inappropriate the Revised Proposed Final Judgment. As I read the Judgment, it includes no provisions for the altering of the corporate structure of Microsoft Corporation, most certainly not on the scale of those provisions in Judge Thomas Penfield Jackson's Final Judgment.

In closing, I most strenuously object to the language in Section III, Paragraph J. In my opinion, this paragraph's explicit language of non-restraint against Microsoft Corporation

severely limits the punitive effect of this Revised Proposed Final Judgment, giving it the effect of a verbal reprimand or slap on the wrist, when what is called for is a far more severe penalty.

Respectfully,  
Brian Donnelly  
Bedford, NH

**MTC-00021930**

From: David Sills  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement  
To whom it may concern:

I write to voice an opinion regarding the Microsoft Settlement currently being considered. In my opinion, this "remedy" does not deserve the name, as it does little to restrain the practices that have led to the current situation, and promises little real reform for the future. I wish to take a positive approach, however, and discuss two requirements that would represent a real improvement in the current situation. It is clear from some of the documents available as a result of the case and an examination of Microsoft's practices generally that there are two methodologies for "fixing" the playing field that could quite easily be remedied. These are documentation of the interactions between Windows and other software and hardware, and blocking Microsoft's strategy of using patents to restrain competitors who would otherwise be able to produce competitive software. The first would involve require Microsoft to make open and available to anyone all interfaces between software components, all communications protocols, and all file formats. This is not particularly difficult, and could easily be enforced: a court could simply require Microsoft to answer questions raised by any incomplete documentation. In particular, however, two arguments should not be allowed to impinge upon this remedy: nondisclosure agreements and security concerns. It would be trivial to circumvent such an order if Microsoft could simply say in response to such a court order that they could not answer it owing to nondisclosure agreements, which they could indeed require from other firms for exactly this purpose. As to security concerns, even if everyone knows the interfaces involved with Windows, it is unlikely that this actually raises the level of security risk. On the one hand, it makes it possible for standard solutions to any security issues to be promulgated much more quickly and efficiently; on the other, it is doubtful that much of the community attacking security vulnerabilities (including those commonly known "script kiddies") actually possess the technical knowledge to make significant use of this information. As to patenting, there is no intention here to keep Microsoft from sharing in the bounty their intellectual property creates. It is simply that some remedy must be found to keep them from patents for "innovations" that exist primarily not to solve software problems, but to block access to technologies from competitors. I am not a patent lawyer (I am in fact a software developer, and use both Microsoft and competing products), but am sure that there are persons in that profession with sufficient

expertise to advise the court on appropriate provisions.

In sum, I would strongly voice my opinion against the current settlement, and I offer these improvements as a way to assist in fashioning a better one.

Thank you for your attention.  
David Sills

**MTC-00021931**

From: kbzgreen@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Green  
24014 E Olive Ln Liberty Lake, WA 99019

**MTC-00021932**

From: morgan@inlandnet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sue & Bill Morgan  
4391 Nelson Siding Rd Cle Elum, WA  
98922

**MTC-00021933**

From: Steven Mascaro  
To: Microsoft ATR  
Date: 1/24/02 12:24pm  
Subject: microsoft settlement

Please accept this email as my support for the Microsoft settlement that the Department

of Justice has negotiated. There were countless hours spent to find the best compromise for the Microsoft company and their competitors. The millions of dollars spent would be for naught if we don't settle the issue and let the information technology industry begin to heal.

Again, thank you for your efforts and I encourage the closure of this issue.

Sincerely,  
Steve Mascaro, Representative  
Utah House of Representative  
District # 47

**MTC-00021934**

From: Alan Ward  
To: Microsoft ATR  
Date: 1/24/02 12:23pm  
Subject: Microsoft Settlement

I believe that the US government has sold out to Microsoft.

I think the antitrust settlement is a VERY BAD settlement!!!!!!

Alan Ward  
2013 Brookwood Drive  
Fort Collins, Co 80525

**MTC-00021935**

From: jocelynn.bailey@verizon.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:23pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Sincerely,  
Jocelynn Bailey  
13309 Sturno Drive  
Clifton, VA 20124-0957

**MTC-00021936**

From: eaglesnest143@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Sincerely,  
Juanita Hoover  
130S.FR.St.#411  
Sunbury, PA 17801-2603

**MTC-00021937**

From: Peter Kull  
To: Microsoft ATR  
Date: 1/24/02 12:23pm  
Subject: microsoft settlement

Dear Sirs,  
As the owner of a small business I feel compelled to comment.  
The idea that funding education efforts to "make up" for gross corporate bad behavior seems odd to me. No problem with funding education—but how does that help the businesses that have been at a disadvantage due to the strong armed mafia—like tactics of microsoft?

So...  
How about a cash award to the businesses that have had good product unjustly squelched?  
Go ahead and let them fund education, too. Cash only to the school districts themselves, to spend on what THEY determine they need. Not warmed over hardware and microsoft software!

Open up their Code. Now we can see some competition open up, to good effect.  
Allow customers to buy only the software components they want.  
Thank you,  
Peter Kull  
Peter Kull Graphic Arts, Inc.

**MTC-00021938**

From: Stewart Hyde  
To: Microsoft ATR  
Date: 1/24/02 12:27pm  
Subject: Microsoft Settlement  
FYI,

I think that open sourcing Internet Explorer will be a really bad idea... Why this would allow for hackers to create even more Virus's for PC and in todays days of security risks this would be a disaster for customers and organizations.

It is really interesting to research where hacking comes from and you find out that allot or based on Unix/linux style errors...Open source means that hackers can change to code to break rules and if so this can lead to extreme problems

Is trying to sue/break up Microsoft really a bad thing, look at AOL/Time warner of the years—In sometimes they are worst—Like my parents stuck on AOL because they don't know better... At least Microsoft is not trying control content to make it better for its own companies...

Of course these are my opinions as a costumer and a developer not associated with any of companies evolved.  
Stewart

**MTC-00021940**

From: rjsporleder  
To: Microsoft ATR

Date: 1/24/02 12:28pm  
Subject: Microsoft government lawsuit  
Enough is enough. There has been enough taxpayer tax wasted on this silly butt lawsuit with no reason for it's beginning and nothing to show for it's culmination. Clinton is gone, Bush doesn't wish to pursue this. Drop it!  
Richard Sporleder,  
Marshall MO  
rjsporleder@mid-mo.net

**MTC-00021941**

From: RRP3@MSN.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement  
We think the settlement between Microsoft and The Justice Dept. is a fair settlement. We believe that further ligitation will be harmful to the US economy and will serve no purpose except greed.

**MTC-00021942**

From: Spots1078@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:28pm  
Subject: Microsoft Settlement  
i think microsoft should not be able to purchase their way out of this one....

**MTC-00021943**

From: klassen@cobalt1.syght.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:29pm  
Subject: Microsoft Settlement  
To Whom It May Concern,  
I feel that the current settlement offer by the Department of Justice is too lenient on Microsoft. It does not do enough to punish Microsoft for their past transgressions and isn't strong enough to prevent them from operating in exactly the same manner in the future. I also find it odd that Microsoft should be allowed to choose one member of the oversight committee and have veto power over the second member. They are the ones who are supposed to be punished. They shouldn't get to choose who punishes them.  
Regards,  
Mark Klassen  
mark@klassen.cc

**MTC-00021944**

From: ealong@tampabay.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.  
Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Eugene Long  
16406 Shagbark Place  
Tampa, FL 33618-1200

**MTC-00021945**

From: Paul Levitt  
To: Microsoft ATR  
Date: 1/24/02 12:28pm  
Subject: Microsoft Settlement

Dear Sir or Madam,  
I am writing to register my opposition to the proposed antitrust settlement between Microsoft and the Department of Justice. I believe that, rather than providing a remedy for Microsoft's illegal conduct, will enable them to continue that conduct and exacerbate its impact on computer users, software developers and a wide variety of other businesses.

Others, with more specific technical and legal expertise than I possess, have detailed the many shortcomings of the settlement, so I will confine my remarks to a top level, user oriented view. Microsoft, as the "findings of fact" make clear, after obtaining a monopoly on computer operating systems, used that monopoly power to obtain an effective monopoly on the application software used for the vast majority of business functions. These two monopolies are used to re-enforce each other: the OS monopoly enables Microsoft to maintain barriers to entry for developers of competing office applications, and their applications monopoly prevents vendors of competing operating systems from establishing a significant presence in most businesses. The most well documented examples of this are Microsoft's refusal to develop a Linux version of its Office product, and it's threat to end development of the Macintosh version of Microsoft Office. Since the ability to support Office has become a mandatory requirement for the majority of businesses and government agencies (most U.S. government proposals require submittal in Microsoft-proprietary formats), the threat to drop Office gives Microsoft the power to determine whether a competitor survives. It has been widely reported that this threat has been a major factor in Apple Computer's reluctance to port it's operating system to the Intel processor architecture, which would make it a viable competitor to Windows.

Microsoft has also been shown to use these paired monopolies to attack standards based, openly available, cross-platform applications, file formats and programming languages, such as Quicktime, Java and MP3, replacing them with proprietary equivalents.

The end result of these illegal practices has been to restrict the choice available to consumers and to stifle innovate technologies and concepts. Far from being an "innovator" , as they claim, Microsoft has acquired most of their products by buying the company that originally developed them. Microsoft not only continues its illegal practices, but has acted aggressively to expand them and use its monopoly power to dominate new markets. They continue to deny their guilt, even after conviction, and have mounted a fraudulent campaign of letter writing and op-ed pieces with company funds. They have even

directly attacked the antitrust division of the justice department by lobbying to reduce its budget.

Given the current state of affairs, any settlement must effectively address and reverse Microsoft's dual monopolies in operating systems. It must also be enforceable and define specific, structural remedies that will enhance competition and eliminate barriers to entry in both the operating system and applications markets. Barriers to entry should be eliminated for existing companies, new companies and non-profit entities, such as the open source community.

An enforcement mechanism that provides clearly defined and meaningful penalties is essential. The mechanism must be completely independent of Microsoft influence, and must be equipped with a full array of technical and legal powers necessary to overcome Microsoft's institutional history of evading and subverting previous settlements and remedies. In addition to the many specific features described by others who have commented (include the Massachusetts Attorney General and Ralph Nader) I believe that it is essential that several specific actions be implemented:

?Microsoft should be required to publish, in open source form, all file formats and APIs, with all supporting documentation.

?Microsoft should be required to produce versions of all its Windows applications for Linux and the Macintosh OS, with full implementation of features and equivalent performance.

?Bundling of the MS Office applications should be prohibited. The current bundling practice supports both the OS and Application monopolies—e.g. why buy a competing spreadsheet or database product when it's cheaper to but the entire Office suite than any two components ?

Thank you for your attention in this matter, Paul Levitt

The opinions expressed in this message are my own, and DO NOT represent the position of TRW or of the Smithsonian Institution.

#### MTC-00021946

From: pastorbrian@missvalley.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brian Wilson  
327 South 5th Street  
Moberly, MO 65270

#### MTC-00021947

From: Jim Smith  
To: Microsoft ATR  
Date: 1/24/02 12:53pm  
Subject: Microsoft Settlement

I have read about the proposed settlement, and I am not in favor of it in its current state. This a vote against the current settlement, as well as a vote to seek a settlement that is in favor of fair competition.

Jim Smith  
St. Louis, MO  
Manager, Tech Svc.  
Intercon

#### MTC-00021948

From: gpopp1@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

I think America has a selfdestructive streak. Whenever we have a Company that towers over its worldwide competitors because of technical manufacturing or business superiority we have to take it down several notches to make it average. Stop harrassing Microsoft. Instead be proud that America has technical superiority in at least one area of technology!!!!

#### MTC-00021949

From: Dan Wheeler  
To: Microsoft ATR  
Date: 1/24/02 12:30pm  
Subject: Microsoft Settlement

Microsoft's products cost everyone money way past the actual cost of the products. Ask Microsoft if they have MS products running thier mainframes... Microsoft needs to have a remedy that is severe enough to bring back compition. Otherwise MS will keep cranking out products that have fancy covers and neat bells and whistles, but are very costly for the home user and for business to use and maintain.

#### MTC-00021950

From: pudge72@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:27pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Paul Rector  
7885 Meadow Dr.  
Nashport, OH 43830

#### MTC-00021951

From: hywayhero@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:27pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jack Widmer  
98 Sharon Woods Rd.  
Wadsworth, OH 44281-9730

#### MTC-00021952

From: dcraba@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Our country was established on competition! I experience it EVERYDAY of the week in banking. AS a small bank we fight hard and give service an don t cry because of the larger banks and the NON-TAX paying credit unions!! We try HARDER AN SUCCEED!!! Law suits stifle competition and cost the public dollars in increased prices! Microsoft has brought millions of dollars into our economy from overseas!

#### MTC-00021953

From: rossmelin@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

The idea that consumers are spending too much for Microsoft Products is absurd. We paid \$1 200 for MS products over 3 years and it helped take our company sales from zero to \$3 million. What signifigant difference would it have made to me or my employees or our families if I had saved \$78??? I call on this government to stop slowing one of our nation s main engines of wealth creation.

#### MTC-00021954

From: bkunz@lcsd2.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Is the government insane?? Why let Microsoft off the hook for its high-handed



monopolistic practices by allowing them to give computers to schools. All that does and trust me Microsoft understands this is increase their stranglehold on our way of life. If you have computers in the schools you have a foot in the door for the future. This will INCREASE Microsoft's strength rather than forcing them to participate on a level playing field. Look at Netscape. Do they have a chance when Microsoft makes it so difficult to use it from within their OS? Who is next Palm? What should be done is to force them to unbundle all of their software to pay cash through the nose to government schools etc who have been forced to see things their way.

**MTC-00021955**

From: BournEnt@home.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Dear Judge Kollar-Kotelly I believe the decision reached in the Microsoft case is a fair decision.

Please accept this as my vote to endorse the settlement. We need to move on with technology and not waste any more time trying it up in litigation.

Sincerely  
Debra Phillips

**MTC-00021956**

From: mmerkel@adelphia.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

This case must be settled. We need every company free to conduct business and employ people. Only lawyers have profited from this. The whole thing was trumped up in the first place to help those who had trouble competing with this outstanding company. Our country should have MORE Microsofts!

**MTC-00021957**

From: mmerkel@adelphia.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

This case must be settled. We need every company free to conduct business and employ people. Only lawyers have profited from this. The whole thing was trumped up in the first place to help those who had trouble competing with this outstanding company. Our country should have MORE Microsofts!

**MTC-00021958**

From: chasse39@msn.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Settle The settlement! This has cost me a tax payer enough money. It's time to move on. Thanks.

**MTC-00021959**

From: Jerrysafediver@aol.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:30pm  
Subject: Microsoft Settlement

AOL's recent suit against Microsoft appears well-timed to disrupt and derail acceptance of Microsoft's proposed settlement for alleged anti-trust practices. It is my opinion that the

settlement proposed by Microsoft is reasonable and fair. It is time to close this issue and begin to repair and correct the damage to the marketplace that has resulted. As usual, the consumer has been the biggest loser of all. I urge you to recommend acceptance of Microsoft's proposed settlement.

Regards,  
Jerry Effenberger  
17511 32nd. Ave. N. E.  
Seattle, Wa. 98155

**MTC-00021960**

From: Muskamouse@aol.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

I Believe the suit against Microsoft should be dropped. Sun Microsystems was a big factor in this suit only because they were unable to keep pace with Microsoft. It is unfortunate that a suit must be filed in order for other companies to succeed. During my working years I was a lone woman amongst many men—well I had to work many times harder to prove that I was capable of handling the job. It is also true of companies trying to produce similar products. Let's get on with life in the US and get this suit taken care of. Life must go on not stagnate. Thank you for taking time to read my view.

**MTC-00021961**

From: bobak@gwu.edu@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

I think Microsoft is getting off too easy. I think they broke the law—a federal court and an appeals court said so. This so-called settlement is as fake as the Naugahide on my couch.

**MTC-00021962**

From: ruthwright@aol.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

The Government should get off Bill Gates back and do something constructive for the people like getting after Enron management and their so-called auditors.

**MTC-00021963**

From: kmessner@worldnet.att.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

I feel the settlement reached by DOJ and Microsoft was fair and just to both parties. We have an open market society and businesses should not be allowed to use the court system to regulate Fair practices.

As long as fair market practices are used the market will decide who succeeds and who fails—companies that cannot compete should not be able to abuse the court system when they cannot compete in a fair market. If people don't like a product or company they will not buy their products. The government should stay out of this area if they determine it is a fair playing field. the DOJ has decided the settlement is fair (as has Microsoft). Everything should be settled at this point.

**MTC-00021964**

From: Paul Harrison  
To: Microsoft ATR  
Date: 1/24/02 12:31pm  
Subject: Microsoft Settlement

This is a BAD DEAL for all of the USA. It will NOT stop MS from going right back and doing the same thing when it (MS) feels it needs to!

pauljh@dslnorthwest.net

**MTC-00021965**

From: potenisaac@attbi.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

This settlement should be accepted by all parties as soon as possible for the good of this nation. The delatory and litigious actions of the state attorney-generals are counter-productive and work against the competitive and technological advantage of the United States.

**MTC-00021966**

From: radpt@hotmail.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

The litigation should not be to continue and government should leave Microsoft alone.

**MTC-00021967**

From: Marvin@Parsons.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Microsoft was the first company to open up its MS-DOS code to developers allowing the individual to participate in the computer revolution. Apple was the competition then who had a closed system not allowing others to hook into their code. Microsoft has led the advancement in software technology based on customer wants and needs. Their server systems were opposite from Novel in that the standard install gave everyone power and it then needed to be limited while Novell gave nobody access rights until given by a IS person. This openness approach has put them in the lead for consumers. Please don't allow competition between companies to become a political question. Developing standards and sharing these standards with other companies has been the norm for Microsoft through their Microsoft Developers Network (MSDN) program. Please don't limit Microsofts ability to develop standards and leading edge practices that give more capabilities to the end user because their competitors are not offering as useful products.

**MTC-00021968**

From: Louied@home.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

This settlement is a fair and reasonable compromise. We believe that this is in the best interest of our day to day business.

Thank you  
Lou DeCarlo

**MTC-00021969**

From: hohobike@yahoo.com@inetgw

To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 government should stay out of the marketplace the marketplace sorts all problems to the best advantage to the consumer. Let competition work out all the issues to the advantage to the consumer

**MTC-00021970**

From: karen1108@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 enough! if you re concerned about monopolists check out the oil companies or watch AOL TIME WARNER..a few years ago the japanese were beating us in every facet of business..our economy was stymied..along came Bill Gates and almost single-handedly gave America a way to vastly improve productivity..instead of trying hold him down we should be building a monument to him.The settlement is more than fair..don t listen to the cry babies..technology changes too quickly for them to expect constant legal vindication (which they don t deserve). Tell them that justice has been served and that they must return to competing if they want success against Microsoft.

**MTC-00021971**

From: jdp@ssitech.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 As an IT professional I must say that I am growing weary of the ongoing assault on Microsoft by several independent states and the U.S. government ... despite the fact that an equitable settlement was reached many weeks ago! I particularly ... am very weary of interested third-party coaching that organizations such as AOL-Time Warner are doing from the sidelines to advance their cause (e.g. more bucks) under the guise of community interest and consumer awareness. What BS!! Even as I right this brief note I see where AOL has once again brought litigation against Microsoft with regard to their Netscape Browser and Microsoft s IE. Hey ... just goes to show you that we have the best political thinking that money can buy. If you can t innovate then litigate. Frankly ... when the dust settles on this case ... I want to file a suit against GM because they don t integrate the v10 engine that I prefer ... just because it is made by Dodge! Certainly that can t be right ... or legal? On a more serious note however I as and individual want to choose who I do my business with what I want to run my business on ... and who I want to partner with as a technology leader. That decision will be Microsoft Microsoft and MICROSOFT. If you can show me any successful enterprise in this country that has succeeded without utilizing the same type of aggressiveness initiative and intellectual commitment made by Microsoft ... I will kiss your you know what at high-noon and let you pick the place. Stop wasting our time our patience and our money.

There are far more important issues on the table today.

**MTC-00021972**

From: Jayjarcarter@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 We believe Microsoft needs to be taught a lesson needs a more severe ruling than the Federal Government settled for one that will encourage them to be better citizens of the high tech business world.

Their cutthroat business practices are unfair to competitors and limit our choice as customers among differing computer systems. We do not like being pushed into Microsoft products which is what happens when one buys a PC today.

**MTC-00021973**

From: jetoosn@flash.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 I feel Microsoft has improperly applied pressure to competitors in the past to impede sales of the competitors. I have carefully reviewed the Revised Final Judgement and find it a remarkable good document which will resolve problems in the past. I find one problem with the findings of the TC members and them not being able to testify by deposition in court. After all the TC members are or ought to be the experts on any violation by Microsoft and therefore allowed to make depositions on behalf of the plaintiffs to the court.

**MTC-00021974**

From: brandon64—99@yahoo.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 Hello, I do not think that this settlement is fair to companies who provide computers in the educational industry. This gives Microsoft the power to place any PC brand they want in the schools which means that they can give their allies a boost over there enemies in the educational arena. Apple Computer s Macintosh brand will be crushed by the Microsoft giant allowing them to gain even more power in the market. They must be broken up and have strict regulations placed on them. You must do this for the sake of innovation to create a better future for technology and man kind. Thank You.

**MTC-00021975**

From: thomas.desmond@usa.xerox.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 Please stop the insanity. Let s settle and get on with things. The States are a joke. New York and California should quit and maybe it would help with some jobs.

**MTC-00021976**

From: rbelliveau@reliability.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 I am fed up with this unfounded and ridiculous lawsuit. Microsoft has done nothing to harm consumers.

The only entities harmed by Microsoft are those unable to compete with it s far superior

products. In my mind this is not a basis for a lawsuit it is the way competition is supposed to be. I ve read that the states pushing the lawsuit want a lower cost product available to consumers. That s odd because 1) pricing is up to the producer of the product. Why don t they tell car makers to lower the prices of their popular SUVs?

Because it s insane that s why and 2) I have never heard anyone say I didn t buy a copy of Windows because it was just too darned expensive! The lawsuit should be settled and put behind us. It s not in the interest of the people or our economy and only serves the sore losers that cannot compete against Microsoft. Hey I have an idea! Why don t the aggressors in this lawsuit go after Walmart! KMart couldn t compete against Walmart so obviously Walmart must be guilty of something!

**MTC-00021977**

From: davidj@chsengineers.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 Microsoft is a brutal monopolistic organization that just happens to make the best product for the industry. Restricting innovation is not what this country need right now. Allowing other companies to freely compete in the global market is a must. How to balance these is the task at hand. Good luck with that one.

**MTC-00021978**

From: dlaynejr@juno.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 Microsoft may have some undesired business practices but they have contributed much the advancement of PC software. Microsoft pulled off what everyone really wanted a software platform that pulled software use together. Now that they have accomplished this other vendors cry foul. I don t like or want government interference with this practice of competition. In my opinion it is not governments place to interfere with business. This trial undermines the markets free choice & good old American competitive drive to become the biggest & best that you can achieve.

**MTC-00021979**

From: sudha@mail.humonc.wisc.edu@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 If Microsoft is a monopoly what about AOL? AOL has been giving out free disks and CD s for years now! And was not Netscape a monopoly too?

**MTC-00021980**

From: dmc654@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:22pm  
 Subject: Microsoft Settlement  
 To whom it may concern i believe that this has gone on way too long as if we didnt have enough problems with our economy this past year especially since september.11.lets all do what was handed down from the higher courts and be done with it i will always believe in Microsoft and company s that

follow the same traditional way of doing business in our great country. Let us not bicker with lengthy new allegations or try to reverse the decisions that were agreed upon but let us move forward and look at the whole picture so we may learn from this. After this long battle lets move forward not backward. God bless America.

**MTC-00021981**

From: djgb@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Who is John Galt? Do you remember AT&T—Phone services were good then. Do not permit those who cant try to stop those who can. Every High Tech corporation had an equal opportunity to develop and beat Microsoft at their game but the mamby pamby s couldn t compete so they turned to the politicians. This puffed them up and they went for it—Let s not get Microsoft and screw up the whole world. No operating system other than Microsoft can come close to what the world wants. Stop wasting tax payers dollars and leave the market sort itself out. I object to this frivolity!

**MTC-00021982**

From: janatmsn@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

i think for once the government has been fair with microsoft. the decision that was recently passed down is very encouraging that the right thing will be done for companies who are either ahead of their time or just plainly protecting what is theirs from others who see an easy profit. it is not in just microsoft s interest that a decision of the sort was passed down but for the good of every business. no one deserves to be treated in the fashion that microsoft was treated in the past. i am glad that period of time is over -everytime microsoft s shares went down so did the shares of a lot of other companies . it caused a horrible chain reaction-those who said they were doing it for some good were not telling the truth. people look up to that company when it started to go down in price people got very nervous-i don t want to see that happen again-it serves no purpose thank you

**MTC-00021983**

From: Dave Crossley  
To: Microsoft ATR  
Date: 1/24/02 12:33pm  
Subject: Microsoft Settlement

Dear Sirs and Madams,  
My name is Dave Crossley. I'm a programmer from Charleston, South Carolina. I'm writing to tell you that I believe that the proposed settlement with Microsoft is a BAD idea. It does not provide the remedies necessary to protect society from the monopolistic threat that Microsoft represents. I can state from experience that Microsoft wields enormous clout in our industry, and I will also state that they have a very bad reputation for both honesty and security.

Please reconsider the current settlement. The earlier breakup plan was a great idea, although I would suggest that the company should be severed into four, and not two

parts. Those parts would be Operating System, Applications, Development tools and Internet.

As with Standard Oil and AT&T in the past, the breakup of Microsoft, in my opinion, will be beneficial to society as a whole and will have the additional benefit of protecting freedom of speech by preventing one company from controlling the channels of communication.

Thank You for Your Time,  
Dave Crossley  
Programmer  
Carepoint, Inc.  
Charleston, SC  
dave.crossley@carepoint.com

**MTC-00021984**

From: woodyf2@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nathan S. Ferris  
5902 Westchester St,  
Alexandria, VA 22310-1123

**MTC-00021985**

From: egmeares@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement

You probably will not like nor use this message but I am glad to express myself. After 20 years of being at the mercy of Microsoft and watching and being involved in their high-handed tactics for doing away with the competition—an usually unfairly—I am disgusted at the hand slap they got. When a company can completely dominate an industry because they have deep pockets it goes against everything we Americans believe in. And who is Microsoft and her allies kidding—most innovation and competitiveness in American business comes from small business not large money-hungry corporations.

Give me a break! Microsoft as a hero? Come on! They have been stifling and killing the competition for years. Many of my favorite programs and/or features of common applications have either disappeared or become almost non-entities because of Microsoft s aggressive competitive stance and deep pockets. In their place we have

Microsoft telling us what we want—not usually what we need. Score: 0 for free enterprise 1 for monopolies

**MTC-00021986**

From: dustyt@ppmco.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Microsoft should be split into numerous pieces this so that no one company or man Bill Gates can have the power or influence that Microsoft and its owner currently have.

**MTC-00021987**

From: gmarshall@bkusa.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

There should never have been a case against Microsoft. Microsoft has created a useful (although not perfect) product and has marketed that product well. I think their innovation should not be punished with government watchdogs or regulations because in the end the consumer is the one who pays.

**MTC-00021988**

From: airfoil2@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

I welcome the opportunity to comment on the settlement in U.S. vs Microsoft. Not only should this case be settled now it should never have been litigated in the first instance. The irony of this is that the case was initiated ostensibly to protect consumers. What a farce! Far more of OUR tax money was spent by the government in prosecuting this case than could have ever been saved on behalf of the consumer even in the wildest dreams of the bureaucratic do-gooders. Moreover anyone with a scintilla of common sense (and there are many of us) realizes that this misguided case against one of the great companies of the world contributed in part to one of the greatest stock market declines since 29. Plain and simple putting Microsoft in a funk with this ALLEGED antitrust case caused negative reverberations throughout the market affecting crybabies like Sun Microsystems Scott McNealy et. al. who sparked the government s knee-jerk reaction in the first instance. This antitrust suit cost the American consumer millions of dollars to prosecute and far more than that in stock market losses which were part of the fallout from the government s case against Microsoft. The bottom line is the American public does not need government intervention in cases of this nature. If corporations feel put upon by competitors let them seek relief by paying for their own litigation. The most appropriate expression for these corporation whiners (and I have stock in some of them) is If you can t run with the big dogs stay up on the porch

Approving this settlement now will prevent further bloodletting of the American consumer through more misguided attempts by the govern

**MTC-00021989**

From: HERBHOLM@aol.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

Innovation comes from free market place not one run by the government. If you force crippling sanctions on Microsoft will go back to the stone age. Most people use Microsoft for a reason its affordable on any person budget it consumer friendly easy to use. All the States should be forced to settle. In my home town nobody can understand why the government took after Microsoft in the 1st place

Herb Holm  
2821 Fairfield street  
Eureka Ca. 95501-3524

**MTC-00021990**

From: woodyf2@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Sincerely,  
Nathan S. Ferris  
5902 Westchester St,  
Alexandria, VA 22310-1123

**MTC-00021993**

From: pparker@mdot.state.md.us@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:26pm  
Subject: Microsoft Settlement

I also believe the settlement is a reasonable compromise.....this has been dragging on for toooo long..toooooo long...

**MTC-00021995**

From: dave.hanley@pcplusol.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:26pm  
Subject: Microsoft Settlement

The original remedy proposed by judge Jackson was the correct one. Whatever benefits Microsoft may have once brought to consumers by way of its market strength it has long since erased by forcing competing products and companies out of markets and/or out of business with its monopolistic and predatory practices. Microsoft exerts enough clout all by itself it doesn't need the helping hand of government through a symbolic settlement to further bolster its dominant industry position. I urge any and all parties having a role in this decision to reject the proposed settlement and to divide this

company to help restore and revitalize the U.S. software industry.

**MTC-00021996**

From: dwolf@prologic-inc.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement

Please accept this settlement. The extreme requests of the non-settling states are not in the best interests of consumers only competitors of Microsoft. Please put an end to this enormous waste of taxpayer dollars at the state and federal level and lets move on to more important issues of our nation.

Thank you.

**MTC-00021997**

From: rnatale@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement

Enough is enough. When you attack Microsoft you are hurting the economy putting us out of work and harming our leadership position in the world. The stockmarket crash began at the same time Janet Reno went after Microsoft and it's time for this to come to an end. As September 11th more than adequately communicated Microsoft is not the enemy!

Sincerely  
Ronald J. Natale  
Bedford NH. 03110

**MTC-00021998**

From: PZ Myers  
To: Microsoft ATR  
Date: 1/24/02 12:33pm  
Subject: Microsoft Settlement

The proposed settlement is a very bad idea. As someone who relies on open-source, non-microsoft software both professionally and personally, I am appalled that no effort is being made to stop Microsoft's monopolistic attempts to destroy better software, such as Apache. —

PZ Myers, Ph.D.  
(320) 589-6343  
Division of Science & Math 2135, 2390  
Science  
University of Minnesota, Morris  
Morris, MN 56267 [http://  
homepage.mac.com/myers/](http://homepage.mac.com/myers/)

**MTC-00021999**

From: terwinl@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement

I support the settlement. The suit was never to the benefit of users. The widespread use of pc's and the internet was facilitated by the standardization brought about by technical/business dominance of Microsoft

**MTC-00022000**

From: rlanders1965@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement

Is there enough that you can do to Microsoft to make it a nicer company? I don't know that's not my place. The only thing that I can do is to not purchase their software (if possible). I find that after using MS Windows Macintosh Linux and UNIX systems for the

almost 20 years that I've been in the industry MS Windows is the most unstable of the bunch. I'm not a software vendor but I have had experience with many different types of software (hospital industry) and it seems that the fewer types of software that is installed on a Windows PC the better it runs. That's fine if you live in Nirvana Utopia.

But I live in Real World USA. People can not have 6 different machines sitting on their desk tweaked to run a specific application because one application needs version A of a DLL file and a different application needs version B of the same DLL. Competition: I remember always hearing people comment about wanting to come up with a great software idea and then be purchased by Microsoft... Neat.

Retire a millionaire no worries. What could happen if you didn't sell your idea to MS. Seems that they would purchase a competitor's product stamp Microsoft on it and then sell it. The product could be a piece of crap but since it has Microsoft on the label people would buy it because it would interface better with other Microsoft applications. Right now I'm faced with vendors that are changing their server-based requirements from Novell to Microsoft. Why I don't know I'm not one of their programmers.

And I feel nervous about it. Why should I feel nervous about the NOS a vendor wants to use. NT (and other MS apps) has been and will continue to be the target of hackers crackers and virus creators. I've only had one virus where I work and it came through an MS email program (worm). I've also only had one virus at my home computer. At the time of the virus I was using Windows 3.11. I have been using a Macintosh for about 5-6 years now and h

**MTC-00022001**

From: jamesa@cashco.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:25pm  
Subject: Microsoft Settlement

Is this Microsoft compromise a joke? If that is the proposed solution you might as well save the taxpayers a ton of money and not even attempt to do anything to Microsoft. I realize that a person with \$80+ billion has a lot of influence on the American justice system but that does not give him the rights to mandate to every single PC manufacturer and PC buyer what we should be using. The only thing this compromise accomplishes is still giving Mr. Gates his money but also costing us the end-users more by having to purchase another option. If you truly want to make the industry fair and best for economy you would force Microsoft to actually have a choice. Let us buy a PC without shoving Windows and Office down our throats. Let us buy it with a non-Microsoft OS and not have to pay for Windows. Give a choice of one or the other or no OS at all. That is truly what the industry wants and needs to see.

Your compromise will in now way punish Microsoft at all. They still get their money. They still have their OS and Office on all PCs. At the very least something should be done to slow down the release of new OSES. It costs American business a small fortune to

keep up with a new OS every two years. Not to mention the IT professionals like myself that are trying to complete certifications it is nearly impossible to keep up with the new OS changes unless you spend \$10 000 every two years to go to a boot camp to get your certification. Or even just to get familiar with the new changes in the OS. It is a tech support person's nightmare to keep changing OSes every two years. Thank you for your time and I truly hope that more comes out of this case than the simple slap on the wrist that is proposed.

**MTC-00022002**

From: dafin1@adelphia.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Finley  
466 Ellen Avenue SW  
New Philadelphia, OH 44663

**MTC-00022004**

From: rsieg@twr.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:31pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Randolph Sieg  
144 Knight Estates Circle  
Fuquay-Varina, NC 27526-6544

**MTC-00022005**

From: Cmurf40@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:35pm  
Subject: Microsoft Settlement

To whom it may concern,

I have the following concerns about the proposed Microsoft settlement.

1. It does not alter the overwhelming presence of Microsoft in the computer industry. For instance, even though a recent PCmagazine article rated the corel suite of office software as at least equal to the best they ever tested, they had a subtle warning at the end of the article warning about "compatibility". What they meant, but dared not openly say is that Microsoft proprietary file formats have become the defacto standard and no one can afford to ignore that, and it no longer matters how good the competition is. The market forces we rely on to provide for the best available products are not working. This marketplace is broken. The proposed settlement does not change the marketplace, therefore the government's settlement fails to provide the relief intended by congress.

2. The ownership of the only commercially viable OS gives the owner of that franchise a terribly strong base from which to win in any application software market that they choose to enter, whether it be office suites, browsers, compression software or whatever. They can purposely build in obstacles that prevent the operation of competing software while smoothing the interaction of their own applications with their O/S. The proposed remedy does not alter that fact, a handful of "umpires" cannot watch thousands of players. The government has no mechanism in place that enforces this agreement, and it should recognize that this agreement is unenforceable and therefore worthless.

Yours,  
Colin Murphy  
3309 Haskins Drive  
Belmont, CA 94002  
colinmurphy@ieee.org  
CC:cmurf40@aol.com@inetgw

**MTC-00022006**

From: leonmcdaniel@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:33pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Leon McDaniel  
1280 Island Drive  
Merritt Island, FL 32952

**MTC-00022007**

From: campbell@tularosa.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:32pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Ward  
Box 404  
Carrizozo, NM 88301

**MTC-00022008**

From: Doc Franklin  
To: Microsoft ATR  
Date: 1/24/02 12:35pm  
Subject: Citizen viewpoint

As a private citizen as well as a business user of Microsoft products and services:

1) I am constantly being harrassed to pay Microsoft more service fees;  
2) Constantly being threatened with "loss of my email files via destruction by Microsoft, if I do not subscribe to their latest fee-based marketing blitz";

3) Mysterious appearance of an "Adult Content" Microsoft warning screen each time I turn on my computer, immediately following my criticism of their policy.

Microsoft is an arrogant Monopoly, that deserves to be prosecuted by DOJ.

Sincerely,  
Lee Franklin, Boulder Colorado

**MTC-00022009**

From: rpbus@cwnet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:26pm  
Subject: Microsoft Settlement

Enough is enough! Yes Microsoft is a monopoly and yes they were proactive in the growth of their business (like most companies). But if it were not for Microsoft the PC would not be where it is today.

If you left it up to Apple or IBM you would be moving a lot slower and at MORE cost! I am also very curious to what the economy and stock market would do if this was settled. I believe that if AOL or Netscape could get where MSFT is today by doing the same things maybe more or less they would!

Settle it enough is enough! Thank you.

**MTC-00022010**

From: Jay Riddell  
 To: Microsoft ATR  
 Date: 1/24/02 12:34pm  
 Subject: Microsoft Settlement

The currently proposed settlement (if you'll excuse the expression) sucks. I have heard it compared to finding the Tobacco Companies guilty of years of lies and collusion and penalizing them by making them give away free cigarettes to children.

Please, address the REAL issue and FORCE Microsoft to change its predatory behavior.

Thank you,  
 Jay Riddell

**MTC-00022011**

From: rburo@temple.isd.tenet.edu@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:25pm  
 Subject: Microsoft Settlement

I wholeheartedly support the settlement agreement in US vs Microsoft. While it is not perfect it does provide competitive avenues for other companies while providing Microsoft the means to continue to provide products and services as it has. Microsoft has helped to make our technology-driven society and this settlement will encourage continued development in the technology sectors that will strengthen our economy.

**MTC-00022012**

From: Michael Williams  
 To: Microsoft ATR  
 Date: 1/24/02 12:35pm  
 Subject: microsoft settlement

How does it feel to be used and abused? That's what AOHELL and Netscape are doing to the justice department. If netscape and AOHELL want to be as good as microsoft let them build a better browser. If the complaint is that internet explorer is free well, DUH so is netscape

Netscape has NOT improved its browser since AOL got hold of it, and I think that AOL doesn't have the technical knowledge or expertise to do so either. AOL'S plan must be to keep taking microsoft to court and try to stay compative that way. In the long and short run we, all of us lose that way.

**MTC-00022013**

From: Chip Moore  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 12:36pm  
 Subject: Microsoft Settlement

I have been quiet on this topic for some time, but enough is enough. I have worked in systems for over twenty years. I am not employed by Microsoft, although I am a share holder, 100 shares I think. I do not have my Masters or Doctorate. I am just a system analyst I support hundreds of computers. I have spoken to numerous other analysts and support professionals. Almost all of them universally say that there is no way within their organization to mandate what browser an employee uses. There never has been nor will there ever be. All you have to do is go to www.netscape.com and download the current browser. I have done it. I have tried it out. I do not think it is that good a product. It is too complex to effectively configure and use. I do not like it.

If Netscape aka AOL thinks that they have been wronged it is there own fault as they

have done little advertising in the last five years and it has become a non issue, like 8 tracks, and records. The Netscape purchase was a bad decision on AOL's part and if any one should be complaining, it is users who should complain about how Netscape is forced down your throat. Here are two examples, I got a CD with manuals from CISCO system several years ago and you could not even install the product to use until you put Netscape on your machine, is that monopolistic, further I am a Verizon DSL customer and they require Netscape on their DSL installation. My question is I do not see Microsoft requiring you to run Internet Explorer to do things on their web site. It appears that AOL is doing the exact same thing that they accuse Microsoft of doing.

Finally, I am not happy with the AOL instant messenger, here is a service that allows you to chat, nothing more and they expect you to pay to do it. I can understand that you need an internet connection, which I have, but why should I pay 9.99 a month to chat. Again this seems predatory and monopolistic. From my perspective AOL does many of the same things they accuse Microsoft of doing AOL just lacks the capital to be able to carry it off that Microsoft does.

If the Department of Justice and the Attorney Generals were sincere about resolving this case, they would talk to their own IT staffs and some major companies like IBM and see how they came to their browser decision and see if there is any way to enforce a standard. The answer is probably no there is no way to enforce a standard, so get over it, close the case, and if you want to spend some more money spend it looking at AOL, it will not be as flashy but you will find a lot of the same issues.

But really enough is enough

**MTC-00022014**

From: James Dillon  
 To: Microsoft ATR  
 Date: 1/24/02 12:35pm  
 Subject: Proposed Microsoft Anti-Trust case settlement

Dear Sir or Madam,

I am a working computer professional and have been for 20 years. I have seen the rise of Microsoft from a small company in the 80's to the giant it is today.

Most of their products, while adequate, are by no means the state of the art, or very secure. I have witnessed the way they obscure details and modify code to prevent competing programs from performing correctly. I have seen this from the 80's (DR-DOS) to the early 90's (WordPerfect, Novell) and in the mid 90's with Netscape (Navigator) and Sun Microsystems (Java). The original settlement would split Microsoft into two separate companies. While that would be good, I would prefer to see it split into three separate companies: one for Operating Systems, one for Applications, and the other for Programming Tools. I also believe the undocumented Microsoft API's must be published. Document file formats (DOC, XLS, ect.) must be standardized. Internet protocols (TCP/IP) must remain open and un-modified.

The true spirit of open competition and fair play demands a honest evaluation of the proposed settlement. I believe it does little to

curb Microsoft's monopoly actions, much as the consent decree did in the 90's. The American public needs a strong and intelligent DOJ to truly level the competitive playing field.

The current proposed settlement is bad for a number of reasons: It does not redress the past anti-competitive actions of Microsoft, it does little to prevent them from doing it again, and will ultimately allow them to further their stranglehold on the information economy.

Sincerely Yours,  
 James Patrick Dillon  
 850 Rosdale #59  
 Capitola CA 95010

**MTC-00022015**

From: Martin Fenton  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 12:36pm  
 Subject: Microsoft Settlement  
 Gentlepeople:

Enough is enough . It is way past time to closeout the Microsoft litigation. Antitrust regulation is supposed to be aimed at protecting the unwitting consumer who, ostensibly, is being plundered by the rapacious giant corporation.

As a regular user of computers and as one who runs a company that would be lost without them, I can only see benefit from our dealings with Microsoft and we have never had a problem integrating non-Microsoft product into our system if costs and needs so dictated. Microsoft has certainly fought to make themselves indispensable, but in so doing they have allowed the user an ease of communication that was not possible before.

It would seem to me that Microsoft has been a benefactor to me, to us, to the country and to all those in the world that seek to learn for themselves and to communicate with others.

The continuing harassment of this company becomes increasingly petty . . . for the judge to turn down an offer by the company to provide \$ 1 billion of computers to classrooms is absurd.

Martin Fenton

**MTC-00022016**

From: old-school-144@yahoo.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 12:33pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bryan McKay  
3610 W Ethan Crossing Ln  
Tucson, AZ 85741

**MTC-00022017**

From: Pauline Schwager  
To: Microsoft ATR  
Date: 1/24/02 12:35pm  
Subject: Microsoft Settlement

We were asked to comment on the proposed settlement of the Microsoft case. I read the complaint, which took almost two hours, and I must admit that I didn't, until now, know the extent of the complaint. It was quite an eye-opener.

I am in favor of free trade—the right of anyone to lawfully pursue business to his advantage and to the benefit of the society at large. I believe competition is good, that it benefits everyone, and that any entity that restricts that lawful competition must be censured and prevented from continuing that policy.

I read the proposed settlement and it seems quite fair. So if it is approval you are seeking for the settlement, I must say that I approve. Thank you for the opportunity of allowing the public to comment.

Pauline Schwager

**MTC-00022018**

From: wschaf@jps.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:32pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
wayne schaffer  
1117 sunlight circle  
concord, CA 94518-1912

**MTC-00022019**

From: Kiraa1@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:33pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Sincerely,  
Charlie Angal  
2469 Greenbrook Drive  
Medford, OR 97504-8321

**MTC-00022020**

From: Tim Johnson  
To: Microsoft ATR  
Date: 1/24/02 12:37pm  
Subject: Microsoft Settlement

I think that it is ridiculous that a company can have such actions against other companies, and the consumers. Then get off by doing what they do to promote themselves in the academic world in the first place. Which is giving away products that they make and want to have the students feel comfortable with then and lock the students into the use of the Microsoft products. This is what happens all the time for the company to promote themselves.

Microsoft can say that they are paying millions of dollars for a settlement that mainly contains the price of software that to Microsoft only costs 35 cents or so per CD. They are not coming anywhere close to the value of what they say that they are going to be actually penalized for their now reconfirmed (by the courts) predatory business practices.

The use of “Innovation” by Microsoft has become their rallying cry. However the general public has only been lulled into believing that Microsoft has come up with there ideas, when the ideas and practices have been around long before. They are just now gracing the “Windows World” with things that they bought up with companies or plain “ol just decided to use.

They should innovate a “reasonable and fair” Microsoft.

**MTC-00022021**

From: Stephen Cronen-Townsend  
To: Microsoft ATR  
Date: 1/24/02 12:38pm  
Subject: Microsoft Settlement

To Whom it May Concern:

I am a senior postdoctoral research associate in the Computer Science department at the University of Massachusetts at Amherst and am concerned about ways in which the proposed final judgment does not appear to restrict future anticompetitive practices by Microsoft. I am submitting these concerns according to provisions in the Tunney Act before the comment period ends on January 28, 2002.

The apparent fact that the proposed final judgment does not obligate Microsoft to release information about file formats is a very serious omission. As a Macintosh and

Netscape Communicator user at home, I ran into Microsoft's past anticompetitive use of file formats last year, when I could not look at digitized photographs sent to me by a relative. It turns out that Microsoft invented a proprietary file format for image attachments to email that could only be decoded by their Outlook and other expensive email software. Their free software, Microsoft Outlook, and Netscape's free competing Messenger software (part of Netscape Communicator) that I used at home at the time could not read the format. After studying resources on the World Wide Web, and despite my capabilities as a computer scientist, I came to the conclusion that there was simply no way to view the images that I was sent on my Apple Macintosh computer, without personally reverse engineering Microsoft's proprietary file format and writing my own decoder, which I did not have the time (100's of hours, probably) to do. There are plenty of completely workable and largely standardized formats for attaching images to email messages (MIME and JPEG, for instance), and it seems clear to me that I was kept from viewing the pictures of my distant cousins by Microsoft's anticompetitive practices. Since the proposed final judgment appears not to address this issue of proprietary file formats, I find it unacceptable.

Thank you for our time,  
Stephen Cronen-Townsend  
Greenfield, Massachusetts

**MTC-00022022**

From: jfenrich2@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:34pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joyce Fenrich  
12101 Bass Lake Road Chardon, OH  
44024-8405

**MTC-00022023**

From: Martin Hechtman  
To: Microsoft ATR  
Date: 1/24/02 12:38pm  
Subject: Settlement with Microsoft

A slap on the wrist is not the way to get the Microsoft management to be fair and

honest. They will continue to be a problem for other development companies AND THE COMPUTER USERS

**MTC-00022024**

From: Dlh8ball@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:35pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Sincerely,  
Doris Hessler  
166 Frazier Street  
Brockport, NY 14420-1747

**MTC-00022025**

From: Dave Lewis  
To: Microsoft ATR  
Date: 1/24/02 12:39pm  
Subject: Microsoft settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

This is a brief note to let you know that I am a co-signer of Dan Kegel's open letter on the proposed Microsoft settlement. I agree with the problems identified there, and believe that addressing them is crucial to the ongoing economic success of the information technology industry.

Regards,  
David D. Lewis  
David D. Lewis, Ph.D.  
858 W. Armitage Ave., #296  
Chicago, IL 60614 USA  
ph. 773-975-7248; fax 773 442-0262  
dave@DavidDLewis.com  
<http://www.DavidDLewis.com>

**MTC-00022026**

From: Bud-Dee@iname.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:35pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Sincerely,  
Bud Trill  
1771 MacDonnell Dr.  
Palm Harbor, FL 34684-2345

**MTC-00022027**

From: Roselma L. Quinn  
To: Microsoft ATR  
Date: 1/24/02 12:38pm  
Subject: settlement

Please, this has gone on long enough. . . can you not work this out for a settlement???? Thanks for your consideration in this matter.

Roselma Quinn

**MTC-00022028**

From: cameron—moore@agilent.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:38pm  
Subject: Microsoft Settlement

To whom it may concern:

I consider the proposed settlement for the Microsoft anti-trust case to be a farce. There are many flaws contained in the proposed settlement and some would act to actually help Microsoft and not punish them for their tactics and past misdeeds. Most notable is the part where Microsoft would donate used computers and donate software- how incredibly galling!- which enables them to indoctrinate another generation of consumers to use Microsoft products. I'm sure the many responses you've received list the entire litany of problems with the settlement as it stands now. But the settlement as it stands is purely and simply wrong.

If you want a settlement with some teeth, something that will make an impact, consider this: Microsoft can donate computers and software to poorer schools, just make sure they are the products of their COMPETITORS. Whether it be iMacs or PCs running LINUX, this would go far into countering the negative effects caused by the many years of Microsoft's illegal activities. Besides, they're sitting on \$32B so a \$1B fine is 3% of their cash reserves- that is a very light punishment.

Thank you,  
Cameron Moore

The opinions expressed above are my own and are not those of my employer.

Cameron Moore, Ph.D.  
Engineering Scientist/5DX Systems  
Engineer  
Automated Test Group  
Agilent Technologies, Loveland, CO  
970.679.5926(V)/5969(F)

**MTC-00022029**

From: Abrahamsen, Barry  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 12:40pm  
Subject: Microsoft Settlement

Hello,

I am writing to express my dismay at the way the Federal Government's case against Microsoft has ended up. I have worked in the information technology industry since 1966 and Microsoft's behavior has been very detrimental to the health and competitiveness of the IT industry.

Microsoft is not simply an "efficient competitor," it is a business that cannot, and has not, tolerated any competition, almost without regard to the size of the competing business, in the markets Microsoft is interested in. Microsoft has repeatedly said it believes it has done nothing wrong, with the singleminded conviction of a business that has only one goal in mind, to dominate an entire industry. Microsoft has shown that it will thumb its nose at the mild remedies imposed on it in the past, and it will continue to do this in the future, if strict and enforceable remedies are not imposed this time. Leaving Microsoft intact as a company was certainly a mistake.

My belief is that people who are supporting Microsoft have a vested financial interest in the company and their products, there is no ethical or legal consideration on their part. Microsoft still believes no one has the right to "interfere" with how it does business and will continue its monopoly behavior in the future—limiting choice, controlling prices and controlling access to the Internet, if allowed. Their schemes for controlling who uses their operating systems under what conditions and their schemes that involve the .NET business model, show the scope of their ambition.

We have little choice today (and businesses have almost no choice for desktop operating systems and applications) and we will have absolutely no choice in the future if something drastic is not done.

Barry Abrahamsen  
Seattle, Washington

**MTC-00022030**

From: jatkeson@gmu.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:40pm  
Subject: Microsoft Settlement

The proposed settlement against the Microsoft monopoly is inadequate to either punish them or to insure that they won't continue their illegal conduct. Please push Microsoft to be much more open to the public about what their software is doing on our machines.

John Atkeson  
3959 Persimmon Drive, apt 103  
Fairfax Va. 22031  
703 426 0121

**MTC-00022031**

From: Allan Walters  
To: Microsoft ATR  
Date: 1/24/02 12:39pm  
Subject: Microsoft Settlement

Having read much of the commentary (both pro and con) about the proposed settlement of the Microsoft anti-trust case, I do NOT think that the proposed settlement is in the public's best interests. [walters@netaxs.com](mailto:walters@netaxs.com)

**MTC-00022032**

From: claudiapaz@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:37pm



Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 neal swanson  
 313 ashley oak lane  
 lake dallas, TX 75065

**MTC-00022033**

From: mparker@mei.net@inetgw

To: Microsoft ATR

Date: 1/24/02 12:38pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
 MILDRED PARKER  
 5071 NORTH SHORE DR  
 DELTON, MI 49046

**MTC-00022034**

From: paul wilzbach

To: Microsoft ATR

Date: 1/24/02 12:41pm

Subject: Microsoft Settlement

The DOJ is NOT protecting the Public's interest with the proposed Microsoft antitrust settlement. Until a pc can be shipped without a Microsoft operating system and without economic retaliation from Microsoft, the technology industry will be held hostage to Microsoft's monopoly.

I will be writing my state's Congressional representatives to explore the Tunney Act to help protect us from the DOJ's monumental sellout.

There is no other way I can view this.  
 Paul Wilzbach

**MTC-00022035**

From: Steven K. Sharp

To: Microsoft ATR

Date: 1/24/02 12:40pm

Subject: Microsoft Settlement

The current settlement is not sufficient to keep Microsoft from continuing its predatory practices with regards to companies that compete against it. Without further restrictions Microsoft will continue to incorporate more functionality within the OS itself strangling any competition. As a monopoly allows Microsoft to continue producing low-quality, bloated, over-priced software that benefits no one except them. Sufficient judgements would be to split Microsoft into two companies (operating system and applications), open the source of the operating system itself, force Microsoft to document all application programming interfaces and file formats, or all of the aforementioned remedies.

Sincerely,  
 Steven K. Sharp  
 10705 Matinal Circle  
 San Diego, CA 92127

**MTC-00022036**

From: Peckinpauhg, Brett (Brett)

To: Microsoft ATR

Date: 1/24/02 12:39pm

Subject: Microsoft Settlement

I wanted to make sure my name was counted, Dan Kegel is sending in an excellent document explaining many problems in the current Microsoft Settlement. I agree wholeheartedly with his assesment and would like to see it followed up on. Please read what he sends in and use this information to change the settlement.

Brett Peckinpauhg  
 Denver Colorado

**MTC-00022037**

From: Jay Gordon

To: microsoft.atr(a)usdoj.gov

Date: 1/24/02 12:42pm

Subject: Microsoft Settlement

Dear Sirs,

The proposed settlement does nothing to hinder MS's monopoly power in the marketplace. Penfold's breakup plan was the real solution. MS has historically shown a willingness to ignore and evade behavioral sanctions. The OS marketplace can easily support more than 1 system. True competition would greatly increase the amount of true innovation by software companies.

Thank your for allowing my input.

Yours, JG  
 Jay Gordon  
 732-888-4895  
 jay.gordon@ieee.org

**MTC-00022038**

From: Rita R. Head

To: Microsoft ATR

Date: 1/24/02 12:41pm

Subject: Microsoft Settlement

Dear Ms Hesse:

Microsoft is a company that has long provided good products to consumers and businesses, and it provides opportunities for other software companies to develop programs for the Windows platform, as well.

The provisions of the settlement, worked out with one of the nation's top mediators will be good for consumers, business, the technology industry and the economy as a whole On behalf of the Rantoul Area Chamber of Commerce, representing over 350 businesses within our area, I want to express our full support of the Department of Justice and the nine Attorneys General for their efforts to finally put an end to this case and agree to a settlement that is in our nation's best interest.

Sincerely,  
 Rita R. Head  
 Executive Director

**MTC-00022039**

From: Larry Gozrulak

To: Microsoft ATR

Date: 1/24/02 12:41pm

Subject: Microsoft Settlement

Dear Department of Justice,

Following are my comments in support of the recommendations put forth by the nine non settling states.

Microsoft's predatory, monopolistic, and anti-competitive practices are well documented. They are under legal fire in the United States, China, Brazil and Europe. But, with their enormous monopoly gained resources they are able to buy settlements with nine states, to buy endless legal delays (that promote a denial of justice) while their products and associated proprietary training become ubiquitous, capture the marketplace, and eliminate innovation and competition. Microsoft is the only large hi tech company to grow their earnings per share EACH quarter in 2001 and to increase their stock price by 30% BECAUSE they are a monopoly and not subject to pricing pressures. Microsoft's arrogance is magnified in these times when Americans are making sacrifices and responding with unprecedented patriotism to threats against our country and threats against our inherited legal system which protects us all and is the envy of the world.

Microsoft, Enron—the global investment community is watching. America's business practices are on trial.

**THIS IS THE TIME FOR OUR LEGAL SYSTEM TO UPHOLD THE LAW FOR THE BENEFIT ALL BUSINESSES, CONSUMERS, INVESTORS, INNOVATION, COMPETITION AND INTERNATIONAL TRADE.**

Best regards,

Larry Gozrulak  
 Lawrence F. Gozrulak  
 Technical Services Manager  
 Latin America Operations  
 Enterprise Services  
 Mission Towers 1, USCA28-602  
 Santa Clara, CA 95054-1203  
 Phone: 408-276-8759  
 m i c r o s y s t e m s Fax: 408-276-8750  
 larry.gozrulak@sfbay.sun.com  
 CC:larry.gozrulak@sfbay.sun.com@inetgw

**MTC-00022040**

From: MARY D PUTTY

To: Microsoft ATR

Date: 1/24/02 12:41pm

Subject: MICROSOFT SETTLEMENT

Dear Department of Justice:

I believe that the suit against Microsoft is nothing more than welfare for Netscape and

others. Please stop this suit right now. Microsoft has suffered enough. I am a computer user and if Microsoft wants to give me something, I appreciate it. I am glad that Internet Explorer comes with my computer's operating system. If I wanted Netscape, I could download it, but I don't.

Thank you,  
Mary D. Putty  
San Antonio, Texas

**MTC-00022041**

From: lwright@cap-mpt.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:38pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against

Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Adelyn Wright  
2211 E. Washington, #44  
Pasadena, CA 91104

**MTC-00022042**

From: nanya@gte.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:39pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Patricia Joppien  
4575 Thompson Rd.  
Mulberry, FL 33860-9516

**MTC-00022043**

From: Ian Breheny

To: Microsoft ATR  
Date: 1/24/02 12:42pm  
Subject: Microsoft Settlement

I'd like to say that I strongly feel the settlement terms proposed last year are not only very inadequate but actually strengthen Microsoft by easing their path into the education market, one of the few markets they don't already own, lock, stock and barrel. The terms are fundamentally flawed, because they provide no meaningful remedy to the offense of illegal monopolistic practice; indeed, they ratify Microsoft's illegally-gained monopoly status. The DoJ needs to realize that the settlement they proposed will not end the Microsoft battles, and work to achieve a more just settlement.

Ian Breheny

**MTC-00022044**

From: wt.catch1  
To: Microsoft ATR  
Date: 1/24/02 12:40pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Steven mungle  
PO3233  
Placida, FL 33946

**MTC-00022045**

From: Booroy2@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:43pm  
Subject: "Microsoft Settlement"  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Hesse:

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. "This is just another method for states to get free money, and a terrible precedent for the future," states the AOCTP, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen."

This economically-draining witch-hunt has gone on long enough. Please do your part and stop this insane and unconstitutional harassment of legitimate American business.

Respectfully,  
Roy M. Collins  
3340 Carlton Road  
Cumming, Georgia 30041

**MTC-00022046**

From: Edens, Jim  
To: "Microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 12:41pm  
Subject: Microsoft Settlement

I believe that the settlement is more than fair, and no more time, expense and exorbitant legal fees to trial lawyers should be expended in this case.

If AOL/Netscape were to spend the same amount they are spending on lawyers to improve and make their product and service offerings more competitive, the consumer would be much better served.

Jim Edens  
jedens@nespower.com  
<mailto:jedens@nespower.com>  
- QUOTE OF THE DAY - "The true meaning of life is to plant trees, under whose shade you do not expect to sit."—Nelson Henderson

**MTC-00022047**

From: Jon Krueger  
To: Microsoft ATR  
Date: 1/24/02 12:44pm  
Subject: Microsoft Settlement

To Whom It May Concern: I would like to express my analysis of the proposed settlement with Microsoft. I believe it is completely unsatisfactory.

1. It falls far short of what would be needed to discourage continued criminal behavior by defendant. It is a "slap on the wrist" that defendant will shrug off just as defendant has done in the past.

2. It fails to remedy the cost and damage defendant's conduct has caused consumers, competitors, and the industry.

3. It fails to establish a competitive market for innovation and value. The proposed remedies are entirely insufficient.

4. It leaves defendant free and indeed with a clear incentive to continue its criminal behavior, to continue to create and exercise monopoly power against the interest of all other parties. It leaves defendant free to extend its monopoly to other markets.

5. It leaves defendant free to continue to keep secret interfaces that lock out aftermarket solutions, cooperative solutions, and compatible solutions, thus depriving customers of substantial value and opportunity.

6. It fails to incorporate remedies designed by knowledgeable sources in the industry.

7. It offers numerous loopholes, weak enforcement, and insufficient remedies. It will do nothing to remedy defendant's conduct.

Thank you,  
Jon Krueger  
5631 Gatetree Circle  
Pleasanton, CA 94566

**MTC-00022048**

From: PLDiBiase@cs.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:43pm  
Subject: Microsoft%20Settlement

Although my knowledge of the proposed Microsoft Judgement is limited, in the final analysis it seems to give Microsoft more opportunities to expand its markets and no punishment for its anti-trust activities. In part I believe this because the little I do know comes from open source development community who feel that innovation will be thwarted and the rights of the people will be subverted. Please re-think this judgement. Computing is in its infancy and Microsoft is simply the richest of the innovators, not the best of them.

Thanks for your time.  
Paul DiBiase  
29 Sawyer Street  
Portland, ME

**MTC-00022049**

From: WoodIsland@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:38pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Wood  
246 Cervantes  
Lake Oswego, OR 97035-1208

**MTC-00022050**

From: Roj Snellman  
To: Microsoft ATR  
Date: 1/24/02 12:43pm  
Subject: Microsoft Settlement

I am disappointed that our Justice Department and legal system appear to be selling out to corporate influence including lobbyists and corporate funded politicians. This is contrary to the freedom to succeed and fail required for the survival of our great competitive capitalist system. There is no end in sight to this quagmire. Only the Justice Department can lead the country out of this nightmare. Please consider the Justice Department resources wasted to date and future resources required as this political nightmare drags out over the next 10 years. The nonsense of the basic arguments supported by the Justice Department defy reason:

1. Microsoft is harming consumers by over charging for Windows: The facts prove that Windows is successful because it continues

to be the least expensive operating system and provides more capability from the customers perspective.

2. Microsoft is harming consumers by adding new features to Windows: Successive Windows releases continue to add more features without increasing the price. Case in point, less than 7 years ago consumers purchased DOS, Windows, dial-up communications software, Internet Protocol communications software, disk management software, Internet browser software, word processing software, email client software, data exchange software, ... Everyone agrees that these separate software packages cost thousands of dollars and were very difficult to install and use. Microsoft customers demanded Microsoft add these capabilities fully integrated with Windows, bug free, and without increasing the price. Does the Justice Department dispute the fact the Microsoft's customers demanded these capabilities?

Continuous innovation is essential for the survival of many industries. Imagine purchasing a new car then after you drove it home installing a 3rd party trunk, radio, CD changer, speaker system, carpet, 16" high tech wheels, air conditioning, ... If our auto industry stops innovating for just a couple of years Americans will buy all their cars from Asia and Europe. If the Justice Department slows the innovation of our software industry for the next several years Americans will buy all their software from Asia and Europe.

3. Microsoft's Windows platform is not open to competition. SUN and Apple force their customers to purchase their proprietary operating systems and hardware. Their hardware is not open to competitive operating systems. Their software will not run on competitive hardware. They charge consumers more for their products than Microsoft. Their platforms are not open to competition. This is one of the top 3 root causes of Sun's and Apple's failure in the marketplace.

For example SUN and Apple do not allow 3rd parties to develop video accelerator cards for their platforms. There are over 10 companies that sell video accelerator cards for the Windows platform. The prices of these cards range from \$80 to \$350. The top end cards are extremely profitable and cost much more than Windows. Microsoft encourages and helps 3rd party software and hardware developers create new products for the Windows platform. The market for Windows platform 3rd party hardware and software is over \$100 billion. This accomplishment is unparalleled by any other company or industry. Summary

Microsoft does not control technology, they are just one of the world's leading companies and will fail when they slow innovation. A good analogy is that Microsoft is riding the waves of technology. The waves of technology are controlled by nature, not companies or countries. Microsoft is in a very precarious position. When Microsoft loses customer focus, agility, or vision they will wipe-out off the latest wave or miss the next wave.

Our innovative technology industry will fail if the Justice Department continues to siphon it's momentum. Companies that focus on the Justice Department instead their

customers are doomed to failure. As the Justice Department continues down this path Intel, Dell and every successful high technology company will be in it's sights. The Justice Department is afraid to dismiss this case and address the real threats to our great country. The Justice Department's failure to demonstrate the leadership required to do what is right is forcing every American to pay a high price.

Roj Snellman  
rsnellman@cfl.rr.com  
321-779-0757

**MTC-00022051**

From: Master Wizard  
To: Microsoft ATR  
Date: 1/24/02 12:41pm  
Subject: Microsoft Settlement

I don't think the proposed settlement goes far enough. Microsoft has forced many small companies into bankruptcy by leveraging their monopoly on the desktop. The proposed settlement does nothing to stop this practice. This settlement is a bad idea. I am against the proposed settlement!

Edward W. Rouse'

**MTC-00022052**

From: MPJ  
To: Microsoft ATR  
Date: 1/24/02 12:45pm  
Subject: Microsoft Settlement

Microsoft has abused other companies every chance it has had. I propose that a few laws that are not designed to be punitive, could have great effect on preventing companies from destroying competition, not only in the case of an unruly company like Microsoft, but even with companies who could dominate a segment in the future; like CISCO or AOL.

1) Any sufficiently successful program, protocol or file format that dominates over 60% of it's market on a given platform must make the file format or transmission protocol it is based on an open standard. This would mean that anyone who wishes could read and write Word, PowerPoint and Excel files. This would not represent an undue hardship to a company as long as its product remained competitive. For example, the Flash (.swf) file format is an open standard. Any company could start making a Flash editor at any time. MacroMedia dominates this market because it makes the best product. Consumers win. MacroMedia keeps a dominant position as long as no one else makes a "better product" not by virtue of a "compatible product".

2) Companies must publish all their APIs for any OS they create. This prevents a company from building hidden accelerations or road blocks to competing application software—which Microsoft has done on many occasions (WordPerfect, Netscape, Apple's Quicktime, Novell). A company acting "above board" would not be damaged by developers knowing their OS's API interface. I would be suprised by any compelling arguement that said; "developers really know what is going on with our OS, and that is a problem."

3) If a company is in a position that allows them special access to another companies software development, the standards for

copyright infringement should be higher. For example, if I am a developer and I must submit my application to Microsoft for approval, or I need to give them inside information about the functionality of my application in order to make my software run better on Windows, then the proof of origination in any subsequent software by Microsoft needs to be proven to "be unique and original". The court settlement between Apple and Microsoft stipulated that if either side produced a newly patented technique or algorithm, that the other party would have to license it from the first party whether or not they created something without reverse engineering. The burden of original work should be on the company with inside information. When Microsoft sells most of the software development programs, most of the OS and most of the APIs, they are at an advantage with respect to reverse-engineering any application on their OS. The courts and the public and the competing companies shouldn't have to "trust" a company with such an advantage. The companies in privileged positions should have to "prove" origination on competing products or algorithms. A collective of business leaders elected in some way by their peers should have a review board to approve duplicate software submissions by privileged parties before they can be bundled, sold or even given away. This does not in any way include the thousand of "shareware" developers that make many applications that are similar, because they do not have privileged information that could give them an unfair advantage in reverse-engineering.

4) Illegal competition, copyright and patent infringement cases need to be sped up in the court system. Especially in situations where a company has limited capital and resources to defend its means of revenue. In the case of Stacker software, it had to compete against Microsoft who began bundling its major application in Windows (a compression program that effectively doubled the amount of data a given hard drive could hold). It took years to settle in court, meanwhile Stacker had no revenue because the product was now free in Windows. When the case finally made it to court, Microsoft bought up a controlling interest in stock for pennies on the dollar. The lawsuit was dropped because the major stockholder was not Microsoft—rewarded for their lack of ethics. In reference to suggestion (3), prior art cases where a privileged party has duplicated the work of another company needs to be addressed within three to six months, with continuances only available to the injured party.

I believe better laws that would help make a more open market for everyone in this new age of intellectual property would pass the test in this settlement. It does not "directly" punish, nor is it unequally applied as such rulings could apply to all companies. It also prevents future abuses and benefits consumers in the long run. Enforcing such policies would make it easier on the court system, because it will be harder for Monopolies to abuse intellectual property and standards. Real solutions to this problem need to come forward. The settlement process should be out in the open and fair

to the marketplace. There are not many left who actually believe the Microsoft cannot remove Internet Explorer from their operating system when one third party programmer developed a small program that could easily do just that (IEradicator, by Shane Brooks, 1999–2001 <http://www.98lite.net>). When Microsoft openly dismisses court rulings and even increases its non-competitive practices (converting MP3s to proprietary MS-only format in XP, .NET in every aspect, automatically adding links onto web pages that connect to advertisers who have paid Microsoft, this list is just a small sample), it will only encourage other abuses of the courts will in the future.

I hope my suggestions may be helpful.

Mark Johnson

Senior Multimedia & Web developer

#### MTC-00022053

From: mslayton@intelos.net@inetgw

To: Microsoft ATR

Date: 1/24/02 12:43pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Melvin Slayton

3992 Weal Road

Chatham, VA 24531-4041

#### MTC-00022054

From: Jason Piterak

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 12:47pm

Subject: Microsoft Settlement

Introduction

I write to comment on the proposed settlement between the US Department of Justice and Microsoft (the Proposal). I believe that the Proposal makes progress in the right direction, but does not go far enough. As a result, I urge you to deny this settlement and consider further action.

As a business owner and entrepreneur in the computer field, this ruling will have a direct impact on the well-being of myself and of my employees. Unfortunately, the proposed remedy will do very little to curb Microsoft's continuing abuse of Monopolistic power. The end result of this is likely to hurt my company and thousands of businesses like it.

I urge you to consider the arguments below. They are result of a combination of discussions with other experts in this field

and, I think, give a good accounting of the reasons I and many of my peers oppose this proposed settlement plan.

Summary

\* Microsoft holds a dominant position throughout the software industry. A remedy which deals exclusively with "middleware" is not sufficient. All Microsoft software should be covered.

\* There should be no restrictions on pricing or product tying. Microsoft should be left free to develop and sell its products as it sees fit. The only exception to this are the rules which cover OEMs ability to include competing products instead of Microsoft ones.

\* Microsoft's monopoly position is founded on its control of proprietary interfaces. Microsoft products are linked through a network of proprietary interfaces, making it difficult for competitors to produce software that will inter-operate with Microsoft software. If the proprietary interfaces were published then competitors could produce software that competed directly with Microsoft without the expensive and error-prone process of reverse engineering.

\* These proprietary interfaces are in the form of file formats, network protocols and APIs. All three need to be made available to competing products.

\* Where two Microsoft products work together the interface between them can best be made available by setting up a "Chinese wall" between the development groups responsible for them, and then requiring Microsoft to publish all the technical data that is exchanged between these groups.

\* Where one copy of a product communicates with other copies of the same product (such as when an MS word document is sent to another MS Word user) the file format or communication protocol should be published in a form which allows independent verification that the product conforms to the published description.

\* Special consideration should be taken of Open Source Software development over the questions of cost, trade secret status and patent licensing.

\* The "security related" exception to disclosure should be narrowed to include only keys, passwords and similar security tokens.

Microsoft's Position

Microsoft currently holds a dominant position in the computer software industry, and as I shall show below it maintains this position through control of proprietary interfaces.

I believe that a fair and effective remedy should destroy the competitive advantage that Microsoft gains through its control of interfaces, but still allow it to compete and innovate on equal terms with its competitors.

In the longer term I would suggest that legislation be created to require all software companies above a certain size to publish the details of their interfaces, and thereby create a truly level playing field in the software market. However that is not the subject of this note.

Over the past decade Microsoft has repeatedly demonstrated a willingness to

evade or ignore regulations aimed at curbing its monopoly power. There is no reason to expect this behavior to change. Therefore any effective remedy must be drafted to block not only the past misdeeds of Microsoft but any it might devise in the future. The rules under which Microsoft is to operate must be unambiguous and, as far as possible, free from the need to make value judgments as to whether Microsoft has fulfilled its obligations sufficiently. Any such judgments will may be used as delaying tactics by Microsoft.

#### Product Tying

The current case was originally concerned with the alleged tying of Microsoft Internet Explorer with Windows 95, in violation of anti-trust law. However the list of features which users expect to find in an operating system has evolved over time, and continues to do so. A previous example concerns "disk defragmenters", which optimize the arrangement of data on a disk in order to speed up access. Before Windows 95 these programs were sold separately by competitors to Microsoft. When Windows 95 was released it included a disk defragmenter. The competing companies could no longer sell their existing products, but there was no public outcry because disk defragmentation is generally considered to be a function of the operating system.

Suppose that ten years ago Microsoft had been effectively prevented from adding new features to Windows: today a modem PC would have to include a dozen or more small packages of software which would be more economically produced and sold as a single product. Computer vendors would have to purchase and integrate all of these small packages, and buyers would have to cope with a bewildering checklist of small but important items that they would have to ensure their computer included.

Thus a fair and effective remedy cannot enjoin Microsoft from ever bundling new functionality in its products, even when a market for that functionality already exists in third party products. US anti-trust law deals with this point by requiring that product tying of this sort be of benefit to consumers, and prohibiting predatory pricing. However this principle is of little help in the software market. There is no "fair" price for software in the sense that there is for physical products (i.e. the unit cost plus a reasonable profit) because there is no unit cost. The cost of software is entirely in its original development. Left to themselves software vendors will set a price which maximizes their income, but there is no link between this price and the cost of development. Any plan to regulate Microsoft by imposing fair prices must therefore remove entirely its right to set its own prices, and this in turn will require it to negotiate a price for software before starting development. The result would be an effective nationalization of Microsoft, and is highly unlikely to benefit consumers. But if Microsoft is free to set prices, even to set them at zero, then it can effectively tie products by distributing free add-ons at the point of sale.

Therefore I must reluctantly conclude that regulating Microsoft's ability to tie products is likely to do more harm than good, and should not be included in the final remedy.

Microsoft should be left free to determine what functionality is included in each of its products.

The Proposal also sets rules for the related issue of the "Desktop". This properly prevents Microsoft from ensuring that its products are more prominent on the desktop than those of its competitors. Such user interface concerns are important, but are not the subject of this note.

#### Interfaces

The Proposal concentrates on the "Application Programmer Interfaces" (APIs) to Microsoft "Middleware" (a vaguely defined term, roughly meaning software that sits between the operating system and the applications employed by end users).

The Proposal is right to concentrate on interfaces. Microsoft has always used proprietary interfaces to manipulate the market and lock out competition. To illustrate how this works, suppose Microsoft sells products Foo and Bar which communicate via a proprietary interface. I purchase Foo, and subsequently want the added functionality of Bar. There may be many competitors in the market for Bar, but they are effectively excluded from my consideration because their products cannot communicate with Foo.

Similarly if copies of Foo communicate with each other through a proprietary interface then anyone wishing to work with me must also purchase a copy of Foo. This creates a "network externality" which ensures that, even in a competitive market, the best option for an individual consumer is the product with the largest market share, since this brings them into the largest population of potential collaborators.

By creating a web of proprietary interfaces, both between products and between its customers, Microsoft has ensured that it is locked into its market in a way that has never before been possible. It is this stranglehold on the market for software that must be broken. Since Microsoft has used its control of proprietary interfaces to achieve this, it is on interfaces that any effective remedy must concentrate. The focus of the Proposal on "middleware" is misguided. It excludes applications and operating systems, which are the two areas where the monopoly power of Microsoft most needs to be restricted. Furthermore its vague definition creates too much opportunity for Microsoft to redefine critical interfaces as something other than "middleware", leading at best to argument and delay.

#### Examples

It is worth looking at two of these interfaces to see how they lock Microsoft into the market.

\* Microsoft Office is the leading "office productivity suite". There are competitors, but they are critically hampered because their users cannot reliably exchange documents with MS Office users. Some degree of inter-operability does exist, but this has been enabled by painstaking "reverse engineering": the competitor can only learn about document formats by inspecting the files created by Office and trying to deduce how each part of the document is encoded in the file. This process is expensive and

error-prone, and Microsoft can always introduce new features faster than they can be reverse engineered. As a result no existing competitor to Office can reliably import a complex document. Consumers know this, and therefore avoid these competitors. This prevents the competitors from gaining market share, no matter how good their products might otherwise be.

\* The Kerberos security protocol was developed by MIT and has now become an important component of many systems. Microsoft included Kerberos support in Windows 2000, but with a small change. Kerberos is an "authentication" protocol: it guarantees that the parties to a transaction are who they say they are. Microsoft added authorization data to the protocol. This meant that Windows 2000 would only grant access to shared files and printers if the Kerberos "ticket" presented by the user had been issued by a Windows 2000 server. This appears to have been an attempt to lock competitors (including the freely available MIT server) out of the market for Kerberos authentication products. In response to a public outcry within the computer industry Microsoft first insisted that the format of its extra data was a trade secret, and then released the data on its web site under a "click-through" license under which the recipient promised to keep its contents a secret. I will return to this strange license later in the section on Open Source Software. The net effect of this web of proprietary interfaces is to make any mix of Microsoft and competing products less functional than a pure Microsoft solution. A pure non-Microsoft solution is not usually possible, either because Microsoft has driven the competition into the ground or because there is a need to communicate with others who are using Microsoft. Hence the only choice is between a pure Microsoft solution and a mix. In a world which is dominated by Microsoft there can only be level competition if the interfaces to Microsoft software are equally open to all competitors. Files, Protocols and APIs

There are three types of interface which an effective remedy must address: files, network protocols, and APIs. Files stored on disk are an important repository of value for any computer user. The ability to read this data and exchange it with others is the most important requirement for any new software. Therefore Microsoft should be required to disclose the file formats for all its software. This will enable competitors to create software which reliably works with files created by Microsoft software. The main immediate effect of this will be to enable competitors of Microsoft Office to compete on a level playing field. In the longer term it will prevent Microsoft from using the proprietary file format of any popular application to gain a monopoly position through market lock-in.

Similarly, protocols used to communicate over networks should be opened up. The Kerberos example above illustrates how even seemingly minor proprietary extensions can create strong market lock-in. As the Internet becomes increasingly important so the use of proprietary protocols will become an important method for Microsoft to maintain its monopoly position unless it is stopped.

APIs are a much more complicated issue than files and protocols. For every file format or network protocol used by Microsoft there are thousands of "function calls", the basic element of APIs. Function calls are used both within a single product and between products. There is no simple way to distinguish the function calls which are made within a product and those made between products unless the products in question are designed to work separately as well as together. Microsoft has already used this fact to obfuscate the question of whether Internet Explorer is intrinsically integrated with Windows 95. It can be expected to use this tactic again in the future. Since it is not feasible to use product tying rules to prevent this (see above), I suggest that Microsoft be required to identify every API which is used to communicate between software in two different products, and disclose that API in full. The smallest unit of "API" to be disclosed should be the "DLL" (Dynamically Linked library). In Windows a DLL is a single file which provides collection of functions to other software. Making DLLs atomic for disclosure purposes will encourage Microsoft to keep the APIs for communication between products distinct from the APIs within products, thereby reducing the work required by competitors who wish to offer competing products which offer the same APIs.

#### Disclosure Mechanisms

##### Detail

The Proposal has nothing to say about what level of detail will be included in the interface descriptions. This issue is not trivial. For programmers, the ultimate description of what a function within an API does is the source code which implements that function, which leads programmers to say "use the Source, Luke" when faced with a detailed technical query about a piece of software. However the inspection of source code is not always practical, either because the code in question is proprietary (as in this case), or just because it would take too long to understand. Hence developers routinely produce documentation which describes the functions in an API in a more readable form.

The Proposal seems to envisage this kind of documentation being made publicly available. However there does not appear to be any incentive to Microsoft to make this documentation complete or accurate, other than enforcement by the courts. Since this kind of document can never be 100% complete or accurate the question will arise as to whether it is good enough. If Microsoft acts true to form it will inevitably argue that its documentation is indeed good enough, and will carry on arguing this until it becomes a moot point.

To avoid this problem I suggest that Microsoft be required to erect "Chinese walls" between the development groups working on different products. Only published documentation may be exchanged between these groups. Hence if Microsoft wishes to sell two products which work together it can only do so if it also informs its competitors how to make products which can work just as effectively.

The remaining problem on detail is the file formats and protocols used when one copy of a product communicates with other copies

of the same product. The Chinese wall system will not work here. However since this problem is restricted to file formats and protocols the problem of ensuring the adequacy of documentation is much smaller.

Established techniques (such as BNF grammars and state machines) can completely describe file formats and protocols, and these can be used as the basis of an unarguable technical finding that either the software or the documentation is defective. This is not a complete solution to the problem, but it should level the playing field sufficiently to allow competition.

#### Publication and Open Source

Since this case started Open Source Software (OSS), such as the Linux operating system, has become a significant competitor to Microsoft. Therefore any effective remedy must take account of the special requirements of OSS development over normal commercial software development. The primary issues here are costs, trade secrets, and patents.

##### Costs:

Whatever disclosure mechanism is chosen for interface descriptions, it must be within the financial reach of open source developers. A subscription of several hundred dollars a year, such as is required for the Microsoft Developer Network, is trivial for a competing software company but a major hurdle for a volunteer developer working on OSS. Given that interface descriptions must be prepared for competitors, there is no reason why they should not be distributed for free over the web rather than only made available to an exclusive club.

##### Trade Secrets:

Microsoft must not be allowed to pretend that these interface descriptions are trade secrets, as it tried to do with its extension to Kerberos. Because OSS packages include the full source code they inevitably reveal the full details of their operation to any programmer who downloads them. If Microsoft can claim trade secret status on an interface it can effectively block any OSS package from using that interface, since to do so would reveal the "secret" of its operation.

##### Patents:

Microsoft has not made much use of patents to protect its market, preferring to rely on proprietary interfaces. However if it is prevented from using proprietary interfaces it may decide to use patented ones instead.

When Microsoft next introduces a new interface, especially a network protocol, it would be a simple matter to obtain a patent covering the operation of that interface. At that point any competitor wishing to inter-operate with Microsoft products using that interface would have to license it from Microsoft. The usual solution in such situations is to require licenses on "Reasonable And Non-Discriminatory" (RAND) terms. However even RAND terms require payment. OSS developers are unable to offer payment. Therefore the Remedy should require Microsoft to license its patents on RAND terms to commercial software vendors and on Royalty Free terms to Open Source projects.

Incidentally, Microsoft has described OSS as "un-American" and "an intellectual property destroyer". These descriptions try to tar OSS developers with the same brush as software pirates. This is incorrect. Software pirates selfishly take the work of others and use it without paying. OSS developers take their own work and permit others to use it for free. This is a wholly generous act, fully in keeping with the American ideals of volunteerism and service to one's community.

#### Security Details

The Proposal includes a broad exception for "security related" information. However Microsoft could argue that almost any interface, especially APIs and communication protocols, is "security related" if it is used to carry any kind of authorization or authentication information. Indeed, it made exactly this argument when it initially refused to reveal its extensions to Kerberos. Therefore the exception for security related information must be narrowly drawn.

Fortunately this is not a major problem. It is a basic principle of computer security that would-be intruders will eventually learn the operational details of your security mechanism, either by reverse engineering or by other less legitimate means. Any security which depends on the intruders remaining ignorant of these details is known as "security through obscurity", and regarded by security practitioners as inadequate at best. Therefore the only items which should need to be kept secure are the keys or passwords which operate the software. These can be easily changed if they are compromised. Hence if security interfaces are well designed then they will not need to be kept secret. And if they are not well designed then Microsoft should be required to remedy the fault rather than keep this fact secret.

#### Conclusion

The proposed Settlement would have little effect upon the business practices of Microsoft. If adopted in its current form then the result will be no change to the behavior of Microsoft, and yet another prolonged court case in another five or ten years.

Any effective settlement must concentrate on opening up the markets that Microsoft has effectively closed by its use of proprietary interfaces, file formats and protocols.

I hereby respectfully submit these comments for your consideration,

Jason Piterak  
 Jason Piterak  
 System Architect  
 CIS Technical Services  
 33 Main St., Suite 302  
 Nashua, NH 03064  
 (603) 889-4684—FAX (603) 889-0534

#### MTC-00022055

From: Barnett-Lewis, William  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/24/02 12:45pm  
 Subject: Microsoft settlement

The proposed settlement of the DOJ anti-trust actions against Microsoft are completely contrary to the best interests of the consumer and of the nation. Microsoft has shown, repeatedly, an utter contempt for the law and

legal proceedings. The proposed settlement will simply reward them for their contempt of court.

William Barnett-Lewis  
238 N. Marquette  
Madison, WI 53704

**MTC-00022056**

From: robin brown  
To: Microsoft ATR  
Date: 1/24/02 12:47pm  
Subject: Dear Sirs,

Dear Sirs,

I'm writing today to express my support for Microsoft and ask that you not impose sanctions on this company. I used Microsoft's products every day by choice and have derived nothing but benefit from them. In no way am I prevented from using other companies products, I simply choose to use Microsofts because they fulfill my needs better. In particular, I use Microsoft's hotmail service, its free email provider. I signed up in 1998, and have used it continuously since then. This has been my lifeline to my friends and family when I have been abroad and has been a great benefit to me. All I have received from AOL has been a continuous supply of unwanted CDs entreating me to sign up for AOL. I have several icons on my computer screen that I've never been able to remove because of software that installed the icons for AOL without my consent. I object to this, and this is the main reason that I will have nothing to do with AOL's products. If AOL feels they are losing market share to Microsoft's products, they should look to their own business practices before they blame Microsoft.

Microsoft's hotmail has been provided for me for free. Would you impose sanctions that would force me to use a fee based service because Microsoft's free email supposedly damages its competitors? What about the damage that imposing sanctions would do to individuals like me? Microsoft is a competitive company that has embodies the american idea of competition and success. Restraining it with the jealousy of unsuccessful competitors will only damage the public. Please leave Microsoft alone.

Best regards,  
Robin Brown

**MTC-00022057**

From: blss@iolwest.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barney Sieber  
253 Fir Tree Place  
Goleta, CA 93117-1110

**MTC-00022058**

From: miteymo@attglobal.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Maureen De Witt  
135 Penland Lane  
Missoula, MT 59803-2451

**MTC-00022059**

From: Nelson Bartley  
To: Microsoft ATR  
Date: 1/24/02 12:46pm  
Subject: Microsoft Settlement

I was a Microsoft user since the days of Dos 6.22.

I've used every version of windows from Win 2 to win XP and every time I have felt that my money investment was unjustified in the company.

I have since switched over to linux (this is being written from work on an ME box) as my primary desktop, as well as my file/print server.

I have found it to be a much better investment in time and resources, as it provides a constant stream of updates, and feature enhancements, and provides a strong community of free support on every aspect of the operating system.

NB

**MTC-00022060**

From: Joe Smith  
To: Microsoft ATR  
Date: 1/24/02 12:41pm  
Subject: Microsoft Settlement

I am writing as a concerned citizen who has worked with computers in Biomedical research for almost 25 years. If the proposed settlement is allowed to stand, I believe it will cause great harm to the computer industry and to our society. Detailed arguments have been published by others

better qualified in both information technology and the law, so my comments will be brief:

The proposed settlement

(1) does not punish Microsoft for it's illegal actions.

(2) does not deprive Microsoft of the profit from it's illegal actions.

(3) does not prevent Microsoft from continuing to maintain it's monopoly in desktop operating system and application software.

(4) will not prevent Microsoft from using it's monopoly position to aggressively and unfairly compete in related markets. Many, including apparently the Department of Justice, feel that the status quo is acceptable and that Microsoft's monopoly is "benevolent".

This is a fundamental misjudgement. Absolute power in any segment of society is unacceptable, regardless of how efficient or benevolent it may seem. A healthy IT industry and economy requires free competition among a variety of companies and technologies.

That Microsoft's monopoly has already harmed it's customers is plain if you compare the open and competitive PC hardware sector with the Microsoft-dominated PC software sector. Hardware performance has increased geometrically (roughly doubling every two years) while costs have decreased. PC software performance, on the other hand, is marginally better than it was 10 years ago and it is MORE expensive. Perhaps even more damaging is the precedent this settlement creates: a company with a history of anti-competitive behavior and resistance to legislative action, convicted of illegal activity, is walking away essentially unpunished, a corporate scofflaw. This sends a powerful message to other large corporations and even to other countries that the US government is unwilling or unable to pursue such matters to a fair and just conclusion.

Thank you for the opportunity to comment on this matter,

Joe Smith  
Thomas Jefferson University  
Dept. of Pathology, Anatomy & Cell  
Biology  
577 JAH  
1020 Locust Street  
Philadelphia, PA 19107  
jes@martnet.com

**MTC-00022061**

From: David Stever  
To: Microsoft ATR  
Date: 1/24/02 12:46pm  
Subject: Microsoft Settlement

I think that it's terrible that the Justice Department has let Microsoft off the hook for it's terrible monopolistic practices. The remedies that have been arrived at are the merest slap on the wrist, and don't adequately address Microsoft's practices.

David Stever  
55 N. Griggs St.  
St. Paul, MN 55104

**MTC-00022062**

From: Frank Stephenson  
To: Microsoft ATR



Date: 1/24/02 12:49pm  
Subject: Microsoft lawsuit

Would you please quit trying to bankrupt Microsoft! Get off their back and let their competitors put out a product that is as good or better and get their money that way. Our current economic situation can probably be traced to this stupid lawsuit.

Frank Stephenson  
Stonewall, TX

**MTC-00022063**

From: Mike Howsden  
To: Microsoft ATR  
Date: 1/24/02 12:47pm  
Subject: Microsoft Settlement

I DISAGREE with the microsoft settlement and I don't think settling with microsoft without adequately punishing them and deterring them from future monopolistic practices is adequate. The current settlement agreement is neither good for the country nor the economy. Also, by allowing Microsoft to "pay" with free software, you are basically costing them nothing, if not helping them continue monopolistic practices. A possible solution may be to open the source to windows "95 or something, at least that could give competitors a much needed edge after years of being illegally discriminated against. the current settlement is less than a slap on the hand. thanks for your time.

Mike Howsden  
845 E. 275 N. Apt #3  
Logan, UT 84321

**MTC-00022064**

From: W. Ryan Campbell Jr  
To: Microsoft ATR  
Date: 1/24/02 12:41pm  
Subject: Microsoft Settlement

Please count me as an American citizen who believes that Microsoft's proposed settlement is definitely a bad idea. Please do not accept it.

Sincerely,  
William Ryan Campbell Jr.  
<mailto:w—c@email.com>

**MTC-00022065**

From: Leo Schuman  
To: Microsoft ATR  
Date: 1/24/02 12:49pm  
Subject: Microsoft Settlement

This settlement will cripple the long-term health of the software industry.

**MTC-00022066**

From: Josta46@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:43pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Randall Bunch  
183 Oak Drive  
Kingston, TN 37763-4738

**MTC-00022067**

From: ATT Mail  
To: Microsoft ATR  
Date: 1/24/02 12:46pm  
Subject: Microsoft Transgressions

While I am a firm supporter of Microsoft operating systems and products, which I believe are the best available, I feel the focus should be on Microsoft's control of the IHVs/ISVs. Microsoft controls the content, form, and function of third-party products through incentives and programs for manufacturers and their "Logo Certification Process", ostensibly a quality control program but in practice a way to dictate feature sets and behavior of non-Microsoft hardware and software.

thanks,  
Mark Lobodzinski  
lobodzinski@attbi.com  
817 466-3508

**MTC-00022068**

From: Camm Maguire  
To: Microsoft ATR  
Date: 1/24/02 12:50pm  
Subject: Microsoft Settlement

Greetings! I think that the proposed final settlement in the Microsoft case fails to address several key anti-competitive practices used by Microsoft to create and sustain their monopoly. These include Microsoft's prohibition against shipping its products in conjunction with publicly available software, Microsoft's prohibition on running applications created with its tools on competing, publicly available operating systems, and Microsoft's per-processor licensing charges to large customers, even when many of these processors are running a competing operating system.

Please reject this settlement in favor of a more comprehensive solution.

Thank you for your consideration.  
Camm Maguire camm@enhanced.com

**MTC-00022069**

From: jtolar@nycap.rr.com  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 12:51pm  
Subject: The government should be the sole

expression of power of citizens. When any person, in Microsoft's c

The government should be the sole expression of power of citizens. When any person, in Microsoft's case, a corporate person wields too much power other persons' freedoms are placed in jeopardy. It is all the worse when a corporate citizen abuses its great power such as Microsoft has done. But in truth no citizen corporate or private should ever hold great power at all unless it is elected by the people to do so. If the foundation of American Democracy

and Republic is to be sustainable it must prevent any citizen from having power far in excess of any other by which it can then rival that of the nations elected officials. Microsoft past actions only demonstrate why this principle is sound and why we should take away its ability to bully the market. Quite simply, if it goes unchecked, later will we have the ability to stop Microsoft from bullying the the nation?

James Tolar

**MTC-00022070**

From: Sam Desmond  
To: Microsoft ATR  
Date: 1/24/02 12:48pm  
Subject: Microsoft Settlement

Dear Madam or Sir,

My name is Sammy E. Desmond, Jr. and I am Senior System Analyst with a major chemical company. I have a Bachelor of Science Degree in Computer Science and I have over 19 years of experience with computers. The purpose of this letter is to submit my comments concerning the Microsoft anti-trust settlement in accordance with the Tunney Act.

As veteran of the computer industry and as a parent advisor to my local school districts technology committee, I have seen first hand the devastating effect Microsofts monopoly power has caused. There are numerous examples of how they abused their monopoly position to stifle competition and reduce consumer choice.

I have thoroughly examined the proposed settlement and cannot find anything that even comes close to being a remedy to the antitrust violations that Microsoft has already been found guilty of. As you are well aware, Microsoft Corporation has already been found guilty of abusing its monopoly power.

At the very least, a just penalty should include the following:

\* Restrictions must be put in place that force Microsoft to publish and fully document all present and future file formats of any documents created by Microsoft application software. This will invigorate competition from other software producers and allow the data to be read by other programs and on other operating systems.

\* Microsoft must be required to publish and fully document the Windows Application Program Interface (API).

\* Microsoft products must be positioned as optional, extra cost items on brand new computer systems. Consumers that do not wish to purchase the Microsoft products should not be forced to do so. The current non-optional bundling of Microsoft products with new computers is sometimes referred to the Microsoft Tax in which the price of the Microsoft products are included in the price of the computer even if the consumer erases the Microsoft products and replaces them with something else.

\* Also, any current and any future Microsoft networking protocols must be published and fully documented in full and approved by independent industry bodies.

As the Internet becomes a more important part of civilization, it is extremely important that Microsoft does not extend its past abusive behavior into that realm. If Microsoft is not sufficiently penalized and is allowed



to extend its monopoly influence to the Internet, the results would be disastrous. As a matter of fact, the highly respected Center for Strategic and International Studies released a study a year ago that stated Microsoft software poses a U.S. national security risk. See the following web site, which describes this report:

<http://www.cnn.com/2000/TECH/computing/12/29/csis.microsoft.report.idg/>

In closing, history offers numerous cases when bad decisions were made for which future generations paid a heavy price. Please take this opportunity to properly punish Microsofts abusive behavior while there is still time.

Respectfully,

Sammy E. Desmond, Jr.

3930 Suncrest / Groves, Texas 77619

U.S.A.

(409) 723-3226 / sdesmondjr@yahoo.com

**MTC-00022071**

From: mike@Sun.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 12:51pm

Subject: Microsoft Settlement

Dear sirs,

I'm writing to express my opposition to the DOJ/Microsoft settlement. As I'm sure you're aware, Microsoft holds a monopoly position in the desktop operating system market, a position they regularly use to bully and coerce other companies into agreements that benefit only Microsoft, in the long run. This is fact, as supported by the original findings of the DOJ case against Microsoft. Further, Microsoft not only seeks to maintain their monopoly in the desktop operating system space, but to expand it into wireless and handheld devices, as well as low earth orbit satellite systems and media outlets, as evidenced by their controlling shares purchased in those companies and industries.

I urge you to please reconsider this settlement, as it is ultimately bad for consumers and competition, as well as the data processing / communications and mass media industries. I sincerely feel that if this decision is allowed to pass, the DOJ will have to expend far greater resources in the future to reign in a larger, more influential software and electronic media giant than the one we are dealing with today. Please do not waste the tax dollars of myself and others on future litigation. Act now to divest Microsoft, as was originally recommended.

Sincerely,

Mike Roncadori

**MTC-00022072**

From: McClure, Scott

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 12:42pm

Subject: Microsoft Settlement

Dear Department of Justice executives,

I appreciate the opportunity to express my opinion regarding the Microsoft Settlement via the Tunney Review process. We consumers have the freedom to choose which vendor's operating system we want and what hardware to run it on. In addition we can choose which web browser we want to use. If an operating system upgrade causes problems with old software, then we can

choose not to upgrade, or select a different operating system altogether. I think the people should decide which operating system is most compatible with the products they like. That decision is made people who are informed about their technology choices whenever they select one product over another. As people become more informed about their technology choices, there will be few disputes about some vendors success over others. The people will decide when they choose some vendors over others.

Thank you for your time on this issue. I am sure there are other cases that deserve your time more than this one.

Scott McClure

**MTC-00022073**

From: Gregory Thomy

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 12:51pm

Subject: microsoft settlement

The proposed settlement is BAD idea

**MTC-00022074**

From: Scott Frey

To: Microsoft ATR

Date: 1/24/02 12:57pm

Subject: Microsoft Settlement

I believe that the proposed settlement for the case will not only be ineffective, it will only prove that Microsoft has a monopoly that includes the federal government. Why does my government buy \*anything\* from a convicted criminal?

"I was fed up with it. The last straw was when the developers kit for Windows 95 came out on 12 CDs. The entire human genome fits on one CD. You can't tell me that software needs to be that complicated." —Jim Kent, UCSC, who wrote the 10,000 line C app that assembled the first draft of the human genome

Scott Frey

608.256.9050

Hyperion Studios: Technical Manager

WORBA: Past President

IMBA: Wisconsin State Representative

**MTC-00022075**

From: Larkin Selman

To: Microsoft ATR

Date: 1/24/02 12:53pm

Subject: Microsoft Settlement

I need a viable alternative to Microsoft Windows.

I do not feel that the proposed settlement will do much to break monopoly that Microsoft has on the OS market. Microsoft must be forced to make its OS code open to competitors. Microsoft's punishment should be sufficient to dissuade them from future monopolistic behavior.

Larkin Selman, M.D.

**MTC-00022076**

From: Wade Maxfield

To: Microsoft ATR

Date: 1/24/02 12:51pm

Subject: Regarding the Settlement between US Gov and Microsoft

Microsoft has had a long history of blatantly ignoring the US Department of Justice agreements they have signed. That is why they ended up before the court in the first place.

This latest agreement appears to mimic B'rer Rabbit's Response to B'rer Fox—"Please don't throw me in the briar patch!"

Whereupon the rabbit laughs at the fox and runs off happy as can be. Because Microsoft owns over 90% of the desktop market, and because they act like they own over 90% of the desktop market, their ability to act like a monopoly should be severely curtailed. This means that alternative operating systems owned by other entities (commercial or not) should be introduced into the educational mainstream by Microsoft. Alternative operating systems owned by other entities should be supported and fostered by Microsoft.

For example, Microsoft should actively develop, sell, and support Compilers, Development Environments, Office application systems, Internet explorer, and other products for other operating systems, including Macintosh, AIX, Linux, BSD in an equal manner. Microsoft should also be curtailed from electronically collecting detailed information from end users, whether for product activation or product execution. To allow them to continue their current practices could present a national security risk. Other branches of the government have already shown by anecdotes that Microsoft products have many security holes. According to newspaper reports, Passport has been hacked, Windows XP has been hacked, etc. The FBI has put out stern warnings. The list continues.

To avoid concentrating too much power into too few hands, the information collection systems portion of Microsoft should be spun off into a stand alone unit. Already collected information would be available under the purview of current legal structures in various states. This would allow third parties equal access, preventing a monopolistic freeze out. This would derail much of Microsoft's current advantages.

Finally, please do not allow the current "slap on the wrist" to be the final word to Microsoft. It will do nothing to curtail Microsoft's predatory business practices. If it stands as is, it will result in Microsoft ending back in court within a decade, with even more difficult

decisions to be made.

sincerely,

Wade Maxfield

**MTC-00022077**

From: Matt Scilipoti

To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 12:47pm

Subject: Microsoft Settlement

Matt Scilipoti

7539E Weatherworn Way

Columbia, MD 21046

January 24, 2002

Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition

in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief. Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Matt Scilipoti

**MTC-00022078**

From: hawcreek@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:49pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gary McMains  
Rt 1 Box 116  
Stover, MO 65078

**MTC-00022079**

From: kenweger  
To: Microsoft ATR  
Date: 1/24/02 12:46pm  
Subject: Microsoft Settlement

Sir:

This, attachment, is a letter sent to you via Fax 1/24/02. I just wanted to make sure you did indeed, receive this plea to let the market place decide on what programs are best for the consumer. I have both Netscape and IE for my browsers, and much prefer IE as being better and more true to what a browser should be. I also, have Linux, O2 & Windows as my operating system, and again prefer MS as better all around and much more to my needs. So, why should those companies, that can't compete with one another, just either become better or stop “crying” when another company bests them on their own playing

field? I don't find anything that MS has done to be anymore than a better competitor and present a better product for me, as a consumer, to enjoy. It really is my choice as to what I want to use, not the government or the “cry-babies” of the industry. Does one team that loses to another better one, file suit as unfair or do they try to improve and be better than their opponent? that is what I feel is happening with Microsoft.

Thank you for your consideration in this matter. I as a consumer will profit.

Kenneth J. Weger  
Ken (WA6EMU) & Nancy (KA6FHE) Weger  
P.O. Box 1079

Colfax CA 95713  
(530) 346-8877  
kenweger@cwnet.com

Webmaster for:

<http://www.foothill.net/gcpcug> (Gold Country PC Users Group)

<http://www.calodges.org/no51>

(Illinoistown Masonic Lodge No. 51)

<http://www.foothill.net/GCDBSA> (Gold Country District Boy Scouts)

<http://users.cwnet.com/kenweger> Personal Information with photos)

<http://www.foothill.net/colfax/lions>

(Colfax Lions Club International)

<http://www.foothill.net/colfax/history>

(Colfax Area Historical Society, Inc.)

<http://www.gbgm-umc.org/colfaxumc>

(Colfax United Methodist Church) <http://www.foothill.net/GCDBSA/scouter.html> (Rsum of a consummate Scouter)

**MTC-00022080**

From: Tom.Nostrand@goodrich.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:51pm  
Subject: (with a subject of “Microsoft Settlement”)

To Whom It May Concern:

I think the proposed settlement is a bad idea. We need to prevent corporate monopolies from squeezing out all our choices.

“No to Microsoft”.

**MTC-00022081**

From: ThomasAveni@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:49pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Aveni  
279 Westmoreland Road  
Spofford, NH 03462

**MTC-00022082**

From: searcher5@bigfoot.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:51pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Alex Piliper  
5330 Zelzah Ave. #9  
Encino, CA 91316

**MTC-00022083**

From: aappell@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:51pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Allen Appell  
527 Woodland Road  
kentfield, CA 94904

**MTC-00022084**

From: Paul Dembry  
To: Microsoft ATR  
Date: 1/24/02 12:48pm  
Subject: Microsoft Settlement  
Your Honor,

I have followed the various Microsoft cases for many years. My company uses many

Microsoft products as well as many from Sun Microsystems, IBM, Hewlett-Packard, Silicon Graphics, Compaq, and Apple. We run our main software development system on RedHat Linux.

When Netscape's predecessor browser Mozilla became available, we started using it within our firm. After all the price was right (free!) and it worked ok most of the time. When it crashed, you just restarted it. We are a software development firm and so this did not bother us. When Netscape added features to this original browser and packaged it as the Netscape Browser, we eagerly downloaded and used it for the same low price (free!). At the time, Netscape was the dominant provider and acted like it was the only provider. They were arrogant and when faced with product deficiencies, their response was "take it or leave it."

Then Microsoft decided that the Internet was not going away and produced Internet Explorer for the same low price (free!). The first few releases were not very good and we stayed with Netscape, but over a period of a couple of years, IE really improved to the point that it is much more reliable than NS. At that point, we dropped using NS on Windows and use IE. We still use NS on our non-Windows machines even though there is a Java version of IE but it is not very good. If it improves to the point that it is better than NS, we may switch to it.

My point here is that NS had the market to itself and blew it. Microsoft was late to the party, kept grinding away at improving IE, and is now the main browser provider. Nothing prevents me from downloading NS and using it except for the fact that it is an inferior product. Microsoft did use its muscle to ensure that IE was bundled on each new PC but so what? If the consumer did not want to use it, he could simply download NS and that was the end of it. If you do not like the Ford radio in your new car, replace it with a new one. Apple computer managed to marginalize itself in the same way. Apple had a superior product to Windows for many years. They were arrogant and kept the price high enough that consumers concluded that they could live with the much cheaper and not as good Windows products. Microsoft kept improving Windows to the point where Apple is a very small part of the consumer market.

These cases against MS boil down to one central issue: the failure of Microsoft's competitors to provide better products. Instead of competing in the marketplace, they competed in the courts. Somehow they managed to convince the trial judge that Microsoft used illegal tactics to steal market share. You have an opportunity to expose this travesty of common sense. I do not need the Federal government to spend my tax dollars to tell me what software I need on my systems.

My firm competes against many very large companies in the software arena, including Oracle and Software AG. We have a very hard job convincing potential customers to go with us instead of the "big guys" but we manage to do it on the strength of our products. Oracle, for example, has attempted to duplicate some of our technology in its database but we still manage to provide a

better performing product. Perhaps we should have gone to the court system and said that Oracle was bundling some of our ideas into their products and thus harming us. I certainly hope that the trial judge would have laughed us out of court! Instead we just keep focusing on improving our products to keep ahead of our competitors, just as Microsoft does.

When the justice system is used against successful business by their less successful competitors, the economy will suffer. Political decision making in the business arena leads to corruption and decay. We have laws that govern personal and business conduct and these must be enforced. This is one function of government. But when competitors abuse the justice and political systems in an attempt to throttle companies, we will all lose. It is important to remember that not one of these Microsoft cases was brought to court by consumers. Consumers have greatly benefited from the software and hardware innovations of the last three decades. There are very few barriers to entry in the software business and this serves to keep all software vendors vigilant. This is all that is required to keep new products and ideas reaching consumers at a reasonable cost.

Sincerely,  
Paul Dembry

**MTC-00022085**

From: Graham Leggett  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 12:57pm  
Subject: Microsoft Settlement

The settlement it BAD for America.

Microsoft has repeatedly broken the law and evaded previous restrictions on its anti-competitive behavior. This settlement proves to Microsoft that crime pays very well. The Bush administration is clearly against the free market and on the side of monopoly.

Graham Leggett  
President  
Computer Quick

**MTC-00022086**

From: deboss2525@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:51pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Monica Shepard  
1412 Vista Grande  
Fullerton, CA 92835-2835

**MTC-00022087**

From: Jean Fonner  
To: Microsoft ATR  
Date: 1/24/02 12:54pm  
Subject: Microsoft Settlement  
Honorable Members of Department of Justice:

I am writing to say that as a senior citizen on a very limited income I am very thankful to Microsoft that they included everything (browser, instant messaging, etc.) on my computer when I bought it. Being a novice in technology, I wouldn't have known what to buy.

Please stop all this litigation against Microsoft and let them get back to the business of inventing innovations and items which will help the economy start booming again. I think AOL and Netscape are way out of line and their latest suit should be thrown out as just a frivolous suit to stop competition. Thank you for considering this request of an interested citizen.

Sincerely yours,  
Jean B. Fonner  
(jbfonner1@hotmail.com)

**MTC-00022088**

From: Gary D Ott  
To: Microsoft ATR  
Date: 1/24/02 12:53pm  
Subject: Microsoft Settlement  
Gentlemen:

I've used personal computers since October of 1983. I do not agree with some of Microsoft's business practices. However, the Microsoft operating system is the de facto operating system on the majority of personal computers in the world.

The Apple Macintosh had the first GUI, but Microsoft rose to the challenge and developed Windows. This is bad? Netscape was a popular browser, but it had its limitations. Microsoft came up with a better (opinion) browser and gave it away. Why is this bad? Netscape could have improved their product and remained the browser of choice, even though their browser was a retail product. It was easier for them to bash Microsoft than to improve their product.

The government's action in the Microsoft case is (to me) just like the government's action with respect to Ma Bell. It wasn't necessary to break up AT&T just to allow MCI to provide long distances services. Rather than regulating business practices, the US government and the department of Justice seem to feel it necessary to "punish" companies that gain competitive advantage through sheer bulk. Better the government should spend their time on companies like Enron who are engaged in what appears to be criminal behavior and their watchdogs, like Anderson, who seem to act in concert to promulgate the criminal activity then to destroy the companies who made this country what it is today. AT&T gave us the best telephone system in the world and Microsoft gave us the preeminent personal computer operating system in the world.

Gary D. Ott

Palmdale, CA

**MTC-00022089**

From: ReturnofCato@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:49pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Gary McElwee  
129 E. High St.  
Hellertown, PA 18055-1104

**MTC-00022090**

From: Gary Stahara  
To: Microsoft ATR  
Date: 1/24/02 12:53pm  
Subject: Microsoft Settlement

Hello,

I wish to express my disdain for the proposed Microsoft Settlement in its current form. This proposal amounts to a slap on the wrist and will not do anything to promote true competition in the desktop computer space. I believe the best solution would be to either split the company into two separate divisions (operating system and applications) or at minimum, mandate that the company provide versions of its most popular programs (ie: Microsoft Office) on other competing platforms (ie: Mac OS and Linux) and insure that these competing versions provide unequivocal feature parity with the Windows version (ie: no advantage on one platform or another because of features available for one version as opposed to another, as well as be priced similarly. This will promote choice of platform and competition to Windows.

Thank you

Gary Stahara

**MTC-00022091**

From: Gordon Smith  
To: Microsoft ATR  
Date: 1/24/02 12:52pm  
Subject: Microsoft Settlement

I think the Microsoft settlement is fair and just. Microsoft got to be where they are via innovation and excellent marketing. I'm sure there are some shady sales practices somewhere, but I believe the prosecution of Microsoft by many states attorneys general has nothing to do with protecting consumers, and a lot to do with fattening state coffers at Microsoft's expense. And that's a crime.

Respectfully  
Gordon Smith  
Pleasanton, Ca.

**MTC-00022092**

From: Karl (038) Betty Schendel  
To: Microsoft ATR  
Date: 1/24/02 12:54pm  
Subject: Microsoft Settlement

I feel that the Proposed Final Judgement in United States vs Microsoft is weak and seriously flawed.

The Proposed Final Judgement has (at least) these flaws:

1. It makes no attempt to prohibit Microsoft from raising artificial barriers against non-Microsoft operating systems which implement the API's needed to run applications originally written for Windows.

2. The definition of "API" is excessively narrow, permitting Microsoft to withhold details of API's that do not fit the Proposed Final Judgement definition but yet are crucial. (For example, installer API's.)

3. The Proposed Final Judgement has no effective enforcement mechanism. While there is considerable language setting up investigative committees and officers, none of them have any coercive power over Microsoft. Presumably a violation would have to be enforced by legal action. Isn't that what we have just done? Where then is the enforcement?

4. Under the Proposed Final Judgement, Microsoft still has considerable latitude for coercing OEM's. For instance, Microsoft would be allowed to retaliate against OEM's who wish to ship some computers with no Microsoft operating system at all. It also allows Microsoft to reward OEM's based on criteria such as sales of Microsoft products, thus extending the Microsoft monopoly. Again, isn't this what the lawsuit was all about in the first place? I am not a lawyer, and even I can see that the Proposed Final Judgement is nothing more than a slap on the wrist for Microsoft. It does not satisfy the Court of Appeals' mandate and should not be adopted in its present form.

Karl R. Schendel, Jr  
9111 Cromwell Drive  
Pittsburgh, PA 15237  
USA

**MTC-00022093**

From: Clint Weathers  
To: Microsoft ATR  
Date: 1/24/02 12:50pm  
Subject: Microsoft Settlement

I cant belive youre letting those crooks get off so easily. This is exactly the kind of thing that the anti-trust laws are supposed to protect us from, and youre letting them get off scot-free. You should be ashamed of yourself.

How much did Bush administration officials get from Micro\$oft in campaign contributions? This could turn into the next Enron for you if you let them get away with this.

-Clint Weathers  
KC MO

**MTC-00022094**

From: Andrew Lee  
To: Microsoft ATR  
Date: 1/24/02 12:55pm

Subject: Microsoft Settlement

The proposed settlement with Microsoft is a bad idea. It does nothing to deter Microsoft from continuing its monopolistic practices. With some \$25 billion in cash, Microsoft can practically buy out or squash all fair competition.

By agreeing to and accepting this settlement, the U.S. DOJ is pandering to the whims of Microsoft, instead of upholding the law and protecting its citizens. Anything short of a genuine break up of Microsoft will achieving nothing significant. Anything less than a genuine break up of Microsoft will be nothing more than a mere slap on the wrist.

Don't let politics cloud your judgment—do what is just and right for the good of the country. Do not accept this settlement. Fair competition is good; monopolies are not.

Regards,

Andrew Lee

**MTC-00022095**

From: Marilyn Shepard  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 12:50pm  
Subject: Microsoft Settlement  
Marilyn Shepard  
2241 Eucalyptus Ave.  
Escondido, CA 92029  
January 24, 2002

Microsoft Settlement U.S. Department of Justice,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,

Marilyn J. Shepard

**MTC-00022096**

From: Julia Hart  
To: Microsoft ATR  
Date: 1/24/02 12:53pm  
Subject: Microsoft Settlement  
1/24/2002

Microsoft's proposed settlement in no way repairs the damage done by their anti-

competitive practices. Furthermore, the influx of Microsoft software into the education market would extend their monopoly, perpetuating Microsoft's ability to use illegal business practices and stagnate the industry.

To truly create a fairly competitive market, Microsoft's control must be restricted, most effectively by splitting the company into two (or preferably three) smaller, specialized, independent companies.

Julia Hart  
Columbia University Student  
New York, NY

**MTC-00022097**

From: djackson6@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:52pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Catherine Jackson  
6815 56th Court  
Kenosha, WI 53142-1537

**MTC-00022098**

From: Michael Haggerty  
To: Microsoft ATR  
Date: 1/24/02 12:57pm  
Subject: Microsoft Settlement

To whom it may concern,

The crux of the problem is Microsoft's virtual monopoly on PC operating system software and its abuse of that monopoly. One serious abuse that has not been addressed by the proposed settlement is its charging of exorbitant fees for its operating systems. While it is true that operating system prices have been declining, the decline is far slower than that of the prices of comparable software products.

Since the marginal cost of producing software is close to zero, the proper comparison is with other software products that have extremely large unit sales (over which the development costs can be spread). In such a comparison Microsoft's operating systems are found to be considerably more expensive than should be expected. Indirect evidence of its artificially high prices is provided by the unusually high profit margins enjoyed by its operating systems division.

Microsoft's monopoly rents on its operating systems (along with other dirty

tricks that have been discussed elsewhere) have enabled it to subsidize the development and marketing of applications in new areas, such as its web browser. By thus financing the "dumping" of new applications on the market at prices far below cost, it is able to crush their competitors in the application market and thereby extend its monopoly to the new area. The consumer suffers via lack of choice, overpriced and poor-quality operating system products, plus the same in each application market once Microsoft has squashed the competition.

As far as I can tell, the proposed agreement does nothing to constrain Microsoft's collection of monopoly rents on its operating systems, nor to prevent the recurrence of the predatory pattern enabled by its lucrative operating system monopoly.

Sincerely,  
Michael Haggerty  
Software Team Leader  
JPK Instruments

**MTC-00022099**

From: Terrence A. Freeman  
To: Microsoft ATR  
Date: 1/24/02 12:54pm  
Subject: Microsoft Settlement

Attached is a scanned copy of the letter mailed to Attorney General Ashcroft. Note I added a handwritten personal note.

Terrence A. Freeman

**MTC-00022100**

From: TweedieRoy@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:56pm  
Subject: Microsoft settlement

The purpose of this e-mail is to lend my voice and help bring speedy closure to the subject settlement.

Too often we find in our country that the legal profession is directly involved in the decision making process in industry. This settlement is a prime example. Microsoft is a very successful company and should be allowed to compete for its share of the computer market. Legal maneuvering by the legal profession on behalf of Microsoft has resulted in expensive delays. Lets act like reasonable and honorable people and help bring this settlement to closure during the first quarter of 2002.

Regards,  
Roy Tweedie

**MTC-00022101**

From: Lloyd McArthur  
To: Microsoft ATR  
Date: 1/24/02 12:56pm  
Subject: Let's get on with life. Settle the issue.

Let's get on with life. Settle the issue.  
Phyllis

**MTC-00022102**

From: jmray@willapabay.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:52pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This

has gone on long enough. If the same standards were applied against all corporations as have been applied against Microsoft, half of the nation's corporations would be out of business. How can a monopoly be "enjoyed" if a company loses 2/3 of its value? Thanks to the initial suit and its supporters, our stock market crashed. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those SUPPOSEDLY harmed by Microsoft: the computer user. But the user has always had ample choices, so the whole thing has been a hoax right from the beginning. Shame on our Justice Department.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph Earley  
124 Meadow Lane  
Raymond, WA 98577-9249

**MTC-00022103**

From: johnk@unix1.sihope.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:56pm  
Subject: Microsoft Settlement

Dear Sir/Madam,

The proposed settlement is a bad idea. It does not do enough to ensure healthy competition in existing markets and those of the future. I believe Microsoft is using its monopoly position to leverage itself into control of the Internet. Microsoft's power precludes small companies from successfully launching products to enhance consumers' lives. Microsoft's model for software development leads to lower quality software. By allowing Microsoft to continue and enhance its monopoly, the United States will lose its leading competitive position in software development in the world marketplace.

Respectfully,  
John R Kuster

**MTC-00022104**

From: JCHol@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:58pm  
Subject: Microsoft settlement

As part of the public comment opportunity, let me add the following: I believe that this is a frivolous lawsuit and welfare for the states. It is white collar robbery for the most part. I am an experienced computer user and webmaster. I have not been damaged in any way by Microsoft's actions and I find that there are sufficient alternatives to Microsoft application programs so that I am not required to use Microsoft software if I don't choose to.

Thanks for the opportunity to express my views.

Sincerely,  
John C. Holliman

113 Kimball Dr.  
Lafayette, LA 70508-7801  
337-981-3454  
jchol@aol.com  
johnholliman@cox-internet.com

**MTC-00022105**

From: Craig E Rasmussen  
To: Microsoft ATR  
Date: 1/24/02 12:57pm  
Subject: Microsoft Settlement

I am a senior software engineer at the Los Alamos National Laboratory and I find the Microsoft Settlement lacking. It does not stop the anticompetitive practice of bundling software with Microsoft's operating systems, which have a monopoly presence in the desktop operating system market.

This allows Microsoft to drive competitors (for instance Real Audio) out of the market by bundling it with their operating system. Microsoft obtains remuneration for the bundled product through the cost of the operating system. But this forces the competitor to compete with a "free" product.

This must be fixed to allow for competition in the market place.

Craig Rasmussen, Ph.D.  
Advanced Computing Laboratory  
Los Alamos National Laboratory

**MTC-00022106**

From: John Viega  
To: Microsoft ATR  
Date: 1/24/02 12:56pm  
Subject: Microsoft Settlement

I've read all of the information on this case. I think the proposed settlement is fairly ridiculous. It does very little to alleviate the core problems, in my opinion. I would urge you to consider other options that are less favorable to Microsoft.

John Viega  
7001 Wayland Dr.  
Warrenton, VA 20187  
540-349-8041

**MTC-00022107**

From: Luke Scharf  
To: Microsoft ATR  
Date: 1/24/02 12:56pm  
Subject: Microsoft Settlement

The current proposal does not do enough to curb Microsoft's anti-competitive business practices. Microsoft should not be allowed to renegotiate with OEMs who chose to package non-Microsoft operating systems or products on computers that also have Microsoft products. Furthermore, Microsoft should be compelled to sell the same product at the same price to all of their customers.

Luke Scharf,  
jack of many trades  
<http://www.ccm.ece.vt.edu/ljscharf>

**MTC-00022108**

From: wt.catch1  
To: Microsoft ATR  
Date: 1/24/02 12:55pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
SC 29455

**MTC-00022109**

From: Joe Buczek  
To: Microsoft ATR  
Date: 1/24/02 2:32am  
Subject: Microsoft Settlement

Dear DOJ,

The proposed Microsoft Settlement is wholly inadequate in addressing Microsoft's -illegal- anti-competitive behaviors. It does not address the mechanisms by which Microsoft was able to engage in these behaviors. The Microsoft corporation is GUILTY of illegal and anti-competitive activities. These activities reduce competition and, thus, increase the price and reduce the quality of available software technologies for all consumers.

As an independent software developer with over 25 years of experience, and as a fair minded U.S. Citizen and taxpayer, I expect Microsoft to be held accountable as a—convicted—lawbreaker, as I would be held accountable if I were found guilty of breaking laws. The punishment must fit the crime. The proposed settlement doesn't begin to approach an appropriate level of punishment or address the anti-competitive behaviors of the guilty party in a way that would allow redress. A reasonable settlement must include at a minimum:

1. Each and every Microsoft API and each and every data file format and message format shall be documented by Microsoft and published, without license or restriction, on the World Wide Web. Further, no software may be released commercially or to developers by Microsoft prior to the publication of these specifications, including any software enhancement revisions. The spirit of this is to enable third parties to write software that can legally and reliably interoperate with Microsoft products.

2. Any instance of Microsoft employing undocumented APIs or intentionally created incompatibilities in their products shall result in a fine of \$10,000,000 per day, per instance. Reverse engineering of their products must be exempted under the DMCA for the purposes of the discovery of these and other related practices. Twenty percent (20%) of any fines collected will be awarded to the first person or organization who reports them to the DOJ. Reporting of these offenses shall be facilitated by the establishment of a DOJ server whose sole purpose is to collect and disseminate such reported violations.

3. Microsoft shall be required to sell its software to all parties for the same price, and

such prices shall be published without restriction on the World Wide Web at all times. Full disclosure of pricing is necessary to prevent predatory anti-competition in the OEM space.

4. The terms and conditions of all licenses shall be made available to the DOJ for a period of 20 years. No agreement may be entered into by Microsoft or its subsidiaries without the DOJ receiving a copy during this period.

5. Any attempt by Microsoft to circumvent these penalties shall result in a prosecution of the corporation and its management under RICO because the corporation and its officers have already been found guilty of illegal and conspiratory behavior.

Anything less than the above terms would not be in the public interest. Under these terms, Microsoft would continue to be a dominant market force, if not the dominant force, in the software market for years to come. However, forcing them to publish their APIs and data formats would open them up to true competition in technology. They could charge whatever they wanted for products, but they would have to tell EVERYBODY what they were charging for everything, and could not use predatory or bundling pricing to achieve coercion, as they have been found guilty of doing.

Creating a significant punitive punishment system for detecting violations at the technology level would create an incentive for private individuals, most likely in the software business, to keep Microsoft honest. Anyone finding breeches of this part of the judgment would potentially find themselves being funded by Microsoft to become a competitor!! In this regard, enforcement not only isn't a taxpayer burden, but finding and reporting violations could actually result in creating further competition. Ultimately, taxpayers are served twice by this: 1) not having to pay for enforcement, and 2) benefitting from better, cheaper software products.

In closing, I respect Microsoft as a successful American icon. I frequently use their products, but I have also found both my professional and my consumer interests limited by their practices. And because of my professional experience, I also know that better products would be available if true competition were possible. Such competition is not presently possible, nor would it be under the Proposed Final Judgment because nothing in the judgment guarantees that Microsoft will "allow" competition of technologies. Since when do guilty parties get to decide what their punishment should be? Who better than the public is in a position to determine "what is fair" in this case? Microsoft is GUILTY. The punishment should fit the crime. They are guilty of PREVENTING COMPETITION. The punishment should FORCE THEM TO ACCEPT COMPETITION. Nothing could be simpler than this. If the company is not willing to accept a fair judgment, then justice must prevail upon the guilty party to do what society deems is appropriate. No murderer—wants—life imprisonment or the death penalty, but surely, there are instances where these are Necessary and Right and Just. The guilty party in this case is not going to

acquiesce and accept what is fair. It is up to the justice system to mete out an appropriate punishment. The one I have described above would, in my opinion, be fair.

Respectfully,  
Joseph Buczek  
San Jose, Ca  
jbuczek@vuetia.com  
Vuetia Inc.  
408.298.6178

**MTC-00022110**

From: Charles B Cranston  
To: Microsoft ATR  
Date: 1/24/02 1:00pm  
Subject: Please break up Microsoft

It is abundantly clear that the only way to avoid a paralyzing monopoly in computer software (and eventually hardware) is to immediately break Microsoft up into multiple corporations. American business seems to already be falling into a posture where an attached Microsoft Word document is the only way to email formatted documents—and this puts those of us who do not want to further Microsoft by legally acquiring Word at a real disadvantage. The average pointy-headed supervisor thinks “standardization on Microsoft” is a good thing, but this will inevitably lead to software monopoly.

Monoculture is dumb. It's dumb for people (National Socialism in 30's Germany), it's dumb for agriculture (what happens when the only kind of corn grown becomes particularly susceptible to a new blight?), and it's dumb for software.

Charles B. (Ben) Cranston  
15704 Allnut Lane  
Burtonsville, MD 20866-1404  
mailto:zben@umd.edu  
http://www.wam.umd.edu/zben

**MTC-00022111**

From: jdanial99@iwon.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:57pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
JEROME JEROME  
5029 COLD SPRING LN  
ST. LOUIS, MO 63128-1802

**MTC-00022112**

From: tomw@sbceo.org@inetgw  
To: Microsoft ATR

Date: 1/24/02 12:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
THOMAS WISZ  
4141 Lockford St.  
SANTA MARIA, CA 93455

**MTC-00022113**

From: kit-10@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Latisha Kitten  
4816 72nd  
Lubbock, TX 79424

**MTC-00022114**

From: Ying, Xingren  
To: “Microsoft.atr(a)usdoj.gov”  
Date: 1/24/02 1:02pm  
Subject: Microsoft Settlement  
DOJ,

Please settle Microsoft case. I cannot see any help of consumers and technical innovation in this endless lawsuit. All lawsuit did is try to help Microsoft competitors but using the name of consumers. Actually AOL and Sun behavior are poorer and uglier than Microsoft. The technical focus is change in this three years lawsuit. The program platform is moving

from OS to Browser, and then to Network. Nobody can keep the edge without innovation in such dynamic market. Why waste tax payers money to help crying loser and punish one time winner?

Please settle!  
Xingren Ying  
Sr. Software Engineer  
Commerce One Inc.

**MTC-00022115**

From: carlkatyc@usa.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:59pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carl Cunningham  
551 W. Ironwood  
Chandler, AZ 85225-6540

**MTC-00022116**

From: dan@powermax.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:05pm  
Subject: Microsoft Settlement

I believe that it is important for the US Department of Justice to take a tougher stand on imposing the penalties on Microsoft that they deserve. They are guilty of monopolising the software industry and leveraging their various monopolies to create new ones. This is a behavior, as shown by your prosecutors and confirmed by the presiding judge in the matter, that is not a new thing nor a minor thing but is a fundamental part of their core business model.

For this reason no light penalty is sufficient to punish MicroSoft and begin restoring a measure of competition to this strangled industry. Nothing short of a massive restructuring of the way that they do business will accomplish this, a restructuring that needs to be imposed and enforced by the caretakers of the public good, you.

The current proposed settlement does exactly the opposite of the minimum required restitution. It increases MicroSofts monopolies, makes no restitution for past violations, and makes minimal assurances as to avoidance of future repetitions. For these reasons I feel it is imperative that you reject the proposed settlement and push for more effective measures that better maintain the publics need for competition.

Sincerely,  
Daniel Charles Stillwaggon  
(dan@powermax.com)

**MTC-00022117**

From: Scott Trotter  
To: Microsoft ATR  
Date: 1/24/02 1:02pm  
Subject: Microsoft Settlement  
To whom it may concern:

The proposed settlement of the Microsoft anti-trust case is a very bad idea. Microsoft is a ruthless competitor which thinks nothing of using illegal and unethical means to achieve it's goal of complete domination of the computer software industry. While the actual case focused on the web browser situation with Netscape, I have personal experience with other, similar situations involving Microsoft which resulted in similar outcomes: Microsoft eliminating competition—and competitors—using illegal and unethical business practices. If left unchecked, Microsoft will continue to engage in such practices, to the detriment of the rest of the industry.

Microsoft was convicted of serious crimes, and deserves serious a serious sentence, one designed to punish the company for its past behavior, undo or compensate for the damages it inflicted on its victims, and most importantly to prevent it from engaging in such practices again in the future. The current settlement proposal is a laughable slap on the wrist which does none of these things, and would actually enhance the company's dominance over a market which is does not already control. The settlement should be rejected and replaced with a more appropriate set of sanctions.

The computer software industry is the foundation of the economy of the 21st century. Don't allow Microsoft to destroy that foundation.

Scott Trotter  
Executive Producer  
<<http://www.parisfranceinc.com/>> Paris France, Inc.  
<<mailto:scott@parisfranceinc.com>>  
scott@parisfranceinc.com

**MTC-00022118**

From: Dave Ruff  
To: Microsoft ATR  
Date: 1/24/02 1:02pm  
Subject: Microsoft Settlement

I submit the following Tunney Act Comment regarding the Proposed Microsoft Settlement

I feel that the Proposed Final Judgment does not place effective restrictions on Microsoft in many areas where it has exercised anti-competitive actions—

Some specific examples

The Proposed Final Judgment does not place restrictions on how Microsoft can license products to large users (corporations, universities, government). Although per-processor licenses are prohibited by the 1994 consent decree, the enterprise licenses often charge a fee for each computer which could run a Microsoft Operating system, independent of whether any Microsoft software is installed on the computer. This removes any financial incentive for individuals to run non-Microsoft software—

making the licensing agreements anti competitive. Microsoft uses licensing terms which are hostile to Windows-compatible competing operating systems (i.e. the NewsAlert) download available from MSNBC. Similar Licensing conditions could be specified which are Microsoft product neutral yet provide similar or better software product protection.

I feel that Microsoft is an aggressive company, engaging in practices which grant no quarter to competitors. If a strong settlement is not generated and enforced, then there will be no observable reduction to its anti-competitive activities.

**MTC-00022119**

From: lctinkham@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:59pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lynda Tinkham  
712 M St  
Eureka, CA 95501

**MTC-00022120**

From: clorenz@gci.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:01pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Clyde Lorenz  
P.O. Box 73114  
Fairbanks, AK 99707-3114

**MTC-00022121**

From: E. C. Ebert Jr.  
To: Microsoft ATR  
Date: 1/24/02 1:09pm  
Subject: Microsoft Settlement  
Gentlemen:

The proposed MS/USDOJ settlement is utter nonsense, disregarding all of the anticompetitive issues found against MS in the original trial, and substituting a nominal wrist slap against MS. Given that an estimated 90% of all PC's worldwide employ MS Windows (Windows 3.1 thru Win-XP) it is abundantly clear that a monopoly exists. The proposed USDOJ settlement is a political remedy and not justice! I demand that our federal government stop the nonsense and uphold the original Court Findings. In lieu of that, the Court could "find" that as a monopoly MS must observe certain "rules as a "Public Utility" "just as power companies and telco's must, although since power deregulation we have seen the economic rape and pillage by California power distributors that "regulation" was designed to prevent. Now then, since the first release of Win 3.1 the price of hardware to run the OS have dropped by a factor of four, while MS has more than doubled its price for Windows ... an 8x cost benefit differential. Is this "rape and pillage" not obvious to our government litigators? What sort of sleazy game is being played by the USDOJ?

E. C. Ebert Jr.  
118 Oxford Road  
Waukesha, WI 53186

**MTC-00022122**

From: Mario Martinez  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:03pm  
Subject: Microsoft Settlement

As a systems analyst and software engineer with 7 years of experience I'd like to comment on the proposed final judgement in United States v. Microsoft.

In my opinion the settlement does very little to increase the opportunities to compete with Microsoft's operating system products, or it's middleware and application products. Namely, it does not prevent Microsoft from raising any barrier it wants against companies who wish to create "Microsoft-compatible" operating systems or applications. This is already evident in the Microsoft Platform SDK EULA which allows it's use solely with a "Microsoft Operating System Product."

It would also continue to allow the exclusionary practices Microsoft is guilty of today, such as it's discrimination against Open Source platforms as seen in the Microsoft Windows Media Encoder 7.1 SDK EULA which prohibits distribution on Open Source operating systems. Recently there have been other Microsoft applications whose EULA allows its use solely on platforms arbitrarily selected by Microsoft.

The Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue, therefore, the Proposed Final Judgment is not



in the public interest, and should not be adopted without addressing these issues.

Thank you,  
Mario Martinez  
ILX Systems  
111 Fulton St.  
New York, NY 10038  
212-510-3223

**MTC-00022123**

From: J Bridges  
To: Microsoft ATR  
Date: 1/24/02 1:04pm  
Subject: Microsoft Settlement

I believe the settlement, as I understand it, is insufficient considering the damage done by Microsoft by their anti-competitive business practices as a monopoly. Even during this trial their practices haven't changed. Not only does it not loosen their stranglehold on the market, I believe it strengthens their grip. The settlement also does not make any reparations for the abuses already done, before and during the trial. Strengthening their monopoly by putting their software in schools that otherwise probably wouldn't have used it is not wise. I am completely opposed to this settlement.

Sincerely,  
John Bridges  
Clovis, CA

**MTC-00022124**

From: Brandt, Jim  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:03pm  
Subject: Microsoft Settlement  
To Whom it May Concern,

I think the proposed settlement doesn't even begin to address the problems with Microsoft's monopoly practices. This settlement should -not- be accepted.

Jim Brandt  
Application Developer  
SUNY at Buffalo

**MTC-00022125**

From: Ethan Clauset  
To: Microsoft ATR  
Date: 1/24/02 1:03pm  
Subject: Microsoft Settlement

I believe the proposed settlement with Microsoft is a bad idea, as it fails to consider many of the anti-competitive ways in which Microsoft acts and it lacks an effective enforcement mechanism for dealing with the areas that it does cover. I endorse Dan Kegel's analysis of the problems with the proposed settlement, which can be found at <http://www.kegel.com/remedy/remedy2.html>

Ethan Clauset  
852 N Leavitt St #2  
Chicago IL 60622

**MTC-00022126**

From: oreef1@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 12:59pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer

icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ROBERT FEERO  
645 BIRCHWOOD COURT  
LOS ALTOS, CA 94024

**MTC-00022127**

From: Mac Scott  
To: Microsoft ATR  
Date: 1/24/02 1:02pm  
Subject: Microsoft Settlement

I am tired of the way Microsoft is trying to manipulate the courts, public opinion and the software market. They have demonstrated time and again contempt for the legal process and have taken every opportunity to circumvent the spirit of settlements made in the past. Clearly they are bent on getting away with whatever they can without regard to the will of our justice system. I beg of you, do not "settle". Make you penalties against Microsoft strong and enforceable enough to bend them to compliance. Otherwise the technology sector is going to be a desolate, unimaginative field where Microsoft hands out terms to the public and business, who will have no choice but to accept a mess that you could have prevented.

Let us not forget the principles of biodiversity. It applies to technology as well. If Microsoft is allowed to continue its monopolistic practices, what will happen when the technology that 98% of the world runs on stops working because of some design flaw or viral attack? This argument is especially frightening given the present world political climate, and the terrifying lack of security in Microsoft software.

Thank you,  
Mac Scott

**MTC-00022128**

From: Ron or Cecelia Oxford  
To: "microsoft.atr@usdoj.gov"  
Date: 1/24/02 1:01pm  
Subject: Microsoft Settlement

Dear DoJ,

Today I received the Microsoft Freedom to Innovate Newsletter, the following is an excerpt I have taken from it, to which I totally agree with their viewpoint;

"Microsoft has not completed a review of the lawsuit, and therefore cannot comment on specific allegations at this time. We can note, however, that AOL purchased Netscape for \$10 billion dollars in the midst of the DoJ trial, even after hearing concrete evidence that IE's success in the market was based on merit, not market share. This latest legal move appears to be an attempt by AOL to once again retreat from the rigors of competition to the safer confines of the courtroom, where the company is clearly more comfortable.

Microsoft is disappointed, though not surprised, that AOL has again chosen litigation. Microsoft has tried consistently to work more closely with AOL in a variety of areas, including improvement of instant messaging interoperability, getting fair and open access to AOL's dominant cable assets and partnering on technology standards that are key to developing future innovative technologies.

AOL has repeatedly rebuffed Microsoft's efforts, to the detriment of consumers and the technology industry, and has turned to politics and litigation instead. But more litigation is the last thing consumers and the industry need. AOL and Microsoft need to focus on market competition and technical cooperation that will make consumers' computing experience easier, not spend further time and resources in the nation's courtrooms." It is truly not in the best interest of the country in general, past, present and future consumers, or even people who have never been a consumer of software to allow such a trial to take place. It is true Microsoft has won dominance in the market place with it's Windows operating system and associated Browser. I believe, not through "shady dealings", but through solid innovation and sound business practices. Every corporation in the world strives for market dominance, if they didn't, why stay in business. The fact that AOL lost...GEE too bad, they should have tried harder, and the courtroom is not where they should be trying harder. It is embarrassing that a company the size of AOL-Time Warner/Netscape has to attempt to use the courts to try to gain what it can't in the market place. All the while claiming that it is doing this in the name of protection for the consumer. The damage to consumers and the general economy alike is being done by AOL, through these senseless on ongoing litigations. We the investing public have lost billions thanks to these lawsuits and trials, not to mention what they have contributed to the overall recessionary bent of the economy. It seems to me that, we, the public should be suing AOL for damages for what this has cost us.

If the Federal Government really wants to intervene in private business, the time and place to do so is here. Put a screaming halt to these ridiculous trials, send AOL back to the drawing board and let the country get back to recovering from this recession. Microsoft should not be blamed for AOL's inadequacies.

I hope my voice will make a difference,  
Ron Oxford  
19128 SE 63rd PL  
Issaquah, WA 98027  
(425)643-1172

**MTC-00022129**

From: lcollister@theriver.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:01pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lyle Collister  
HC 70 Box 5444  
Sahuarita, AZ 85629

**MTC-00022130**

From: Robert Bruggner  
To: Microsoft ATR  
Date: 1/24/02 1:03pm  
Subject: Microsoft Settlement

To whom it may concern,

I just wish it express my concern about the proposed Microsoft settlement in that it fails to address any of the licensing agreement terms that Microsoft uses to prohibit the use of open source applications on Windows. As a student computer science, I have gained a countless amount of invaluable experience through the use of and examination of numerous open source applications. Its a shame that I can't gain this experience on a computer that uses a Microsoft OS.

Sincerely,  
Robert Bruggner  
CSE Junior  
University of Notre Dame

**MTC-00022131**

From: Larry Boler  
To: Microsoft ATR  
Date: 1/24/02 1:05pm  
Subject: Microsoft Settlement

When are end consumers like me finally getting a break from everybody choosing the chicken way out in competing with Microsoft, who has done more to steering and developing technology and industry standards to the benefit of consumers than anybody else.

New, calculated and unjustified litigation by AOL is just another attempt to undermine previous settlements. It's high time the courts let the consumer decide by simply choosing the better product.

Larry Boler

**MTC-00022132**

From: Timothy Knowlton  
To: Microsoft ATR  
Date: 1/24/02 1:05pm  
Subject: Microsoft Settlement

To whom it may concern:

There are many flaws with the Proposed Final Judgment in the Microsoft case. The two that are most important to me are the following:

The Judgment does not prohibit Microsoft from retaliating against OEMs who ship PCs with a competing operating system but no Microsoft operating system. This means that OEMs will \*still\* be forced to deliver machines loaded with Microsoft operating

systems to avoid financial and distribution penalties imposed by the software giant. This is not acceptable. To create a habitable environment for competing operating systems, OEMs \*must\* be able to distribute PCs that use those OSes exclusively.

The Judgment does not require the release of MS Office file formats. Since a file format is not covered by the definition of an API, its release is not required. But those formats are some of the most crucial parts to constructing competing products in the Office Suite field. Sun has made excellent progress on StarOffice, a competing suite, but still lacks complete interoperability with Microsoft Office because these file formats have never been released. In order to stimulate competition in the Office market, the file formats must be released to the public.

I urge those involved NOT to accept this Proposed Final Judgment. These are just two of the many loopholes that would only allow Microsoft to continue its anti-competitive practices in the face of a legal decision. Please take the time to reconsider the ramifications of this settlement.

Thank you for your time.

Sincerely,  
Tim Knowlton

**MTC-00022133**

From: michelle(a)arden.org  
To: Microsoft ATR  
Date: 1/24/02 1:06pm  
Subject: Microsoft Settlement

Dear Department of Justice,

I am a computer executive with over 20 years of experience working in Silicon Valley or some of the best software and hardware companies in the industry—Sun, Silicon Graphics, Novell, and many computer startups—some even successful.

I am writing to express my dismay and extreme disappointment with the settlement of the Dept of Justice on the Microsoft antitrust case. To anyone in the computer industry—or negotiating with Microsoft, as I have done many times—over the past twenty years, the strategy of the company is clear. Microsoft uses predatory, unfair, and patently illegal processes to compete. I have seen them blatantly ignore non-disclosure agreements and copy technology to put small companies out of business without shame or excuse. I have seen them acknowledge that there is no need for them to use fair business practices because of their dominance of the computer industry. I have seen many small companies fail—and many large companies decide not to invest—in technology development areas that would benefit consumers, all because these potential developers have determined that Microsoft would unfairly compete and render their efforts useless. I urge you to reconsider the settlement conclusions and impose a stronger Microsoft remedy that shows that the United States Government will not permit unfair monopolies and continued monopolistic behavior of companies within our borders.

Sincerely,  
Michelle Arden  
michelle@arden.org  
Phone: (650) 326-0962  
Fax: (650) 329-8440

**MTC-00022134**

From: Robert C. Holley  
To: Microsoft ATR  
Date: 1/24/02 1:05pm  
Subject: Microsoft Settlement

This attack on Microsoft has gone on much too long, it has turned into blackmail, or terrorism. We all know that one way to win is to keep your opponent in court until he's broke and has to confess, agree, or give the company to his tormentors. We are fighting a war all over the world to stop terrorism and yet our own government practises it on Americans. Not only that, we allow Activist of every sort to blackmail their victims by using terrorist methods. An example is the fur industry and the timber industry. Is not the government a government of all the people or is it just the government of activist. If its just for activist then we must have already become socialist with an axe to grind. We must remove temptation from activist judges, politicians and socialist by getting back to our written law called the Constitution. It is not a living document and it allowed for change by Congress and the States. Lets quit letting slick lawyers, the Supreme Court, the news media and politicians change it by declaring it changed.

R.C. Holley  
4800 W. Illinois  
Midland, TX 79703  
E-mail rcholley1@juno.com

**MTC-00022136**

From: Nathan Clegg  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:09pm  
Subject: Microsoft Settlement

It is my opinion that Microsoft's business practices are anti-competitive and that the United States Federal Government needs to take action. Microsoft's practices squash good businesses and products, and stunt technological progress. Its grievances have crossed beyond the legal limit and are hurting our economy and community. Microsoft's own proposed settlement is not only ineffective at solving the basic problems, but is actually beneficial to their position and furthers their monopoly in several markets. Please STOP Microsoft's anti-competitive behavior with action that will make a lasting impression, remedy those harmed, and improve our economy.

Thank you.  
Sincerely,  
Nathan Clegg

**MTC-00022137**

From: bweichold9@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:04pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those

supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Weichold  
4407 Woodview Street  
Carmichael, CA 95608

**MTC-00022138**

From: bjh72601@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:02pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brenda Hickman  
1614 Crestwood Dr.  
Harrison, AR 72601

**MTC-00022139**

From: Jules Siegel  
To: Microsoft ATR  
Date: 1/24/02 1:02pm  
Subject: Microsoft Settlement  
I am firmly against this settlement.  
JULES SIEGEL Apdo 1764 Cancun Q. Roo  
77501  
<http://www.cafecancun.com>

**MTC-00022140**

From: bcash1990@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Benjamin Cashner  
905 5th Ave. Apt. C  
Marion, IA 52302

**MTC-00022141**

From: rlloyd4020@accessledo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
richard lloyd  
2844 boxwood  
toledo, OH 43613

**MTC-00022142**

From: KAnderson@Carver  
Yachts.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:06pm  
Subject: Microsoft Settlement

I don't like how this is going.

Microsoft has too much power and I don't see how the way things are going, that that would change.

**MTC-00022143**

From: William Shepherd  
To: Microsoft ATR  
Date: 1/24/02 1:07pm  
Subject: the "ttlement"

1. On the face of it, the suit against Microsoft was ludicrous.

2. The suit against Microsoft sparked the current debacle we used to call a stock market. Nearly every pension fund and most investors were heavily invested in Microsoft. The senseless attack for political and business purposes was, in actuality, an attack on all of us. Microsoft only did what we were taught to do in business school. . . business, classic business.

3. That Microsoft is willing to lay out a tremendous amount of cash to schools in "penance" is great. They should do that anyway. The government and the courts should be mollified and go away having smugly dodged the bullet whose name is, frivolous and malicious prosecution. Though

we know it cannot just overturn such a highly publicised debacle, the loss of confidence in the system would be too large, we can back off on the punishment. In fact, the court did back off, now let's leave it lie. It was mostly a lie anyway.

**MTC-00022144**

From: Mike Warot  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 1:08pm  
Subject: Microsoft Settlement—Comments  
Who I am

I am Michael Warot, US Citizen by birth, programmer, technician, and currently I am the Manager of Information Systems for Live Marketing, a firm in Chicago, Illinois. I have been programming computers almost from the day I first encountered them back in 1979. I have witnessed firsthand the personal computer revolution, the explosive growth of the software industry, the commercialization of the Internet. I am writing this in the hope that my voice, along with others, can make a difference.

My view

I feel that the proposed settlement is not an appropriate remedy for the behavior of Microsoft. The settlement still classifies insiders and outsiders. The only truly effective way to remedy the situation is to force Microsoft to open all of the source code for its products, and those of its subsidiaries (which would no doubt be introduced to attempt to hide the source code from the public). This approach may seem radical, but it offers benefits to both Microsoft, and to the public at large.

1. Opening the source code, and the subsequent documentation of the various protocols that we have been forced to use (remember, Microsoft IS a monopoly), will allow the peer review of the software, and a subsequent enhancement of the value of those protocols to both Microsoft and the public at large, as value is added by all parties as a part of this process.

2. Since Microsoft is the defacto standard in many environments, its massive market share, and trusted brand name will continue to grow if its standards can be adopted on novel and innovative platforms, to which it can surely adapt its software with the rest of us.

3. The proposed settlement limits its scope to Microsoft and OEMs and ISVs with whom it has a legal contract, this allows the inclusion of restrictive language into those agreements which would quickly subvert the intended purpose of the settlement, buy creating a new barrier to entry. If you allow the public to interact without these restrictions, the barriers to entry will remain lowered, and innovation can once again be introduced by all players, into the marketplace.

4. The public should have the right to inspect the details of the software on which our national security has been increasingly dependent. Hiding this source code from the public creates an artificial barrier to entry for those peers who wish to study the software to help improve it. It effectively eliminates peer review, which is the only truly effective approach to increasing security.

5. Anything less than full and open disclosure of all software source code and

protocol documentation is not justice. I hope this helps you to understand my perspective on this important matter. I hope that all parties will agree that a more open atmosphere will be beneficial to all parties, and the best approach in the long run.

Michael Warot  
532 Florence Ave  
Hammond, Indiana 46324  
Email: mwarot@livemarketing.com,  
mike@warot.com  
Voice: (312) 787-4800x111 (work)  
Web: http://warot.com

**MTC-00022145**

From: shpe@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:06pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Amarilys Martin  
19191 Silver Palm Drive  
Miami, FL 33170-5108

**MTC-00022146**

From: Schaller, Scott  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 1:19pm  
Subject: Microsoft Settlement

I just wanted to say that, from what I've read and seen, I haven't been able to see what the punishment for Microsoft's illegal behavior has been. Putting in requirements that they obey the law in the future (with a panel who has, as far as I can tell, little actual power) is something that they must do anyway. Some form of punitive punishment should be enacted so that Microsoft will think twice before breaking the law again.

Scott Schaller

**MTC-00022148**

From: lcking@dwave.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:06pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Larry King  
E 6308 Elm Ln.  
Wausau, WI 54403-8919

**MTC-00022149**

From: Andrew J Syska  
To: Microsoft ATR  
Date: 1/24/02 1:08pm  
Subject: Microsoft Settlement

I have been a user of Microsoft Net for a long time. Recently, while visiting our family in Florida, I had an opportunity to use AOL browser and email. I quickly understood why AOL appears to be more comfortable fighting the competition in the courtrooms than in the world of consumers. Those claims of "fast, easy?" did not pass my muster. My son and daughter constantly complain how slow AOL is. If only more people were motivated to try MSN and Internet Explorer AOL might pay more attention to performance. I believe AOL's recent lawsuit against Microsoft lacks integrity, and is frivolous.

Andrew J Syska

**MTC-00022150**

From: Barnhill, William David  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:09pm  
Subject: Microsoft Settlement  
Sir or Madam:

I have been a professional in the field of computing for over 25 years. I have been both an academic computing consultant and manager, and an entrepreneur, having founded four companies that paid taxes, had employees and generally contributed to the economy. I believe I have a solid grasp of the legal issues as well, as the son of a law professor and former prosecutor, I myself spent some years in the law, trying to decide if I wished to become an attorney.

The original settlement was just. The current proposal does nothing to offer remedies. Microsoft has continually produced poorly written software, at a high price, with absurd licensure terms. No other product we buy has ever been as beholden to a single company (perhaps the DeBeers monopoly on the diamond trade rises to this level). If Ford, GM or Chrysler behaved in the cavalier, predatory fashion Microsoft does, the automobile industry would have us using band brakes, hand cranks and we would be forced to purchase our gasoline from Microsoft only gas stations. Every industry in it's infancy has some issues with regulation. This is just like the situation with the railroads in the nineteenth century. Something should be done, something WAS done, and this new settlement undoes the excellently crafted decision of the trial judge. PLEASE reconsider, there is almost no

question within the industry that breakup would produce STRONGER companies (viz. Standard oil's breakup). The first time I read an industry editorial suggesting this was circa 1990—isn't it time to listen to the industry, rather than a single player in the industry, no matter how rich and powerful they may be?

Best, and thank you for your consideration,  
W. David Barnhill  
Senior System Specialist  
Academic Computing Technical Services  
University of Kansas

**MTC-00022151**

From: Chris Holland  
To: Microsoft ATR  
Date: 1/24/02 1:12pm  
Subject: Microsoft Settlement

The proposed settlement is incomplete in resolving Microsoft's anti-competitive practices.

I am a proponent of Dan Keigel's petition at:  
<http://www.keigel.com/remedy/letter.html>  
Chris Holland  
Contractor's Source Inc  
3001 Red Hill Ave #2-226  
Costa Mesa, CA 92626

**MTC-00022152**

From: Jtdelcap@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:09pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Trippe  
8145 E. Del Capitan Dr  
Scottsdale, AZ 85258

**MTC-00022153**

From: Thomas D Richardson  
To: Microsoft ATR  
Date: 1/24/02 1:12pm  
Subject: Microsoft Settlement

I am writing to express my disagreement with the proposed Microsoft anti-trust settlement. After reviewing the proposal, it is my belief that it is insufficient to curtail Microsoft's unethical business practices which are hurting the computer industry.

One particular change I recommend is that Microsoft be required to publically release on the Internet full documentation for all of it's API's and file formats, such as those used by Microsoft Office. This would allow

competitors to create software that is compatible with Microsoft's.

Sincerely,  
Tom Richardson  
Computer Engineering Student, P.S.U.

**MTC-00022154**

From: Tim Merritt  
To: Microsoft ATR  
Date: 1/24/02 1:11pm  
Subject: Microsoft Settlement

Microsoft is a convicted monopolist which suffers virtually no penalty for their criminal actions under the proposed settlement. Please reject it.

**MTC-00022155**

From: Luke Crawford  
To: Microsoft ATR  
Date: 1/24/02 1:09pm  
Subject: Microsoft Settlement

Hello,  
I would like to state my belief that the proposed settlement does far too little. Especially of concern to me is the lack of a stipulation requiring Microsoft to openly document file formats (see "Findings of Fact" paragraphs 20 and 39). This single act alone, while not remedying Microsoft's monopolistic business practices, would provide a far greater possibility for software companies to gain entry into the many software fields Microsoft dominates.

Thank you,  
Luke Crawford  
R Brooks Associates  
Rochester, NY

**MTC-00022156**

From: Nancy Lehrer  
To: Microsoft ATR  
Date: 1/24/02 1:11pm  
Subject: Microsoft Settlement

The proposed settlement is a very bad idea, effectively cutting off creativity and free enterprise in the home computing and commercial computing environments. Microsoft is renowned for creating decent products and then whipping out the competition with muscle and marketing. Their server products are a joke in comparison to the Java/Unix/Linux products, but are so much cheaper to deploy early and so incompatible with any other product that small companies get sucked in hook-line-and-sinker.

Please reconsider this judgement.  
Nancy Lehrer  
Computer Scientist  
Thousand Oaks, CA

**MTC-00022157**

From: BESPORT@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:10pm  
Subject: Microsoft Suit

To Whom It May Concern:

This American tax payer is sick and tired of the Federal government taking my hard-earned money and wasting it on frivolous and STUPID lawsuits against companies which make America work and employ thousands of people. NOBODY was complaining about Microsoft being a monopoly until their COMPETITORS did it! All it's done is darn near wreck the economy—all you have to do is look at the

stock market since Bill Clinton, Janet Reno and their confederates started this asinine stuff in cooperation with Big Law—people we should be more worried about than Big Tobacco, Big Business, Big Oil! Knock it off! Send me my money back!

Thanking you in advance for coming to your collective senses,  
Bill Edwards  
Fed-up Taxpayer

**MTC-00022158**

From: Taylor, Robert (ES)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:04pm  
Subject: Microsoft Settlement

Sirs,  
Since when did Microsoft deserve greater consideration with respect to justice than that of any other company? This is an organization that has repeatedly lied to the government and their customers, has been proven to use predatory methods to reduce competition in court (by the DOJ no less) and continues to behave the same way now. Why has the Department of Justice of the United States chosen to give up? To say otherwise would be an absolute lie.

The currently proposed settlement is of little propose if it does not curb the practices that have caused the original trial in the first place. Is justice blind or just stupid? If the currently proposed settlement becomes the judgment against Microsoft then it is doubtful that the issues raised by the trial will be settled in my lifetime. The government has spent tons of taxpayers money on these issues only to give up at the minute? This is the waste that the present administration came to the Whitehouse saying that it would abolish. Do the right thing. Punish Microsoft. Give them a reason to behave as a normal business and not a monopoly power. Do your job.

Robert M. Taylor, Jr.  
10400 Faulkner Ridge Circle  
Columbia, MD 21044

**MTC-00022159**

From: Ira J. Minor  
To: Microsoft ATR  
Date: 1/24/02 1:14pm  
Subject: Microsoft Settlement

I believe the proposed settlement is fair and just. I also believe that Microsoft has already implemented and is abiding by its requirements. One additional provision that would enhance the competition in Operating Systems would be to require PC manufacturers to offer new PC's with no software installed, thus allowing the buyer to choose their software of choice. Since the invention of the CD-ROM there is no technical reason to pre-install (bundle) software on the hard drive.

Internet Browser software has been a highly discussed feature. As a pioneer browser user from the days before there was a Netscape or an Internet Explorer, let me put my perspective on the subject. The first modern browser was Mosaic, developed by the NCSA, National Center for Supercomputer Applications, at the University of Illinois, with government funds. The developers of Mosaic went on to found Netscape. When developing the

Netscape browser they copied Mosaic but did not license it from the NCSA. I think this is a major Copyright infringement. Netscape became very popular and was available for FREE. When Microsoft woke up and realized they needed an Internet Browser they licensed Mosaic from the NCSA and developed Internet Explorer. I switched from using Netscape to IE when IE matured and became the better product. It was faster, more reliable and offered Java support which Netscape promised but never delivered. Netscape is still available for free and can cohabitate on a system with IE but I continue to use IE because it is still the better product.

Please contact me if I can be of any assistance in helping to resolve the Microsoft Settlement.

Ira J. Minor,  
IBM retired,  
iminor@bellsouth.net

**MTC-00022161**

From: drhopson@naxs.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:09pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Hopson  
148 Tommy Campbell Road  
Jonesborough, TN 37659

**MTC-00022162**

From: Lou Miller  
To: Microsoft ATR  
Date: 1/24/02 1:12pm  
Subject: Microsoft Settlement

The proposed settlement is a bad idea.

**MTC-00022163**

From: mtortoriello@nyc.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:09pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Tortoriello  
157-11 Sanford Ave.  
Flushing, NY 11355

**MTC-00022164**

From: Kent Powell  
To: Microsoft ATR  
Date: 1/24/02 1:09pm  
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. Please do some more research.

**MTC-00022165**

From: comeonin@midwest.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:12pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Beldon Campbell  
19109 Posen Rd  
Nashville, IL 62263-6117

**MTC-00022166**

From: William R. Hahn  
To: Microsoft ATR  
Date: 1/24/02 1:15pm  
Subject: Microsoft settlement  
Gentlemen:

This message relates to the Tunney Review which closes on Monday, January 28. I am a retired businessperson who for many years battled my way in an open and dynamic marketplace. In suing Microsoft AOL chooses to seek the "comfort" of the courtroom to protect its \$ 10 billion investment in Netscape, instead of trying to prevail in a competitive market. What a waste of time and of taxpayer's money!

Microsoft did not achieve success via government largess, litigation or by seeking restrictions for its competitors. It did it by developing the best operating system and

many of the best software programs that money can buy.

Don't interfere with the open market that—in virtually every case—is the best judge as to who should survive and who should step aside.

Sincerely,  
William R. Hahn  
Ph. 310 442-9923  
FAX 310 442-6422  
Mobile 310 600-6239

**MTC-00022167**

From: ODETOJOY77  
To: Microsoft ATR  
Date: 1/24/02 1:13pm  
Subject: Law suit settlement:

Microsoft has given America access to the "Enternet" in the most economical way that has ever been conceived by mankind. It is a shame for them to have divide their profits with their competitors. Shame on the people bringing suit.

Sincerely,  
W.G. Pool, Jr.  
Post, Texas 79356

**MTC-00022168**

From: CaptainHealey@aol.com@inetgw  
To: microsoft.atr@u;sdjo.gov;@inetgw  
Date: 1/24/02 1:13pm  
Subject: Microsoft Settlement

It is with a great deal of dismay and some anger that I read about AOL entering a lawsuit against Microsoft through their subsidiary Netscape Communications. It would appear that this is a frivolous lawsuit designed to waste the taxpayers money and enrich trial lawyers. Everyone knows that the major stockholders of AOL are "jealous" of the wealth, leadership, research and development, and success of Microsoft. All the litigants want is to get their hands on the Microsoft profits. This lawsuit is without substance and must be stopped in its tracks. Stop this unlawful pilfering of success of an outstanding American company. Stop these damn lawyers from stealing legitimate wealth. I will keep close watch on these proceedings.

I trust that leadership and intelligence will prevail during the Tunney Review. Again, Microsoft should be held without fault. Cut this crap out. If you allow this to continue, every pissy-assed country in the world, led by Great Britain, France and Germany will be cranking up their non-factual lawsuits in hope of destroying a grand American company, Microsoft. If that would happen, you should all be charged with treason.

Martin L. Healey  
1045 Bunker Drive  
Fairlawn, OH 44333.

**MTC-00022169**

From: Adrian Voinea  
To: Microsoft ATR  
Date: 1/24/02 1:16pm  
Subject: Microsoft Settlement

I think the proposed settlement is a very bad idea.

**MTC-00022170**

From: Mike.Creed@teale.ca.gov@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:18pm  
Subject: Microsoft Settlement

The proposed settlement is not acceptable. Microsoft stole millions of dollars from competitors. Microsoft destroyed competitors. Microsoft crippled the IT industry. Microsoft crippled the users of IT. Microsoft must not be rewarded for doing these things. Microsoft must never be allowed to repeat these things.

Michael Creed

**MTC-00022171**

From: Henri Slettenhaar  
To: Microsoft ATR  
Date: 1/24/02 1:18pm  
Subject: Settlement microsoft  
It is a bad idea.  
Henri J.Slettenhaar,  
President,  
Silicon Valley Association  
15 route de Collex (Webster University  
Campus  
B15  
CH-1293 BELLEVUE-GENEVA,  
Switzerland  
phone: + 41 22 774 02 06 mobile + 41 79  
255 89 59

**MTC-00022172**

From: Brock N. Cordeiro  
To: Microsoft ATR  
Date: 1/24/02 1:17pm  
Subject: Stop the Anti-Microsoft Witchhunt

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brock N. Cordeiro  
15 Sagamore Drive  
Dartmouth, MA  
02748-1261  
508-979-8930—Phone  
508-996-4622—Fax  
BNCordeiro@Mediaone.net

**MTC-00022173**

From: Ryan Churchill  
To: Microsoft ATR  
Date: 1/24/02 1:18pm  
Subject: Microsoft Settlement

To whom it may concern:  
String that sucka up! He should fry.  
(...might want to investigate some of the shady things in the past as well...)  
Ryan R. Churchill  
Computer Science Major / Art Major /  
Information Tech Major  
Northern Maine Technical College  
University of Maine System

**MTC-00022174**

From: Eric—C—Irwin@email.whirlpool.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 1:19pm  
Subject: Microsoft Settlement

I feel the settlement that is being proposed is a bad idea. It seems that it only further improves Microsoft's position as a monopoly in the computer software business.

The money being donated to schools sounds like a good idea, but Microsoft is getting off cheap. Here is one of the richest companies in the world and getting richer everyday. They are placing a value on their software that is way above the actual cost to them. Once the software has been donated, that does nothing to train the teachers that will be using it. This also further entrenches them in the education market. When it comes time to update that software, who do you think will get the revenue? It is almost like Microsoft is investing in the school system instead of paying a penalty for their practices.

I do not know enough about the technical side of the proposal to open

Microsoft systems to developers. I would say that Microsoft has done a lot in the past to close out developers and make changes to their own systems so that they exclude other software. If they have done this all along, what makes us think that a couple of auditors could keep up with them now. This industry changes so rapidly that Microsoft will soon be able to live by the "letter of the agreement", but work around it to close people out again.

I don't know what the answer is, but this slap on the wrist is nothing to the Bully of the Market.

Eric Irwin  
Saint Joseph, MI 49085

#### MTC-00022175

From: alex verhoeven  
To: Microsoft ATR  
Date: 1/24/02 1:17pm  
Subject: Microsoft Settlement

The proposed settlement in the Microsoft case is abhorrent, and needs to be seriously reconsidered. In the time this case has been drawn out, two new Microsoft products have been allowed to dominate the market thus extending the monopoly hold Microsoft has on our industry, and ultimately on the world at large through it's operating systems.

This has to stop now. Please do the right thing and allow the IT industry to be able to hold it's own against giants who destroy everyone else's opportunity to be able to play on a level playing field in the development of software code.

Thank you for your time.  
alex verhoeven—multimedia developer  
alex@webslingerZ.com—http://  
webslingerZ.com  
w: 919.933.1222  
w: 800.666.5773  
m: 919.824.7318

#### MTC-00022176

From: Verne Zeller  
To: Microsoft ATR  
Date: 1/24/02 1:18pm  
Subject: microsoft settlement

TO WHOM IT MAY CONCERN/D.O.J. is the DOJ in support of our competitive, capitalistic system? FREE enterprise has

allowed our country to prosper so far, why the sudden show of favoritism? AOL has experienced monumental growth during this litigation period, while Microsoft has been hindered by suggested illegalities.

owning both stocks, I'd prefer the company I invest in prosper by getting better and competing more vigorously, rather than following the destructive path of legal action (whining). Let's get back to business—  
verne zeller  
aol stockholder  
CC:bumpavlz@webtv.net@inetgw

#### MTC-00022177

From: Bradley Wittman  
To: Microsoft ATR  
Date: 1/24/02 1:20pm  
Subject: Microsoft Settlement

Dear Ms. / Sir,  
I would like to voice my opposition to the proposed

Microsoft Settlement.  
I have been a user of Macintosh computers since my first Lisa in 1983 and of WinTel computers since I built my first Heath V-20 kit in 1984.

My whole family with the exception of myself are teachers... my mother for 26 years to the severely retarded and autistic, my father to engineering students at a college, my brother to nursing and computer science students at a college, my other brother to third grade Spanish-speaking kids and my sister to first grade speaking-speaking kids.

Each and every one of these five teachers has used a Macintosh to do everything from keeping attendance, creating class activities, authoring tests, writing grants, running class presentations, teaching their students about computers to writing correspondence to administrators and families.

I know my family better than anyone, and am the de facto IT support guy for them... they would never get any of these activities done if they were forced to use Windows computers... and any minute that you tie up with technological mumbo-jumbo is a minute you are stealing from their students.

I appreciate that there is a "digital divide" that exists in this country, however, I strongly disagree with the idea that allowing Microsoft to foster future consumption of their products is the way to ameliorate this situation. Take Microsoft's billion dollars in cash, and allow those most needy school districts to make their own decision on the technology they would like to deploy. [I would also probably structure a temporary office to disperse this cash to ensure that as much of this money as possible gets into the school administrators hands while trying not to create yet another bureaucracy in Washington that will outlive its original purpose].

The only way that we are going to continue to have a vibrant computer industry is to foster alternatives to the mainstream. If Microsoft had been in a vacuum since 1984, they would never have copied the Macintosh user interface, would never have bothered to write office applications to compete with WordPerfect and Lotus 1-2-3, would never have created Money to compete with Quicken, would never have authored Publisher to compete with Adobe PageMaker,

would never have written Internet Explorer to compete with Netscape Navigator.

Im glad that Im no longer staring into an amber display at a command line interface, arent you?

If you have any questions you may contact me at:

Bradley J. Wittman  
BradleyJW@yahoo.com  
Best regards,  
Brad

#### MTC-00022178

From: Robert van Gent  
To: Microsoft ATR  
Date: 1/24/02 1:19pm  
Subject: Microsoft Settlement

The proposed settlement is a bad idea. If nothing else, it lacks an effective enforcement mechanism, and Microsoft has consistently shown in the past that it will disregard any injunctions without teeth.

Robert van Gent  
US Citizen

#### MTC-00022179

From: bob carlin  
To: Microsoft ATR  
Date: 1/24/02 1:19pm  
Subject: Microsoft Antitrust Trial

This email is to register my opinion about the Microsoft antitrust trial.

I believe that the settlement should require Microsoft to disclose not just its internal operating system interfaces and protocols, but the entire source code for its operating systems. I am not advocating that competitors be given free rein to rewrite the operating system and distribute their own versions of it, just that competitors be given the source code so that developers can know how best to interface to Microsoft's operating system.

Microsoft has abused its position as a monopolistic source of operating systems by providing unstable operating systems and then pushing new versions of the operating systems onto the marketplace, at a cost of about \$100 per version. The company has not used its position to develop good value software for the public, only software that maximizes its own profits.

Microsoft Corporation has a history of predatory and unfair business practices. At one time, Microsoft forced OEM computer manufacturers to include Microsoft's operating system on all personal computers that they manufactured. Microsoft was forced to discontinue this. Another example of unfair business practices was Microsoft's warnings that other operating systems would not operate properly with applications for IBM-compatible personal computers. At that time, a company called Data Research was selling an operating system called DR-DOS. By all accounts I have heard, DR-DOS was fully compatible with the applications written for IBM-compatible personal computers. By spreading false information, Microsoft eliminated competition in the marketplace.

The settlement also provides that computer manufacturers and software developers will be free to do business with Microsoft's competitors without fear of retaliation. That provision of the settlement is an implicit admission that Microsoft has used its power

in the marketplace to retaliate against manufacturers and developers in the past. Those are examples of Microsoft's prior unfair business practices. Currently, Microsoft is accused of monopolistic practices that have hampered competitors' efforts to develop applications to run on Microsoft Windows operating systems. The proposed settlement would require Microsoft to disclose internal operating system interfaces and protocols. Given Microsoft's past history of unfair practices, what mechanism will be in place to ensure that Microsoft abides by the terms of the settlement?

Microsoft is, for all intents and purposes, a monopoly. Defining a monopoly as the only provider of a good or service to the market, Microsoft qualifies as a monopoly because it has nearly all of the market share for operating systems for personal computers. The only other viable operating systems for personal computers are Apple Computer's Macintosh operating system and Linux. But these systems together only have about 5 percent of market share. And are not really viable competitors in marketplace for IBM-compatible operating systems. Microsoft publishes a new version of its Windows operating system about once every two years, with the pace increasing in the last few years.

However, succeeding versions of the operating system have not necessarily provided value-added to consumers (both home users and business users). I work in the field of computer security and I am very aware that Microsoft operating systems for network servers are less secure and more prone to crashing than other operating systems for network servers, such as the various types of Unix operating systems. And workstation operating systems are notorious for instability. Microsoft itself tacitly admits that its Windows operating systems for PCs are unstable when it advertises that each new version will be more stable than the previous version.

#### MTC-00022180

From: rob-roix@mtco.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:16pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Victor De Croix  
706 Grandview Way  
Metamora, IL 61548-9125

#### MTC-00022181

From: Lsfgt@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:20pm  
Subject: Microsoft Settlement Gentlemen:

The pursuit of Microsoft is ludicrous when viewed by computer users across America. It is fueled by government avarice and not harm to customers and users. Show me where you have thousands of people screaming that they have been harmed. I used to think that antitrust actions were pursued because the noble American consumer was being abused by evil businessmen. Oh, I see, it isn't necessary to prove that they have been harmed or that they are too stupid to know they have been harmed. The "Government" knows better. Well, go find another lawyer employment case because this one is a clear cut case of judicial abuse. This is persecution not prosecution. Where were you all when real criminals were looting Enron???? As Thomas Paine would say, the only thing lacking here is common sense.

Sincerely,  
William P Donovan  
5292 Stonehedge Court  
Yorba Linda, California 92886

#### MTC-00022182

From: Mary Stearns  
To: Microsoft ATR  
Date: 1/24/02 1:19pm  
Subject: Microsoft Settlement

Please end this unfair action! Where would this sort of thing stop if this passes??? Thank you for your sane thinking on this.  
mary stearns

#### MTC-00022183

From: Doug Gorman  
To: Microsoft ATR  
Date: 1/24/02 1:19pm  
Subject: Microsoft Settlement

Enough! Dont let AOL continue rip off the American taxpayer. Obviously they want to undermine the current settlement in order to compete in the IT industry the only way they know how, with lawsuits.

Truly Disappointed,  
Doug Gorman

#### MTC-00022184

From: Jim Kuska  
To: Microsoft ATR  
Date: 1/24/02 1:21pm  
Subject: microsoft settlement

I find it disturbing that another lawsuit is being brought forward by AOL during the time the judge is trying to resolve the earlier lawsuit. This to me this seems a waste of resources both from the Govt. and private enterprise point of view. I would to see the settlement be what the states have agreed to and then lets get this issue behind us.

Respectfully,  
James J. Kuska  
common taxpayer

#### MTC-00022185

From: robertws@camano.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:19pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Saunders  
P.O. Box 1203  
Stanwood, WA 98292-1203

#### MTC-00022186

From: Tony Bruton  
To: Microsoft ATR  
Date: 1/24/02 1:20pm  
Subject: Microsoft Settlement

I think that the proposed settlement is unfair and unethical. Microsoft has a history of undermining opposition such as different Operating Systems and internet browsers through less than legal means.

#### MTC-00022187

From: Wooster, Steve  
To: Microsoft ATR  
Date: 1/24/02 1:21pm  
Subject: Microsoft Settlement

Dear Sir/Madam:

I am writing in regards to the Tunney Act public comment period on the proposed Microsoft antitrust settlement. I am opposed to the current proposed settlement. It does address the monopolistic practices practised by Microsoft.

The proposed settlement is a bad one; please reject it and have the DoJ and the states go back and draft something that will address the facts found in the District court case.

Thank you.  
Steve Wooster  
17745 Radbourne CT,  
Monument Co 80132

#### MTC-00022188

From: lisasspot@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those



supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lisa Vidikan  
11110 Ohio Avenue  
Suite 200  
Los Angeles, CA 90025

**MTC-00022189**

From: Joseph Sheehan  
To: Microsoft ATR  
Date: 1/24/02 1:21pm  
Subject: Microsoft Settlement—way too lenient

As one who is in IT at a large telecom corporation, I cannot help but be increasingly upset by the court procedures. Microsoft has an attitude that they need to take over all areas of the computing world-including the internet. My son thinks that the government is cotowing to them. Microsoft seems to be doing everything to make Netscape, Apple computer, JAVA, various flavors of UNIX (Linux) have ever increasing hard time holding onto their market share. They make me, my wife-everyone have to constantly upgrade Netscape versions on home and work computers to stay able to read web pages for our jobs. They have gotten lots of companies to use their web server software and then use that to leverage making Netscape obsolete. In the newest version OS, XP, we cannot just upgrade Netscape, we have to completely deinstall first. They are constantly forcing Internet Explorer on everyone, including Apple (we have three at home.) Maybe it wouldn't seem so bad if their software worked, but it is very poor design and unstable compared to UNIX and MacOS. When the government hesitates to lean on Microsoft in not wanting to hurt/interfere with companies, they don't realize Microsoft is hurting all the rest of the companies in this country with very poor, high maintenance software.

Thank you for your time  
Joe Sheehan

**MTC-00022190**

From: Shelby Thornton  
To: Microsoft ATR  
Date: 1/24/02 1:21pm  
Subject: Microsoft Settlement

The proposed settlement with Microsoft is a bad proposal. It in no way addresses the anti-competitive practices of Microsoft, and as such, promotes Microsoft as a monopoly in many areas. The appropriate settlement would promote healthy competition, the proposed settlement would kill it.

Best Regards,  
Shelby Thornton

**MTC-00022191**

From: Meriby Sweet  
To: Microsoft ATR  
Date: 1/24/02 1:22pm  
Subject: Microsoft Settlement  
Sirs/Mesdames;

The proposed Microsoft Settlement is a bad one: it offers Microsoft a way out of their obligation to obey the law; it provides for punishment that is meaningless to Microsoft—indeed, gives them an opportunity to look like good guys!—and allows, by government edict, the introduction of Microsoft products to the very classrooms where they have had little success, primarily because they have had little interest in serving a low-bid market. Why is the government becoming Microsoft's marketing pimps?? Do not allow this Settlement to become final. Determine the actual losses Microsoft has incurred on its competitors by burying their products with anti-competitive contracts and then put that money into R&D efforts for the Open Source Foundation, or other such entities trying to develop other software for use by business.

Thank you for your consideration.

Sincerely,  
Meriby Sweet  
CEO, Cynosure: ABA  
Phone: 207-781-5124 eFAX: 510-217-4237 Cell: 207-318-4472 www.cynosure-aba.com "Of course it's hard; it's supposed to be hard. If it were easy everyone would do it — and then it wouldn't be any fun!"

**MTC-00022192**

From: lloydell@fbns.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lloyd Ellison  
1930 Supplejack Ct  
Sugar Land, TX 77479

**MTC-00022193**

From: Joseph Olson  
To: Microsoft ATR  
Date: 1/24/02 1:22pm  
Subject: Microsoft settlement

I really have problem with this case. Microsoft is a large company; therefore, it must be bad seems to be the logic driving the suit. If people don't like the fact that Microsoft is every where creat a beeter system and market it. If you can not do that shut up and get out of the way. This entire case is "corperate welfare" for netscape. I am an individual consumer and this case is being sold to the public based on a consumer

protection/unfair trade practises line, yet I get no benefits from this case except that it is now harder to find the icon for the best serch engine ever invented. Leave Microsoft alone and stop hindering the development of new technology by wasting Microsofts resources. Every dollar spent defending this suit keeps me, the ordinary computer user, one dollar further from the next technology and it drives up the price of the technology that I wish to buy and use today.

Joe Olson  
2107 Green Valley Dr.  
Janesville, WI 53546

**MTC-00022194**

From: Nathaniel  
To: Microsoft ATR  
Date: 1/24/02 1:23pm  
Subject: Microsoft Settlement

As a consumer, I believe that the Microsoft settlement as it stands now would be a bad idea. I hate the fact that I am all but forced to use Microsoft products due to the lack of competition in the PC OS market. While there are...or at least there were a good deal of options, the only option now as far as alternative operating systems seems to be linux and then you are forced to rely upon the generosity of others to create enough software to make your machine usable for everyday tasks. I was an ex-beos user but after the dissolution of the company and just about every major coporate player pulling out of the market, I have had to revert back to an MS platform so that I could accomplish any sort of productivity at home. As a student, I have very little funds to spend on operation systems which is why BeOS was such an attractive offer. I paid 60 dollars once and any incremental update was free, the R4.5 update having been sent to me in the form of a CD. After that, I need only pay 30 dollars for any major upgrade. Linux isn't an option as I would face many of the same problems I faced with BeOS. While there is more support, there isn't any viable commercial support, most companies denying any request to port their programs to other systems other than windows because they realize that as things stand now, it would be an attempt in futility. What is to guarantee that the operating system will last. Even IBM had trouble competing with Microsoft with their OS/2 platform, I was stung by Microsoft then when IBM decided to no longer support OS/2 shortly after MS released Windows 95 and NT 4. Personally, I would like to see tougher restrictions placed on Microsoft and their business practices closely watched. I would also like to see a change in services run by microsoft as I find it a bit...unfair that I must use Internet Explorer to have full functionality when accessing my hotmail account, and I think that as a user, I should be given the option of what software I want to have installed by default with a new OS instillation. If I don't want IE or MSN Explorer or MSN Messenger, I should be given the option to not have them installed.

-N

**MTC-00022195**

From: lloydell@fbns.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:20pm

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Lloyd Ellison

1930 Supplejack Ct

Sugar Land, TX 77479

**MTC-00022196**

From: Rut Newman

To: Microsoft ATR

Date: 1/24/02 1:23pm

Subject: Microsoft Settlement

Dear Government,

I believe that the Microsoft settlement that was reached, was not extensive enough. I believe it should be revised again and made more "fair" to the consumer.

Thank you for your time,  
 Rut Newman

**MTC-00022197**

From: LesReitz@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:23pm

Subject: Microsoft Settlement

I wish this case could be ended and Microsoft could get on with improving the world of us computer users. I have used MS95, 98 and now ME and have always been very satisfied with their operation. I was not coerced into using these products, I did so because they had better systems than anyone else had to offer. The prices I paid were fair.

Now AOL is suing MS and it is a ridiculous suit. They are doing more to push unwanted stuff onto us users than MS. I have been using AOL since 1995, now I am beginning to wonder if I should continue. In just the past week, several of the members of our computer have dropped AOL. They are getting to pricey and to pushy and I do not think their equipment is adequate for the number of people they are serving. It is sometimes almost impossible to log on. If you call them regarding a problem they most often want to mess with your computer instead of admitting they are having a temporary problem.

Thank you.

Leslie Reitz,

6209 E. McKellips Rd. #375,

Mesa, AZ 85215

**MTC-00022198**

From: Carl Kipp

To: Microsoft ATR, Rense Mark (GEL  
 MSX), Dr—Johnston Wil...

Date: 1/24/02 1:24pm

Subject: Microsoft Settlement  
 subject=Microsoft Settlement

MS Anti-trust. Tunny Act Comment.

—World "Dumb-in-Nation"!

My comment in the MS Anti-trust case

Carl Kipp

Columbus, OH, 43202

In Unauthorized Windows 95, Andrew Schulman (wizard & editor) has many quotes from the DoJ vs MS ["settled" out of court, 1994!] including his own congressional testimony. One was from a MS VP who said "...my job is to see that Microsoft gets a fair share of the application market. I define that as 100%."

Perfidy.

This case is an outgrowth of that one. MS agreed to not bundle the browser, did it anyway and claimed it was built-in. A lie, as testimony showed. I own 98Lite a program which merely uninstalls the IE browser. Drug on the market. MS's recent "\$1 Billion" settlement proposal is typically self-serving. They account their \$10 MS Office package cost as "\$600" retail AND hook students in the education market. This is like letting the TOBACCO companies pay their FINES in cartons of CIGARETTES!

Or Carlos Lehder, of the Medellin cartel pay fines in cocaine packets!

Judge T.P. Jackson did compare MS to a dealership. Truly MS vs. U.S.!

It was reported last year the MS lobbied Congress to get YOUR DoJ budget cut! Is the USA a Banana Republic? Other Damages to Society:

Microsoft is bad for innovation. [See Caldera's suit for damage to DR-DOS. See Borland.]

Microcloth is bad for programmers. [You don't program, you use MFC objects. Dumb.] Microstuff is bad for IT. [No one understands their proprietary stuff. Even MS! See IIS buffer over run. See the "FBI warns MS about security". See Universal P'nP holes]

Microcruff is bad for ZDNet, a media company. [Users have given up understanding. ZD loses readers looking for enlightenment. They are since under new management.] ZDNet editor Kingman said "No single company, not even Microsoft, is the enemy." WRONG. MS=Dumbination The GATES to Dumb-in-Nation!

Carl Kipp

Columbus OH, 43202

**MTC-00022199**

From: Dan Caless

To: Microsoft ATR

Date: 1/24/02 1:23pm

Subject: Microsoft Settlement

To whom it may concern, I am writing to express my support for Microsoft and against any actions the government may take against it. Microsoft has earned it's great success. It did not achieve it through any sort of coercive means, such as special government protection or subsidies. It did not use actual coercion against it's competitors at all—everything it did was through voluntary agreements with other parties, whether those parties were particularly happy with the agreements or not. Therefore Microsoft's competitors have nothing to complain about: all Microsoft's actions were legitimate

business activities that should be protected by the government, not punished by it.

I consider the anti-trust laws one of the worst corruptions of law that has ever occurred in this country. They are non-objective in that they have a very wide scope of interpretation so a business has no way of knowing ahead of time if it is guilty or innocent of breaking them. Virtually every business breaks them in that every business dominates some kind of niche, and every business responds to competitors' price and product changes. Like Microsoft, every business works hard to get consumers to use their products and undercut competitors. Hence enforcement is very politicized and arbitrary, often the result of what party is in office and the influence of the competitors, consumer advocates, etc. They are Soviet-style—the government can threaten any business with them and use them as a whip to cow companies into doing what the government wants. They are clearly the product of envy, and historically they've been used to bring down the best and most successful companies in the country.

Finally, I'm horrified that persecuting Microsoft might slow down technological progress. The government is persecuting a company that spends billions on R&D and product development. Because Microsoft is so widely used, incorporating new features into it's products greatly speeds up their distribution, which speeds up people using and implementing them. The result is that people and companies can do more with their software and raise their productivity sooner. One important reason why most people have settled on Microsoft products is because they're a standard already. That greatly benefits users because there's a depth of talent available to work with them and users don't have to waste time dealing with different software producers and incompatible products. The standardization around Microsoft makes computing easier, more productive, and speeds new technology distribution, all of which greatly benefits us economically and raises our standard of living, and so makes all of us materially better off.

I would like to see the government totally drop the persecution of Microsoft. Quite the opposite, it should affirm that it protects the right to property and liberty of the shareholders of Microsoft. The purpose of government is not to protect the incompetent or weak or to legislate envy and hatred of success; it's to protect everyone's, including Bill Gates', right to life, liberty and the pursuit of happiness.

Sincerely,

Daniel E. Caless

Chelmsford, MA.

caless@babson.edu

CC:activism@moraldefense.com@inetgw

**MTC-00022200**

From: Kevin Garrison

To: Microsoft ATR

Date: 1/24/02 1:22pm

Subject: Microsoft Settlement

January 24, 2002

John Ashcroft, Attorney General

US Department of Justice, 950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

I totally support the decision of the Department of Justice to settle the Microsoft antitrust case. The concessions that Microsoft has made adequately address the concerns that Microsoft has, or will, engage in anticompetitive behavior.

Microsoft has demonstrated good faith by agreeing to terms that go well beyond what was initially at issue in the lawsuit. They have agreed to disclose its code for its competitors' use. They have agreed not to legally obligate third parties to exclusively distribute or promote Windows technology. They have agreed to be subjected to monitoring by a technical oversight committee. The threat of anticompetitive behavior is greatly diminished by these types of terms. The only downside to the agreement is that more of the states did not sign on to the settlement. The settlement agreement is obviously well thought out. It was arrived at after a long period of negotiating by the parties. There is no reason to continue the litigation.

I appreciate your consideration of these comments. Thank you.

Sincerely,

Kevin Garrison

**MTC-00022201**

From: Kurt Yoder

To: Microsoft ATR

Date: 1/24/02 1:23pm

Subject: Microsoft Settlement

I do not feel that the proposed Microsoft settlement is fair. Microsoft should be forced to change its monopolistic practices, and a weak settlement does not accomplish this.

Kurt Yoder

Sport & Health network administrator

**MTC-00022202**

From: ddllloyd69@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:20pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now.

Thank you.

Sincerely,

Doris Lloyd

5107 Oak Hill Road

Delray Beach, FL 33484

**MTC-00022203**

From: Kyle Bresin

To: Microsoft ATR

Date: 1/24/02 1:23pm

Subject: Microsoft Settlement

There are many other parts of the settlement that concern me, but have included only my main concern for brevity.

I would like to comment on two elements of the proposed Microsoft settlement that I believe do not serve the Public Interest in any significant way, and which, I believe, are particularly necessary to ensure that Microsoft stops abusing its operating system monopoly. The settlement should specifically prevent Microsoft from integrating its operating system and applications too closely, this is the only way to make sure there is room for other Microsoft application compatible operating systems to enter into the market. This requires two steps. One, that the court ensure that Microsoft publishes its APIs. This does nothing to harm a legitimate Microsoft, in fact, having clearly defined and abstracted APIs between the OS and its applications is considered to be "best practices" in the software field. A seemingly reasonable request for one of the most successful software companies in the world.

The second step is to prevent the current definitions (specifically definitions A, J, K, U need revision) of API and Middleware that have been crafted in such a way to exclude key Microsoft products, along with creating a half-dozen loopholes that are clear as day to anyone with sufficient technical knowledge. The actual remedies are inconsequential as long as Microsoft is allowed to dictate when and where they have to apply them! An extensive rewrite of the current definitions seems in order, or, at the very least, using the definitions from the original finding of fact...

Respectfully,

kyle.

Kyle Bresin

**MTC-00022210**

From: RMcamis858@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:24pm

Subject: Microsoft Settlement

Now it's AOL again muddying the waters! This company, one of which I use for my Internet uses, should get on with their business and stop whining about the success of Microsoft. Microsoft has done more for the high tech industry, and created more job opportunities than all of the other tech companies combined. It's a waste of the DOJ's resources to hear these issues. Let Microsoft get on with the business they know best, developing the necessary software that ALL of use, in one form or another. Our country was built on invisionaries that had a dream, and carried that dream to fulfillment! LEAVE MICROSOFT TO THEIR BUSINESS!

**MTC-00022228**

From: Eduardo Matus

To: Microsoft ATR

Date: 1/24/02 1:25pm

Subject: Microsoft Settlement

To Whom it may concern, I am writing as a very concerned consumer in reference to the ordeal happening with Microsoft. I am very concerned at the fact that this is even

happening to begin with. Microsoft is a company whose products are very much in high demand and are also highly dependable and reliable. I believe that this very dedication to product quality is what makes them successful. When Microsoft was charged with Antitrust violations I wanted to know just how this came about. I later found that that this is not even a consumer driven issue. I found out that Microsoft's competitors who did not have the same amount of innovation and quality are the ones who began the whole process. In essence these whole proceedings are highly immoral: You are attempting to punish someone for being innovated and dedicated to EARNING wealth through putting out a better product. I work with computers quite often and I am very discriminate when it comes to what I buy. I don't just buy it because it is there. By breaking up Microsoft you are in essence providing welfare for the less competent companies and therefore I will be forced to buy product from someone who is not as good. This is preposterous and completely unacceptable. To think that in this country out of all places, a company is being punished for being efficient and successful, while the ones that are doing less of a job get the rewards, makes me sick and leaves me little reason to even want to enter the marketplace as a businessman for fear of being successful. If you punish Microsoft, you will set a precedence which in turn will destroy everything good about American business: We will show our children that being mediocre is better than achieving your highest potential, that knowing people in high places is better than relying on knowledge and experience, and worst of all, you will leave us with no philosophical ground for us to stand on against anyone that may disagree with our way or life and our country. Many things are riding on this decision. I hope for the sake of the future of American (and worldwide business for that matter) that you make the right decision. Punishing the successful and rewarding the incompetent is UNAMERICAN and highly UNETHICAL.

Yours Truly,

Ed Matus

**MTC-00022230**

From: obdonna4god@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:21pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Donna Muoio  
6218 Preakness  
Etiwanda, CA 91739-9585

**MTC-00022231**

From: joanpeterson  
To: Microsoft ATR  
Date: 1/23/02 11:46pm  
Subject: Microsoft Settlement

Constantly blaming Microsoft for all problems is outrageous! Settle this and let Microsoft innovate. The economy would be better off for it!

**MTC-00022233**

From: Chris.Latham@majiq.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:26pm  
Subject: Microsoft Settlement  
The proposed settlement is bad idea  
Chris Latham, MCSE, CCNA  
Network Engineer  
Majiq Systems and Software  
8343 154th Ave NE  
Redmond, WA  
98052-3865  
mailto:chris.latham@majiq.com  
425.881.7100

**MTC-00022238**

From: Dale Patterson  
To: Microsoft ATR  
Date: 1/24/02 1:25pm  
Subject: Microsoft Settlement  
Sirs,

I believe the settlement you've reached with Microsoft is fair, just and should be implemented. This and other lawsuits filed by their "so called competitors" are and have been detrimental to the furthance of technology and at greater expense. I have not been overcharged in the purchase of any Microsoft product.

I first began using the internet in 1996. My ISP provided, Earthlink promoted the use of Netscape's Navigator Browser which I used exclusively for two years. In 1999, I loaded Microsoft's Internet Explorer and began comparing the two browsers. After a six month trial of using both, I determined that IE worked faster and better than Netscape's and now use it exclusively. I do keep the latest version of both browsers on my back-up computer for continual comparisons. Products of other competing software, i.e. Real Products, Word Perfect etc. are also stored on my back-up computer.

I've been harmed more financially by the DOJ's lawsuit against Microsoft which contributed to the decline of Tech Stocks and a slow down in the economy.

Please complete this lawsuit and allow technology to again progress.

Dale Patteron

**MTC-00022246**

From: RWL—  
CAJUN@HOTMAIL.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:23pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ROBERT LANDRY  
880 TULLY ROAD  
#23  
HOUSTON, TX 77079

**MTC-00022248**

From: susan.bolser@cinbell.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:24pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you. Sincerely, Susan Bolser  
3709 Neiheisel Ave Cincinnati, OH 45248-3127

**MTC-00022249**

From: gbrooks8510@excite.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:26pm Subject" Please leave Microsoft alone!

First of all, thank you for letting me submit this opinion.

My main objection to this case is that it was brought to help Microsoft's competition, not to help American consumers. The intent of antitrust is to protect the consumer. As a consumer myself of both Microsoft (hereafter "MS") and other software, I fail to see how MS has hurt me. Does it injure me in any way to give me free software? I am capable of not using it if I don't like it—which is, in fact, what I do with all those free AOL CDs!

In my job, I now use the MS Office Suite on a daily basis. Before we had this software, life was much more complicated. The files wouldn't copy, for example, from Paradox (a database) to Lotus 123 (a spreadsheet). I have heard people arguing that their company

offers a better product than MS. That is for the market to decide, not the courts. For my purposes, compatability between the applications is very important, so I choose MS.

Success should not be punished in America! Bill Gates was not born "King of Software", he and his company worked hard for years to become the leader. They should be rewarded as the market sees fit. Windows 2000 and Windows ME will be obsolete soon, and MS has no guarantee that the MS replacement will be what the consumer wants in 2004. MS will rise or fall according to the will of the marketplace. Any of the competing companies could come up with a better replacement operating system. At least one already exists: LINUX, and it is available to anyone FREE for the downloading! How can MS compete with that? But it does!

Please let Microsoft continue improving our lives, our work, and helping to keep the USA the world economic leader!

Brooks Gatlin  
Spring, TX

**MTC-00022250**

From: John Laur  
To: Microsoft ATR  
Date: 1/24/02 1:19pm  
Subject: Microsoft Settlement

I am not in support of the proposed settlement for the reasons listed in the following paragraphs. I have read plenty of other arguments that the settlement is poor; however, I don't feel that I understand enough about those reasons to comment. I'm not a lawyer, so I apologize for the lack of extensive references.

It does not take into account systems which can or could be made compatible with the Microsoft Windows operating environment.

It fails to address the issue of Microsoft strong-arming OEM's to limit their freedoms to install what they want on machines they sell.

It fails to provide a means by which the agreement would be enforced if enacted.

This is getting ridiculous. Microsoft continues to blow smoke and buy years of time. Computer hardware manufacturers targeting the consumer market generally produce equipment that meets certain standard and documented criteria so that software (ie any software such as an operating system) can be run on the machine. Due to the complex nature of modern personal computers, application software no longer runs directly on the hardware. Operating systems exist to provide an abstraction layer and further refinement to a standard interface to allow application software to be developed more efficiently. The problem with what Microsoft does is that it continues to make its own interfaces proprietary or undocumented, so that it becomes extremely difficult to develop applications which work efficiently on multiple platforms or use applications which use this interface on other platforms which cannot support it.

In the end, this ends up hurting the consumer tremendously. The constant tweaks and changes Microsoft has to make to its "Operating System" to sustain this level

of secrecy only ends up ending in an overly complex system to support the many versions of older interfaces that exist—obsoleted by the simple fact that they are old enough for others to have figured them out!

Thank you for soliciting comments.

Sincerely,  
John Laur

**MTC-00022251**

From: jandb50@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:22pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jim Brennan

529 W. 215th St. Carson, CA 90745-1930

**MTC-00022252**

From: Bryan J Newman

To: Microsoft ATR

Date: 1/24/02 1:23pm

Subject: Microsoft Settlement

Dear DOJ,

The Microsoft Settlement is full of holes. It will not do anything of consequence re: Microsofts stranglehold on competition, the settlement should be scrapped immediately.

Thanks,

Bryan Newman

Programmer/Analyst—ED Data Warehouse

bryan.j.newman@wamu.net—206.377.7911

**MTC-00022253**

From: captain

To: Microsoft ATR

Date: 1/24/02 1:26pm

Subject: Microsoft Settlement

I can't write more than a sentence without becoming utterly livid. You should fine MS into non-existence and compensate those who have been most injured by the Evil Juggernaut over the past two decades. The list is LONG.

**MTC-00022254**

From: Byron York

To: Microsoft ATR

Date: 1/24/02 1:32pm

Subject: Microsoft Settlement

It is so completely obvious that the settlement worked out between Microsoft and John Ashcroft is so fatally flawed and written \*BY\* Microsoft, that the only remedy that is available is to throw the whole thing

out and tell Microsoft and their lobbyists to try again.

The DOJ anti-trust division knows this, and I am sure that the attorneys there that actually have integrity are fuming about the way Ashcroft and Bush have:

(1) cut their funding

(2) took remedies off the table before even entering in to settlement talks

(3) completely and utterly capitulated to Microsoft's ever want

It really makes me sick what a little(or large in Bush's case) campaign contribution can get you.

**JUSTICE SHOULD NOT BE FOR SALE IN THIS COUNTRY.**

I hope the American Anti-Trust Institute lawsuit against the DOJ and Microsoft prevails. There were so many secret meetings between the DOJ and Microsoft in violation of the Tunney Act that it makes Cheney's secret Energy Task Force look like a bake sale.

P.S. Unlike Bush and Ashcroft, I am not afraid to put my name on my beliefs:

Byron Bernard York

2155 Goldsmith

Houston, TX 77030

713-416-4487

**MTC-00022255**

From: Paul Brenner

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 1:24pm

Subject: Microsoft Settlement

I support the settlement. I do not believe it is in the interest of consumers to continue this litigation.

Thanks,

Paul Brenner

**MTC-00022256**

From: David C. Donaldson

To: Microsoft ATR

Date: 1/24/02 1:28pm

Subject: Microsoft Settlement

Dear Sir;

Separating Microsoft in two, one with the operating system, the other with applications, is a great solution and remedy for the market extortion and abuse of the monopoly power exercised by Microsoft.

Also, I'd like to see the company forced to provide the operating system source code to competitors that make both commercial and consumer programs that run on all windows operating systems. For how long, I don't know. Perhaps for a time to be determined by the court monitoring the marketplace.

I am a retail consumer. Everyone I know using the inferior operating system made by Microsoft suffers direct harm from their market abuse. I wonder how long the legal system will tolerate that.

I am hoping you will take a very, very strong stand against extortion and monopoly market power abuse.

David Donaldson

3208 El Sobrante Street

Santa Clara, CA 95051-3722

Tele: 408-241-3630

david456@pacbell.net

**MTC-00022257**

From: tbswiggum@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:24pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

thomas swiggum

1318 ontare rd

santa barbara, CA 93105-1941

**MTC-00022258**

From: Alex Nicksay

To: Microsoft ATR

Date: 1/24/02 1:30pm

Subject: Microsoft Settlement

Microsoft has long been a domineering force in the computing field. As an American, I firmly believe in the necessity of a free, competitive, thriving market. However, Microsoft has been found to violate both the spirit and the letter of the law in this regard, and drastic action must be taken to curb such behavior. With their operating system on over roughly 95% of all computers in use today, the average consumer sees little choice. In fact, he/she sees no choice; he/she assumes a Windows-based PC and Windows-centric software are the only solution.

The proposed settlement does very little to place any restraint on Microsoft. The proposed body to be placed at Microsoft is small, incomprehensive, and little more than show. Drastic action must be taken to change a drastic situation. One may point to the antitrust proceedings against AT&T many years ago. It's division effectively stimulated competition in a stagnate market, while still leaving AT&T with substantial business interests. It remains a viable player to this day. I propose a similar treatment for Microsoft—a division into two or preferably three smaller companies. Judge Jackson ruled as such, and there seems to be no reason not to uphold such a penalty because his findings (that Microsoft is a monopoly) have been upheld.

The proposed settlement contains specific language that does and, more specifically, will not apply to the appropriate Microsoft products. Example: in previous antitrust cases, specific language was used, regarding the integration of Windows95 and Internet Explorer. By the time the court was settled, Microsoft had delayed long enough to release Windows98 and later products, eliminating the need for compliance. In this trial, attention should be paid to making any settlements or penalties include broad

enough language to apply to future Microsoft products and services. Only then will Microsoft cease to be a monopoly.

Furthermore, the proposed settlement includes measures that would inject a relatively balanced, competitive education market with a large foundation of Microsoft products, services, and software. Contrary to Microsoft's assertions, Microsoft would be the primary and ultimate beneficiary of such a "solution". The cost of reproducing software is negligible; the cost (especially in time) of maintaining refurbished computers is very high; the established software and hardware would influence schools to maintain brand-loyalty to Microsoft for convenience, when otherwise a competing product would have chosen. Microsoft's proposed settlement does not effectively restrict further monopolistic practices, extends Microsoft's base into more of a market unfairly, and does not sufficiently benefit the people (every personal computer user, of either Windows or a Window competitor).

Therefore, it should be rejected and harsher penalties should be applied.

Respectfully,  
Alex Nicksay  
Student, Computer Science, Film Studies  
Columbia University  
New York, NY

**MTC-00022259**

From: Leon D. Shaner  
To: Microsoft ATR  
Date: 1/24/02 1:30pm  
Subject: Microsoft Settlement

Honorable Sir or Madam,  
I believe that the proposed settlement fails to adequately punish Microsoft for their repeated predatory and anti-competitive behavior.

Microsoft already has a majority share of the Operating System install-base, yet they have a long history of engaging in scare tactics and other threat-based means to PREVENT hardware vendors from the following:

- (1) bundling non-Microsoft OS environments (such as OS/2 or Linux)
- (2) bundling non-Microsoft browsers (such as Netscape)
- (3) bundling non-Microsoft multi-media support applications (such as RealAudio)
- (4) placing icons / menu-picks for non-Microsoft internet services in prominent locations on the desktop and start menus.

By preventing a hardware vendor from exercising discretion RE: which OS and components to bundle, Microsoft has, in effect, limited consumer choice and all but driven third-party software and service vendors out of the market.

Regards,  
Leon  
Leon.Shaner@Sun.COM // Internet Architect  
Central Area Technology Practice  
Sun Professional Services  
Sun Microsystems, Inc.  
Office: 313-317-2121 // Fax: 630-775-0852

**MTC-00022260**

From: Dorothy Winick

To: Microsoft ATR  
Date: 1/24/02 1:32pm  
Subject: Microsoft Settlement

I think Microsoft has done fine and should not be sued again.

**MTC-00022261**

From: Randy Spencer  
To: Microsoft ATR  
Date: 1/24/02 1:29pm  
Subject: Microsoft Settlement

Just because the president is in the back pocket of industry doesn't mean that the DOJ should be shirking their responsibility and GIVING IN when they are supposed to be representing and defending the American People against criminal acts such as those of Microsoft.

Stop persecuting foreign nations in unconstitutional manners and get back to your JOBS.

Randy

**MTC-00022262**

From: Dan Eyer  
To: Microsoft ATR  
Date: 1/24/02 1:30pm  
Subject: Microsoft Settlement

I am writing to express my dissatisfaction with the proposed settlement with Microsoft. In my opinion it completely fails to either punish Microsoft's past bad behavior or to in any way inhibit future bad behavior. I do not consider the settlement to be in the interest of the American public. I have worked as a software engineer for more than 12 years.

Daniel J. Eyer

**MTC-00022263**

From: David Abbott  
To: Microsoft ATR  
Date: 1/24/02 1:30pm  
Subject: Microsoft settlement

The current settlement with Microsoft is a bad idea. I abhor being limited to just Microsoft products in order to be productive at home and for work. The other options out there are extremely costly over time or are nonpractical for day to day operations not to mention the lack of compatibility with them.

Thank You,  
D. Abbott

**MTC-00022264**

From: Max Heffner  
To: Microsoft ATR  
Date: 1/24/02 8:19pm  
Subject: Microsoft Settlement

I am extremely disappointed with the settlement and believe it does nothing to punish or prevent Microsoft from further abusing their monopoly. It is disappointing to see that a company with large amount of money can have more influence than the U.S. government. I did not expect Microsoft to be broken up but at the least I would have expected the government to take a stand and deny Microsoft the ability to bundle their middle ware software products with the Windows operating system. This practice is the most unfair and hurts alternative software developers/vendors as much as it does the consumers.

I deserve as much protection as Microsofts stock holders, but this settlement is excessively lenient towards Microsoft. The DOJ has failed.

**MTC-00022265**

From: Niels Jensen  
To: Microsoft ATR  
Date: 1/24/02 1:33pm  
Subject: Microsoft Settlement

I believe the proposed settlement is unfair to the many companies— small and large— which has lost business because of Microsoft monopolistic practices.

With kind regards from  
Niels Jensen (njensen@get2net.dk),  
Slangerup, Denmark.

**MTC-00022266**

From: rownby@televar.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:31pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ray Ownby  
6321 Rd 3.3 NE  
Moses Lake, WA 98837

**MTC-00022267**

From: Vaughn Cato  
To: Microsoft ATR  
Date: 1/24/02 8:35am  
Subject: Microsoft Settlement

The proposed settlement does not properly address the situation and it must be reconsidered. Microsoft must be placed in a position where it cannot abuse its monopolistic position.

—Vaughn

**MTC-00022268**

From: ateepee  
To: Microsoft ATR  
Date: 1/24/02 1:32pm  
Subject: Termination of actions against Microsoft

I urge that you terminate all actions against Microsoft for their "supposedly" anti-trust activities. As far as I am concerned, the progress of Personal Computers among all the people of the USA, is largely due to the actions of Microsoft to standardize the use of most of the software.

Thank you,  
T.P. Higgins

**MTC-00022269**

From: mpobrien@wt6.usdoj.gov@inetgw  
To: Microsoft ATR

Date: 1/24/02 1:34pm  
Subject: Microsoft Settlement

To whom it may concern,  
Please do not accept the proposed settlement in the Microsoft case brought by the Dept of Justice.

This is less than a slap on the hand. In fact I believe that this will increase the market share of MS over time.

Another penalty could be implemented. Such as take the proposed amount of monies and support implementation of another system. For example give the schools Macs and support for these systems from the funds suggested by the settlement.

Please rethink this settlement so that a more fair penalty is imposed. thanks you  
Michael P O'Brien  
1047 NE 10th  
Seattle Wa. 98125  
mpobrien2@attbi.com

**MTC-00022270**

From: Gary Heller  
To: Microsoft ATR  
Date: 1/24/02 1:33pm  
Subject: Open Letter to DOJ Re: Microsoft Settlement

Please add my name to this list.  
Gary Heller, Fiserv, S/W Development and QA Manager, VP  
<http://www.kegel.com/remedy/letter.html>  
Gary Heller  
407-667-3793  
Gary.Heller@ImageSoft.Fiserv.com

**MTC-00022271**

From: Rosenthal, Neil  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:24pm  
Subject: Microsoft Settlement

To Whom It May Concern:  
As an American Citizen I am opposed to the current proposed settlement with Microsoft Corporation. The settlement is fraught with language that will, in essence, allow Microsoft to behave in ways that the settlement is supposed to disallow. It is incumbent upon the United States Government, as our representative in this matter, to reject in its totality, the proposed settlement.

Sincerely,  
Neil D. Rosenthal  
Consultant  
James McGuinness & Associates Inc.  
nrosenthal@jmcguinness.com  
518.393.3635

**MTC-00022272**

From: jay.haggard@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jay Haggard  
11 Regalia Drive  
Novato, CA 94947

**MTC-00022273**

From: jay.haggard@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jay Haggard  
11 Regalia Drive  
Novato, CA 94947

**MTC-00022276**

From: Rob  
To: Microsoft ATR  
Date: 1/24/02 1:34pm  
Subject: Microsoft Settlement

Dear Sirs:  
I am writing to express my concern over the proposed Settlement between the Department of Justice and Microsoft. In particular, it seems to me that the requirement that Microsoft disclose some of its code interfaces and file formats could be easily evaded without serious reprisal. Without some less ambiguous language, and more specific penalty language, Microsoft could well drag its heels to the point where any would-be competitors would have no chance at all of interoperating with Microsoft software.

As a consultant in the IT field, I prefer not to be locked into one vendor. I have heard similar concerns from my clients. Please don't allow Microsoft to continue to shirk its responsibilities via the inclusion of weak language in the settlement terms.

Sincerely,  
Robert J. Kudla  
Albany, NY  
webmaster@kudla.org

**MTC-00022277**

From: jbrace@bignetnorth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:32pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jerry Brace  
3810 Deer ridge Trail  
Beulah, MI 49617-9638

**MTC-00022278**

From: Travis Fessler  
To: Microsoft ATR  
Date: 1/24/02 1:34pm  
Subject: Microsoft Settlement

Sir or Madam,  
I disagree with the U.S. Department of Justice's settlement proposal with Microsoft. I believe the settlement as written does not provide for redresses that are in the best interest of the American people and are not in line with the findings of facts in this case.

Thank you,  
Travis Fessler  
175 Raintree Rd  
Florence, KY 41042

**MTC-00022279**

From: Stephen Green  
To: Microsoft ATR  
Date: 1/24/02 1:35pm  
Subject: Microsoft Settlement

Thanks a lot!  
Once again, our government has let us, the tax payers, down. You people are supposed to represent we the people! How on earth do you sleep at night. A convicted monopolist is given a slap on the wrist? And we are supposed to take this? "Awful" doesn't even come close to how I see this. You people in the DOJ should be ashamed of yourselves. For I am ashamed that this is how my government looks out for me. I'm probably wasting my time writing this e-mail, and if, per chance, any of you wish to discuss this with me, please feel free to respond at your leisure. Either by e-mail or snail mail.

Regards;  
Stephen Green  
4 Lauder Ave.  
Pawtucket, R.I.  
02860-6218  
thegreens16@home.com

**MTC-00022281**

From: De Chiara, Christopher J.  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:34pm  
Subject: Microsoft Settlement

I find the proposed settlement totally and completely wrong. It rewards Microsoft for its absolutely illegal behavior, which continues, despite this case.

I am disappointed that my government has caved in to Microsoft rather than defend the freedom of choice required in the technology marketplace to create a healthy and innovative marketplace. This settlement will allow Microsoft to continue its predatory behavior and consume a depressed market to the point of globally monopolization. Please punish them and break them up and impose stiff and heavy penalties.

Chris De Chiara  
4516 Waubansie Lane  
Lisle, IL 60532

**MTC-00022282**

From: Chad Margetts  
To: Microsoft ATR  
Date: 1/24/02 1:38pm  
Subject: Microsoft Settlement

Hello...

I believe that the Microsoft settlement is not in the best interest of the American people, and will not benefit consumers or businesses in the way that the Department of Justice intends. In essence, the punishment really does not fit the crime. In fact, it may even enable Microsoft to participate in more anti-competitive practices such as undermining the Open Source movement.

I implore you to deny the settlement between the DOJ and Microsoft.

Thank you.  
Chad Margetts  
Ron Allen Consulting  
Salt Lake City, Utah

**MTC-00022283**

From: hankw02134@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:34pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Harold Williams  
po box125  
Houghton, MI 49931

**MTC-00022284**

From: Todd Grigsby  
To: Microsoft ATR  
Date: 1/24/02 1:34pm  
Subject: Microsoft Settlement

To whom it may concern:

I'd like to be polite about this, but I can only sum up my opinion in a single sentence as follows: The proposed Microsoft vs. DOJ antitrust settlement is a terrible joke.

Forcing Microsoft to put their operating system into schools is like forcing a beer company to advertise during the Super Bowl. Where is the penalty? The cost to Microsoft of distributing this software comes in revenue not realized by selling the software to the schools, yet this cost is more than repaid in forcing students to become familiar with and use the operating system that will become their OS of choice once they graduate and enter the work force.

I have three better solutions, all of which you've probably already heard:

1. Break MS into an OS company and an office products company. No collusion is allowed between these companies.
2. Force MS to fully disclose the complete Windows API. Every call, every global variable, etc. Also force them to separate Explorer from the OS as they were instructed to do years ago and have failed to do.
3. Instead of having MS install Windows in those schools, have them install new PCs with Linux, new Apples with OSX, new Sun workstations, new Alphas running OpenVMS, etc. Hardware and OS vendors would have X number of days to petition to be included in the list and petitions would be reviewed by a appointed technical panel based on criteria including but not restricted to a minimum 1% of current market share. Schools could choose from the platforms that made the list.

Whatever happens, the idea is to PENALIZE Microsoft, not aid and abet them. The current penalty is itself an injustice.

Todd Grigsby  
Director of R&D, Company Architect  
Panoramic Software, Inc.  
President, Dream Prods.

**MTC-00022285**

From: Fred Sampson  
To: Microsoft ATR  
Date: 1/24/02 1:37pm  
Subject: Microsoft Settlement

The proposed settlement of the Microsoft anti-trust case is an outrage, and I oppose it.

The settlement leaves Microsoft with too much power. The oversight committee has no actual control or power. There is no punishment of Microsoft, despite it's having been found guilty of illegal conduct. Microsoft is given powers that could devastate open-source software developers. The wording is full of loop-holes that favor Microsoft. The proposed settlement is far too lenient on a convicted monopolist.

Fred Sampson  
Technical Writer  
Business and Technical Journalist  
fred@fredsampsom.com  
831-728-1339

**MTC-00022286**

From: Mr. D

To: Microsoft ATR  
Date: 1/24/02 1:36pm  
Subject: Microsoft Settlement

I am a college student at a Major four year university located in Utah. This semester I get to take Econ 1500 as one of my general education credits for my major. At first I thought I was really going to hate this class, but as I read the first three chapters I noticed that I have become very interested. Part of this interest is the fact that in my class, the company Microsoft has already been mentioned at least 10 times.

If you are wondering why read on. We have learned the basics so far. The U.S. is using some sort of a Free Market Economy system. The Free Market System is usually efficient, blah blah blah. If you work for the DOJ you should understand all of this. Anyway the part where it actually gets interesting is where it talks about Market FAILURE. "The second case where the market has a failure is when there is a Market Power" (Quoted from Principles of Macroeconomics, Second Edition, N. Gregory Mankiw). The best part of the above quote is the fact that is in the very first chapter of the book. The book goes on to say that a Market Power can also be called a monopoly. Anyone that has ever heard of Microsoft has probably also heard the word monopoly. Now we are getting somewhere—Right??? The next day in class we go over what we have read. My professor explains that it is the government's job to correct market failure. By the way the word government in the above sentence is referring to you.

Someone asks if that is what is currently happening with Microsoft. My professor gives out a huge laugh. "Well...it is supposed to be what is happening, but the government isn't really doing its job in that area." That quote was from my professor. So to say the least I am kind of disappointed. My professor also explained that the government should punish Microsoft. As I thought about that last sentence I decided that the key word was punish. Punish means making something worth not doing again.

As I understand the case so far Microsoft has been proven guilty of anti-trust acts. If so then it is your job to punish Microsoft. As from what I have heard so far you really haven't proposed anything that will punish Microsoft. A three person panel who can look into Microsoft from time to time is a complete joke. That is like paying a babysitter to watch your safe. The babysitter can't see what is in the safe they just get to watch it from the outside. Common, it is your JOB to punish Microsoft. So don't be afraid of the corporation, no matter how much money they have. You are above that. Look down into your ethical self, find a punishment suited to Microsoft that will make them think a hundred times before they try something like that again.

There is also one last thing that I would like to point out. By failing in this endeavor you risk the future of many businesses that don't even exist yet. If a new company were to create a product superior to something Microsoft created. They would probably be pushed out in some sort of anti-trust way, unless you punish Microsoft and they remember the last time they messed with the DOJ and aren't willing to go there again.



Hopefully my email hasn't fallen on deaf ears.

I pray that you do your job and correct the market failure so that we can go on with an even more efficient market.

Daniel Miller

Comments may be sent to albino@inet-1.com

P.S. I was not paid by Microsoft or Sun Microsystems to create or distribute this email. I created this email of my own free will, and have sent it to you on behalf of myself, Daniel Miller. If alleged that my email was sent in accordance with either of these companies or any company for that matter, please disregard because that isn't true. I am currently unemployed and therefore am doing this to show my support for anti-trust issues. Especially in the case of software companies such as Microsoft.

**MTC-00022287**

From: michael@wt6.usdoj.gov@inetgw  
To: Microsoft ATR

Date: 1/24/02 1:36pm  
Subject: Microsoft Settlement

Most Honorable Persons,

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable in preventing, not aiding Microsoft from continuing its illegal behavior.

Thank you,

Michael T. Rankin

PO Box 387

Walker Valley, NY 12588

**MTC-00022288**

From: Aneesh Karve  
To: Microsoft ATR  
Date: 1/24/02 1:35pm  
Subject: Microsoft Settlement

The current settlement is a poor idea.

**MTC-00022289**

From: mike baldwin  
To: Microsoft ATR  
Date: 1/24/02 1:38pm  
Subject: Microsoft Settlement

The proposed settlement doesn't seem to remedy the monopoly situation. Microsoft is proposing giving away its own software. That only HELPS their monopoly. I would like to see a settlement that fosters alternative operating systems, or an open source version of Microsofts Operating systems. If windows is open source, Microsoft won't be able to abuse the monopoly they have over the computer industry.

The settlement I have read about is NOT acceptable.

Mike Baldwin

PO Box 2861

Socorro, NM 87801

**MTC-00022290**

From: gcberrier@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:34pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Gary Berrier

5638Janeru Circle

Macon, GA 31216

**MTC-00022291**

From: bushmarilyn@aol.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 1:34pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Marilyn Bush

3524 Jeffrey Street

Muskegon, MI 49441-4335

**MTC-00022292**

From: scott cuddihy  
To: Microsoft ATR  
Date: 1/24/02 1:28pm  
Subject: Comments

This recent lawsuit of Microsoft by AOL-TW further highlights the true motivation of the litigants. The consumer, has not been harmed. Computing in general is easier and less costly than ever in history. Please end this waste of taxpayers money, stop these lawsuits.

Thank you,

Scott Cuddihy

**MTC-00022293**

From: moranj@plattevdsd.k12.co.us@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:35pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Phyllis J. Moran

PO Box 115

Chappell, NE 69129-0115

**MTC-00022294**

From: Phillip Robinson  
To: Microsoft ATR  
Date: 1/24/02 1:38pm  
Subject: Journalist Experience

I am very sorry to hear that the anti-trust case will be settled with so little penalty to Microsoft. With twenty years as a computer industry journalist to my name, I've seen how much of Microsoft's success has been due to truly rapacious behavior against competitors, pushing to exclude competition from the market rather than to win through better products or prices. My faith that my government can maintain a truly free market has been severely hurt.

Phillip Robinson

**MTC-00022295**

From: Richardson, David M  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 1:37pm  
Subject: Microsoft Settlement

End this now, conclude the settlement of Department of Justice and a bipartisan group of State Attorneys General with Microsoft and move on to other issues.

david richardson

2963 vinings forest way

vinings, ga 30339

CC:'msfin(a)microsoft.com'

**MTC-00022296**

From: R. Love  
To: Microsoft ATR  
Date: 1/24/02 1:40pm  
Subject: Microsoft Settlement

I honestly believe this settlement is not in favor of the American people.

Microsoft is using the profits from their illegal actions to buy their way out of the repercussions of their deeds.

**MTC-00022297**

From: dropdead777@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:36pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Anthony Bowling

23449 hwy 96

Oronogo, MO 64855

**MTC-00022298**

From: jtg@cypress.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:39pm

Subject: Microsoft Settlement

Sirs:

This e-mail is a response to a request for public comments by the court hearing the case U.S. v. Microsoft. I understand the request for comments is a part of the penalty phase of the litigation and Microsoft has been found guilty of violating Sections 1 and 2 of the Sherman Act.

By virtue of Microsoft's de facto monopoly of the Operating System (OS) market, I am compelled to use Microsoft products. I would not use those products if I had the choice. There are two reasons that I am forced to use Microsoft products. These reasons provide the rationale for my proposed remedies.

First, an overwhelming majority of people use the Microsoft OS and their associated office products. I must communicate with them. If I can not communicate, I will suffer a great economic loss. This is commonly referred to as a network effect and Microsoft has brilliantly exploited it. Second, because Microsoft has kept their software file formats and interfaces secret, others cannot functionally duplicate these products.

It is my belief, based on Microsoft's past actions, they wish to extend their reach beyond the PC desktop to control of networking protocols for the Internet and act as its gate keeper. This is their ".net" initiative. This would have devastating consequences for the U.S. economy and security. Microsoft has stifled innovation by its monopolistic practices. Microsoft products are notorious for their lack of security and vulnerability to attack by the technical incompetents.

The remedies I propose in this case are:

1) All specifications for present and future Microsoft file formats and Operating System Application Programming Interfaces (API) should be made public. This will help insure that any data or documentation I create will be available to me in perpetuity. It will also allow others to create programs that can meaningfully compete with Microsoft products. Please make no mistake in my intent for this remedy. The specifications

must be made part of the public domain. Restriction to "commercial" entities is simply wrong. Open Source software initiatives should be allowed to make use of this information. Again, my concern is for the availability and security of the data that I create today going forward into the future.

2) Any Microsoft networking protocols must be published in the public domain and approved by an independent networking protocol body. I suggest the government request the Institute of Electrical and Electronics Engineers (IEEE) initially preside over such a networking protocol body as an independent and impartial organization. (In the spirit of full disclosure, I am a member of the IEEE.) Already I see Microsoft limiting access to web sites that do not use Internet Explorer. This remedy would help prevent Microsoft from partitioning the Internet into Microsoft and non-Microsoft spheres.

3) Microsoft products should not be bundled as a hidden cost of buying a computer. The choice of buying a computer without any Microsoft products must be present. The real cost of Microsoft products should be presented to the consumer. Without this, there will not be meaningful competition in the OS marketplace.

4) Microsoft should be prevented from entering into exclusive arrangements with computer vendors. These arrangements have been used as rewards and punishments of computer vendors in the past and serve only to maintain monopoly status for Microsoft.

Sincerely yours,

John W. Tiede

John Tiede √Principal Design Engr√

Cypress Semicond √Tele:(719) 268-2624

6005 Delmonico Drive, Suite 200, Colo

Spgs, CO 80919√Fax: (719) 268-2639

**MTC-00022299**

From: RLFiala@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:38pm

Subject: MICROSOFT SETTLEMENT

DOJ,

IT IS VERY DISTURBING THAT SO MUCH TIME AND MONEY IS BEING SPENT ON THESE LEGAL BATTLES. MORE LITIGATION IS THE LAST THING WE CONSUMERS NEED. MICROSOFT SHOULD BE ALLOWED TO GET BACK TO DOING WHAT IT DOES BEST—CREATING AND IMPROVING TECHNOLOGY TO BENEFIT OUR PEOPLE AND CIVILIZATION. AOL NEEDS TO FOCUS ON MARKET COMPETITION AND COOPERATION TO MAKE CONSUMER'S COMPUTING EXPERIENCES EASIER, NOT WASTE MORE TIME AND RESOURCES IN LITIGATION. LETS END ALL THIS LITIGATION AND GET BACK TO WHAT'S IMPORTANT FOR THE CONSUMER!

**MTC-00022300**

From: Sabrina L. Nelson

To: Microsoft ATR

Date: 1/24/02 1:38pm

Subject: Microsoft Settlement

I believe it is important, and healthy for there to be honest competition in the marketplace, and the Microsoft Settlement does not go far enough to ensure there is any leeway or room for healthy competition. The

language is unclear and unspecific insofar as what if any competition is allowable or acceptable. Please reconsider the testimony and comments you have received from the general public, as well as those more in a position to address the technical aspects of this case. Please close the gaps in the current settlement's language, so as to ensure there is healthy competition and opportunity for others to develop competing operating systems and middleware.

Thank you

Sabrina L. Nelson

**MTC-00022301**

From: Ted Priftis

To: Microsoft ATR

Date: 1/24/02 1:37pm

Subject: Microsoft Settlement

To whom it may concern,

I as a taxpayer believe that he states case against Microsoft is ridiculous, Microsoft has been instrumental in building the technological advantage that the United States has currently. If the states believe that suing Microsoft will help the taxpayer they are sorely mistaken, it will only hurt the taxpayer because if the case involves Internet Explorer than Microsoft will have to sell the product separately which would cost everyone more money, so in essence I would be paying twice, once for the cost to take the case to court and twice when Microsoft sells the individual product, as a computer user I am aware that I can use another web browser to surf the internet. The reason consumers do not use the other browsers is because the other browsers on the market are inferior, and harder to use.

Thank You,

Ted (taxpayer)

**MTC-00022302**

From: mikework

To: Microsoft ATR

Date: 1/24/02 1:40pm

Subject: Microsoft Settlement

The proposed settlement doesn't seem to remedy the monopoly situation. Microsoft is proposing giving away its own software. That only HELPS their monopoly. I would like to see a settlement that fosters alternative operating system or an open source version of Microsofts Operating systems. If windows is open source, Microsoft won't be able to abuse the monopoly they have over the computer industry.

The settlement I have read about is NOT acceptable.

Mike Baldwin

PO Box 2861

Socorro, NM 87801

**MTC-00022303**

From: William H. Sterner

To: Microsoft ATR

Date: 1/24/02 1:40pm

Subject: Microsoft Settlement

Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington, DC 20530-0001

Dear Ms. Hesse:

I have carefully reviewed the following comments from "Mike O'Donnell"

<odonnell@satisfaction.cs.uchicago.edu>, and agree with them in their entirety. Having worked closely with Apple computer since 1983 as an implementer of their technology at the University of Chicago, I have often seen the anticompetitive impacts Microsoft's business practices have had on Apple's technology. I have very little confidence that the current "remedies" will be effective in restraining Microsoft.

Yours,

William H. Sterner  
Lecturer and  
Director of Instructional Laboratories  
Computer Science Dept.  
University of Chicago

I would like to comment on the proposed Final Judgment in United States v. Microsoft, as provided in the Tunney Act.

I find that the proposed judgment is insufficient by a large margin to restore healthy competition in the computer operating systems and software application markets, so it is not in the public interest and should not be affirmed by the court.

The proposed Final Judgment attempts to remedy Microsoft's established illegal anticompetitive practices by prohibiting particular forms of conduct involving overly restrictive licensing terms, terms that vary in order to reward those who accept and punish those who contest a Microsoft monopoly, and terms that make switching to competing products more difficult or more costly. It also prohibits certain forms of retaliation against OEMs who support products competing with Microsoft's products. It also requires Microsoft to disclose APIs and communication protocols for its products under certain circumstances and for certain purposes.

It is inherently difficult, and perhaps impossible, to remedy Microsoft's particular forms of illegal anticompetitive behavior through conduct remedies. Both the underlying concepts in which conduct remedies are defined, and the particular anticompetitive techniques used by Microsoft change far too rapidly, and Microsoft itself has far too much influence on those changes, for them to serve in the foundation of effective conduct remedies.

The remedies in the proposed judgment refer to concepts of "API," "operating system," "middleware," "application," "platform software," "top-level window," "interface elements," "icons," "shortcuts," "menu entries." The definitions of these concepts are not robust and timeless. Compared to concepts in other branches of business and engineering they are relatively ephemeral, controversial, dependent on rapidly changing technological context, and subject to deliberate manipulation by Microsoft. For example, an "operating system" in the 1960s was a software system to organize the basic functionality of a computer, and it contained little or no user interface code. In the 1970s "operating systems" often contained substantial collections of utility applications and rudimentary interactive user interfaces called "shells." In the 1980s, the X Window system was created as a form of what is now called "middleware" to provide a graphical interactive user interface, used widely in

conjunction with Unix operating systems. Apple and Microsoft created similar graphical interactive user interfaces, but defined them to be parts of their operating systems, rather than additional middleware. In the near future, distributed and network computing are likely to make it quite difficult to determine the boundaries of a single operating system. In the past, Microsoft appears to have deliberately manipulated the boundaries of such conceptual categories to create and preserve a monopoly position, and I expect it to continue such practices in the future. The proposed judgment provides definitions that narrow these already problematic concepts even further, making them even more vulnerable to deterioration due to technological change and to manipulation by Microsoft.

Furthermore, the particular conduct requirements in the proposed judgment are far too narrow. Every one of the requirements is weak in some way. For example, consider the requirement to "disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, for the sole purpose of interoperating with a Windows Operating System Product . . . the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product." Microsoft and other software vendors like to treat their Applications Product Interfaces (API) as intellectual property. But in good engineering practice these are key parts of the warrantable specifications of a product. This holds in particular for operating systems and middleware, which by their nature are especially intended for, suitable for, and often useless without interaction with other software products. APIs define the quality of that interaction, but they do not provide it. The implementation of an API in program code (which is naturally protected by trade secret, copyright, and patent law) provides the quality of interaction defined by an API. Without access to the complete API, the licensor of an operating system cannot employ the system freely in the way that good software engineering practice suggests. With complete public access to an API, a software company may still protect its implementation of the API, which contains the real value that it has created. Keeping an API secret does not correspond to keeping the inner workings of a product secret. Rather, it corresponds to keeping the precise function accomplished by that product secret.

So the public interest calls for the widest possible dissemination of API documentation. But the proposed judgment explicitly calls for disclosure of APIs "for the sole purpose of interoperating with a Windows Operating System Product," and only the "APIS and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product." This excludes the use of information about the API to provide competitive platforms for running Windows-compatible software. Keep in mind that Windows-compatible software does not necessarily come from Microsoft. Microsoft benefits from the value added to its operating system products by a large number of less powerful software houses that create

Windows-compatible software. By holding the Windows operating system API secret, Microsoft in effect keeps crucial information about other companies' software applications secret, denying those applications the value added by competing operating systems on which they may run.

Compare the Windows market (and the preceding DOS market) to the Unix/Linux/Posix market. Microsoft uses secret and changeable APIs to effectively eliminate competition to provide alternative operating systems running Windows applications. A competing operating system must use different APIs, and therefore cannot support all of the same applications. By contrast, the Posix standard is a completely public API for Unix/Linux. Various companies, such as Sun Microsystems, compete to provide different implementations of the Posix API. Consumers may run Unix/Linux applications on any of these operating systems.

Similarly, in the hardware market for processors, the specification of the x86 instruction set architecture (the hardware analog to a software API), is public. As a result, AMD competes with Intel to implement that architecture, with immense benefit to the public interest. Similar publication of standards in the overall functionality of personal computers led to the immensely beneficial competition among makers of IBM-compatible PCs. The failure to disclose Windows operating system APIs destroys the possibility of similarly beneficial competition among vendors of operating systems.

Very similar considerations to those raised above for APIs apply to communication protocols (for which the proposed judgment provides limited disclosure) and to file formats (not covered in the proposed judgment). Note that Adobe made full public disclosure of its PostScript and PDF formats, compared to Microsoft's secrecy regarding Word formats, and that this disclosure served the public interest immensely by promoting the wide availability of PostScript and PDF printers and viewers.

There are many other detailed shortcomings of the proposed Final Judgment, including the remaining conduct restrictions and the enforcement methods. I expect that other correspondents will treat some of them.

#### MTC-00022304

From: normaltop@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:37pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Norma Topolinski  
410 Presidio Way  
Santa Maria, CA 93458

**MTC-00022305**

From: Bill Robinson  
To: Microsoft ATR  
Date: 1/24/02 1:41pm  
Subject: Microsoft Settlement.

As a consumer of software and used of the internet, I am asking you to find a favorable resolution for Microsoft in the ongoing litigation and settlement hearings. I originally used Netscape as my browser but changed to Internet Explorer because it served my needs better. The technology supplied by Microsoft is important to all of us. Bill Robinson, Albuquerque New Mexico

**MTC-00022306**

From: Ozark Refrigeration  
To: Microsoft ATR  
Date: 1/24/02 1:42pm  
Subject: Microsoft Settlement  
OZARK REFRIGERATION

P.O. BOX 1897  
HARRISON AR 72602  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice, 950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

The proposed settlement of the Microsoft case is welcome news. I understand that the Justice Department is required by law to entertain comments prior to finalizing the settlement. I strongly support the settlement.

It is a shame that this case was filed in the first place. Microsoft is obviously being punished because of its size and its success. It is a shame that jealousy has this steep a price, as Microsoft's competitors are clearly motivated by no other reason.

Microsoft has gone the extra mile to resolve this case. It has agreed to utilize a uniform price list when licensing its Windows systems to the twenty largest computer makers, and it has agreed to less restrictive distribution and licensing agreements with its distributors. Additionally, the Windows system will now be open to competition from other software companies and programs.

I am glad the federal government has seen the need to resolve this matter and move forward.

Please stick to your agreement.  
cc: Representative Bob Stump  
Sincerely,  
Blaise Koch  
President

**MTC-00022307**

From: andrew rutherford  
To: Microsoft ATR  
Date: 1/24/02 1:41pm  
Subject: Microsoft Settlement

Sirs:  
Please get this suit settled as agreed.  
Deflect the other law suits. I have no axe to

grind. I am a personal user of Microsoft products. I feel that Microsoft has been unfairly crippled in its effort to be the best. This will raise prices that I will have to pay for computer products. Let's forge ahead and not restrict genuine free enterprise. We need strong economic engines to ring us out of this recession.

Sincerely,  
Andrew M. Rutherford  
e-mail: rutherford@redshift.com

**MTC-00022308**

From: Mike denholtz  
To: Microsoft ATR  
Date: 1/24/02 1:44pm  
Subject: Microsoft Settlement

So the biggest companies in the world are still fighting over the smallest pockets on earth. It is obvious that that this only leads to higher prices from all of these companies. STOP the litigation and let the best software win. No one has twisted my arm for using one or the other. For the record, of three internet users in one household, 1 uses one service provider and the other 2 use another.

Thanks,  
Mike

**MTC-00022309**

From: Chris Barr  
To: Microsoft ATR  
Date: 1/24/02 1:43pm  
Subject: Microsoft Settlement

I strongly object to the lenient terms in the Proposed Final Judgement. This : Fails to properly remedy damages caused by Microsoft's illegal conduct Appears to lack any enforcement mechanism.

Allows and encourages significant anti-competitive practices to continue Contains Misleading and Overly Narrow Definitions and Provisions Fails to Prohibit Anticompetitive License Terms currently used by Microsoft Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft Doesn't take into account Windows-compatible competing operating systems I support the points of view of the Attorney General of Massachusetts and Dan Kegel.

Chris Barr  
21 Riverview Avenue  
Wayland, MA 01778  
508-788-1542

**MTC-00022310**

From: CHRIS HAWLEY  
To: Microsoft ATR  
Date: 1/24/02 1:40pm  
Subject: Microsoft Settlement

I am a US citizen currently residing in Ottawa, Ontario Canada. My concerns with the proposed settlement are as follows and I am grateful for this chance to list them. Please, in the interests of restoring a truly competitive environment in the areas of computer operating systems and office productivity software, consider these points:

1) Use industry standard definitions for things like "API". The API's are a huge barrier to entry with any application who would compete with Microsoft, because they are kept secret by MS to stifle competition. Any interfaces into Windows or other applications which are designed to be used by programs or automated processes should

fall into the term API, and it should be defined in the judgement to be so inclusive.

2) Allow competitors to use the API information to make their software compatible with Windows.

3) The judgement would allow Microsoft to continue a lot of anti-competitive practices, many of which could be leveraged to terrible effect if they were "legitimized" in the court by not being struck down now.

4) As a user of Office and Windows, I have tried to use competing products like StarOffice and Linux, but I find that the compatibility with Office or Windows is never good enough to truly replace them. This is directly due to the intentional concealment of standard communications information such as file formats and programming API's.

Thank you for your time.

Chris  
Chris Hawley, CISSP √ Information Security  
600 March Road / PO Box 13600 √ Alcatel Canada Security Officer (ISSO)  
Kanata, Ontario CANADA K2K2E6 √ Tel +1(613)784-3176 FAX +1(613)599-3696

**MTC-00022311**

From: Perri Nelson  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 1:39pm  
Subject: Microsoft Settlement  
Perri Nelson  
26338 191ST PL SE  
COVINGTON, WA 98042  
January 24, 2002

Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Perri Nelson

**MTC-00022312**

From: Derek Shaw  
To: Microsoft ATR

Date: 1/24/02 1:43pm  
Subject: too much intelligence, not enough common sense.

I heard that remark today, and it applies perfectly to the situation of the settlement of the DOJ's case against Microsoft, and the whole circus surrounding it.

Microsoft has repeatedly violated consent decrees in the past. Why should they be expected to behave this time, regardless of whatever "enforcement" regime exists.

They have violated anti-trust laws, they continue to violate anti-trust laws, and they will continue to violate anti-trust laws.

If you believe otherwise for a moment, please recuse yourself from the case.

Derek Shaw  
Business Information Systems Inc.  
voice: 250-885-2021 fax: 250-386-4060  
PGP Public Key ID: 0xD297D0EA

**MTC-00022313**

From: Douglas E. Hornig  
To: Microsoft ATR  
Date: 1/24/02 1:42pm  
Subject: Microsoft Settlement

I would like to say that I think the proposed settlement to resolve the United States' civil antitrust case against Microsoft is terrible. I have been a software developer for over 30 years and I have seen Microsoft engage in anticompetitive practices again and again. I am certain that the proposed settlement will do little to prevent such practices in the future. In fact, I suspect it will have the opposite effect since it will show them that they can get away with such behavior.

I feel let down by my government.  
Douglas Hornig  
Hanover, New Hampshire

**MTC-00022314**

From: mike.austin@jcnordt.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:39pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Michael Austin  
5309 Malvern Rd.  
Roanoke, VA 24012

**MTC-00022315**

From: ludwig@mac.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 1:44pm  
Subject: Microsoft Settlement  
To whom it may concern,

I am appalled at the suggested settlement of the MS antitrust case. It pays but lip service to many of the more serious problems in Microsoft's business practices that lead to their non-competitive actions in the past.

The suggestions that Microsoft publish API's for Internet Explorer, Microsoft Java, Windows Media Player, Windows messenger, and Outlook Express, is a step in the right direction, but the DOJ definition of API is too narrow, allowing MS to easily avoid any of these requirements through semantic loopholes.

Microsoft's strangle hold on the PC market is as much tied to the Window's-only software they make, as it is to the —services— they make. To ensure the existence of fair competition within the PC world, it should be required that Microsoft publish sufficient API's to ensure that cross platform versions of the software (either published third party, or by Microsoft) offer at the least an equivalent user experience to the following Microsoft applications and services when run on a PC running a Microsoft OS: Microsoft Internet Explorer, Microsoft Java, Media Player, Messenger, Outlook Express, Exchange Server, Access. Microsoft should be directly responsible for making available applications and plugins that provide compatibility for Microsoft Java, Media Player, Messenger, Exchange, and Access to cross platform users.

Further, these solutions should provide equivalent functionality, stability, and performance as their Windows counterparts. This compatibility should extend to similar services (i.e. not rendered invalid when Microsoft changes the names of its products). Lastly, Microsoft should be forced to release the most current MS Word, and MS Excel document types, such that competing products can offer full compatibility with documents created using the Microsoft Office Suite. This way, Microsoft can win their customer base by the strength of their solutions and superiority of their software alone, instead of strong-arm monopolistic tactics they've used in the past.

Microsoft should be split into four separate entities to abate unfair business practices they've used in the past:

Microsoft Windows: responsible for the core OS only. The sole functionality of this body is to author software responsible for controlling the PC hardware, and working with third party companies to support peripherals such as network devices, printers, scanners, cameras, mice, keyboards, monitors, etc. They should only work with software and products that reliably translate user input into hardware instruction, and publish no other software, such as word processors, web browsers, etc.

Microsoft Software: responsible for continuing development of Internet Explorer, Office, Messenger, Java, Exchange, Outlook, Media Player, Microsoft's gaming division, solitaire, notepad, DOS applications etc.  
Microsoft Hardware: Assumes development of microsoft keyboards, mice, game pads and joysticks, other input devices, and XBox development. Microsoft Network: Microsoft's

networking solutions, IIS and .NET initiatives, NT technologies, and server strategies.

It should not require decades of litigation and the intervention of the DOJ to ensure that a company conduct business in an honorable fashion. Microsoft is an embarrassment to every honest and good natured human being.

Sincerely,  
Leonard Park

**MTC-00022316**

From: poppy@cyburban.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:41pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Salvatore Pedi  
102 North Road  
Eastchester, NY 10709-3809

**MTC-00022317**

From: Steven M. Galloway  
To: Microsoft ATR  
Date: 1/24/02 1:41pm  
Subject: Microsoft anti-trust

The decision by the DOJ was fair. I do not believe that Microsoft was wrong in the first place. Their practices were simply good business. However, I did find the decision ironic in that it will only increase Microsoft's market share? which I do not have a problem with. Microsoft provides a superior product at comparable prices.

Sincerely,  
Steve Galloway

**MTC-00022318**

From: Jared Sturgeon  
To: Microsoft ATR  
Date: 1/24/02 1:44pm  
Subject: Anti-Trust Trial

To whom it may concern,

I am worried that the currently proposed plan does not address the crimes that Microsoft has committed. It needs to be reworked and made more punitive. Thank you,

Jared Sturgeon

**MTC-00022319**

From: Matt Kelsey  
To: Microsoft ATR  
Date: 1/24/02 1:45pm  
Subject: Microsoft Settlement

The proposed settlement is too soft on Microsoft.  
M.K.

**MTC-00022320**

From: jeremy salmon  
To: Microsoft ATR  
Date: 1/24/02 1:45pm  
Subject: Microsoft Settlement  
To Whom It May Concern,

This brief email is in concern to the current Microsoft Antitrust dealings and subsequent proposed settlement(s). As the current settlement stands now, I do not believe it is sufficient to correct the majority of Microsoft's more egregious business practices. Several others more articulate than I have contacted you with lists of problems that the plan contains, but I send only this small missive. I request that the proposed settlement undergo further consideration and a stronger, more inclusive plan be formulated and presented.

Thank you for your time.  
Sincerely,  
Jeremy Salmon  
jdsalmon@mail.com  
Ann Arbor, MI

**MTC-00022321**

From: Rober Elliott  
To: Microsoft ATR  
Date: 1/24/02 1:45pm  
Subject: Microsoft Settlement

Dear sir,  
I have followed the Microsoft saga closely for many years. From the out right theft of Double Space's code when the government could have really changed things, thru the creation of a monopoly by questionable means, thru the crushing of Netscape and business suites while extending their monopoly using monopoly money. The government has now proven to the world these facts and should break Microsoft the company up into no less than 3 segments. In other course of action will allow the company to continue to use monopoly money to continue in its stated direction. That direction is the domination of the set top console market. That market is currently clearly marked with competition and innovation. Microsoft has already announced they are willing to spend billions of dollars of monopoly money to secure a new monopoly in the area which will then result in ever more monopoly money. Any "deal" which does not result in a break up I cannot support and will instead support the American Antitrust Institute <http://www.antitrustinstitute.org/> efforts which could return the government to Democratic control by exposing a scandal, Microsoft DID contribute over a million dollars to the Republican convention. The hard work has already been done in court, now finish the job.

Robert Elliott

**MTC-00022322**

From: Dwight (038) Jan  
To: Microsoft ATR  
Date: 1/24/02 1:45pm  
Subject: Microsoft Settlement  
Department of Justice:

After reading about AOL filing suit against Microsoft on January 23rd, I wonder how

many computers users are in agreement with me about how "modern business" is conducted today. If you are a competent competitor as AOL is supposed to be, why do you have to conduct your business in a courtroom. I try to equate this to two restaurants in competition in the same town, either you have the product and service to offer or you don't. Either way you don't go to court and whine about it, you settle your differences in a businesslike manner.

I personally don't care for Netscape and prefer to use Internet Explorer, that is my choice, but after this event, I am inclined to delete anything to do with AOL and Netscape. Until they can offer a better product and conduct themselves in an adult businesslike manner, they are history.

Any questions call me at (530)533-5954 or e-mail me at [dwrightjan@cncnet.com](mailto:dwrightjan@cncnet.com)  
Janet Lantsberger

**MTC-00022323**

From: John Manning  
To: Microsoft ATR  
Date: 1/24/02 1:45pm  
Subject: Microsoft Settlement

In accordance with the Tunney Act, I am submitting the following comments on the proposed Final Judgement against Microsoft.

Nothing in the text of the agreement forces Microsoft to change its business practices and technical implementations. It does not prevent Microsoft from bundling application software into its operating system, and allows the company to benefit from its past violations. Please do not let this pass as it now stands. —

John Manning  
President  
electronworks, inc. voice: +1.703.220.5578  
<http://www.electronworks.com/> fax:  
+1.703.995.0402

**MTC-00022324**

From: Daniel Smith  
To: Microsoft ATR  
Date: 1/24/02 1:48pm  
Subject: Microsoft Settlement  
this settlement is a bad idea

**MTC-00022325**

From: Valliappa Lakshmanan  
To: Microsoft ATR  
Date: 1/24/02 1:46pm  
Subject: Enforcement provisions  
Sir,

I am a research scientist developing weather analysis techniques at the University of Oklahoma. Ever since the Department of Justice in the previous (Clinton) administration started to pursue Microsoft for antitrust violations, it has become easier for us to purchase computer hardware capable of running the Linux operating system from mainstream companies such as Dell and Gateway. With the Department of Justice in the current (Bush) administration essentially giving Microsoft a free pass, I have no doubt that these companies will be bullied into avoiding Linux workstations altogether or into introducing "features" that preclude the use of non-Microsoft operating systems.

Whenever we purchase a machine with Windows loaded on it, it takes us upto 3 days to delete the Windows operating system, to install Linux and test the installation, longer

if everything does not work correctly. This is time and manpower that we could use more productively, in active research. Of course, we also end up paying for an operating system that we never use. Since we are funded by the National Science Foundation and other U.S. government agencies, this wastage ultimately comes from the American taxpayer.

Please do not allow the marketplace for operating systems to become stratified by accepting the weak enforcement provisions proposed by the DoJ. Strict enforcement is essential to keep innovation and competition in the computer market place.

Thank you.  
V Lakshmanan

**MTC-00022326**

From: billnlo@spacestar.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Wm & Florence McEachern  
1645 155th Ave  
Centuria, WI 54824

**MTC-00022327**

From: Clifton Boots  
To: Microsoft ATR  
Date: 1/24/02 1:45pm  
Subject: Microsoft Settlement

I think the witch hunt on Microsoft has gone on far too long. The suit against Microsoft is being used ill-advised individuals because they just can't stand for such a successful company to prosper. Also for the states looking for a way to obtain large sums of money to further their socialist endeavors.

Thank you. Clifton W. Boots  
Anaheim, CA 92804-2504

**MTC-00022328**

From: Raymond L. Markey  
To: Microsoft ATR  
Date: 1/24/02 1:47pm  
Subject: Microsoft settlement  
Gentlemen:

I want to express my support of the Microsoft settlement. First I want to state that I am presently a very small owner Microsoft stock—100 shares— but it is not a factor in my views on this matter.

I think there should be an end to all of this litigation which is only making a lot of money for lawyers for no earthly reason. When I purchased my first computer it was loaded with dos and its usefulness to me was marginal at best.

Microsoft's creation of Windows 3.1 and all of its future OS thereafter is what created the computer that average people could use and without that OS I doubt the average person would have ever become everyday users of computers and the country would be poorer for it. Indeed Netscape and other software companies owe their very existence to Microsoft's Windows. Lets clear up something here. Ever since Netscape hit the market I have had that program installed on my computer and used it regularly until just recently. I simply installed it on my Windows computer and used it without regard to IE. Even after IE came integrated into Windows 98 and Me I still installed Netscape because I was used to it and liked its interface. Indeed I have Netscape installed on my present computer and use it frequently although I am beginning to use IE because I think it is a better product.

All Microsoft did was cause Netscape to stop charging an arm and a leg that it was doing. I guess it would have benefited consumers if Microsoft had charged \$50.00 to \$75.00 for IE rather than bundle it with Windows and thereby make even more money!

I was opposed to the lawsuit against Microsoft in the first place because I don't think it was in the public interest but the interest of its competitors and it is time to stop this nonsense.

Raymond L. Marky  
316 Garner Court  
Tallahassee, FL 32301  
CC:MSFIN@Microsoft.com@inetgw

#### MTC-00022329

From: Patty Mackne  
To: Microsoft ATR  
Date: 1/24/02 1:47pm  
Subject: Microsoft Settlement

I strongly support Microsoft in its negotiating settlements with the government and states. Far, far too much time and money has been spent on this to the detriment of the consumers.

#### MTC-00022330

From: michael.kirk@unisys.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:45pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Michael Kirk  
1413 Red Fox Trail  
O'Fallon, IL 62269-4210

#### MTC-00022331

From: Greg Allen  
To: Microsoft ATR  
Date: 1/24/02 1:48pm  
Subject: Microsoft Settlement

I am opposed to the proposed settlement in the Microsoft antitrust trial. I am not sure what is appropriate for this oppressive monopoly, but the proposed settlement does not address several of my concerns.

Thank you,  
Gregory Eugene Allen  
12011 Scribe Dr.  
Austin, TX 78759  
Gregory E. Allen, MSEE Engineering  
Scientist

Applied Research Laboratories:  
The University of Texas at Austin

#### MTC-00022332

From: Patrick Ash  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 1:48pm  
Subject: Microsoft Settlement

I am writing this letter to express my concern over the proposed settlement in the Microsoft vs. The Department of Justice suit. There is no doubt about the guilt of Microsoft, yet I find it very strange that Microsoft is able to dictate the terms of its own penalty.

It seems very ironic to me that when found guilty of being a monopoly, Microsoft decides to make amends by providing \$1 Billion of its software to schools. This idea has several flaws. First, the idea that Microsoft can value something it controls at \$1 Billion, is ludicrous. The valuation is certainly the full retail price, while in actuality the only cost to Microsoft is that of producing the media. Certainly this is a very small percentage of the retail cost.

Next, allowing a monopolist to further propagate that monopoly with government blessing seems to be the height of oxymoron. How does one punish someone for monopolistic and anti-competitive practices by allowing them to force others into the Microsoft herd.

I suggest the following as a settlement alternative.

1. If Microsoft wants to claim to be spending \$1 Billion to settle the lawsuit, require them to put \$1 Billion into a trust that the schools can draw from to choose their own hardware and software.

2. Require Microsoft to admit their guilt publicly.

3. Require Microsoft to refund the cost of the operating system in accordance with the terms of the End User License Agreement (EULA) to all of the users who were forced to pay for a Windows Operating System on new computers they bought. The EULA states that if the user does not agree with the terms

of the agreement, then he/she should return the product for refund, yet Microsoft refused to allow users to do this.

As an IT professional, I have seen many users who do not realize that there is any choice but Microsoft. I believe that they have abused the power of their position in the market, and I agree that there needs to be some severe punishment. I urge you to reject the proposed settlement and impose something that will require Microsoft to actually pay for their abuses. Thank you.

Patrick Ash  
492 Oak Ave  
malaga, NJ 08328  
Patrick Ash  
patash@bellatlantic.net

#### MTC-00022333

From: scott cuddihy  
To: Microsoft ATR  
Date: 1/24/02 1:39pm  
Subject: Microsoft Settlement

Our comment regarding this action is that it should be ended immediately. This suit was politically engineered by business competing against Microsoft that were falling behind due to their own management. This new private lawsuit filed by AOL-TW underscores our point. Oracle, Sun Microsystems, AOL-TW and various state attorney(s) general stand to benefit from this action while consumers, investors and our economy at large lose. Is this proper use of anti-trust law?

Thank you,  
Scott Cuddihy, Karen Di'Antonio, Syl Sowah, Jim Parris, Jeff Parris and the other participants of the  
tChief Industries Pension and Profit Sharing Plan

#### MTC-00022334

From: Vince P. Guzzardi  
To: Microsoft ATR  
Date: 1/24/02 1:48pm  
Subject: settlement of case against microsoft  
why is it that if you are successful and make a "better mouse trap" that the government thinks you must be doing something wrong.

how about going after PITNEYBOWES who has had a monopoly on postage machines for years.

vpg

#### MTC-00022335

From: Ulrich Gerlach  
To: Microsoft ATR  
Date: 1/24/02 1:48pm  
Subject: Microsoft Settlement

Dear Judge of the District Court,

I rarely write letters to my Congressman, to say nothing about the Department of Justice. However, with the Microsoft case my own future (life, liberty, and pursuit of happiness) is being threatened by the outcome. This is why I am taking valuable time out to write you this note.

First of all, being a user of Windows, I resent being characterized as a helpless victim who cannot choose his own software. Just as the government has no right to determine what food goes or doesn't go into my stomach, it is none of the government's business to decide what software goes into my computer.

Second, it is none of the government's business to suppress or favor one religion over another, to "level the playing field", even if one religion is more successful in establishing its market share than any other. The same applies to businesses. The government has no right to suppress or favor one business over any other. Customers voting with their dollars, not envious competitors using political pull or fundamentally flawed laws, should determine which business gets the largest market share.

Third, I would like to see a free America where success is not throttled but embraced, where anyone with enough intelligence can be a self-made man like Bill Gates.

Fourth, last and most importantly, Microsoft created and produced its products without any legal restrictions on its competitors, without any government franchises, without any government tariffs, subsidies, privileges or favors; in other words, it achieved its enviable market status fair and square using only what belongs to Microsoft and Bill Gates and no one else: their life, their liberty, and their pursuit of happiness.

An attempt to infringe on these rights in the name of antitrust is not only morally wrong, but is in direct violation of the principles spelled out explicitly in the Declaration of Independence. Tomorrow it will be some other persons, in particular some other productive, creative, efficient, and competent member of society who will be forced to abrogate his rights under the threat of incessant persecution. Witness the "compromise" between the FTC and Intel three years ago in which the government trampled on Intel's right to dispose of its own property, and which, under the threat of productivity draining persecution, triple damages, seven-figure fines, and jail time, Intel's CEO by necessity had to call a "win-win deal". What is particularly alarming is that the government, which has been instituted to secure each persons right to life, liberty, and pursuit of happiness, now, in the name of antitrust, presides over the violation of these rights.

I therefore urge you in the strongest possible terms to:

a) cease and desist your (support of the government's) immoral campaign against Microsoft, to

b) use your resources to defend the Declaration of Independence against those state Attorney Generals and envious competitors who seek to violate it, and to

c) have the government reprimand these violators and have them make a public apology for the unjust hardship, humiliations, and distress which it has brought upon a business which represents the best in

American culture.

Sincerely,

Ulrich H. Gerlach  
Columbus, Ohio

**MTC-00022336**

From: Buchal@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:51pm  
Subject: Microsoft Settlement

16917 Ardisia Drive  
Pflugerville, TX 78660-2212  
Attorney General John Ashcroft  
US Department of Justice, 950 Pennsylvania  
Avenue, NW  
Washington, DC 20530-0001  
January 17, 2002

Dear Mr. Ashcroft:

I am writing to you today to express my support of the Microsoft settlement. Three years have now passed since the inception of this case. During this time, federal resources have been squandered in the litigation process. Given the current state of the economy, the continuation of this case would be a ridiculous waste. Although I do not believe the case should have ever been initiated, I am glad that it may finally be resolved.

Microsoft too wishes to see resolution in this case as is evident by its ability to make concessions regarding the issue. Under the terms of the settlement Microsoft will provide for the formation of a review board. The review board will be a technical review board whose job it will be to oversee the terms of the settlement, and make sure they are enacted. I believe that this stipulation should ease the fears of people who would be wary of compliance.

I hope that the Attorney General will enact this settlement with haste.

Thank you for your time.

Sincerely,

Elinor Simmons

**MTC-00022337**

From: Molarfour@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 1:47pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

William Archer

3 George St

Holyoke, MA 01040-2059

**MTC-00022338**

From: Michael House

To: Microsoft ATR

Date: 1/24/02 1:50pm

Subject: Microsoft Settlement

The proposed settlement with Microsoft is bad. At best, it is a slap on the wrist. At worst, it rewards them for harmful business

practices, for which they have shown no understanding that they have done anything wrong. They need to learn the error of their ways, having been proven to be a monopoly despite their best efforts to sabotage the legal process, with lying on the witness stand, in deposition, and with falsifying evidence in court. This proposed settlement will make a mockery of any claims to support the ends of justice. We deserve a real settlement, not this.

Sincerely,

Michael House  
macross@gol.com

—

Be Seeing You...

—Michael House, macross@gol.com

Opinions expressed are my own unless otherwise specified.

"Perfection is achieved only by institutions on the point of collapse."

—C. Northcote Parkinson

**MTC-00022339**

From: Patrick W.

To: Microsoft ATR

Date: 1/24/02 1:51pm

Subject: Microsoft Settlement

Department of Justice,

It is an honor to be able to add my voice to the reams of letters you must be receiving regarding this incredibly long-lasting and unbelievably frivolous lawsuit filed on behalf of Microsoft's competitors. The merits of Microsoft's arguments are clear: this highly successful company has innovated in the tradition of the best American companies in our history. Microsoft has been attacked in the courtroom only because its competitors were unable to effectively battle in the marketplace.

If we believe in free market capitalism, then we should avoid letting this settlement be knocked off-course by the January 22 lawsuit filed by America Online (AOL) and its subsidiary, Netscape Communications. This lawsuit is asking the Federal Government to award a company that already received \$10 Billion from AOL in its purchase, punitive damages against a technologically superior browser—Microsoft's Internet Explorer, just because Microsoft gave it away. There is nothing illegal about doing this!

If you want, you can open any search engine on the Internet and type "Free Browsers", and you will find Netscape giving its browser away, just like it did all those years ago. You would have found free ones out there in the past, too. I was doing telephone technical support for an Internet Service Provider, and it was my JOB to find an easy, free solution for the customer to use a web browser, if they didn't have one. I tell you from experience: I tested every version of Netscape Navigator browser, and they ALL were inferior to Microsoft's Internet Explorer. Everyone in this industry KNOWS this, and that is why they are not reacting with more disdain at Netscape's collapse of market share. Innovation, NOT litigation, benefits the consumer, and they chose a better browser.

Please allow this settlement to go through, and give our US economy a chance to take off again—and allow the greatest American



success story company to revitalize our economy and revolutionize world technology.

Thank you.  
Sincerely,  
Pat Walters  
Sultan, Washington

**MTC-00022340**

From: jfranzetti@familyconnect.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:48pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Franzetti  
16229 FM 973 N  
Manor, TX 78653

**MTC-00022341**

From: Jim Moss  
To: Microsoft ATR  
Date: 1/24/02 1:52pm  
Subject: Microsoft Settlement

I think the proposed settlement is a very bad idea. It allows many of their anticompetitive practices to continue.

Thanks,  
James Moss  
Gresham, Oregon  
Creative Director  
Personal Image Concepts

**MTC-00022342**

From: Rog1424@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:52pm  
Subject: Microsoft Settlement

Dear Sir/Madam:

Microsoft has very good products that it sells at a reasonable price. If you read a history of the software industry, it has succeeded because it sells better products at a lower price. They are an important company in an important industry.

They also export a lot of products when this country has a huge trade deficit. Please be careful in dealing with such a great company. You might create more harm than good in your regulatory efforts.

Sincerely,  
Roger Van Cleve

**MTC-00022343**

From: Chuck Peck  
To: Microsoft ATR

Date: 1/24/02 1:52pm  
Subject: Microsoft Antitrust Settlement  
Dear Sirs—

I saw that this was a forum to comment on the settlement between the DOJ and Microsoft.

I have been a programmer for over 35 years and a software developer for the last 20 of those years.

I do not feel that the settlement really addresses my problems with Microsofts Monopolistic Practices. What I would like to see is an agreement that:

1. Forces Microsoft to publishes its interfaces in a timely manner.
2. Prevents Microsoft from using any non-published interfaces in its own applications.
3. Forces Microsoft to continue support for any published interface for a long time without significant relative degradation in performance. The above are not easy requirements, but they are things that a properly operating market and regulatory environment would enforce.

Thanks for reading this.

Sincerely—  
Charles B. Peck  
9 Nicolle Lane  
Salmon, Idaho 83467  
cpeck@salmoninternet.com  
CC:Chuck Peck

**MTC-00022344**

From: Martin Ng  
To: Microsoft ATR  
Date: 1/24/02 1:53pm  
Subject: Microsoft Settlement

Sir,

I would like to take this opportunity to comment on the proposed settlement of the Microsoft Antitrust suit. I strongly believe it is in the right direction for all consumers and for the industry. On balance, it is a fair and reasonable solution.

Being a business owner as well as a consumer of the technology, I know firsthand the importance of bringing this to a closure. It's a delicate balance between the free enterprise, competition and governmental intervention. Settling this suit is for the best interest of all. Some of Microsoft's competitors would want this to drag on and on, if for no other reasons than to pull down Microsoft in the process in order to gain some advantage through the courts and not through the market place, as it should be. They are not doing consumers and businesses like us any favor. The spirit of the Antitrust statute is to protect the consumers via competition. Our country's economic strength is based on the the free enterprise system, and not through some contrived, socialized (and thus non-competitive) leveling of the market place through the court.

Thank you very much for your attention.

Regards,  
Martin Ng  
President  
M D Enterprises

**MTC-00022345**

From: wwwhite7@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:49pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Wilma OlerWhite  
3618 East 59th Street  
Kansas City, MO 64130

**MTC-00022346**

From: Peter Glassey  
To: Microsoft ATR  
Date: 1/24/02 1:48pm  
Subject: Microsoft Anti-Trust Proposed Settlement

As a citizen, voter, and worker in the software industry I wanted to share my opinion of the settlement between the U.S. Federal Government and States and the Microsoft corporation: I AM STRONGLY AGAINST IT! This deal does little to address the monopoly powers of Microsoft, and their illegal use of those powers to control the technology industry. This deal does nothing to compensate the victims of Microsoft's monopolistic business practices.

The future of the technology industry appears very bleak if Microsoft is allowed to maintain and strengthen its monopolies. No U.S. company should be allowed to exist above the laws of this country. Please don't accept this settlement which essentially is a surrender by the government and the rule of law to the rule of power (both financial and political) of Microsoft.

Thank you,  
Peter Glassey  
Mountain View, California  
CC:Peter Glassey

**MTC-00022347**

From: johnricks@byu.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:50pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just

another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Ricks  
771 Beechwood  
Vallejo, CA 94591

**MTC-00022348**

From: Tom Tetrault  
To: Microsoft ATR  
Date: 1/24/02 1:53pm  
Subject: Microsoft Settlement  
To Whom it may Concern,

This is to express my deep concern and great reservation with the "Deal" that has been put forward as remedy for the proven Monopolist company, Microsoft Inc. After reading the settlement document, twice, I still fail to see how it is in the best interest of this great country to proceed as recommended. It in no way curtails the monopolistic practices of this predatory company. Do not misunderstand, I am a capitalist! But a rabid animal must be put down when discovered as it endangers the environment. The recommended settlement does not even come close to this!

Thank you  
Thomas Tetrault

**MTC-00022349**

From: Charlie Reiman  
To: Microsoft ATR  
Date: 1/24/02 1:55pm  
Subject: Microsoft Settlement

I have read Scott Rosenberg's article in Salon, and I agree with him. Without an open API to allow for free competition in the OS area, we will never have any competition. While it is true this will cost MS intellectual property, it still seems fair as they have violated previous court efforts to tame their behavior. Taking their money won't even make MS bat an eye. Taking their IP will get their attention and allow for real competition.

Charlie Reiman  
1404 Carmelita Ave.  
Burlingame CA 94010

**MTC-00022350**

From: danddraw@voyager.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:51pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Ward  
16495 Hunt Rd.  
Hillman, MI 49746

**MTC-00022351**

From: Reed Harms  
To: Microsoft ATR  
Date: 1/24/02 1:53pm  
Subject: Microsoft Settlement

To whom it may concern, I'm expressing my opinion to please accept the proposed Microsoft settlement.

I have never been hurt by Microsoft...quite the opposite of the lawsuit brought on by the government. My 401k retirement fund and mutual funds have really been hit hard because of this lawsuit. It's time to resolve this and move on! The economy will only get worse if the proposed settlement isn't accepted. I never asked the government to bring this case against Microsoft or spend my hard earned tax dollars on what I think was a political issue.

Thank you,  
Reed Harms

**MTC-00022352**

From: k claffy  
To: Microsoft ATR  
Date: 1/24/02 1:55pm  
Subject: microsoft settlement folks:

the proposed settlement is really really a bad idea. i will send further comments in with dan kegel—  
k

**MTC-00022353**

From: susu@praize.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:51pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sue Parry  
3202 SE 156th Ave.  
Vancouver, WA 98683-3711

**MTC-00022354**

From: Raphael S. Reggie  
To: Microsoft ATR  
Date: 1/24/02 1:52pm

Subject: Microsoft settlement

I strongly disagree with the settlement. It is clear they have a monopoly and this settlement does not do enough to change that. Microsoft has in the past used unfair and anti-competitive tactics to establish it's monopoly and shows no sign of changing it's ways. Please reject this settlement and do what is right by American consumers. Competition is good, Microsoft stifles competition, that must change if the technology industry in the U.S. will continue to prosper.

**MTC-00022355**

From: Robert Ruffin  
To: Microsoft ATR  
Date: 1/24/02 1:57pm  
Subject: Microsoft Settlement  
320 Southeast 41st Avenue  
Ocala, Florida 34471  
January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

As a longtime supporter of Microsoft, I urge you to bring about an end to this case and go forward with the settlement that was proposed in November. Even though it causes Microsoft to give over a lot of its intellectual rights and profits, I feel that if this is what is necessary in order to bring about a resolution to this case, then so be it.

They are willing to give their competitors access to much of their software in order to increase these products' competitiveness with Microsoft products. They cannot even retaliate with these products for when they begin to steal Microsoft's share of the market. This is something that would not be required of any other company except Microsoft.

I hope that this settlement will be finalized as soon as possible in order to bring about an end to this long case. I would like to finish by thanking you for opening this period of comment, so that my opinion could be heard. I believe Microsoft has been good for me and certainly good for our great nation!

Sincerely,  
Robert Ruffin  
CC:Robert Ruffin

**MTC-00022356**

From: jdmortti@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:54pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John & Dorothy Mortensen  
1603 W. Lancaster Ave.  
Leesburg, FL 34748-6938

**MTC-00022357**

From: Rakesh Bharania  
To: Microsoft ATR  
Date: 1/24/02 1:56pm  
Subject: Microsoft Settlement

Greetings—

I am writing to urge a rejection of the proposed final judgement on the microsoft issue.

As a technical professional, I am concerned that Microsoft's illegal practices will not be sufficiently deterred or remedied through the PFJ. Microsoft has done great harm to our economy and to the technical industry in general, and the punishment should fit the crime.

Please see <http://www.kegel.com/remedy/remedy2.html>

Thanks.

Rakesh Bharania  
408.526.5981  
"The Cosmic Armadillo"  
rbharani@cisco.com  
Security Architect rakesh@cisco.com  
ciscoSystems INFOSEC  
PGP Key ID: 0xC5D50B11

**MTC-00022358**

From: Randall Graham  
To: Microsoft ATR  
Date: 1/24/02 1:54pm  
Subject: Microsoft Settlement

Please just end the whole thing against Microsoft. This case is not to the benefit of anyone other than the attorneys representing Microsoft's competitors. If Microsoft's competitors cannot compete, then so be it, they can go the route of others that haven't been able to compete. Too much has been spent on this already.

Sincerely,  
Randall and Lynn Graham,  
Riverside, Calif.

**MTC-00022359**

From: Michael Roman  
To: Microsoft ATR  
Date: 1/24/02 1:56pm  
Subject: Microsoft Settlement

the proposed final settlement is a bad idea  
Michael Roman  
mrr1@cornell.edu  
W: 255-4882  
H: 272-8617

**MTC-00022360**

From: Dan Bidwa  
To: Microsoft ATR  
Date: 1/24/02 1:55pm  
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. The current proposed settlement neither punishes the actions committed by Microsoft in the past, nor prevents them from similar actions in the future. It is only a settlement in the sense that

it allows the DoJ to wash their hands of the issue. This is not what it should be, nor is it what we should accept.

Sincerely,  
Dan Bidwa  
Pittsburgh, Pennsylvania

**MTC-00022361**

From: J Herzfeld  
To: Microsoft ATR  
Date: 1/24/02 1:56pm  
Subject: Microsoft Settlement

I would like to just go on record as opposing the proposed settlement between the DOJ and Microsoft in the antitrust case. I think the proposed settlement will do almost nothing to reign in microsoft's monopolistic practices. Look at windows XP. Do you see anything there that looks like an attempt to be less predatory. The bundling in XP is mind boggling and entering all sorts of new areas.

When a new version of the OS comes out, in a normal market, you would expect that the old version would still be available at a reduced cost. This never happens with Microsoft. Either the old version is no longer available (which is happening now) OR the older version can still be bought, but only at the same price as the new version. (which has happened in the past) Personally, I think a break up should be brought on the table again. If this causes the litigation to drag on a bit more, so be it. The proposed settlement will waste what has been achieved so far.

John Herzfeld  
36 Madison St  
Belmont MA 02478

**MTC-00022362**

From: ceb5500@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:53pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Charles Becker  
504 Driewood Ct.  
Raleigh, NC 27609

**MTC-00022363**

From: karlm@MIT.EDU@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:52pm  
Subject: Microsoft Antritrust Settlement  
To Whom It May Concern,

I wish to voice my concerns over the proposed Microsoft antitrust settlement and urge the court to reject the settlement. The court should be concerned that nine states' attorneys general are opposed to the proposed settlement.

The proposed settlement does not appear to make any notable punishment for past wrongdoing, and instead seems focused solely on correcting future behavior (the details of which seem inadequate). Most disturbingly, my reading of the proposed settlement seems to indicate that Microsoft is given too many loopholes with which to commit anticompetitive behavior. Intellectual property and security concerns are too easily named as reasons for withholding protocol, API, and file format specifications. In particular, it is a widespread maxim in the security industry that a well designed security system relies only on the secrecy of encryption keys (or passwords) and not on the secrecy of the algorithms or processes involved. Microsoft has shown itself to be all too eager to exploit loopholes, and it appears that Microsoft is prepared to do so under the guise of restructuring the development process to make security the number one priority. I would also like to point out that in the past year, Microsoft has been caught rigging polls (see

<http://news.zdnet.co.uk/story/0,,t269-s2102244,00.html>) and taking other actions to create false "grass roots" support for Microsoft (sometimes referred to as "Astroturfing"). It is highly possible that Microsoft is taking similar measures with the proposed settlement and public commentary.

Sincerely,  
Karl A. Magdsick  
14 Hamlin St. Apt. #3  
Cambridge, MA 02141  
karlm@mit.edu

**MTC-00022364**

From: Valerie Elliott  
To: Microsoft ATR  
Date: 1/24/02 2:39pm  
Subject: Microsoft Settlement  
DEPT. OF JUSTICE:

As one consumer who loves the products, innovation and determination of Microsoft to improve the technological world we live in, I sincerely hope that the government's decisions will favor Microsoft. It is the only rational action you can take.

AOL's vengeance [on behalf of Netscape] is sad and unfounded, and one based on greed and envy.

As a Microsoft stockholder, my testimony against AOL is fraught with even greater dissatisfaction. It is unlikely I would ever become an AOL user now, in light of this aggression on their part. Our family has sold off any stock holdings we had affiliated with AOL/Netscape et al, as a personal stand against what they now stand for.

Valerie Elliott  
Seattle, Washington

**MTC-00022365**

From: Tim Lenseigne  
To: Microsoft ATR  
Date: 1/24/02 1:56pm  
Subject: Microsoft Settlement  
Just some thoughts from a consumer.

As an avid computer user for the last 12 years I have used Microsoft's" operating system out of my own personal choice. When I first starting using the computer, first in college, and then in the workplace, it was clear that you needed an operating system that would allow you to utilize the programs out there.

At the time there were an equal number of pc programs and Macintosh programs on the shelf. It is clear that the consumers chose pc as the platform to work from. And Windows was there to fill the niche. Just like consumers chose VHS over Beta videocassettes (and now DVD's). Consumers chose the pc platform and Microsoft's" operating system over Macintosh.

For many years I chosen the programs to run on my computer based on my personal preference. I chose and still use Quicken, although MS Money is probably now just as good.

I chose Lotus 123 as my spreadsheet program until MS Excel became a better program.

I chose WordPerfect until MS Word became a better program.

I chose Eudora as my email program until MS Outlook became a better choice.

And I used Netscape until IE Explorer became a better program.

I never paid for either Netscape or Explorer so the choice wasn't a financial one. Microsoft just came out with a better product in the case of the browser war. End of story.

I realize that anyone can sue anyone these days but rather than waste so much time and money on going after a company that is bringing the consumer what they want let's work on getting the economy back on track and eliminating the terrorist threats in the world.

In the end the consumer will determine how Microsoft fares out based on the products that they bring to market. Maybe if AOL (netscape) concentrated on what the consumer wanted in the first place they wouldn't be whining so much now.

Tim Lenseigne  
Residential Marketing Consultant  
Windermere Bellevue Commons  
Office Phone 425-450-2619  
Fax Number 425-450-2600  
Access Phone 206-680-4717  
Website <http://www.tim.mywindermere.com>

#### MTC-00022366

From: Rick Brownback  
To: Microsoft ATR  
Date: 1/24/02 1:58pm  
Subject: microsoft partitioning

I am a computer software professional and have been so for thirty years.  
I will be brief.

A programmer creating an application for Windows must rely on a description (documentation) of the Windows Interface.

If a Microsoft application programmer has a problem with his program (for example WORD) interfacing with Windows, he could walk across campus and discuss his problem with an operating system programmer.

I realize that this is only a possibility.

I feel it would help the industry's competitiveness if Microsoft application

programmers were at the same disadvantage as others. I would like to see Microsoft partitioned into at least three entities: operating systems (windows/xp), applications (word), and hardware (xbox) thank you for your time

#### MTC-00022367

From: David Swigger  
To: Microsoft ATR  
Date: 1/24/02 1:57pm  
Subject: Microsoft Settlement (not a form letter)

I have watched with interest the feeding frenzy of politicians over the Enron collapse. Interest because of the feigned caring about employees and stock holders profits being "unfairly" ripped from them.

I take great offense at the DOJ's attack on Microsoft. I am not an employee or a stockholder, but I have family that own stock.

The DOJ has tried to make the case the MS is hurting consumers in some manner. I have yet to see one single person (and I work in the technical field) tell me they were harmed in any way from MS.

The DOJ proclaims that MS uses "unfair business practices". Unfair is pure subjectivity on the DOJ's part, the software business is unlike any typical business and is more akin to the record industry. The DOJ might as well go after certain record companies for having the most popular artists signed onboard. In software you either innovate or you fall behind and loose.

Microsoft has provided the world with standards that were sorely needed, technology that they give away for free, and an incredible amount of tools to make the industry a better place.

For the DOJ to pursue harmful actions against MS is an affront to the core principles of capitalism and a complete abandonment of acknowledgement for achievement.

The DOJ has made its case which in every way affirmative action for software companies. AOL, Netscape, Sun, are using the arguments commonly used in affirmative action to give their cause equivalence. If MS was to be broken up today—there would be a large supply of companies ready to fill their shoes, is this the endless cycle of the DOJ's intrusion on the software industry we can look forward to?

Is it in the DOJ's interest to create a plain of success that must not be exceeded? That is the perception that I—and many have received from the attack on Microsoft.

The ONLY people that have benefited from the DOJ's attack on Microsoft have been trial lawyers. The same trial-lawyers which always benefit at someone else's expense. This settlement, this case, this whole ordeal has done NOTHING to help a single US citizen in any shape or form. As a matter of fact, the DOJ's insistence on attacking Microsoft created a fall in the Stock Market, and hurt MANY Americans more than can be calculated.

Sun, Netscape, and the Linux crowd have just as much right to innovate and prosper as I do. I take great offense at the prospect that the industry that is driving our nations superiority is being turned into a welfare system for lagging developers.

I feel the lawsuit in the first place was unjustified, and a clear (let me stress very

clear) attempt (appears successful) at bilking money out of a company who had not made significant political contributions (evidently to the right people).

I do not view Microsoft as a lottery as the DOJ and the companies and states involved in the lawsuit seem to. I view Microsoft as a company that I as an American take great pride in. I view Bill Gates as a successful man that emanates the American dream. I currently view the DOJ/companies involved/ and the trial lawyers who stand to gain from this—leeches.

David Swigger  
(281) 587-0378

#### MTC-00022368

From: george tsiros  
To: Microsoft ATR  
Date: 1/24/02 1:58pm  
Subject: Microsoft Settlement

Don't give microsoft the right to choose their sentence.

#### MTC-00022369

From: jen@arthur.ces.utexas.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:56pm  
Subject: Microsoft Settlement

I am writing to protest the proposed final judgment in the Microsoft antitrust case. The settlement as it exists would be nearly worthless at preventing Microsoft from abusing its monopoly in computer operating systems. This is a company that has been found guilty in federal court (a finding upheld by an appellate court as well) of violating American laws repeatedly, yet the proposed settlement contains no real punitive measures. It merely codifies the status quo and enables Microsoft to continue to bully competitors and maintain its monopoly through illegal and immoral means.

I urge the Department of Justice to reconsider this matter very seriously. The acceptance of this settlement will surely have a massive negative effect on the entire technology industry. The only beneficiaries of this travesty will be Microsoft, which doesn't seem like "justice" to me.

Jennifer Woertz  
8505 Shoal Creek  
#106  
Austin, TX 78757

#### MTC-00022370

From: Sergius Vonschischkoff  
To: Microsoft ATR  
Date: 1/24/02 1:54pm  
Subject: Microsoft Settlement

I think this is a very bad idea.  
Sergius VonSchischkoff

#### MTC-00022371

From: Vic and Gigi  
To: Microsoft ATR  
Date: 1/24/02 1:53pm  
Subject: Microsoft Settlement

To Whom it May Concern;

I am sending this short message to demonstrate my support for Microsoft!! I am convinced that AOL, is much more comfortable competing with Microsoft in a court environment, than they are on the open market.

Sincerely,

Victor Scaturio

**MTC-00022372**

From: Elly L.  
To: Microsoft ATR  
Date: 1/24/02 1:58pm  
Subject: Fwd: Microsoft Settlement  
To Whom It May Concern:

It seems like the proposed settlement for Microsoft antitrust trial is flawed. Because of many different legal loopholes in it, Microsoft will be able to find ways to easily exploit their customers and OEMs to their advantage.

A great analysis of flaws in the proposed settlement could be found here:

<http://www.kegel.com/remedy/remedy2.html>. Below are my main complaints about the settlement:

1) Microsoft's APIs, file formats, and protocols. The complete documentation for these must be made public and be updated in a timely manner. Closed APIs and file formats are a major barrier to entry, since virtually no company can afford to convert its existing documents into a new format. Currently anyone using Microsoft products is effectively "locked in" to those products because they cannot be easily converted to another format. While some attempts had been made to produce programs and/or libraries that can read and write files in Microsoft's formats, they are only partially compatible and usually fail on complex documents. The main reasons for this are undocumented changes in Microsoft APIs and lack of complete documentation. Anything that can be done to reduce this barrier can only help to create more opportunity in the market.

2) Microsoft's business practices.

Microsoft must not be allowed to enter into deals with OEMs, ISPs, or other businesses that would create disincentives or prohibit those companies from offering non-Microsoft products or services to their customers. Since the vast majority of the desktop computing world currently uses Microsoft products, OEMs, ISPs, and others must be able to offer those products to consumers. Allowing Microsoft to continue to take advantage of that situation by prohibiting those companies from offering alternatives effectively means allowing Microsoft to continue to hold the industry hostage.

3) Microsoft's attempts to extend their monopoly in new markets \* Microsoft attempted (often successfully) to extend their monopoly in several new markets already, using the same monopolistic tactics. Most prominent examples are: \* Microsoft .NET and MS's plans to force everybody to sign for a MS Passport (which has already been proven to be a very insecure system), and also to sabotage development Sun Microsystems' Java language on Windows platform in favor of their own ".NET" system.

\* Audio/Video market, where Microsoft used their OS monopoly to push products like Windows Media Player and gain unfair advantage over competitors such as Real Player and QuickTime

\* The failed attempt to turn an educational lawsuit into a way to inject their software into yet another market

If these concerns are addressed by the eventual settlement or court ruling, they should remove most of Microsoft's ability to abuse its monopoly power to the detriment of the industry. I feel that a healthy IT industry should consist of competing products from a variety of companies, all able to interoperate with each other, with no single company able to leverage its dominance in one area to bolster its position in another.

Sincerely,  
Anton Vysotskiy  
Software Developer/Network Engineer  
7108 13 Ave #2F  
Brooklyn, NY 11228

**MTC-00022373**

From: Robin Patchen  
To: Microsoft ATR  
Date: 1/24/02 1:58pm  
Subject: Anti-trust suit  
Dear Sir or Madam:

Stop wasting my money, and the money of every other taxpayer, by harassing an excellent company that has changed the way America and the world use their computers. They're not perfect. Who among us is?

This suit has had drastic, negative effects on our economy, and it's time to stop.

There are terrorists to fight. There are real criminals. Use your resources to get them, and leave Microsoft alone.

Respectfully,  
Robin Patchen  
Edward Patchen  
2709 NW 159th St.  
Edmond, OK 73013

**MTC-00022374**

From: kilowattkp@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:54pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ken pierce  
157 dillon dr  
vallejo, CA 94589

**MTC-00022375**

From: Sylvia Schulz  
To: Microsoft ATR  
Date: 1/24/02 1:58pm  
Subject: Microsoft Settlement

I do not believe the DOJ is interested in protecting consumer's and fair competitive practices.

Rather, the ongoing, relentless actions of the DOJ against Microsoft certainly appears to be in response to the greed of big business—specifically Microsoft's competitors who are seeking government intervention to squelch their competition.

Also, the actions of Microsoft's competitors and the DOJ directly affects the stock market and the national economy. Millions of Americans believe in Microsoft and its products and have invested in the company. The future economic strength of the country is most certainly affected by stock market, and the future of millions of Americans who have invested in Microsoft for today and for their future retirement is in great jeopardy.

The actions of the DOJ in response to Microsoft's competitors has certainly created doubts in the minds of millions of Americans. Whose interests is the DOJ really serving?

**MTC-00022376**

From: Pete Shinnars  
To: Microsoft ATR  
Date: 1/24/02 1:53pm  
Subject: Microsoft Settlement

I believe the proposed settlement for the Microsoft case is a bad idea. It does not do enough to promote competition and smaller companies in the market. It also doesn't address the unfair treatment of open source projects competing with Microsoft.

Pete Shinnars

**MTC-00022378**

From: Bill Gish  
To: Microsoft ATR  
Date: 1/24/02 2:05pm  
Subject: Microsoft Settlement

It seems to me the lawyers who do not seem to understand and judges who don't understand can't settle a dispute without see how much the law profession can earn from all the delays. The main objective is not to help the consumer but the big boys who have donated to government officials. The Microsoft programs have been good for me and AOL which I had at one time was not as effective for my use.

Since the economy is so great and is booming why not just keep the case in the courts for a few more years and let the little guys pay for it.

William D. Gish

**MTC-00022379**

From: Kelly Tetterton  
To: Microsoft ATR  
Date: 1/24/02 1:54pm  
Subject: Microsoft Settlement

The proposed settlement is a bad idea. Microsoft has been found to be a monopoly, and any remedy must address that current power—as well as Microsoft's history in trying to evade anything that would interfere with its power.

Kelly Tetterton  
Technical Lead, Macromedia Certified ColdFusion Developer  
duoDesign, eBusiness Architects  
Internet design, technology and online marketing  
847-491-3000 main: kelly@duodesign.com

847-491-3100 fax: www.duoDesign.com  
847-491-7125 direct: www.Nexiv.com

**MTC-00022380**

From: SKNelson@MyLLDPortal.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Dr & Mrs S Kenneth Nelson  
9102 Prairieview Lane N  
Champlin, MN 55316-2690

**MTC-00022381**

From: vermoa@lrbcg.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

M W Richardson  
305 Concord Ct.  
Huron, OH 44839-1418

**MTC-00022383**

From: c2lifesavers@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

David Witwer  
3255 Brunswick Dr  
Colorado Springs, CO 80920

**MTC-00022384**

From: RNorton@personal  
computer.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:59pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Ruth Davis  
710 Southway  
Kerrville, TX 78028

**MTC-00022385**

From: Meg Metzger  
To: Microsoft ATR  
Date: 1/24/02 2:03pm  
Subject: FW: Microsoft letter  
January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I'm writing to urge you to accept the terms of the settlement recently reached between Microsoft and the United States Justice Department. The settlement will result in a much more competitive environment beneficial for all parties involved.

Microsoft has, for example, agreed to grant broad new rights to computer manufacturers and software developers to configure

Windows to promote non-Microsoft software programs that compete with Microsoft programs included within Windows. This means computer manufacturers can replace Internet Explorer with Netscape Navigator; Microsoft Media Player with RealPlayer; and Windows Messenger with AOL Instant Messenger. Microsoft has further agreed to not retaliate against computer makers and software developers who choose to take this route, nor will Microsoft retaliate against computer makers who ship competing operating systems.

Overseeing the terms of the settlement will be a Technical Committee comprised of three persons who are software engineering experts. This Technical Committee will assist in any dispute resolution, should a complaint be filed. It is time the case get behind us.

Based on these facts, I respectfully request you to accept the terms of the settlement.

Sincerely,

Margaret A. Metzger  
216 Hawthorn Rd  
Bellingham, WA 98225

**MTC-00022386**

From: David Beahm  
To: Microsoft ATR  
Date: 1/24/02 2:03pm  
Subject: Microsoft Settlement

Ending unlawful conduct is best done by correcting the violator, not by bending the law to appease him. The sell-out of the American public by the Department of Justice is shameful, and I oppose it.

The idea that this agreement will somehow curb Microsoft's hideous behavior is undermined by Microsoft's own comments and actions. Within days of announcing they would "open up the desktop" and allow systems integrators to install non-Microsoft software and icons on new PCs, Microsoft immediately back-tracked when vendors proposed installing applications which compete directly with Microsoft. Witness also Microsoft's suit to end their previous agreement with the DOJ. To quote a Microsoft employee, "There's no reason you shouldn't smile the whole time you're pulling the trigger." I cannot say whether splitting Microsoft up would be a wise remedy, but I appreciate Judge Penfield-Jackson's belief that anything less severe would be a mere panacea.

The holes in this proposal are numerous and preposterous. Rather than try to restate what others have said better, I refer you to the document at [http://www.kegel.com/remedy/remedy2.html#public\\_interest](http://www.kegel.com/remedy/remedy2.html#public_interest).

Thank you for your time.

DCB  
Williamsport, PA

**MTC-00022387**

From: Vincent Rogers  
To: Microsoft ATR  
Date: 1/24/02 2:02pm  
Subject: Microsoft Settlement  
To Whom it may Concern:

I find that this settlement addresses the concerns brought on by the government. It will clearly give competitors and Microsoft a clear understanding of the rules of the marketplace. And unlike the settlements desired by the non-signing attorney generals

and competitors AOL Time Warner (who by the way seems much bigger down even though they claim Microsoft has prevented them from going about their business) allows both Microsoft and its competitors to compete. And rather than giving out handicaps to competitors, this settlement will show that the better product will become the dominant product.

I thank you for your time,  
Vincent Rogers  
1036 S Mariana St #3  
Tempe AZ 85281-4171

**MTC-00022388**

From: Howd  
To: Microsoft ATR  
Date: 1/24/02 2:03pm  
Subject: Microsoft settlement  
To whom it may concern,

It is time to stop fining Microsoft for doing business in America. The days of government corporate welfare must have passed. Now the government is asking for welfare from any business that is successful.

Microsoft has done nothing to me or other private citizens. And if you claim they have where's my share of the settlement? This is government greed.

Howard Rice

**MTC-00022389**

From: JHCragoe  
To: Microsoft ATR  
Date: 1/24/02 2:04pm  
Subject: Microsoft Settlement  
BlankJohn H. Cragoe  
6310 N.E. 138th Place  
Kirkland, WA 98034-4905  
January 23, 2002

Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

Three years of litigation against Microsoft in the antitrust suit was flawed and unjustified. In their most recent financial disclosures, the cost of defense is put at nearly two-thirds of a billion dollars. Resources that could have been used for further technological advances, for additional employment opportunities, for lower final prices to consumers, or for local philanthropic purposes have been wasted.

The original aim was to protect consumer rights, but as the litigation continued it has become very apparent to me and to many other people that this case reflects the intense lobbying efforts on the part of Microsoft competitors and lack of concern for the public best interest on the part of politicians and lawmakers. As a user of computer technology for over twenty years, I have chosen Microsoft products because the combination of features, ease of use, continuous upgrades in capability, and low cost were unmatched by any other provider.

The terms of the settlement are entirely too harsh and unfair. Microsoft should not be forced to give away information about its internal interfaces and protocols. They have worked long and hard to develop these secrets and it should be their right to keep them within their company's walls. It is also unjust to bar Microsoft from entering into any

third party agreements for exclusive distribution rights. If this will be implemented, than Pepsi and Coca Cola should not be able to sign agreements of the same kind with McDonalds and Wendy's.

While I find the settlement ineffective and biased towards giving competition an edge they could never attain the old fashioned way through hard work and innovation, I think it must be implemented. Further lawsuits will only be more detrimental to our economy. Please take a strong stance on this with the nine remaining states that still oppose settlement. Thank you for your time.

Sincerely,  
JHCragoe  
John H Cragoe  
jhcragoe@attbi.com  
Tel: 425-814-8326  
Fax: 425-821-3544

**MTC-00022390**

From: Tucker Cheadle  
To: "Microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 2:15pm  
Subject: Microsoft Settlement

Gentlemen:

Microsoft has been the only company to create a desktop program...despite the efforts of others such as Linux, Sun and Oracle. Sun and Oracle have funded the litigation and it is for their purposes to reduce the possibility that Microsoft will operate in servers (this effects Sun) or operate in database (this effects Oracle).

The case should be settled along the lines proposed of having Microsoft pay the schools and/or contribute software and computers.

The uncertainty of this case on the economy is too great to continue with the litigation.

**MTC-00022391**

From: Retha Bennett  
To: Microsoft ATR  
Date: 1/24/02 2:03pm  
Subject: microsoft settlement

Time Warner knew that Netscape had real problems when they bought it. Why are they trying to pull down the only web browser that does what it is to do more often than not. The market place has and always will be the one who determines who is going to make it and who is not. It has spoken why cant people just leave this company alone. Time Warner really has nothing legitimate to complain about nor even think of going to court.

sincerely  
Retha Bennett

**MTC-00022392**

From: elmer.cole@GTE.NET@inetgw  
To: Microsoft ATR  
Date: 1/24/02 1:59pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against

Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other

Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elmer Cole  
563 Spring Creek Dr/  
Derby, KS 67037-1335

**MTC-00022393**

From: RR-  
To: Microsoft ATR  
Date: 1/23/02 9:55pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

I would like to encourage the Department of Justice and the remaining states to settle this litigation with Microsoft. It has had a detrimental affect on the whole industry.

Let us go forward with this and give this company and all tech companies the ability to innovate, and to solve their own differences without the government being involved.

Sincerely,  
Ray Reid  
Salem, Oregon

**MTC-00022394**

From: Rajiv Aaron Manglani  
To: Microsoft ATR  
Date: 1/24/02 2:07pm  
Subject: Microsoft Settlement

i am a us citizen and i think the proposed microsoft/doj settlement is a bad idea. please listen to steve jobs.

thanks  
rajiv aaron manglani / rajiv@alum.mit.edu

**MTC-00022395**

From: Peter Wittenberg K2LRC  
To: Microsoft ATR  
Date: 1/24/02 2:05pm  
Subject: Microsoft agreement  
Attorney General John Ashcroft  
US Department of Justice, 950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am happy to hear that Microsoft and the government have reached an agreement. I think Microsoft has conducted itself appropriately as a corporate citizen throughout this entire ordeal, and think what they have agreed to do is fair for all.

If I understand it correctly, Microsoft has agreed to establish a "Technical Committee" that will monitor Microsoft's compliance with the settlement and assist with dispute resolution, as well as agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, for the sake of wrapping up the suit, and has granted computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows.

Mr. Ashcroft, this settlement shows the kind of company Microsoft has always been

and that is a company that cares not only about sales, but also about the consumer's needs and abilities to have access to its innovative product. I support this settlement, and hope it will be approved at the end of this comment period.

Sincerely,  
Peter Wittenberg  
Ursula Wittenberg

**MTC-00022396**

From: tj@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:05pm  
Subject: Microsoft Settlement

Dear DOJ,

I am a software developer and technology business owner. The combination of the bad economy and endless litigation between the government, Microsoft, AOL, and whoever else, is making things extremely difficult to be successful. We need to make technology decisions for our customers. Its hard enough to make these decisions based on the products alone but when you throw litigation into the mix its nearly impossible.

I want to make my voice heard as a little guy. The government is supposed to represent the people and in my opinion allowing all these lawsuits to interfere with a free market economy is hurting the little people. Big corporations have plenty of money to throw around while the small business struggles daily to meet expenses.

My experience in the high tech field has shown that all companies resort to aggressive tactics in the marketplace. Microsoft has been singled out rightly or wrongly. They may deserve some penalties but they do not represent evil and AOL or the government represent good. To allow these lawsuits to continue hurts not only Microsoft but the millions of people who have benefited and continue to rely on their technology moving forward.

In another voice for the little guy I encourage any settlement to benefit those who are in the most need in this country. The donation to poor schools would have been a step in the right direction. Those with less have the most right to benefit in this case. Outside of corruption found at Enron, let the mega-corporations fight it out in the marketplace. Let the consumers be the judge with their spending decisions.

Please end the chaos and let us get back to work serving the people of this country.

Regards,  
Thomas Lucking  
4264 Howe Street  
Oakland, CA 94611  
(510) 459-4647  
(503) 961-1828 fax

**MTC-00022397**

From: islandhome@hawaiian.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:03pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lynne Isom  
P.O. Box 1239  
Kilauea, HI 96754

**MTC-00022398**

From: ejellis@wave.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:00pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jack Ellis  
1240 Westmont Dr.  
Jacksonville, OR 97530

**MTC-00022399**

From: Peter Allan Laurens  
To: Microsoft ATR  
Date: 1/24/02 2:08pm  
Subject: Microsoft Settlement

I believe that the settlement should be a punishment for the monopolistic ways that Microsoft have been proven to have employed in a court of law. When interpreting the term "punishment" I mean that the outcome for Microsoft should be a negative one in every sense—it should be shown that monopolistic/anti-trust ways should be detrimental in the end for those companies using them.

The most recent suggestion that Microsoft donate \$1bn of software/computers to schools is in no way punishment—it is not detrimental to the company. Instead it would allow Microsoft to get its foot in the door of a market that has traditionally preferred Microsofts only real competitor—Apple. To upset the market in this way with a \$1bn influx in Microsofts favour is a benefit to the

company and not in any way detrimental. It would be outrageous should this proposal go ahead—those companies that remain in the industry such as Apple have been put through a hard enough time as it is with Microsoft's ways in the first place, and for them to lose out on this settlement would be insanity.

Peter Allan Laurens

**MTC-00022400**

From: rolfschey@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:04pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rolf Schey  
1323 21st St. NW  
Rochester, MN 55901

**MTC-00022402**

From: Gregory Swanson  
To: Microsoft ATR  
Date: 1/24/02 2:07pm  
Subject: Microsoft Settlement

Dear Sir:

I am a developer, I have an interest in the outcome of this case because it could affect my career and ability to earn a living. When I was a student, I could not afford a computer from Apple and Unix machines were more expensive than Apple machines. I bought an IBM compatible pc that ran DOS. Besides running on cheap hardware, Microsoft makes lots of software available for little or no cost (For example check out their Platform SDK (software development kit) at <http://msdn.microsoft.com/library/default.asp?url=/library/en-us/sdkintro/usage-1817.asp?frame=true>). The reason Microsoft is big is because they provide the best value and people trust that they will be in business tomorrow.

I have been involved in seven projects writing applications for Microsoft's Internet Explorer browser and only one project that supports browsers in addition to Microsoft's. The decision to not support other browsers was always made by the company paying for the development. The reason was always the same: it would cost too much and it would take too long to implement the functionality the company wanted.

So before we kill Microsoft, let's find a replacement that everyone can afford.



Thanks,  
Gregory Swanson  
San Jose, CA

**MTC-00022403**

From: William Snow  
To: Microsoft ATR  
Date: 1/24/02 2:07pm  
Subject: Your settlement of the microsoft antitrust suit is frankly ludicrous.

A) allowing microsoft to pay the fine by using SOFTWARE just proliferates the problem.

B) I believe there was insufficient disclosure of the discussions held between the DOJ and Microsoft about the settlement. The public has a right to know how you sold them out.

Thanks,  
William Snow  
48 Campbell Lane  
Menlo Park, CA 94025

**MTC-00022404**

From: Brad Hale  
To: Microsoft ATR  
Date: 1/24/02 2:06pm  
Subject: Potential MS v DOJ settlement  
Your Honor,

I realize you have to read all of these emails so I'll be brief. Obviously the following comments could benefit from a more expanded examination but the basics are communicated well enough.

I believe the best solution is to split Microsoft into two separate entities. One which would be responsible for the Operating System and another which would be responsible for Applications and Development Tools. These two entities should have to operate under the following constraints:

1. The OS Entity should have to make available to any vendor the same API calls and documentation (and any other interaction) that it makes available to the Applications Entity. Apple does this, Linux does this, Unix Vendors do this—there's no reason Microsoft can't.

2. The Application Entity should be required to make available all OS calls it makes (and/or requires) to outside vendors/competitors. This would allow other OS vendors to provide the necessary entry points in their OS so the applications that run on Windows would be able to run on their systems with minimal or no changes. Eventually the reverse would be true as well. This would provide a benefit to the public (and smaller companies) in that there would be more programs available on more platforms at a cheaper cost.

Thank you for your time,  
Brad R. Hale

**MTC-00022405**

From: Matt Gerber  
To: Microsoft ATR  
Date: 1/24/02 2:09pm  
Subject: Microsoft Settlement

As an everyday user of Microsoft's products, I urge the Justice Department to reconsider penalizing Microsoft for its success in the marketplace.

Microsoft deserves accolades rather than punishment for creating standards for developers to write reams of software to

ensuring ease of use by bundling products. It has made my life easier and more productive. It has earned the right to be a market leader, even to demand onerous terms in its licensing agreements. Yet neither I nor anyone else has been forced to accept Microsoft's products and services. Every transaction I or anyone has ever conducted with Microsoft has been on a voluntary basis.

Our country, created to protect the individual rights to life, liberty, pursuit of happiness, and property, should ensure that Microsoft keeps what it has earned, not strangle it for its success. If Microsoft is not left free to produce and grow, then all companies would think twice about becoming too successful, about achieving too high a market share, about striving for excellence.

The abridged rights of one company affect the rights of all. Microsoft has been a shining beacon of what makes America great; please do not punish that greatness.

Matthew Gerber  
Austin, TX

**MTC-00022406**

From: William R Ward  
To: Microsoft ATR  
Date: 1/24/02 2:08pm  
Subject: Microsoft Settlement

I have some grave concerns about the proposed settlement between the DOJ and Microsoft. The terms of the settlement are far too easy for Microsoft to get around. For more information about these concerns see the web page:

<http://www.kegel.com/remedy/remedy2.html>

Thank you for your consideration.

William R. Ward, US Citizen  
Mountain View, CA  
William R Ward  
bill@wards.net

<http://www.wards.net/bill/> If you're not part of the solution, you're part of the precipitate.

**MTC-00022407**

From: Jimmy Jones  
To: Microsoft ATR  
Date: 1/24/02 2:07pm  
Subject: Microsoft Judgment Remedy

Dear Judge,

According to my understanding of the case the proposed remedy by Microsoft is to propagate the Windows OS into schools that currently do not have computers. While on the surface this might seem like a beneficial compromise I would like to point out that this is in fact the DOJ providing Microsoft with a government sponsored captive distribution channel. This remedy is so far from a real remedy that it is laughable.

Why is the DOJ offering Microsoft a remedy that is overpoweringly beneficial to Microsoft?

Jimmy Jones <<mailto://jimmy-jones@iname.com>>

**MTC-00022408**

From: Damstar1@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Denise Morningstar  
1019 S Division St  
Whitehall, MI 49461-1701

**MTC-00022409**

From: BenScoopTJ@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:09pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Harry Benson  
13930 Barryknoll Ln  
Houston, TX 77079-3311

**MTC-00022410**

From: kmwilhelm@ekno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:05pm  
Subject: Microsoft Settlement

I am unhappy with the proposed settlement. I would expect a settlement to meet the following criteria:

- provide redress to the companies affected by the past and ongoing monopolistic practices of the Microsoft corporation
- restructure the Microsoft corporation to separate operating system and application development
- require the new companies to document their software interfaces and adhere to recognized international and national standards
- require Microsoft to provide financial compensation to companies affected by its

monopolistic practices—note that this does mean providing Microsoft products to schools, which simply extends its monopoly  
Respectfully,  
Kathleen Wilhelm

**MTC-00022411**

From: jdattaway@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:07pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Attaway  
3606 Alderwood Dr  
Spring, TX 77388

**MTC-00022412**

From: John D. Heintz  
To: Microsoft ATR  
Date: 1/24/02 2:10pm  
Subject: Microsoft Settlement

I am writing to support Dan Kegel's comments found at:

<http://www.kegel.com/remedy/remedy2.html>

My name is being added to his open letter at:

<http://www.kegel.com/remedy/letter.html>

Thank you for your time,

John D. Heintz

John D. Heintz √ Senior Developer

1016 La Posada Dr. √ Suite 240 √ Austin

TX 78752

T 512.380.0347 √ jheintz at isogen.com

<http://www.isogen.com>

**MTC-00022413**

From: Lilyroth@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:12pm  
Subject: Microsoft Settlement.

Please do not consider the ridiculous nature of the law suit between AOL and Microsoft. As a consumer and user of AOL I am sick of constant courtroom tactics. We are sending poor messages to our youth by showing them by our actions that it is better and more productive financially to sue rather than work problems out. If AOL needs more cash, they can raise their rates a buck.

Lily Rothman  
Lilyroth@aol.com  
Lily Rothman

**MTC-00022414**

From: Jason Smith  
To: Microsoft ATR  
Date: 1/24/02 2:15pm  
Subject: Microsoft Settlement

I strenuously object to the Department of Justice settlement proposal with Microsoft. This is a company that deliberately and frequently flouted the law. It should be required to pay the price and not be allowed to get a mincing slap on the wrist, only to repeat its actions.

Jason Smith

**MTC-00022415**

From: newbal@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:08pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Newell Baldwin  
38 N. Rim Road  
Ransom Canyon, TX 79366-2226

**MTC-00022416**

From: Cost-Research  
To: Microsoft ATR  
Date: 1/24/02 2:12pm  
Subject: Microsoft Settlement

To whom it may concern,

The DOJ and now the AOL Time Warner's lawsuit are turning this whole settlement thing into a circus. Once you settle with the states and the lawyers get their once of flesh, who will be next to file a lawsuit? Is the Department of Justice setting thing up for a free for all in lawsuits? Can Microsoft survive this kind of attack? It just makes me sick to see a great company like Microsoft getting torn apart by the department of Justice and a few cry baby companies who are not smart enough to compete in the business world and have to resort to lawsuits.

Microsoft has changed the world in the way we work and now they are being punished for it. Sometimes it does not pay to be an entrepreneur because if you get too successful the legal system will take you down.

Lawyers just love to take on high profile companies just to make a name for themselves. Just like the tobacco lawsuits, everybody received a bunch of money and nothing has really changed. People still

smoke and the smokers have to pay for the payoffs. Please get off Microsoft's back and let them concentrate on the next generation of computer software; this will be the payoff for all of us!

Peter Huysing

**MTC-00022417**

From: Peter Desnoyers  
To: Microsoft ATR  
Date: 1/24/02 2:11pm  
Subject: Microsoft Settlement

As the deadline for public comments is rapidly approaching, I would like to submit my comments to the Department for consideration. I am a software engineer with 13 years of experience, primarily developing software for hardware devices in the networking and telecommunications industry, working for Apple, Motorola, and a series of small startups. Much of the work I have done is in an industry which would not exist if it were not for the Justice Department's prior actions against AT&T; in fact, long enough before the MFJ, AT&T exerted enough power even outside of the marketplace that it would have been illegal to connect third-party devices (such as the ones I have worked on) to the Bell System network.

My primary concern with the proposed settlement of the Department's action against Microsoft is that it contains no provisions to preserve a competitive market for third-party networking hardware products which would be compatible with Microsoft's products. The language of the settlement refers only to application binary interfaces, between software components on a PC, and appears to have no enforceable provisions related to the network protocols and interfaces. In fact, the language related to security appears to offer blanket immunity to hide the details of any network protocols that are security-related. (note that many network protocols widely regarded as more secure than Microsoft's homegrown ones (e.g. Kerberos) have always published their interfaces, and have relied on inherently secure mechanisms rather than attempted secrecy for their security)

My fear is that by keeping network interfaces secret, and changing them from release to release, Microsoft will be able to prevent third parties from engaging in the legitimate business of creating Microsoft-compatible networking devices, or worse yet be able to pick and choose who will succeed in this market based on who they bestow their favors on, regardless of what the market wants.

Microsoft would no doubt argue that they license this information to third parties, so that the NetApps and EMCs of the industry, for instance, are able to produce Microsoft-compatible systems. However unless this information is provided on a standard, non-discriminatory basis (e.g. as part of the documentation for some level of MSDN subscription), it will not be available to either small startups or open-source developers, both of which are responsible for much of the competition and innovation in this area. By failing to require that networking interfaces—including security-related ones, which are essential to interoperability—be documented on an open and non-discriminatory basis, the

Department has missed a major opportunity to ensure open markets and competition in a significant market.

Finally, I would like to say that I fully support the objections that the Commonwealth of Massachusetts has raised with the proposed settlement, and feel that the state Attorney General would not be representing me properly if they had not objected. I would draw your attention to the following excerpt from the Commonwealth's court filing of 12/7/01: "(3) to disclose technical information so that rival handheld devices, servers and networks can interoperate with Microsoft's dominant Windows operating system", which brings up the same objection I have raised.

Thank you for your consideration,  
Peter Desnoyers (781) 457-1165  
pdesnoyers@chinook.com  
Chinook Communications (617) 661-1979  
pjd@fred.cambridge.ma.us  
100 Hayden Ave, Lexington MA 02421

#### MTC-00022418

From: Troy Wolverton  
To: Microsoft ATR  
Date: 1/24/02 2:11pm  
Subject: Microsoft Settlement

To Whom it May Concern:  
I wholeheartedly oppose the proposed settlement in the Microsoft anti-trust trial. The proposal basically rewards Microsoft for its actions and does little to curtail its future behavior.

The proposed settlement is weaker than the one that was discussed prior to Judge Jackson's issuance of his findings of fact and his proposed remedy. If anything, given that his ruling that Microsoft is a monopoly and has abused its monopoly power has since been unanimously upheld by the Court of Appeals, the remedy should be even more restrictive than what was discussed before the findings were released.

Microsoft is like a child. Unless the government sets and enforces clear boundaries on its behavior and punishes it severely when it crosses the line, the company will continue to try to circumvent the rules. That was the lesson of the earlier consent decree, which Microsoft never bothered to follow. I fear that this settlement will end with the same result.

Microsoft is an extremely aggressive company. It has already translated its monopoly in desktop operating systems into a monopoly in office productivity software and Internet browsers. It is threatening to extend its monopoly into Web server operating systems, operating systems for handheld devices, digital media players and a slew of other areas.

It is against the national interest for Microsoft to dominate all of these areas. Already its dominance in desktop operating systems and office software has led to little in the way of innovation and an increase in the price of those components relative to other computer components.

The company needs to be stopped. Unfortunately, this proposed settlement will be little more than a speed bump in its path.

Troy Wolverton  
84 Lippard Ave.  
San Francisco, CA 94131

415.587.6687  
notrevlow@yahoo.com  
troy@wolverton.net  
Troy Wolverton

#### MTC-00022419

From: Peter Smith  
To: Microsoft ATR  
Date: 1/24/02 2:11pm  
Subject: Microsoft Settlement  
Hello!

I want to share with you an idea for restoring competition in the PC market. In particular, this remedy would make it possible to promote both alternative, multi-boot operating systems and browsers for the PC while diminishing Microsoft's monopoly. I call my idea the Public Library Operating System Distribution.

Microsoft has a monopoly on Internet computers in public libraries. Nonetheless, four other PC operating systems—FreeBSD Unix, Linux, IBM OS/2 and BeOS—are perfectly capable of providing the same service as the combination of Windows and Internet Explorer. It would be a relatively simple task to compile distributions of each of these alternative OSes in a form as simple and minimal as possible since these OSes would only operate browsers—Netscape, Mozilla, Konqueror, Opera, Lynx—and simple email programs. These distros might also include the software for FTP, Telnet or other services, but not much more for use in the public libraries. Keeping these public library distributions as minimal as possible would make them highly reliable and make the task of system administration for the libraries as manageable as possible. Microsoft should bear the cost of compiling these distros, which should be quite low, as well as pay for the boot manager software to make it possible to run multi-boot systems in the libraries.

This would make the public aware that there are excellent alternatives to Microsoft in an important public institution. If Apple has problems with this remedy, then perhaps Microsoft could purchase Macintosh computers and donate them to the public libraries.

I hope that you will give serious thought to this remedy. Microsoft could bear the cost entirely, as well it should.

Thank you.  
Sincerely,  
Peter G. Smith

#### MTC-00022420

From: bobsand@volcano.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:09pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Sanders  
P.O. Box 899  
Murphys, CA 95247

#### MTC-00022421

From: robinsff@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:10pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Frank Robins  
5706 49th Ave Ct West  
University Place, WA 98467

#### MTC-00022422

From: Levett, David  
To: Microsoft ATR  
Date: 1/24/02 2:13pm  
Subject: My views on the settlement  
To: microsoft.atr@usdoj.gov  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>), namely:

The PFJ doesn't take into account Windows-compatible competing operating systems

Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API"

so narrowly that many important APIs are not covered.

The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

The PFJ allows Microsoft to discriminate against small OEMs—including regional

"white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

The PFJ as currently written appears to lack an effective enforcement mechanism.

I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems

Regards,  
David Levett

#### MTC-00022423

From: James Kelly  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 2:07pm  
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

James J. Kelly  
Sr. Audio Producer  
RadioCentral, Inc.  
336 Harriet Street  
San Francisco, CA 94103  
(415)625-1725 (direct)

#### MTC-00022424

From: paul  
To: Microsoft ATR  
Date: 1/24/02 2:12pm  
Subject: Microsoft

Dear Mr. Attorney General,

Please read the attached letter which describe my feelings on the Microsoft antitrust case.

Thank you, and may God be with you on all your decisions.

Respectfully,  
Paul Rinaldi  
17126 Hill Creek Court  
Orland Park, IL 60467

January 18, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing in support of the settlement of the antitrust case against Microsoft by our Department of Justice, the states. After three years of litigation, and three months of negotiation with a court-appointed mediator, the time is right for a settlement. More importantly, the terms seem as fair as could be expected in this controversial matter.

To settle the case, Microsoft agreed to open its internal Windows interfaces and server protocols to competitors, provide non-discriminatory licenses to its copyrights and patents to competitors who want them, and license Windows to the largest computer makers without negotiation under uniform terms and pricing.

Additionally, Microsoft agreed to make it easy to substitute non-Microsoft programs for integral programs in Windows, refrain from exclusive marketing agreements, and subject itself to a three-person government-sponsored on-site technical committee. In addition, any third party will be free to file complaints about alleged non-compliance with Microsoft's new Internal Compliance Officer, and the technical committee established by the settlement.

You have supported the settlement process so far. Now, please do what you can to get the settlement approved by the federal court. Then, we can all move on, hopefully to still waters and greener pastures.

Thank you for your leadership.

Sincerely,  
Paul Rinaldi

#### MTC-00022425

From: jprg\_4@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:11pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desk

top; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Calvin Heide  
2705 Hillrise Drive  
Las Cruces, NM 88011

#### MTC-00022426

From: Larry Larsen  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 2:13pm  
Subject: Microsoft

If you don't see Microsoft as a monopoly, it is because you haven't worked in any of the companies that M\$ has forced out of business.

If you create any kind of software or method, and Microsoft decides they want your business, you are sunk because you can't compete when they own the ball, bat, and field and are giving away your products for "free".

It is going to take a genuine King Solomon to figure out what is "fair" because no amount of money is going to bring back the businesses and livelihood that was stolen by M\$. The biggest concern of mine is preventing it from happening in the future.

Thank you,  
LDL  
Larry D. Larsen

Multimedia Editor  
 Macromedia Certified Flash Developer  
 The Poynter Institute for Media Studies  
<http://www.poynter.org>

**MTC-00022428**

From: Kirk Walker  
 To: Microsoft ATR  
 Date: 1/24/02 2:14pm  
 Subject: Microsoft Settlement Comments

Microsoft does not provide customers with an option. This is clearly displayed by the lack of document editors and essential office suites that do not work seamlessly with Microsoft's OS. Also, lack of customer choice is clearly displayed by the outlandish pricing that Microsoft is able to maintain for its software, compared to it's competitors, who have good enough office suite products to compete with such pricing if the platform supported these alternatives. The fact remains that Microsoft prevents 3rd party software from working well with the windows operating system because of its policy of protecting this information from competition from other software vendors. Thus, 3rd party software vendors can only eek out their existence at the mercy of how Microsoft decides to change their OS and what kind of information they will reveal to their partners and competitors.

Kirk Walker

**MTC-00022429**

From: Deward Blevins  
 To: Microsoft ATR  
 Date: 1/24/02 2:15pm  
 Subject: Disappointed and Disillusioned

I am deeply disappointed and disillusioned by the DOJ and Congress by their handling of the Microsoft cases.

A smaller company would never be allowed the delaying tactics Microsoft has employed.

There should have been contempt citations issued months ago with penalties levied for the actions of Microsoft. Repeat offenders should not be told "to play nice and we will take your word that you will". The court has repeatedly done this. It is time Microsoft actually paid some kind of penalty for their crimes.

Donating hardware and software to schools is NO penalty. Most of our larger companies already do so as a matter of civic duty and it is good advertising.

As a deeply patriotic person who believes in the inherent goodness of our country it makes me sad to see the way the handling of this case continues to prove the idea that enough money will put you above the law. Much of the general public already doubts the integrity of our basic institutions. This case and its handling continues to weaken our faith. It would come as no surprise to me if the investigators, legislators and courts begin to come under increasing scrutiny by the public.

**MTC-00022430**

From: Dave Rose  
 To: Microsoft ATR  
 Date: 1/24/02 2:14pm  
 Subject: Microsoft Settlement

I DO NOT AGREE....  
 DAVID ROSE  
 NATIVE BORN U.S. CITIZEN

**MTC-00022431**

From: Kevin Herrboldt  
 To: Microsoft ATR  
 Date: 1/24/02 2:07pm  
 Subject: Microsoft Settlement

I oppose the proposed settlement on the grounds that will do little to alter Microsoft's practices and does not undo damages caused by Microsoft's illegal monopoly behavior.

A specific point I take issue with involves tying and bundling. Every release of Microsoft software seems to limit what users can do with their systems and increase Microsoft's control over people's computers and their use. This creates an environment that is almost impossible for any software vendor to succeed with any great success as well as hurting end users.

I have been in the computer industry for over 20 years and have watched it grow from a cottage industry to a vibrant competitive market, only to collapse back into one dominant controller (Microsoft) and a "cottage industry" of smaller players who are left to earn meager profits on the fringes of computing. As soon as an area gets big enough to draw Microsoft's attention, they move into the space and push all players out. A classic example of this is with word processors. Microsoft Office became dominant due to the leverage of Microsoft's Windows operating system, virtually destroying viable options such as WordPerfect and Ami Pro.

Please reconsider the settlement agreement. I feel it does not go far enough to address Microsoft's transgressions.

Respectfully,  
 Kevin Herrboldt  
[kevin@puppethead.com](mailto:kevin@puppethead.com)

**MTC-00022432**

From: Benjamin Graff  
 To: Microsoft ATR  
 Date: 1/24/02 2:17pm  
 Subject: Microsoft Settlement

I oppose the settlement because Microsoft's many API's will never be disclosed. The settlement defines API too narrowly so Microsoft will not these important API's. bmg

**MTC-00022433**

From: robinsff@msn.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 2:13pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
 Sincerely,  
 Frank Robins  
 5706 49th Ave Ct West  
 University Place, WA 98467

**MTC-00022434**

From: jamar@vci.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 2:14pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Mary Wilson  
 4793 US 62  
 Calvert City, KY 42029

**MTC-00022435**

From: Patrick Hayes  
 To: Microsoft ATR  
 Date: 1/24/02 2:16pm  
 Subject: Microsoft Settlement

The wrong issues are being focused on. And in fact the accused group isn't the most important one committing a crime.

Microsoft has been found to have broken many laws, and when it has lost in court it has continued breaking those same laws in complete disregard for its judgments. That makes it a CRIMINAL ORGANIZATION. Just like the mafia. But while the US government tries to take away business from the mafia, limit their income, and put them in jail, Microsoft is given nothing but a slap on the wrist. The proposed judgments against Microsoft are barely even that. Criminals in the government have intentionally allowed their crimes to go unpunished, and are as guilty as they are. Who committed the greater crime: the company committing the act, or the politicians and judges allowing it to occur? The mafia is a small player in comparison to the big industries given free reign in the US today.

Microsoft's crimes are merely a symptom of the underlying problem: corrupt politicians and judges at state and federal levels. That Microsoft is guilty is undisputed. They have been proven criminals again and again in court since twenty years ago. While corrupt politicians and judges take their bribes and look the other way, it will never stop. The events at Enron are also symptoms of this corruption of our political system.

How many politicians have received enormous amounts of money from them over the years? And from how many other corporations?

Microsoft has done nothing legal to earn their fortunes. Were it not for their illegal, monopolistic actions, the company probably wouldn't even exist today. Anything useful they have was copied or stolen from superior competitors. But it's the fact that the government has done nothing to stop them that is the truly heinous crime:

1. Microsoft blatantly stole Apple's interface design. It was proven in court. Their penalty: none. They were even allowed to continue using it. The result: Apple is smaller each day, despite their innovative efforts. Bribery in our political system, nothing more.

2. Through the 80's, and until 1994, the Justice Department allowed Microsoft to openly extort a payment (bribe) for every PC sold, whether it included any of their software or not. When it finally ended in 1994, their penalty was: none. Corrupt politicians and judges again.

3. It was proven in court that Microsoft broke the law when they started giving away Internet Explorer, to drive Netscape out of business. Their penalty: nothing significant. And they are still giving it away. Corruption in politics and in court, all over again. Will it never end? Bill Gates' illegally-earned personal fortune is probably far bigger than any mafia crime family's, and the US government is doing nothing serious about it. And it's only a fraction of the money earned by Microsoft executives. Any politician or judge who isn't against Microsoft would have to be on their payroll, considering the magnitude of their crimes. Those politicians are probably the same people who have been on Enron's payroll for all of these years (you know who you are, and retribution against you will come). Microsoft is merely a little fish in a big pond.

Proposal: a new independent task force which puts corrupt politicians and judges in jail, focusing on those who received money from Microsoft and Enron. In fact, the only way that would ever happen impartially is by including representatives from England and Germany and France and other countries who didn't receive such bribes (otherwise the appointees to the task force will be biased like always; of course I'm assuming they haven't been likewise compromised). Then we'll worry about Microsoft. While the political system is corrupt, a fair judgment against Microsoft or any other criminal organization will never occur. As long as Bill Gates and the other Microsoft executives are billionaires (or even millionaires), justice has not been served.

-Patrick Hayes, Jr.  
Software engineer  
(US location withheld; I don't want to lose my job)

CC:tunney@codeweavers.com@inetgw

#### MTC-00022436

From: Mr. Gravity  
To: Microsoft ATR  
Date: 1/24/02 2:15pm  
Subject: Microsoft Settlement  
Hello,

I am writing to urge the Dept. of Justice not to accept the proposed settlement with Microsoft Corporation. The issues it addresses and remedies it proposes will do nothing to stop the real problem at hand, that Microsoft controls almost every aspect of PC computing, period! Anything less than a breakup of Microsoft into three separate companies (Operating Systems, Software Applications and Internet Applications) will the computing world have any prayer of some day breaking free of Microsoft's stranglehold on the industry.

I strongly urge the DOJ to abandon the current proposed settlement with Microsoft and fight for a breakup of Microsoft.

Thank you for your time.  
Sincerely,  
Glenn Cook, President  
Zero Gravity Corporation

#### MTC-00022437

From: ArtG1stD@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:16pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Art Gunter  
1359 Whitfield Park Drive  
Savannah, GA 31406

#### MTC-00022438

From: Tom T  
To: Microsoft ATR  
Date: 1/24/02 2:19pm  
Subject: Microsoft Settlement—is bad

If this settlement goes in effect, it will give Microsoft to much latitude to sabotage any competing OS.s that might be more stable, quick and have an open architecture that would benefit any improvements in OS or the applications that run within a competing OS.

#### MTC-00022439

From: Orsvan@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Otto Svancara  
1817 Clare Ct  
San Jose, CA 95124-2301

#### MTC-00022440

From: Phillip Karlsson  
To: Microsoft ATR  
Date: 1/24/02 2:17pm  
Subject: Microsoft Settlement

I believe that the proposed settlement is NOT in the public interest. My background is primarily in technology. I have an undergraduate Computer Science degree from Cornell University, and have been working in the technology industry for the past 7 years. In that time I have written products both for Microsoft's products, as well as for other Operating Systems. I am currently an MBA student at NYU's Stern School of Business. This is the background from which I am evaluating the proposed settlement.

This email concerns only the remedies, as it has already been upheld that they have a monopoly, and have used that power illegally. The settlement must address both redress for past behavior, as well as remedies that will prevent them from continuing to act anti-competitively in the future.

There are several problems with the settlement, which have been written about extensively elsewhere. So the following is a short summary of the problems:

—Definitions of affected products are overly specific. Given Microsoft's past behavior of using semantics to avoid following the spirit of a law or settlement, this is a large loophole which they are undoubtedly already planning to take advantage of.

—it does not provide methods of encouraging or aiding the creation of alternate Operating Systems (OS) or middleware layers that emulate the Windows APIs. This, going forward, is the best way to create competition. A new layer or OS that could run Windows applications would immediately cut into the "virtuous circle", or "positive feedback cycle", that has allowed Microsoft's growth thus far. Forcing Microsoft to publish the full APIs for all their operating systems and middleware layers and applications, both current, and future changes, would restore vast amounts of competition, and would allow other companies to pursue innovation, in ways that Microsoft has failed to ever do in its corporate history, without fear of being

crushed by Microsoft creating undocumented changes in its compatibility.

—Microsoft should not be allowed to patent, or should not be allowed to charge licensing fees for patents, on the APIs themselves. Although they would be allowed to patent methodologies of implementing algorithms, in accordance with the law, they would not be allowed to use patents to prevent competing products from creating compatible APIs.

—Due to their monopoly power, they should not be allowed to have restrictive licensing agreement with:

—applications writers who use their development tools

—applications writers who require their middleware (i.e., if I'm writing a web-browser replacement, they should not be able to prohibit me from calling their Windows Media Player from my application).

—Enterprise (or other large) Customers, charging varying bundling prices depending on whether Office is included, charging per CPU instead of per seat using Windows, etc.

—OEMs, similar to above.

Given these glaring problems, as well as others not listed above, the current proposed settlement is NOT in the public interest. Primarily this is because it fails to take appropriate or sufficient measures to prevent this convicted monopolist from continuing current anti-competitive practices.

Thank you,  
—Phillip Karlsson  
New York, NY

#### MTC-00022441

From: donw@bidtek.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Don and Rachel White  
38546 Strawbridge Parkway  
Sandy, OR 97055

#### MTC-00022442

From: Tony Sabbadini  
To: Microsoft ATR  
Date: 1/24/02 11:13am  
Subject: Anti-trust getting out of hand  
Department of Justice,

I'm glad you have reached a settlement agreement with Microsoft, for I have lost

patience with this entire case and cannot stand to further see Microsoft competitors abuse the court system to further their own business goals. The recent lawsuit filed by AOL claiming that Microsoft has "unfairly" competed against them doesn't just border on the frivolous—but jumps into the realm of ludicrous. To the knowledge of myself and anyone or any source I know, Microsoft has never held a gun to someone's head and told them they have to use their browser software. All Microsoft has done is offer a software package at a better value proposition than their Netscape (now AOL) competition. They did this by bundling Internet Explorer into the Windows operating system at NO ADDITIONAL COST to the consumer. If anyone complains about free software, it would be the competitors who can't offer the consumer such a deal. Additionally, by integrating the browser into the OS, Microsoft has made the Internet a more fluid experience that ties into the off line realm of computing. Microsoft wrote their own software, did not steal it, and did not force anyone to use it. Consumers should applaud this, but because they have been brainwashed by jealous Microsoft competitors who can't compete on such a level, they vilify Microsoft as a "monopolist". If Microsoft ever stopped offering software at a lower value proposition than it does now, our "free market" should put them out of business and allow a competitor to take their place. The government cannot and should NOT try to accelerate this process by interfering with the successful. Not only does this reek of hypocrisy, but also discourages any budding entrepreneur from creating and building something new. Stop listening to these weak competitors and get rid of this case!!!

#### MTC-00022443

From: OHNOTC@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:14pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tommy Crist  
784 Butterfield School Rd  
Abilene, TX 79606

#### MTC-00022444

From: Michael Manojlovich  
To: Microsoft ATR

Date: 1/24/02 2:20pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

As an Information Systems instructor within the largest university in Pennsylvania, I am acutely aware of the impact that Microsoft has had on both advancing and retarding progress in software development. It is my opinion that the negative effects of Microsoft's continuing predatory practices far outweighs any positive design factors. I further feel the proposed settlement is entirely inadequate at curbing further monopolistic transgressions. Michael Manojlovich Instructor, Information Sciences and Technology Penn State University

#### MTC-00022445

From: paul campbell  
To: Microsoft ATR  
Date: 1/24/02 2:20pm  
Subject: Microsoft Settlement

I think that settlement proposed for the Microsoft is inadequate. The settlement acts to inoculate if not encourage anti-competitive practices in the future. Microsoft has not "gotten" that they did anything wrong.

They will continue to harm any legitimate completion and now have a settlement that serves as barrier to future complaints. As an example, here is a phrase from a license that Microsoft offers. Here Microsoft is directing themselves at non-profit competitors, in many cases volunteer programmers. I understand the need to protect intellectual property but this type of language intends to prevent any competition from gaining any sort of hold. The Microsoft Windows Media Encoder 7.1 SDK EULA states \* \* \* you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models \* \* \* Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (SCSL); \* \* \*

#### MTC-00022446

From: ken klavonic  
To: Microsoft ATR  
Date: 1/24/02 2:21pm  
Subject: Microsoft Settlement

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

#### MTC-00022447

From: Rose Rothe  
To: Microsoft ATR  
Date: 1/24/02 2:10pm  
Subject: Microsoft Settlement

Please note our comments about the following statement: "AOL Time Warner, through its subsidiary, Netscape

Communications Corporation, filed suit Tuesday against Microsoft for alleged anticompetitive conduct regarding its browser, charging that Microsoft's Internet Explorer illegally harmed Netscape's Navigator browser." Our comment on this matter: I have been running Microsoft Windows for years and using Netscape as my browser not Explorer. I find this new suit completely frivolous against Microsoft. I chose to use Netscape as my browser since I first started using the internet a number of years ago. I am sure, millions of other people are doing the same. It is not as though one does not have a choice what they want to use as their browser.

Hopefully the courts will see this for what it is, harassment towards a company that has caused NO HARM against them or anyone. Please put a stop to this by seeing there is no case here for AOL Time Warner and see it for what it is.

We thank you for stopping this at this point for the good of the public and for Microsoft.

Rose Rothe and Dietmar Rothe  
Cardiff-by-the-Sea, CA  
villatucan@sand.net

**MTC-00022448**

From: jphelan1@cfl.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:17pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph Phelan  
1103 Tequesta Drive  
Barefoot Bay, FL 32976-7042

**MTC-00022449**

From: C CARVER2@MINDSPRING.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:18pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ChrsiCarver Carver  
6325 FALLS OF NEUSE RD.  
RALEIGH, NC 27615

**MTC-00022450**

From: Adriano  
To: Microsoft ATR  
Date: 1/24/02 2:21pm  
Subject: Microsoft Settlement

There's no choice, Microsoft MUST be split into two separated units: one for Operating Systems and another for all other activities. This is the only way we can have a free and IT market.

**MTC-00022451**

From: Will Crowe  
To: Microsoft ATR  
Date: 1/24/02 2:21pm  
Subject: Comment on Microsoft Judgement  
To whom it may concern:

In many ways the solution to the Microsoft case is simple:

LET THE PUNISHMENT FIT THE CRIME

However, the settlement, as it now reads, will not provide the above simple remedy—one which even a small child can understand.

If Microsoft cannot be broken up into separate companies (practically the only outcome which completely solves the problem) then three other solutions come to mind:

1. Force Microsoft to unbundle applications from the operating system.
2. Force Microsoft to give away its operating system free of charge (which will effect the same result as #1 above).
3. Force Microsoft to release the source code to its operating system into the public domain. I can think of no other remedies which can appropriately punish Microsoft for their monopolistic tactics. Monetary damages will not hurt Microsoft, and will only enrich lawyers and others closely associated with the case. In the present settlement, the public will lose.

Please do your duty and punish Microsoft.

Thank you,  
William Crowe  
2421 NW 114th Street  
Oklahoma City, OK 73120

**MTC-00022452**

From: confergroup@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Why not go back to investigating Janey Reno, former president Bill Clinton and senator Hillary Clinton.

Their legal transgressions should keep you busy for years

Sincerely,  
Holt Confer  
58 Saddle Court  
Sinking Spring, PA 19608-9514

**MTC-00022453**

From: eiderdowndemesne@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gloria Stricklin  
3676 Yucca Mesa Rd  
Yucca Valley, CA 92284

**MTC-00022455**

From: DKleindorf@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:20pm  
Subject: Microsoft Settlement

I believe AOL's latest lawsuit is an attempt to overturn Microsofts Settlement and also to go after Microsoft because they are a cash rich company. AOL's position about being pushed out of the Browser market is absurd they must believe that the average computer user is stupid if just because and icon is on the Desktop they won't be able to find and alternative browser I have used both browsers over the years with my first being Netscape but after switching back and forth



several times I came to the conclusion Microsoft Explorer was a better product, not because it was merged somewhat with Windows but many things including ease of use and Appearance! AOL's own software intermingles with Windows when it installs also and changes basic Windows settings, I know because I subscribe to their service and have for several years and they have been very uncompetitive with their instant messaging service Also! They could still be competitive in the browser market if they would have applied the resources to produce a better product instead of giving it to Lawyers!

But as with children or those that can't do they want to blame someone else!

Dennis Kleindorfer  
601 East New York Ave.  
DeLand, FL 32724  
dkleindorf@aol.com

**MTC-00022457**

From: Philip Turner  
To: Microsoft ATR  
Date: 1/24/02 2:26pm  
Subject: Microsoft Settlement  
It's a bad idea. I'll leave it at that.  
Boinky boink doo doo

**MTC-00022458**

From: Michael E. Cohen  
To: Microsoft ATR  
Date: 1/24/02 2:23pm  
Subject: Microsoft Settlement  
To whom it may concern:

I am writing to express my concern at the settlement proposed between the United States and Microsoft. From all I can tell, the settlement relies far too much upon the good faith of Microsoft to avoid any future anti-competitive abuse of their desktop computer monopoly. The company's previous disregard of consent decrees should make it clear that a more enforceable solution is warranted.

Information processing and exchange is an enormous part of the United States economy. Ceding control of such an essential component of our economic well-being to a single company which has, in the past, shown indifference, if not scorn, for the interests of any party other than the company and its stockholders is risky at best. In the absence of either strong regulation of Microsoft's practices or of a structural remedy that can reduce the company's ability to extend its monopoly, we may well be ceding our country's economic future to a powerful entity which is not accountable to the will of the country's citizens.

Sincerely,  
Michael E. Cohen

**MTC-00022459**

From: Powersbk99@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:21pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
Bert Powers  
7421 Raines Rd  
Liberty, MO 64068

**MTC-00022460**

From: bonnielee2@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:22pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bonnie Hackett  
167 Belle Marsh RD  
South Berwick, ME 03908-2148

**MTC-00022461**

From: mstipicevic  
To: Microsoft ATR  
Date: 1/24/02 2:25pm  
Subject: Microsoft Settlement

To whom it may concern,

I would like you to reconsider the current proposed final judgement. The current judgement does not describe broadly enough the correct conduct Microsoft must follow. For example, the definition of "Microsoft Middleware" may allow something as simple as a version change to make certain restrictions null and void. This would allow Microsoft to continue with its current practices. Also, the PFJ should encourage multiple operating systems and products for Intel platforms, not simply force Microsoft to comply with OEM requests. Thank you for your time and please consider my opinion when making your final decision.

—Mike Stipicevic Jr.

**MTC-00022462**

From: Eric Axley  
To: Microsoft ATR  
Date: 1/24/02 2:26pm  
Subject: Microsoft Settlement

I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors.

Eric Axley  
9508 Trails End Rd.  
Knoxville, TN 37931

**MTC-00022463**

From: John Gorham  
To: Microsoft ATR  
Date: 1/24/02 2:28pm  
Subject: Microsoft Settlement

From the section in the Competitive Impact Statement entitled Microsoft's Campaign to Eliminate the Netscape Threat, it seems clear that Microsoft made a well-planned and deliberate attempt to destroy its smaller rival. And it almost succeeded. Netscape would probably not be alive today if it hadn't been bought by AOL. Netscape's own mistakes certainly contributed to its problems, but, as I understand the issue, this shouldn't make any difference. According to our system, Netscape should have been allowed to stand or fall on its own merits, as judged by consumers. It should not have had to work in a manipulated environment that made success essentially impossible.

Yours sincerely,  
John Gorham

**MTC-00022464**

From: rossact@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:25pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Horst Ehrhardt  
143 Walden Ridge Dr.  
Crossville, TN 38558

**MTC-00022465**

From: ECONOMIDES, Nicholas  
To: Microsoft ATR  
Date: 1/24/02 2:22pm

Subject: Comment on the proposed settlement in the current Microsoft case  
Ms. Renata B. Hesse Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

Dear Ms. Hesse,

Attached please find my comment on the proposed settlement in the current Microsoft case. Please note that there are three attached documents:

1. The main document: Comment of Nicholas S. Economides on the Revised Proposed Final Judgment

2. Attachment A: CV of Nicholas Economides

3. Attachment B: Electronic copy of Nicholas Economides (2001), "United States v. Microsoft: A Failure of Antitrust in the New Economy," Symposium: Cyber Rights, Protection, and Markets, UWLA Law Review, (April 2001).

Please acknowledge receipt. Thank you.

Sincerely yours,

Prof. Nicholas Economides

Stern School of Business

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New York NY 10012-1126

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BEFORE THE UNITED STATES

DEPARTMENT OF JUSTICE UNITED

STATES OF AMERICA, Plaintiff, V.

MICROSOFT CORPORATION, Defendant.

STATE OF NEW YORK ex. rel. Attorney

General ELIOT SPITZER, et al., V. Plaintiffs,

MICROSOFT CORPORATION, Defendant.

Civil Action No. 98-1232 (CKK)

Civil Action No. 98-1233 (CKK)

Comment of Nicholas S. Economides on

the Revised Proposed Final Judgment

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1. Introduction

I am filing these brief comments on the Revised Proposed Final Judgment ("RPFJ")<sup>1</sup> and Competitive Impact Statement ("CIS")<sup>2</sup> to provide the Justice Department and the court with a useful economic analysis to assist the court in judging the appropriateness of the remedy in the RPFJ. I believe that the RPFJ is in the "public interest," as that test is applied under the Tunney Act. Accordingly, the RPFJ should be approved.

2. Interest Of The Commenter

<sup>1</sup> United States v. Microsoft Corp., Stipulation and Revised Proposed Final Judgment (November 6, 2001).

<sup>2</sup> United States v. Microsoft Corp., Competitive Impact Statement (November 15, 2001).

I am professor of economics at the Stern School of Business of New York University specializing in industrial organization and antitrust with particular emphasis on network industries. I am filing this submission in my own personal capacity and not on behalf of the New York University or the Stern School of Business. I am not employed or retained as a consultant on matters before this court by Microsoft, the United States Department of Justice, the Attorneys General of various States that sued Microsoft or any other interested party. Furthermore, I am not receiving any compensation from anyone for submitting these comments.

I have followed this case closely and extensively for the past several years, in my academic capacity. Since 1995, I have created and maintain the "Economics of Networks" web site on the Internet at <http://www.stern.nyu.edu/networks/> that has acted as a focal point for academic research in the economics of network industries. Since the beginning of the present Microsoft case, I have added a number of pages on this web site that contain information and my analysis of this case. I have published three articles in refereed journals<sup>3</sup> on the specific issues raised by the present matter and I attach the article "United States v. Microsoft: A Failure of Antitrust in the New Economy," Symposium: Cyber Rights, Protection, and Markets, UWLA Law Review, (April 2001) as Attachment B. I also have published over 70 articles in industrial organization, competition policy, antitrust, networks, and telecommunications issues. My Curriculum Vitae is attached as Attachment A. I believe that my academic expertise, as well as my experience in competition policy in a number of matters, including the merger of MCI with WorldCom and the proposed merger of WorldCom with Sprint, as well as in a number of regulatory telecommunications proceedings is relevant to the issues raised in this case.

On November 6, 2001, the United States and the States of New York, Illinois, North Carolina, Kentucky, Michigan, Louisiana, Wisconsin, Maryland and Ohio reached a proposed final judgment (RPFJ) that will terminate litigation in the above cases. My comments below are supportive of the proposed final judgment, argue against other remedial proposals, and discuss various issues that are relevant to the case. In my opinion, the RPFJ is a good and fair settlement that achieves the objectives of remedial relief without damaging the software industry.

3. Criteria For Remedies

In the Appeals Court decision, Microsoft was found liable of monopolization of the

<sup>3</sup> These are:

Nicholas Economides (2001 a), "The Microsoft Antitrust Case," Journal of Industry, Competition and Trade: From Theory to Policy, vol. 1, no. 1, pp. 7-39 (August 2001), lead article. Nicholas Economides (2001b), "The Microsoft Antitrust Case: Rejoinder," Journal of Industry, Competition and Trade: From Theory to Policy, vol. 1, no. 1, pp. 71-79 (August 2001). Nicholas Economides (2001c), "United States v. Microsoft: A Failure of Antitrust in the New Economy," Symposium: Cyber Rights, Protection, and Markets, UWLA Law Review, (April 2001), lead article.

market for operating systems for personal computers. The objective of the remedial relief is to impose prohibitions and requirements that will eliminate Microsoft's practices that were found to be illegal, prevent the recurrence of such practices, and restore the threat posed by middleware to Microsoft's operating systems monopoly. The remedial relief should also make sure that it does no damage to the software industry, and should take into account two important special factors that are relevant to the case: (i) the very fast technological growth in these two markets; and (ii) the existence of network effects in the market for operating systems and the market for software applications.

a. Remedies' Limitations Imposed By Rapid Technological Change

Any intervention by antitrust authorities creates a disruption in the workings of markets. The objective of the remedial relief is to accomplish the objectives mentioned in the previous paragraph without damaging efficient production and competition in the market. The potential damage that antitrust intervention can produce is larger when it is applied to an industry such as software with fast technological change, where leaps to new and more efficient technologies are expected, while the specific nature of the future winning technology is unknown. Firms in the software business confess that they are uncertain of the future winning technology in their field of business. Antitrust authorities know even less than the firms in the field. It is plainly difficult to predict future winning technologies and therefore it is very hard to fashion an antitrust remedy with an accurate prediction of its effect on industry structure and competition a few years down the road. Of course, this uncertainty is multiplied when the remedy creates a significant intervention in the industry. Therefore, lacking the knowledge of the effects of their actions, it is in the public interest that antitrust authorities and courts avoid very extensive intervention in industries with fast technological change. It is best to intervene only to the extent that (i) intervention reverses the effects of actions for which liability was established; and (ii) the effects of the intervention are predictable.

Another implication of very fast technical change in software is that the boundaries among the software products are fungible. Over time, these boundaries can be redrawn. New functions may be incorporated in larger programs, and sometimes it is more efficient to do so. An intervention that fits well in the present market may be counterproductive or irrelevant soon.

b. Remedies' Limitations Imposed By Network Effects Of Software

The second special factor to be considered is that the Microsoft case focuses on markets with network effects, where the value to a buyer of an extra unit (say of Windows) is higher when more units are sold, everything else being equal. The existence of network effects has crucial implications on market structure and the ability of antitrust authorities to affect it. In markets with strong network effects, even in the absence of anti-competitive acts, the existence of network effects in markets such as the market for operating systems of PCs, results in very

significant inequalities in market shares and profits. The resulting equilibrium market structure can be called a "natural oligopoly" where very few firms dominate the market. The structural features of natural oligopoly for software market cannot be altered by antitrust intervention without very significant losses for society. The very nature of markets with network effects implies that the ability of antitrust authorities to alter market structure in such industries is limited. I discuss this issue next.

In assessing the Microsoft case, it is important to remember that the case focuses on markets with network effects. Network effects define crucial features of market structure that have to be taken into consideration in understanding competition and potentially anti-competitive actions in these markets.

A market exhibits network effects (or network externalities)<sup>4</sup> when the value to a buyer of an extra unit is higher when more units are sold, everything else being equal. In a traditional network, network externalities arise because a typical subscriber can reach more subscribers in a larger network.<sup>5</sup> In a virtual network,<sup>\*</sup> network externalities arise because larger sales of component A induce larger availability of complementary components B<sub>1</sub>, ..., B<sub>n</sub>, thereby increasing the value of component A. The increased value of component A results in further positive feedback? For example, the existence of an abundance of Windows-compatible applications increases the value of Windows.

There are a number of crucial features of markets with network effects that distinguish them from other markets. First, markets with strong network effects where firms can choose their own technical standards are "winner-take-most" markets. That is, in these markets, there is extreme market share and profits inequality.<sup>8</sup> The market share of the largest firm can easily be a multiple of the market share of the second largest, the second largest firm's market share can be a multiple of the market share of the third, and so on. This geometric sequence of market shares implies that, even for small n, the nth firm's market share is tiny.

For example, abundance of applications written for Windows increases the value of

Windows and induces more consumers to buy Windows. This increases the incentive for independent applications writers to write applications for Windows, and this further increases sales and market share for Windows. Moreover, consumers are willing to pay more for the brand with the highest market share (since it has more associated applications), and therefore profits associated with this brand can be a large multiple of profits of other platforms. This implies a very large market share for Windows, a small market share for the Mac, a very small market share for the third competitor, and almost negligible shares for the fourth and other competitors.

Second, due to the natural extreme inequality in market shares and profits in such markets at any point in time, there should be no presumption that there were anti-competitive actions that were responsible for the creation of the market share inequality or the very high profitability of a top firm. Great inequality in sales and profits is the natural equilibrium in markets with network externalities and incompatible technical standards. No anti-competitive acts are necessary to create this inequality.<sup>9</sup>

Third, because "winner takes most" is the natural equilibrium in these markets, attempting to superimpose a different market structure, (say one of all firms having approximately equal market shares), is futile and counterproductive. If a different market structure were imposed by a singular structural act (say a breakup of a dominant firm), the market would naturally deviate from it and instead converge to the natural inequality equilibrium. If forced equality were imposed as a permanent condition, it would create significant social inefficiency, as discussed below.

Fourth, in network markets, once few firms are in operation, the addition of new competitors, say under conditions of free entry, does not change the market structure in any significant way. The addition of a fourth competitor to a triopoly hardly changes the market shares, prices, and profits of the three top competitors.<sup>10</sup> This is true under conditions of free entry. Therefore, although eliminating barriers to entry can encourage competition, the resulting

competition does not significantly affect market structure. In markets with strong network effects, antitrust authorities cannot significantly affect equilibrium market structure by eliminating barriers to entry.

Fifth, the fact that the natural equilibrium in network industries is winner-take-most with very significant market inequality does not imply that competition is weak. Competition on which firm will create the top platform and reap most of the benefits is, in fact, very intense.

Sixth, there is a more fundamental concern about the application of antitrust in network industries.<sup>11</sup> In industries with significant network externalities, under conditions of incompatibility between competing platforms, monopoly may maximize social surplus. When strong network effects are present, a very large market share of one platform creates significant network benefits for this platform which contribute to large consumers' and producers' surpluses. It is possible to have situations where a breakup of a monopoly into two competing firms of incompatible standards reduces rather than increases social surplus because network externalities benefits are reduced. This is another way of saying that de facto standardization is valuable, even if done by a monopolist.<sup>12</sup>

Seventh, in network industries, the costs of entry may be higher but the rewards of success may also be higher compared to non-network industries. Thus, it is unclear if there is going to be less entry in network industries compared to traditional industries. If a requirement for entry is innovation, one can read the previous statement as saying that it is unclear if innovation would be more or less intense in network industries. The dynamics of the innovation process in the winner-take-most environment of network industries are not sufficiently understood by academic economists so that they could give credible advice on this issue to antitrust authorities. However, in the last two decades we have observed very intense competition in innovative activities in network industries unfunded by capital markets.

Eighth, the existence of an installed base of consumers favors an incumbent. However, competitors with significant product advantages or a better pricing strategy can overcome the advantage of an installed base. Network effects intensify competition, and an entrant with a significantly better product can unseat the incumbent. In network industries, we often observe Schumpeterian races for market dominance. This is a consequence of the winner-take-most natural equilibrium combined with the high intensity of competition that network externalities imply.

#### 4. Evaluation Of The Proposed Remedies in the RPFJ

Evaluating the RPFJ in the framework of an industry with strong network externalities and fast technical change, I conclude that this is a fair settlement that Economides & Flyer, supra note 8, show that, in market conditions similar to the ones in the OS software market, social welfare (total social surplus) can be higher in monopoly. The table below, taken from this paper, shows profits, consumers' and total surplus in a

<sup>4</sup> The word externality means that a good's value is not intermediated in a market. For the purposes of this paper, we will use the words "network effects" and "network externalities" interchangeably.

<sup>5</sup> See Nicholas Economides, *The Economics of Networks*, 14 Int'l J. Indus. Org. at 675-699, (visited Apr.23, 2001) at <http://www.stern.nyu.edu/networks/top.html> (visited January 15, 2001).

A virtual network is a collection of compatible goods (that share a common technical platform).

For example, all VHS video players make up a virtual network. Similarly, all computers running Windows 98 can be thought of as a virtual network.

<sup>7</sup> Despite the cycle of positive feedbacks, it is typically expected that the value of component A does not explode to infinity because the additional positive feedback is expected to decrease with increases in the size of the network.

See Nicholas Economides & Frederick Flyer, *Compatibility and Market Structure for Network Goods*, Discussion Paper EC-98-02, Stern School of Business, N.Y.U., 1998, (visited Apr.23, 2001) at <http://www.stern.nyu.edu/networks/98-02.pdf>.

<sup>9</sup> See Robert E. Litan, Roger G. Noll, William D. Nordhaus, & Frederic Scherer, *Remedies Brief Of Amici Curiae On Civil Action No. 98-1232 (TPJ)* at [www.aeibrookings.org/publications/related/brief.pdf](http://www.aeibrookings.org/publications/related/brief.pdf) (visited Apr.23, 2001). Litan et al. (2000) err in reasoning that Microsoft's very high profitability is a clear indication of monopolization in the antitrust sense. High profitability for the top platform is natural in this winner-take-most market.

<sup>10</sup> See Economides & Flyer, supra note 8.

The table below, taken from this paper, shows market coverage and prices as the number of firms with incompatible platforms increases. Maximum potential sales was normalized to 1. Table h Quantities, Market Coverage, And Prices Among Incompatible Platforms Number Sales of Sales of Sales of Market Price Price of Price of Price of firms largest second third coverage of second third of smallest and largest.

Note that the addition of the fourth firm onward makes practically no difference in the sales and prices of the top three firms.

In the Microsoft case, both sides had the chance to address this issue, but failed to do so.

market where firms produce incompatible products, as the number of competitors I increase.

TABLE 2: PROFITS, CONSUMERS' AND TOTAL SURPLUS AMONG INCOMPATIBLE PLATFORMS

Total number of firms	Profits of largest firm	Profits of second firm	Profits of third firm	Total industry profit	Consumers' surplus	Total surplus
1 .....	0.1481	.....	.....	0.1481	0.148197	0.29629651
2 .....	0.0197	7.159e-3	.....	0.1168	0.173219	0.29001881
3 .....	0.1077	5.377e-3	3.508e-4	0.1135	0.175288	0.28878819

A clear example of this is the win of VHS over Beta in the United States consumer video recorders market. Beta was fast to market and had a significant installed base in the five years of the coexistence of the two competing standards. However, because VHS (i) introduced earlier a recording tape of longer duration; (ii) used wide and inexpensive licensing of its technology; and (iii) its licensees had a much wider distribution system, VHS emerged as the winner, and Sony stopped selling Beta recorders to the US consumer market.

Imposes appropriate remedies for the violations for which Microsoft was found liable. The RPFJ contains some terms that may be seen as favorable to Microsoft, while, in most of its terms, it is favorable to the plaintiffs. Overall, in my opinion, the settlement is more favorable to the plaintiffs than what the final result of a remedies hearing would have been, given the Appellate Court decision.

There are substantial benefits in settling the case rather than continuing litigation that is likely to result in a very similar final outcome. There is substantial uncertainty associated with the judicial process, which is awfully slow compared to the rate of progress in the computing industry. Given the position of Microsoft in the computing industry, the added uncertainty of an extended remedies trial would affect adversely not only Microsoft, but also the rest of the computing industry.

The provisions of the settlement that may be seen as favorable to Microsoft are:

- (i) No structural changes, that is, no breakup of the company;
- (ii) Microsoft is not restricted from adding functions to the Windows operating system;
- (iii) there are no general restrictions imposed on product bundling by Microsoft; and
- (iv) there is no wide disclosure of source code; mandated disclosures are limited to interfaces. I discuss each one briefly.

(i) No structural changes  
 In my opinion, a structural change would be too draconian, especially after the narrowing of the liability by the Appellate Court, and would result in other inefficiencies. It is correctly avoided, and, after the Court of Appeals Decision, USDOJ correctly announced that it would not pursue a breakup (even before it entered into a settlement agreement).

(ii) No restrictions on adding functions to Windows  
 Freezing Windows in its present form and functionality and mandating that consumers would have to pay extra for future additional functions to Windows would be very

detrimental to consumers' welfare. The addition of functions to Windows while its price has been kept relatively low results in a big benefit to consumers. It would be contrary to the public interest to take actions that would decrease the benefit that consumers receive from this market. Moreover, since this is an industry with very fast technological change, freezing the functionality of a product would quickly make it irrelevant. This is not and should not be the intent of the application of antitrust law.

(iii) No bundling restrictions  
 The Appellate Court did not uphold the finding of liability of the lower court on tying, which was based on a per se reasoning. The Court of Appeals found that the per se analysis was inappropriate in this case for a number of reasons. The Appellate Court sent back the tying claim to the lower court to be judged (if the plaintiffs were to pursue it) under a rule of reason approach. Under this approach, the plaintiffs would have had to prove, in general terms, that the harm done by the tying was larger than any pro-consumer or pro-competitive benefits of the tying act. The plaintiffs decided not to pursue this course of action. This was wise, since it was likely that it would be very hard to meet the standard of the Appellate Court. Thus, it makes sense that the RPFJ does not impose general restrictions on bundling.

(iv) No wide mandatory disclosure of source code  
 The source code is the intellectual property of Microsoft. Confiscating intellectual property is a very extreme measure that would discourage innovation. Imposing forced disclosure or licensing would be very close to considering the operating system an essential facility and imposing regulation. It is not necessary to take these extreme measures to remedy the present violation.

The provisions of the settlement that are favorable to the plaintiffs are: (i) The broad scope of definition of middleware products; (ii) the requirement to disclose middleware interfaces; (iii) the requirement to disclose server protocols; (iv) freedom to install middleware software; (v) ban on retaliation; (vi) uniform pricing of Windows for same volume sale; (vii) ban on exclusive agreements; contract restrictions; and (viii) strict on-site enforcement.

(i) The broad scope of definition of middleware products  
 The settlement defines "middleware" to include browsers, e-mail clients, media players, instant messaging software, and future new middleware developments. Most of these middleware products have no

chance to ever become a platform that would become a threat to the Windows operating system. Therefore, by applying the settlement terms on all middleware as defined above, the plaintiffs much more favorable terms than they would have received from a remedies trial. In such a trial, given the monopolization liability, only middleware that could be a threat to Windows would have been relevant, and the settlement (or other) terms would have been applied only to such middleware. Here the plaintiffs achieved better terms in the settlement than they were likely to get in a full remedies trial.

(ii) The requirement to disclose middleware interfaces

Microsoft will be required to provide software developers with the interfaces used by Microsoft's middleware to interoperate with the operating system. This will allow development of competing (non-Microsoft) products that come very close to most Microsoft functions. Under the liability of monopolization, this is a reasonable requirement for middleware that has some chance of becoming a platform that will compete with Windows. When this requirement is applied by RPFJ to all middleware, the plaintiffs are getting better terms in the settlement than they were likely to get in a full remedies trial.

(iii) The requirement to disclose server protocols

The settlement imposes interoperability between Windows and non-Microsoft servers of the same level as between Windows and Microsoft servers. Servers and their interoperability with Windows were not part of the monopolization liability, and the plaintiffs would be unlikely to get this term in a full remedies trial.

(iv) Freedom to install middleware software

Computer manufacturers and consumers will be free to substitute competing middleware software on Microsoft's operating system.

(v) Ban on retaliation  
 Microsoft will be prohibited from retaliating against computer manufacturers or software developers for supporting or developing certain competing software. This is a reasonable restriction since Microsoft was found liable of monopolization.

(vi) Uniform pricing of Windows for same volume sale

Microsoft will be required to license its operating system to key computer manufacturers on uniform terms for five years. Microsoft will be allowed to provide quantity discounts. This eliminates the possibility of offering different prices to manufacturers that buy the same quantity.

The effects of this restriction on total consumers' and producers' surplus are unknown. The likely effect of the restriction will be a transfer of wealth from Microsoft to computer makers (OEMs). There is no conclusive evidence in economic theory that this restriction will increase total surplus of the combined consumers plus OEMs plus Microsoft surplus. On the contrary, if different OEMs faced different demand curves for PCs (because of variations in the PCs they produce), and this information was known to Microsoft, total surplus could be increased if Microsoft could charge different prices to different OEMs for the same quantity of sale. However, the imposition of this restriction can help avoid possible retaliation of Microsoft, so in the present context, it may be in the public interest.

(vii) Ban on exclusive agreements; contract restrictions

Microsoft will be prohibited from entering into agreements requiring the exclusive support or development of certain Microsoft software. This is a reasonable restriction since Microsoft was found liable of monopolization.

(viii) Strict on-site enforcement

A panel of three independent, on-site, full-time computer experts will help to enforce the terms of the settlement. The panel will have full access to all of Microsoft's books, records, systems, and personnel, including source code. The panel will also have the authority to resolve disputes about Microsoft's compliance. This provides for a very strict enforcement mechanism and is a major victory for the plaintiffs who have complained in the past that Microsoft deviated from old agreements with the antitrust authorities. I would caution that this panel should not be used as a regulatory body. If regulation is ever to be imposed on the PC industry, it should come as an Act of Congress rather than as a gradual expansion of powers of this panel. As I have stated in the attached paper, there are many reasons why we should avoid for some time imposing regulation on the PC industry.

The above discussion shows that the proposed settlement covers a number of dimensions and imposes a number of requirements that are not strictly arising from the monopolization violation. In my opinion, as part of this settlement, the defendant has conceded to the plaintiffs more than the plaintiffs were likely to achieve in a full remedies trial.

Evaluation Of Other Remedies Proposals

Here I evaluate other proposals, which I find detrimental to the public interest, and I recommend that they should be rejected.

i. Structural Relief

a. Vertical Breakup

Structural relief is a draconian measure that should be reserved for those cases where absolutely nothing else would work. In my opinion, it is very likely that the conduct remedies of the present proposed settlement will work, and there is no reason to resort to draconian measures. Two types of remedies have been proposed. The first is the "vertical breakup" imposed by Judge Jackson (and vacated by the Appellate Court) that would divide Microsoft in an operating systems company and an applications company.

Some have made the argument that the breakup is a surgical cut and therefore will disrupt the industry the least. This is countered by the facts. A breakup of Microsoft is an extremely disruptive outcome, and it would, practically speaking, eliminate Microsoft as a flexible and formidable competitor.

The argument, that, since AT&T's 1982 breakup was successful, so would Microsoft's, is incorrect. AT&T was divided into the long-distance company (AT&T), and seven regional operating companies, each of which remained a regulated local telecommunications monopoly until 1996. The destruction of AT&T's long-distance monopoly encouraged competition, which brought sharply lower prices and immense consumer benefits.<sup>14</sup> There are a number of key differences between the two companies and their competitive situations. And these differences make it very likely that a Microsoft breakup, besides harming Microsoft, would harm consumers and the computer industry.

In 1981, AT&T was a 100-year-old regulated monopoly with many layers of management. For historical reasons, the local phone companies within the old AT&T, such as New York Telephone, were managed separately from the "long lines" division. Thus, it was not difficult to separate the divisions since they functioned on many levels as separate companies. AT&T also had an abundance of managers to help cope with the breakup. By contrast, Microsoft is a young, entrepreneurial company run by very few top executives (about 25), and its divisions are very fluid. While this has made Microsoft one of the most efficient and successful companies around, it also means that a break-up would pose significant managerial problems and severely reduce the company's flexibility. Finally, AT&T was a regulated utility and regulation guaranteed that the companies emerging from the breakup stayed interconnected. In contrast, the Microsoft breakup is likely to lead to incompatibilities and further loss of efficiency.

The vertical two-way breakup plan was premised on the hope that an autonomous applications company would create a new operating system to compete with Windows. But more than 70,000 applications run on Windows, creating what the government calls "the applications barrier to entry" in the operating-system market. However capable the new applications company, it still wouldn't be able to single-handedly create a successful rival operating system. Separately, even with a new applications company's support, Microsoft's biggest operating-system competitor, Linux, is unlikely to become a serious desktop threat to Windows.

<sup>14</sup> At the same time, the AT&T breakup did not introduce competition at the local exchange level, and the Regional Bell Operating Companies ("RBOCs") were allowed to monopolize local telecommunications services as well as access to long distance services. The success of competition in long distance has been hampered by the continuing monopoly of the local exchange, five years after the Telecommunications Act of 1996 was supposed to open the local exchange to competition.

A vertical breakup is likely to have detrimental effects. First, the breakup is likely to result in higher prices. If DOJ is correct and Microsoft kept its OS prices low so that it could exercise its monopoly power in the adjacent browser market, the post-breakup Baby Bill<sup>15</sup> that inherits the operating systems will have no incentive to keep the price low. The OS Baby Bill will no longer have the incentive to disadvantage any applications companies. Thus, the OS Baby Bill will now exercise the monopoly power it has and raise the price of the operating system to the detriment of consumers. If Microsoft has significant monopoly power because of the "applications barrier to entry," higher prices will be the direct result of the breakup. Second, as explained earlier, the breakup is likely to eliminate the efficiencies that make Microsoft a flexible and formidable competitor.

The breakup is likely to temporarily eliminate the incentive for interference from OSs to applications and vice versa. Of course, the same could have been accomplished by conduct restrictions without the cost and the disruption of the breakup. Moreover, without permanent restrictions on the post-breakup functions of the companies, the OS and the applications Baby Bills may enter into each other's business soon after the breakup. It is very likely that a few years after the breakup, one of the resulting companies will dominate both markets.

b. Hybrid Breakup

A second breakup proposal is the "horizontal breakup." This extreme proposal would break up Microsoft into three identical companies, with each company acquiring the source code of all the programs that Microsoft currently sells, and one third of its employees.<sup>16</sup> This "horizontal breakup" is sometimes presented in combination with the "vertical breakup" imposed by Judge Jackson (and vacated by the Appellate Court). In this "hybrid breakup," first Microsoft is broken into two or three companies according to the type of program produced, and then the operating systems company is broken into three parts creating four of five companies altogether.

Besides the loss of flexibility that any breakup would create, a horizontal or hybrid breakup would also produce significant incompatibilities with harmful effects to computer users, applications writers, and Microsoft shareholders. Post-breakup Microsoft companies coming out of a horizontal or a hybrid breakup will have incentives to create incompatible versions of Windows for two reasons. First, post-breakup Microsoft companies will try to differentiate their operating systems to avoid strong competition, leading to small price-cost margins. This is true even in industries without network externalities and has been well established in the economics literature on product differentiation.<sup>17</sup> Second, post-

<sup>15</sup> This is a word play on "Baby Bells" that came out of AT&T and the first name of the CEO of Microsoft, Bill Gates.

<sup>16</sup> See Litan, *supra* note 9.

<sup>17</sup> See Claude D'Aspremont, Jean Jaskold-Gabszewicz, & Jacques-Francois Thisse, *On Hotelling's Stability in Competition*, 47

breakup Microsoft companies will try to make their operating systems incompatible with each other in a race to become the dominant OS, since the dominant firm receives the lion's share of profits in a winner-takes-most world. This is established in the network economics literature.<sup>18</sup> Differentiating the operating systems by Baby Bills would inevitably reduce the range of software that would be compatible with each user's computer. As a consequence, consumers' surplus would decrease. The emerging incompatibilities would be a huge headache for both independent applications writers and corporate IT departments. Such incompatibilities would also hurt shareholders, since the combined value of the resulting Baby Bills will be smaller than that of the original Microsoft.

ii. Auctioning the Windows code

Another remedy proposal is auctioning the Windows source code. Given the fluctuating stock market value of Microsoft, Windows source code may be worth as much as \$200 billion. No company can bid that much cash in an auction. (Practically speaking, only a handful of foreign governments could). This implies that the source code of Windows would be sold forcibly by a small fraction of its worth—and that would severely reduce the value of shareholders' equity. Auctioning the Windows code would not only effectively confiscate Microsoft's intellectual property, it would also seriously reduce the incentive for innovation not only for Microsoft but for all potential innovators. Moreover, source code evolves. Over time, different firms will add and alter the Windows code. Soon, incompatibilities will arise, with all the negative consequences of diminution of network effects described earlier.

6. Conclusion

In my opinion, the RPFJ is a good and fair settlement that achieves the objectives of remedial relief without damaging the software industry. I would urge caution against a deeper intervention in the software industry, where fast technological change and very significant network effects make it very difficult to predict the medium and long run effects of such intervention.

7. Attachment A: Curriculum Vitae of Nicholas Economides

8. Attachment B: "United States v. Microsoft: A Failure of Antitrust in the New Economy," Electronic copy of Nicholas Economides (2001), "United States v. Microsoft: A Failure of Antitrust in the New Economy," Symposium: Cyber Rights, Protection, and Markets, UWLA Law Review, (April 2001), lead article.

<sup>18</sup> Economitrica at 1145–50. See also Anver Shaked & John Sutton, Relaxing Price Competition Through Product Differentiation, 49 Rev. Econ. Stud. at 3–14. See Nicholas Economides, The Principle of Minimum Differentiation Revisited, 24 Eur. Econ. Rev. at 345–368.

<sup>18</sup> See Economides & Flyer, supra note 20, and Nicholas Economides, Industry Fragmentation After A Microsoft Breakup (2001) (on file with the author); Nicholas Economides, The Microsoft Antitrust Case, J. Indus., Competition & Trade: From Theory to Policy (Aug. 2001); see also Nicholas Economides,

The Microsoft Antitrust Case: Rejoinder, J. Indus., Competition & Trade: From Theory to Policy (August 2001).

**MTC-00022466**

From: adsup2@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:25pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bill Garrett  
P.O. Box 1122  
Madison, TN 37116

**MTC-00022467**

From: Mary Pinion  
To: Microsoft ATR  
Date: 1/24/02 2:29pm  
Subject: Microsoft Settlement  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

My name is Mary Ellen Pinion and I am a resident of Bremen, Alabama. I am writing to request that you settle the Microsoft matter as soon as possible. I have been a MSFT stock investor for several years and I have closely observed the MSFT court proceedings. It seems to me the Utah Senator complaints stem from interest in his home state based company. Also, I thought Netscape folks were out of the big picture some time ago. The Microsoft case has been pending now for over three years. I understand that Microsoft has agreed to settle the case by opening their Windows operating systems to competition from non-Microsoft software, and by agreeing to avoid restrictive contractual agreements under which manufacturers, distributors and other third parties would be required to distribute or promote Windows technology exclusively. This certainly seems like a fair resolution of the matter to me.

I hope that you can wrap up this case in the very near future. The more time these companies spend in Court, the less time they have to help the economy grow. Thank you for your time and attention.

Sincerely,  
Mary Ellen Pinion  
2379 County Road 101  
Bremen, AL 35033

**MTC-00022468**

From: Drake, Joshua

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 2:28pm

Subject: Microsoft Settlement

I feel that the settlement should have an included a clause dealing with Microsoft's exclusion of dual boot systems. In order for competition to exist system retailers must be able to install, and allow access to whatever software they choose. Microsoft's exclusionary licensing agreements prevent alternative Operating Systems from being useful to or even used by consumers.

Thank you,  
Joshua Drake

**MTC-00022469**

From: Big Docs  
To: Microsoft ATR  
Date: 1/24/02 2:28pm  
Subject: Microsoft Settlement

I am a Microsoft stockholder, and I am not in favor of the proposed settlement with Microsoft. I don't believe that a settlement as gentle as this is adequate to force Microsoft to change its predatory business practices, to cause the industry to determine that the punishment is suitable, or to cause consumer sentiment to swing in the favor of Microsoft.

I want Microsoft to return to health, and this medicine is not up to the task.

Mike Brant  
Microsoft Stockholder  
3431 Youngs Circle  
San Jose, CA 95127

**MTC-00022470**

From: Li Jiang  
To: Microsoft ATR  
Date: 1/24/02 2:27pm  
Subject: Microsoft Settlement  
Li Jiang  
15360 NE 66th CT  
Redmond, WA 98052  
Jan 24, 2002

To whom it may concern,

I think the settlement between Microsoft and DOJ & 9 states is reasonable and fair. Further litigation is not only costly to government and Microsoft, it will also hurt the American economy, computer industry and consumers ultimately.

Unfortunately a few of Microsoft's competitors have chosen to use this lawsuit as their weapons against Microsoft in market place. They really should concentrate on designing better products and win the consumers through products not antitrust lawsuits.

As a consumer, I wholly support the settlement between Microsoft and DOJ & 9 states. I think it is a very good thing for American economy, for computer industry and for all American consumers!

Sincerely yours,  
Li Jiang

**MTC-00022471**

From: Jeff McCarty  
To: Microsoft ATR  
Date: 1/24/02 2:28pm  
Subject: Microsoft Settlement

As a US citizen, I am writing to express my displeasure at the proposed settlement of the Microsoft anti-trust case. The proposed settlement allows many exclusionary practices to continue, and does not take any direct measures to reduce the Applications

Barrier to Entry faced by new entrants to the market.

Respectfully,  
Jeff McCarty  
27362 Strawberry Lane, Apt. 302  
Farmington Hills, MI 48334

**MTC-00022472**

From: samiam1@localnet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:26pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
SAMUEL SANTEUSANIO  
136 LUSK AVENUE  
HIGHSPIRE, PA 17034

**MTC-00022473**

From: Compaq User  
To: Microsoft ATR  
Date: 1/24/02 2:29pm  
Subject: RE: Microsoft

Dear D.O.J.

Microsoft has made an offer you really should not refuse. This company has done more for the Computer and software industry than all others put together. Let's get on with other business". We have a WAR to fight, now let's go win it.....

Sincerely  
Gail Radford

**MTC-00022474**

From: Ross Winn  
To: Microsoft ATR  
Date: 1/24/02 2:30pm  
Subject: Settlement

Ms. Hesse,

Please let me stress how very ill it makes me that the DOJ is considering a settlement with the Microsoft corporation. Microsoft has demonstrated an amazing disregard of both the letter and the spirit of the law.

Comparing the computer industry to the automobile industry, would it be fair for only one company to control 95% of the tire industry, of gasoline, or brakes? Without them the millions of us who drive every day would cease.

This is exactly what working with a computer is like in 2001.

I implore you to not accept this or any "settlement" that does not involve Microsoft admitting guilt, and provide for monetary damages (cash) penalties of no less than 50%

of their profits for the entire length of their crimes.

I would urge instead the DOJ to dissolve the Microsoft Corporation into no less than three (3) separate corporations, and divest of all non software related investments.

Thank you very much!  
Ross Winn  
3745 40th Lane South Apt 33A  
Saint Petersburg, FL 33711  
727.866.0224

**MTC-00022475**

From: Don Beeth  
To: Microsoft ATR  
Date: 1/24/02 2:31pm  
Subject: Microsoft Settlement

I write in strong support of the Microsoft Settlement.

From the consumer's point of view, the details of a settlement in the government's anti-trust action against Microsoft are less important than that a settlement occur ASAP.

That said, having read the settlement, apart perhaps from the difficulty of finding technically and experientially qualified people who meet and/or will accept the limitations for service on the Technical Committee, and that it does nothing to discourage the hundreds of class action lawsuits spawned by this unfortunate lawsuit, I found nothing that struck me as unacceptably offensive.

But regardless of what I may personally think of the provisions, because the parties have agreed to the settlement, the important thing now is to get it done quickly.

Thank you,  
Donald R. Beeth, PhD  
5303 Whittier Oaks  
Friendswood, TX 77546  
281-996-6030

**MTC-00022476**

From: Michael McConnell  
To: Microsoft ATR  
Date: 1/24/02 2:30pm  
Subject: Microsoft Settlement  
Hash: SHA1

The proposed settlement does not nearly go far enough. Microsoft should be broken up into 3 separate but equal companies, each selling, developing, supporting the same products. Just as the U.S. DOJ decided over a century ago with the case against Standard Oil, and the resulting act of Congress: The Sherman Anti-Trust Act.

This way, Microsoft would have to compete against itself, and competition among the

Microsoft spawn would open up its application programming interface, offer its products at reasonable prices.

Thank you for your consideration and time.

Sincerely,  
Michael McConnell  
4513 Belvidere Lane  
Edina, MN 55435

**MTC-00022477**

From: JRSheafer@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:31pm  
Subject: Microsoft Settlement

I want to voice my objections about the Microsoft Settlement. There are several parts

that concern me, the biggest of which is section III(J)(2) which will allow microsoft to kill most not-for-profit software that needs to interoperate with their products. Microsoft can not be allowed to set the standards to who has the ability to license the API that they are using in the monopoly product.

It is my opinion that this loophole would make microsoft even more of a monopoly than they already are by giving them the ability to exclude any competition that they deem fit.

Thank you for your attention in this matter.  
Jim Sheafer  
41911 Raspberry Drive  
Leesburg VA 20176

**MTC-00022478**

From: gw@devoar.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:27pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gale DeVoar SR  
6214 Carew ST  
Houston, TX 77074-7412

**MTC-00022479**

From: kiser@juggernautics.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:26pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.



Sincerely,  
Richard Kiser  
2930 Hamilton Road  
Cumming, GA 30041-7756

**MTC-00022480**

From: JSzekelyP@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:31pm  
Subject: Microsoft settlement

I am a U.S. voting citizen and I want to add my commentary that I think the proposed settlement is a very bad idea and should be reconsidered to be made more strict.

Julie Szekely  
8201 Monona Ave.  
Austin, TX 78717

**MTC-00022481**

From: James Thames  
To: Microsoft ATR  
Date: 1/24/02 2:31pm  
Subject: Microsoft Settlement

I am disappointed in the Proposed Final Judgment for the following reasons.

Pursuit of those who willingly and knowingly violated Federal Law will certainly avoid punishment and most likely retain their respective positions in Microsoft. Worse yet they may even be rewarded. In general I am not in favor of government intervention in a free market economy. But in the case of MS gone awry, I believe that corrective action in the form of a split should be considered. The operating system as one company and the applications yet another would be a good place to start.

Jim Thames  
Senior Software Engineer  
Westwave Communications

**MTC-00022482**

From: Stan  
To: Microsoft ATR  
Date: 1/24/02 2:34pm  
Subject: Microsoft Settlement

Hi,

The government doesn't allow privatization of roads and other infrastructure elements because it allows a corporation to control other like markets, like Ford Motors owning all of the freeways and then creating some new "better tires" that work so much better on their roads. This is no different than Microsoft. They own and control the operating system infrastructure and then can provide highly specialized software that locks in the customer. But worse, software developers who are competing with Microsoft and also those just developing on the Microsoft platform cannot compete because Microsoft can obfuscate the behavior of the operating system and services above it until they produce a competing product.

Does Microsoft add proprietary extensions to standards? Yes. (Kerberos)

Does Microsoft change their operating system behavior and does not properly document it? Yes. (Dr. Dos)

Does Microsoft keep data formats proprietary? Yes (Microsoft Word)

The solution is to split development of the operating system and core pieces from application development. Development of the operating and core pieces is then overseen by a government body.

Stan

**MTC-00022483**

From: Jacques Th(00E9)riault  
To: Microsoft ATR  
Date: 1/24/02 2:33pm  
Subject: Microsoft

I think that the whole humanity should pool to build a starship and put Microsoft assets, its officers and in particular all its lawyers and send them to the nearest black hole.

I think this is the only way we would be secure and not be bullied around by this arrogant entity.

Jacques Thiriaux

**MTC-00022484**

From: Steve and Kathleen Herr  
To: Microsoft ATR  
Date: 1/24/02 2:33pm  
Subject: microsoft.atr@usdoj.gov

Leave Microsoft alone. Stop the witchhunt. Stop trying to punish success. Let the free market operate as it should.

**MTC-00022485**

From: rosy@pikeonline.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rosemary McKinney  
2040 Birchwood Lakes  
Dingmans Ferry, PA 18328

**MTC-00022486**

From: Bill Garrett  
To: Microsoft ATR  
Date: 1/24/02 2:36pm  
Subject: Comments

Dear Ms. Hesse,

Anyone who is intelligent enough to buy and operate a computer is intelligent enough to learn that Netscape is available, as "Opera", as well as others. My machines have all had Internet Explorer on them, and I have used the system. I also use "Opera" at the moment. Each has plusses and minuses. Let everyone make a choice. I'm of the opinion that Mr. Gates and Co. have gone far enough. It is time to leave them alone and move on to more pressing business.

Best Regards,  
Billy G. Garrett

**MTC-00022487**

From: Dave Schultz  
To: Microsoft ATR  
Date: 1/24/02 2:34pm  
Subject: Microsoft Settlement

I find it very interesting that you are suing Microsoft for EXACTLY the same things that Apple (and many OTHER) system software companies do ADD functionality, ADD EASE of use, and MAKE PROGRAMS INTERGRATED with the system

I USE an Apple Macintosh PRIMARILY BECAUSE they (Apple) DO !! ADD functions to the system (I use 9.1 but when I get a new iMac 2 ! then system X, I have used a MAC for more than 10 years, but PCs from 1984?). The clock used to be a free program written by an individual, NOW it is built-in, so are many other functions INCLUDING a BROWSER speaking of which Netscape used to ADVERTISE that THEIR browser was FREE !!! (and I NEVER EVER paid them one red cent for using it either for Windows [yes I have Intel PCs too even from the days of DOS 3.0 and 2.11]) or any of my 3 Macs. They GAVE it [the browser] away for FREE "because the CONTENT Providers had to BUY the programs to make the web pages and sites." AND their browser was DIFFERENT from Mosaic AND Netscape's pages are NOT always compatible with OTHER browsers, even though there is "A standard".

The SAME goes for AVIs & Moovs graphic movies, MPEGs, jpg GIFs (originally a PROPERARY format exclusive to AOL, but since put in the Public Domain, so now they have ART and it is ONLY compatible with AOL) or the sound clips. MS makes programs for Macs (Macs BIGGEST supplier of programs and MS's MOST profitable) and Apple makes programs for Windows. I prefer the BUNDLED Apple programs INCLUDING Quicktime, iDVD, iMovie etc (partly because I can NOT afford some of the fancier programs, and the supplied ones meet my needs [the features that I can understand and use]). YES I DO buy shareware (and PAY the fees) and yes I have purchased MANY programs totaling 1,000s of \$\$ over the years. But the Apple ones, the ones that are TOTALLY intergrated with the system software work the BEST, have the fewest problems and work just fine.

But I don't (currently) have an iPod nor a USE for one, nor a PDA, web enabled phone. And I do NOT want an INTERNET ready microwave, ice box, home lighting system, VCR (but I might have to think about that one!).

I also noticed that AOL is suing MS AGAIN over the Browser... sigh. Can we just get BACK TO NORMAL (quote by President Bush) and get on with life ! instead of just wasting all this TIME, MONEY (yes my TAX dollars too), etc.

My 2 cents.

Thank you  
David Schultz  
AMERICAN citizen  
tax payer

**MTC-00022488**

From: smarcuse@swbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:31pm



Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Steven Marcuse

7001 Hardisty St.

Richland Hills, TX 76118-5146

**MTC-00022489**

From: David Greenblatt

To: Microsoft ATR

Date: 1/24/02 2:34pm

Subject: Microsoft Settlement

I believe, along with many many others that the settlement in the Microsoft Anti-Trust case is unacceptable. It's a bad idea and doesn't do anything besides give Microsoft a tiny scolding, and ultimately enables them to become more embolden in their future actions.

They do their best to make it difficult to use any software, hardware or competitor to them's products intentionally, so that you'll think competitors inferior, or just give up and accept what you cannot change.

It's important you enable the change.

David Greenblatt

// dave.greenblatt

designer.digitas

v.617.867.1735

aim.daveg666

// progress = time\*practice;

**MTC-00022490**

From: dxparker@household.com@inetgw

To: microsoft.atr@usdoj.gov

Date: 1/24/02 2:34pm

Subject: My comment on Microsoft.

Microsoft should have been split up. Throw the book at them. I work in the industry. The more they are punished and watched, the more the industry can innovate. MS stifles anything not from Microsoft. Happily, that joke of a settlement with the \$1B "donation" was thrown out. It just shows that they'll stop at nothing to extend their monopoly.

They should have been split.

David Parker

**MTC-00022491**

From: Nancy Childerston

To: Microsoft ATR

Date: 1/24/02 2:34pm

Subject: Microsoft Settlement

Dear Sir or Madam:

I believe it is clearly in the best interests of our country for this case to be settled as soon as possible. The proposed settlement addresses all the issues, and it is a just conclusion to this episode. Further litigation in this matter would require an inappropriate use of the resources we need to deal with current global matters.

Thank you very much for this opportunity to express my opinion.

Nancy J. Childerston

**MTC-00022492**

From: cajun@kscable.com@inetgw

To: Microsoft ATR

Date: 1/24/02 2:33pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against

Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Carl Enterkin

1148 Waddington

Wichita, KS 67212

**MTC-00022493**

From: johlh@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 2:33pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jon Ohlhaber

3966 Union Springs Road

Stockbridge, GA 30281-5710

**MTC-00022494**

From: ericvwdc@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 2:32pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please continue your pursuit of Microsoft for the antitrust business practices for which they are clearly guilty.

No company who steals its technology while it lies, cheats and robs its competitors should be allowed to commit such crimes without being brought to justice.

Microsuck needs to be brought to its knees.

Sincerely,

Eric VanderWerff

615 N. O'Connor Rd.

Suite 12

Irving, TX 75061

**MTC-00022495**

From: taa

To: Microsoft ATR

Date: 1/24/02 2:35pm

Subject: DOJ's Abdication of power

To the Honorable Colleen Kollar-Kotelly:

Please do something to preclude the current travesty of justice that appears to be the result of heavy lobbying and campaign contributions by Microsoft. The initial settlement agreed to by the DOJ, that was wisely rejected wreaked of politics. How can the DOJ justify spending MILLIONS of our tax dollars on rightfully expecting Microsoft to abide by the previous agreement APPEARING to preclude a continuation of the predatory and exclusionary practices used by the Microsoft juggernaut. I have personally seen numerous companies who Microsoft needed put out of business once the need was satisfied.

By not separating Microsoft's operating system group from the application group you will allow the following practices to continue:

Continued Elimination of Competition

1) by Microsoft's "breaking" other peoples software via operating system changes.

a) In the days of DOS and the supremacy of Lotus 123 Microsoft had the following jingle:

"DOS", [the operating system] is not done until Lotus, [123 the application] won't run.

b) Generating false messages of incompatibility to scare customers into using MS products.

2) Microsoft's current game with it's "Windows XP" will be to preclude competition via forcing upgrades on MICROSOFT'S timetable or else losing the license for which you've already PAID.

This will effectively prevent competitors from gaining compatibility with the numerous Microsoft application files as Microsoft will simply change the file formats with every release. This will have the affect of preventing ANY non Microsoft applications from gaining a foothold in companies due to not being able to read, for example Microsoft CURRENT Word documents or Excel files. FURTHER protecting their ACKNOWLEDGED and ILLEGALLY OBTAINED MONOPOLY.

Respectfully Submitted,  
 Tim Anderson, President  
 T. Anderson Associates, Inc.  
 CC:president@whitehouse.gov,  
 vice.president@whitehouse.gov...

**MTC-00022496**

From: Cathy Meltzer  
 To: Microsoft ATR  
 Date: 1/24/02 2:38pm  
 Subject: Microsoft Settlement  
 FIN Action Alert: AOL TW—Back to the Future (Courtroom) Again! Just voicing my support for the proposed settlement. It seems fair, reasonable, and in the interests of the consumer (me).

**MTC-00022497**

From: cruzenbye@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 2:34pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Raymond Hoefler  
 6674 Mauna Loa Blvd.  
 Sarasota, FL 34241

**MTC-00022498**

From: cpollat@electsys.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 2:34pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Clay Pollat  
 1821 S. 17th St.  
 Laramie, WY 82070

**MTC-00022499**

From: GoodDoug  
 To: Microsoft ATR  
 Date: 1/24/02 2:38pm  
 Subject: Microsoft Settlement

To whom it may concern:

I am concerned about the proposed final judgement being considered in the case of United States v Microsoft. I want to relay my opinion that the settlement is biased and not a true deterrent for anti-competitive actions in the computer industry.

The courts have already decided that Microsoft has been using undue influence to increase its strangle hold on the computer industry. It has also shown that its anticompetitive practices are detrimental to consumers. The final argument as to the effectiveness of the proposed settlement is an issue of trust. Given the history of Microsoft, particularly with regard to intentionally inserting code to disable competing products, and others' implementations of "open" standards such as Java and SMB/CIFS. This issue is not addressed by the current proposal, neither is the issue of enforcement. As it is currently written, there is no real onus of responsibility implied, and the loose structure of definitions such as "API" and "Windows" allow for many loopholes and a lack of any real impetus to follow the spirit of the settlement.

I urge that you reconsider the settlement and impose a stronger one that will protect consumers and promote the evolution of the computer software industry appropriately.

Thank you,  
 Doug Whitmore  
 (831) 239-1183

**MTC-00022500**

From: zim@infinet.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 2:36pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Jan Zimmerman  
 7500 Tottenham Place  
 New Albany, OH 43054-9444

**MTC-00022501**

From: cookie@ipns.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 2:34pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Irene J. Smith  
 4548 SE 96th Av  
 Portland, OR 97266-2638

**MTC-00022502**

From: AnnetteHud@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 2:36pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Annette Huddleston  
 6908 Middle Cove Drive  
 Dallas, TX 75248-2912

**MTC-00022503**

From: R Welch  
 To: Microsoft ATR  
 Date: 1/24/02 2:37pm  
 Subject: Microsoft Settlement

Why did the government waste all of that tax money on this case if all they wanted was to let Microsoft continue in its monopolistic way? This "settlement" is a farce and I consider it a waste of my tax dollars. My vote will defiantly be heard on this subject as anyone connected with this "settlement" will not receive it.

R Welch

**MTC-00022504**

From: Dudley Irish  
To: Microsoft ATR  
Date: 1/24/02 2:49pm  
Subject: Microsoft Settlement

In my opinion the proposed settlement is a very bad idea. It is so blatantly favorable to Microsoft that I can readily imagine it being paid out of Microsoft's advertising budget. A few thousand more children tricked into believing that MS Windows is the way computers should work.

Further, I endorse the opinions expressed in Dan Kegel's open letter.

Dudley Irish  
IT Consultant  
Ars Magna, Inc.  
Salt Lake City, Utah

**MTC-00022505**

From: mbutcher  
To: Microsoft ATR  
Date: 1/24/02 12:22pm  
Subject: Microsoft Settlement

I am very disappointed in the proposed settlement with Microsoft over their monopolistic behavior. It is safe to say that in the technology sector, Microsoft is viewed as nothing short of a tyrant doing it's best to eliminate all competition large and small through unethical (and illegal) practices. Leveraging what amounts to a stranglehold on the desktop operating systems market, Microsoft has sought to force usage (and hence licensing) of many of their other products, including Internet Explorer, updated versions of the OS (XP, Windows 200), Office, and Windows Media Player, to name a few. The bottom line, for me, is that Microsoft is an anticompetitive monopoly. They have proven time and again that they will not change their practices of their own volition. They have proven time and again that they will do what they want without regard to the consumer (consider their new software, Passport, which makes my personal information, including credit card numbers, available to Microsoft at any time). Time and again they have proven to choose profits over concerns of legality or ethics.

The "slap on the wrist" settlement proposed by the DOJ does little to solve these problems I've highlighted. I believe the proposal will allow Microsoft to continue in their current practices unchecked. Toothless and ambiguous requirements (consider section III.A or II.F) are so easily sidestepped that it amazes me that anyone even bothered to put pen to paper. Section H bears the most remarkably ludicrous caveat that it renders the whole section moot. Microsoft Middleware is not allowed to be "un-deinstallable" unless competitors' products FAIL TO IMPLEMENT a reasonable technical requirement? So, as long as IE contains a component that is required by the IS or a Microsoft server, IE may remain "un-deinstallable." Let me tell you what the first things is that Microsoft will add to IE 6.1.... Besides, having patent, trade secret, and copyright protection over those possible features is enough to ensure that no one else will be able to implement those features. The settlement doesn't even seek to discuss the

other monopolistic practices of Microsoft, such as including near-mandatory submission of personal data to Microsoft's corporate servers for use by Microsoft. This information includes credit card and other sensitive data, and Microsoft's "secure" servers have already been hacked once by external computer crackers.

I am disappointed in the decisions of the DOJ on this matter. As a republican, I usually shy away from radical government intervention in corporate practices, but MS is an exception. I would have preferred to see serious consequences to serious crimes.

M Butcher  
mbutcher@aleph-null.tv

**MTC-00022506**

From: Beckie Pack  
To: Microsoft ATR  
Date: 1/24/02 2:55pm  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

Briefly, I feel the proposed settlement is a bad idea. I agree with the problems identified in Dan Kegel's analysis. This analysis is available at the following URL:  
<http://www.kegel.com/remedy/remedy2.html>

I also agree with the conclusion reached by Kegel's document. Specifically:

The Proposed Final Judgment as written allows and encourages significant anticompetitive practices to continue.

The settlement would delay the emergence of competing

Windows-compatible operating systems.

Therefore, the settlement not in the public interest. It should not be adopted without substantial revision to address these problems.

Sincerely,  
Beckie Pack

**MTC-00022507**

From: Thomas McNeely  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 2:43pm  
Subject: Microsoft Settlement  
Hello,

I believe that the proposed settlement with Microsoft is much too weak. Microsoft proved with the consent decree from several years ago that they are unwilling to change their ways, and that they will find ways to circumvent behavioral remedies. The proposal lacks a strong enforcement mechanism. It lets Microsoft off the hook too easily for its many years of unrepentant malicious abuses.

Thanks for your attention,  
Thomas McNeely  
3140 Adams Ave., apt. C-304  
Bellingham, WA 98225

**MTC-00022508**

From: David Speigel  
To: Microsoft ATR  
Date: 1/24/02 2:42pm  
Subject: Don't go soft on Microsoft

I wish to add my voice to the opinion that the remedy settlement handed to Microsoft was far too weak. This settlement does not go far enough in preventing Microsoft from continuing to illegally dominate the software industry and squash true innovation from real competition.

I read news every day of companies such as Kodak, RealNetworks, and Lindows, and projects such as Kerberos, Wine, etc. that are being unfairly abused by Microsoft. This has to stop. You have the power to stop Microsoft. Please do something to help my industry.

David Speigel  
1670 Manning Ave. #202  
Los Angeles, CA 90024  
310-441-0200

**MTC-00022509**

From: jdg@plateautel.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:39pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John D Goodwin  
PO Box 71  
Serafina, NM 87569-0071

**MTC-00022510**

From: Richard Davis  
To: Microsoft ATR  
Date: 1/24/02 2:42pm  
Subject: Microsoft Settlement

It is hard for me to understand how anyone could question that Microsoft has a Monopolistic hold on the computing industry. And this is and continues to be a deterrent to computing, office operations and the general growth of the industry.

Starting back with IBM's OS/2, a great operating system that Microsoft put out of business by raising the licensing fees 700% at a time that IBM was cooperating with MS to develop the joint OS. Word perfect, a great word processor and Lotus123 and Quattro Pro, great spread sheet products have been all but eliminated from the desktop by (I suspect) MS coding that gives the MS office an operational advantage. Email, Backup and fax programs have been included in the MS product line and the competing products no longer function very well. I wonder why? The browser war between MS and Netscape

should have brought the trade regulators to their feet, where else do we allow the competitors to dump product (Give it away at no cost, or bundle it in) just to keep the competition from the market they created. What about other Web products and why do we not have some standards to design to that allow security and cross platform operation, because MS has done all it could to keep it from happening.

Then we have things like Java that was to be a standard in the industry that would allow product to be coded for cross platform operations and it was MS that did all they could to derail. To this day, the potential of Java has been cut off by MS wanting to control the makeup of the product such that it has far less potential in today's computing arena.

The MS OS product continues to be released with bugs that do not get fixed until MS comes back with the next great thing. The problem is each new great OS comes with its own bugs and its own very expensive price tag so we never have a stable or dependable OS. The old Windows 95 had some updates and Windows 98 release 2 was some what dependable if you will reboot it on a regular schedule like daily and then completely reinstall it at least once a year, you can keep it operating OK.

Why is it that all the new computers come with the latest MS operating system? (Pre installed)

Where is the choice?

Is this not a monopoly?

How has it helped industry that needs basic computer operations?

The only real question is how do we fix it?

Please note. The above comments are my own personal thoughts and observations.

Richard A. Davis  
rdavis@rvar.com

#### MTC-00022511

From: Geoff Hoyer  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 2:59pm  
Subject: Microsoft Settlement

The proposed MS settlement is inadequate. Actions required of MS do not sufficiently penalize them, nor do they mitigate the problems. Too much of Windows is opaque to developers, inhibiting non-MS applications from performing at a competitive level with MS developed applications. To my mind, the linkage between OS and Application development is too close.

Geoff Hoyer  
Software Engineer

#### MTC-00022512

From: Jacques du Plessis  
To: Microsoft ATR  
Date: 1/24/02 2:42pm  
Subject: Microsoft Settlement

The term WINDOWS is not well defined. MS can easily circumvent their obligations with technical loopholes. PLEASE address this issue!!

Kind regards  
Jacques du Plessis  
Marketing Specialist  
3GB Group  
1750 Research Park

Logan UT 84341  
Tel 435.797.4676  
jacques@3gb.com

#### MTC-00022513

From: Rod Spears  
To: Microsoft ATR  
Date: 1/24/02 2:42pm  
Subject: There must be a Remedy  
Dear Judge Kollar-Kotally,

I am a software industry employee and I feel the "findings of fact" in the case accurately describe Microsoft's behavior. They are a monopoly and they will protect that monopoly at any cost. Bill Gates talks about how almost any remedy will hurt their ability to innovate. He really overuses that term and fails to understand what that means. Microsoft's idea of innovation is to buy or duplicate competitor's applications and add them to each new release of Windows, thus extending their monopoly further. Bill also talks about limiting choice, but that is Microsoft's sole purpose for existence, is to limit the choice to just Microsoft products.

As a software developer, why I should try to develop new and interesting applications on the Windows platform? If the idea has any promise, I run the risk of Microsoft duplicating my idea in their next version of Windows. The hard part of creating software for the average user is quite often the marketing of it. Microsoft has the best delivery mechanism in the world. They force PC manufacturers to put it on every box they ship. Microsoft must be stopped now, or in the future they will hold all the keys to Internet and personal computing.

The "Proposed Final Judgment" will do little to curb their behavior. If Microsoft negotiates a settlement, it is by definition, in their best interest. A remedy needs to come from courts.

Thank you,  
Rod Spears  
99 North Shore Drive  
McCook Lake, SD 57049

#### MTC-00022514

From: Dale Mcgee  
To: Microsoft ATR  
Date: 1/24/02 2:43pm  
Subject: Microsoft Settlement  
To All Involved:

Please do all in your power to settle the Microsoft case as soon as possible. These court cases hurt the consumer and the economy. This case is all about politics and has little to do about competition.

Please put the techs back to innovating and out of the court rooms.

Thank You, Dale Mcgee  
"An AOL stock holder and AOL,Microsoft user"

#### MTC-00022515

From: Barbara Gilbert  
To: Microsoft ATR  
Date: 1/24/02 2:44pm  
Subject: Microsoft Settlement

It would be helpful for the DOJ to begin looking out for the welfare of the ordinary consumer. I consider myself to be one of those. Supposedly, the DOJ is "protecting" us. But Microsoft has been a leader in providing good, cheap technology to the

average consumer.. meanwhile boosting our economy, encouraging competition and innovation.

It seems the DOJ is intent on running Microsoft out of the country, by continuing to badger it to death. Would you rather it relocate to China?

Now, the government-sanctioned monopoly of AOL wants to cause even more trouble. Where is the DOJ when a true monopoly shows up? Clapping its hands.

Surely, a plethora of lawyers see only \$\$\$, with no sense of fairness.

What ever happened to the idea of justice, fairness and encouraging American business?

Please, stop harrasing Microsoft. You are making a travesty of the law.

Barbara Smith Gilbert  
Yakima, Washington

#### MTC-00022516

From: Dr. Jack Markuszka  
To: Microsoft ATR  
Date: 1/24/02 2:44pm  
Subject: This is a travesty of justice

The absurd pronouncements of the DOJ (sic) in the Microsoft case just re-enforces the belief that THIS DOJ is not interested in the public welfare, but Corporate welfare John Markuszka

#### MTC-00022517

From: HENRY KIENZLE  
To: Microsoft ATR  
Date: 1/24/02 2:44pm  
Subject: MICROSOFT SETTLEMENT  
I SEE THAT AOL IS AGAIN TRYING TO STIFLE LEGAL COMPETITION FROM MICROSOFT BY GOING TO COURT AGAIN. THIS STRIKES ME AS RIDICULOUS. THE COMPUTER INDUSTRY HAS THRIVED UNDER COMPETITION, BUT THOSE WHO CAN'T COMPETE SEEK TO GAIN AN ADVANTAGE BY GOING TO COURT. THE CONSUMER HAS BENEFITED FROM THIS COMPETITION. IF AOL'S BROWSER WAS ANY BETTER THAN MICROSOFT'S, PEOPLE WOULD BUY IT, DESPITE THE FACT THAT MICROSOFT DOESN'T CHARGE. IT SEEMS THAT AOL BOUGHT SUN MICROSYSTEMS IN HOPES THAT THEY WOULD BE ABLE TO OBTAIN A SETTLEMENT THROUGH COURT ACTION, SINCE THEY MUST SURELY HAVE KNOWN AT THE TIME THAT SUN WAS NOT COMPETITIVE. THEIR CASE SHOULD BE THROWN OUT OF COURT.

#### MTC-00022518

From: Barkley Anderson  
To: Microsoft ATR  
Date: 1/24/02 2:38pm  
Subject: Microsoft Settlement

I think I may have written a volume or two on this subject in commentary sent to publications, news sites and representatives. I wish to clearly dictate the items of conduct most critically abused by Microsoft and summarize each with a sentence of support. Controlled OEM ISP Sales Distribution Channel Denied competition capability to effectively distribute and therefore compete through exclusionary (less costly product licenses and other favors for OEM/ISPs who exclude competitors) practices with OEMs and ISPs Free the OEMs and ISPs with lock and stock pricing models that can't be

manipulated at any point in the sales channel. Outlaw contracts that dictate behavior, company practices or exclusion of competitors. Directly dictated to industry competitors which products to end-of-life (knifing the baby) and even which markets to exit (ex. Dodge to Ford "get out of the auto business")

Apple and Netscape overshadowed a bumper crop of mostly medium to large sized technology, media and software companies. MS browser and email default on the MacOS platform and recollected business conversations where MS suggested Netscape exit the Windows Web Browser market at a time when NS held nearly 90% share of that market. Two words: Moderate Regulation. This sort of conduct dictates a minimum of two government agency industry monitors in my opinion.

MS deliberate complete deflation of entire web browser development industry through devaluation of browser Noble claims to putting the customer first quickly fell away to internal communications that proved that the decision to transition an entire industry from one economic model to another was made primarily for the purpose of destroying a competitor. There's nothing illegal about what Microsoft did in this case. I just wanted you to ask yourself "Would Henry Ford have cannibalized an entire industry, risking the welfare of all those employed in it, simply to reach a marketing goal?"

MS using the toolsets required by software developers (SDK) as tools (carrots) to extort favor and pursue undue influence. Sabotage was employed by MS engineers who delayed releases of SDKs and in rare cases produced slightly doctored "toolsets" or SDKs. MS competitors would receive the less favorable releases of current toolsets than MS own software developers for specific purpose of creating undue time-to-market advantages.

Open source, and freely distribute the SDK. Completely divide the MS programmers who work on the software products from the Windows OS developers. Release a universal SDK to MS software teams and competitors at the same time preventing any undue time-to-market advantages.

MS has acted all along as if they are the ones who will be telling us what the truth is. I believe it is possible that they may have deliberately hammed it up (Gates demeanor and courtroom antics including doctored evidence) in order to elicit reaction from the judge and later claim bias. In the current "post trial post 911" media spotlight, the MS propaganda, PR and PAC dollars could add up and cause this case to disappear.

Please think of the internet development firms, software development firms, digital device makers and computer manufacturers. Should MS's power go unchecked, many industries that have flourished during this trail will likely be muscled into compliance with MS policy or be forced out of the industry. Since MS has come under scrutiny, a more open free-market driven competitive landscape has seen the birth of over a dozen new mainstream operating systems and software niche markets (set-top boxes, digital video recorders, browsers for game consoles, web enabled cell phones, PDAs etc etc...) Had MS not been under the microscope, it is

widely believed that some if not all of these markets would have either been stunted or overrun by MS, as other competitors and markets had been in the past.

#### MTC-00022519

From: Edward—Huang@Instinet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:47pm  
Subject: Leave Microsoft Alone

To whom it may concern,  
Microsoft is one of the very few company producing high quality software products. In fact they are one of the few company that actually has great customer focus. AOL, Netscape could've competed with Microsoft if they were technologically competent. But unfortunately they lost to Microsoft's relentless pursue of perfection, AOL, Netscape resorted to the means of Law. This kind of action is not in line with Capitalism. Government should not get so involved in a free market society.

Leave Microsoft Alone, they've done nothing wrong, AOL or Any other company would've done exactly the same thing if they were trying to be competitive.

Edward H.

#### MTC-00022520

From: Barbara Armijo  
To: Microsoft ATR  
Date: 1/24/02 2:45pm  
Subject: Microsoft Settlement

Microsoft is an American asset!  
Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

"This is just another method for states to get free money, and a terrible precedent for the future," states the AOCTP, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen."

This economically-draining witch-hunt has gone on long enough.

Barbara Armijo  
3315 28th Street  
Lubbock, Texas 79410-3018

"[Leftists] love erasing the truth. They call their lies "legally accurate," "affirmative action," "saving the Constitution"—and now, "art." —Ann Coulter

#### MTC-00022521

From: Daniel Walker  
To: Microsoft ATR  
Date: 1/24/02 2:45pm  
Subject: Curb the Microsoft Monopoly

Microsoft has abused its position as the largest player in the industry to attack competitors with unfair and illegal tactics. They must be punished.

Dan Walker  
20999 McClung  
Southfield, Mi 48075

#### MTC-00022522

From: Cano, Orlando  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 2:45pm  
<<Microsoft Letter.wpd>>  
Orlando Cano

Executive Legislative Assistant to  
Democratic Speaker Frank Chopp  
January 24, 2002  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001  
Re: Proposed Settlement Agreement in US v.  
Microsoft

Dear Ms. Hesse:

Microsoft is a company that has long provided good products to consumers. The provisions of the settlement will give consumers greater choice when purchasing or upgrading computers and software. Consumers can continue to expect quality new products from Microsoft and can expect these products to work more easily with competitor's software as well.

I support the Department of Justice and the nine Attorneys General for their efforts to strike a balance between the interests of Microsoft and its competitors by designing a settlement that is in consumers' best interest.

Sincerely,  
Frank Chopp  
Speaker

Washington State House of Representatives

#### MTC-00022523

From: LSmith237@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:48pm  
Subject: Microsoft Settlement

This country needs to get this case settled. It has hurt the economy. The only people interested in harming Microsoft are its competitors. The everyday users of Microsoft products are more than happy with the products and the price you pay for them. This suit caused me, a 76 year old retired small business man, to lose many dollars in my IRA from losses, not only in

Microsoft stock, but many other stocks. The action against Microsoft precipitated the stock market crash and the recession the country is now in.

J. Lansing Smith  
4905 College Acres Drive  
Wilmington, NC 28403-1729 Email:  
lancesmith@ec.rr.com

#### MTC-00022524

From: bfgulnac@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Beatrice Gulnac  
4761 Elmhurst Rd. West Palm Beach, FL  
33417-5331

**MTC-00022525**

From: Miles Abernathy  
To: Microsoft ATR  
Date: 1/24/02 2:46pm  
Subject: Comment on Proposed Microsoft-DOJ Settlement

Hello!

I believe the proposed settlement with Microsoft, with Microsoft giving computers and software to schools, will be nothing but a benefit to the company. It's like times of old when cigarette manufacturers gave free smokes to soldiers...get them hooked and you've got a customer for life. Given that Microsoft reportedly has \$36 billion in cash, I believe that any punishment against the company should be levied in cash.

Miles Abernathy, miles@mail.utexas.edu

**MTC-00022526**

From: Araemo  
To: Microsoft ATR  
Date: 1/24/02 2:41pm  
Subject: Microsoft Settlement

I have read through the proposed settlement, and even on my first read through I found several issues and loopholes, and while reading other people's views, they have pointed out more serious errors. I feel, among other things, that a "Windows-compatible" operating system market could do wonders for the PC industry. Unfortunately, the proposed settlement makes it more difficult, by making some practices illegal, such as using MSDN information to make a windows-compatible OS, and only requiring that some of the necessary APIs be documented for developers. Unfortunately, this is only the beginning of the problems... The proposed settlement also has no mention of Microsoft.net, or their tablet PC, windows CE, and pocket PC products.

There is also no mention of microsoft's licensing practices with large users, such as corporations, schools, and government agencies, unfortunately I do not know enough about this to site any particular problems, but I'm sure many companies would be able to explain the problem in great detail. A good essay siting many of the problems with the settlement is available at <http://www.kegel.com/remedy/remedy2.html> Please reconsider the settlement, it is too specific on what products are to be restricted... such as a "MS internet explorer 7.0.0" would be completely free to change APIs such that no competing products could interact with IE or windows in the same way... without microsoft being required to publish the API changes.

Thank you for reading this,  
Nathan O'Meara

I have read through the proposed settlement, and even on my first read through I found several issues and loopholes, and

while reading other people's views, they have pointed out more serious errors. I feel, among other things, that a "Windows-compatible" operating system market could do wonders for the PC industry. Unfortunately, the proposed settlement makes it more difficult, by making some practices illegal, such as using MSDN information to make a windows-compatible OS, and only requiring that some of the necessary APIs be documented for developers. Unfortunately, this is only the beginning of the problems... The proposed settlement also has no mention of Microsoft.net, or their tablet PC, windows CE, and pocket PC products.

There is also no mention of Microsoft's licensing practices with large users, such as corporations, schools, and government agencies, unfortunately I do not know enough about this to site any particular problems, but I'm sure many companies would be able to explain the problem in great detail. A good essay siting many of the problems with the settlement is available at <http://www.kegel.com/remedy/remedy2.html> Please reconsider the settlement, it is too specific on what products are to be restricted... such as a "MS internet explorer 7.0.0" would be completely free to change APIs such that no competing products could interact with IE or windows in the same way... without Microsoft being required to publish the API changes.

Thank you for reading this,  
Nathan O'Meara

**MTC-00022527**

From: cwbrewer@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:43pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Cleo Brewer  
9477 W Mirror Rd  
Columbus, IN 47201-9107

**MTC-00022528**

From: steve kolb  
To: Microsoft ATR  
Date: 1/24/02 2:51pm  
Subject: Microsoft Settlement

I have been a Macintosh professional since 1984. In those years, supporting large

numbers of individual and state government users, I have observed an erosion of market share by Mac users and wholesale shift away from the Macintosh Operating System in favor of the "market leader," Microsoft Windows. In 1995, Information Technology decision makers at the California Department of Corrections established a no compromise policy to dump all Apple-based computers and replace them with Windows OS computers, even though a number of organizations within that large organizations were perfectly happy and productive using Macs.

The same thing happened again at the California Department of Transportation, where engineers, graphic artists, trainers, labor relations staff and other assorted professionals were told to spend tens of thousands of dollars to purchase new Windows2000 Pro-based PCs and get rid of their Macs because the Department's IT division wanted a single standard for servers, workstations, and portables. The computers that were replaced included first and second generation Power Macintosh G4 computers with enough power and capability to run circles around the brand new HP Vectra computers that were bought as replacements.

The argument from IT has continued to be in favor of a single Operating System that they can control and, in theory, service. However, the PCs running various versions of Windows (NT, 3.5, 2000) require far more support and are less reliable than the Macs they replaced.

All of this comes as a result of the bandwagon mentality of managers who have been convinced that the one with the most marbles wins and everyone else has to quit the game. Quitting the game for the Mac OS has been very difficult and stressful for users and professionals who support them. And the costs in terms of productivity and worker satisfaction have been great.

The pressure from Microsoft on large institutional installations to maintain only one way of doing things has yielded additional fallout. People who are forced to use Windows-based computers at work, seem to find it less compelling to keep their Macs at home and when it comes time to buy a new computer at home, too often yield and buy a low-cost PC with Windows preinstalled to maintain the illusion of compatibility between work and home.

Any settlement that does not hit Microsoft in the pocketbook very hard and in their business model that has had such a widespread and insidious anti-competitive effect is certainly not in the public interest. If monopolistic practices is what they have been convicted of, then any settlement must include remedies that not only disintegrate their defacto monopoly, but also inhibit its continued growth and future effect in the personal computer and workstation market.

Respectfully Submitted  
Stephen L. Kolb  
Sacramento, California

**MTC-00022529**

From: Spencer  
To: Microsoft ATR  
Date: 1/24/02 2:48pm  
Subject: Microsoft settlement

Microsoft should not be allowed to dump its inferior products on our children. I believe any settlement should be in cash and criminal charges where applicable. At the same time, however, I do not feel that Microsoft is a monopoly.

Spencer J. Stang, Ph.D.

**MTC-00022530**

From: Allen Stajkowski  
To: Microsoft ATR  
Date: 1/24/02 2:51pm  
Subject: About Microsoft Antitrust Settlement...

Dear Reader;

I have one question to you. Microsoft has been found guilty of anti-competitive practices via a monopoly. Why then is the settlement allowing Microsoft to further this monopoly by forcing their products upon the students? This gives Microsoft implicit advertising as well as a captive customer base for very little money.

Thank you for your time.

Regards,  
Concerned Citizen

**MTC-00022531**

From: Kristen Langley  
To: Microsoft ATR  
Date: 1/24/02 2:50pm  
Subject: Microsoft settlement

Good day:

I would like to express my appreciation for the opportunity to support a settlement of the anti-trust activity taken against the Microsoft. I have no financial interest in the decision. I am neither an employee or contractor of the corporation, nor, do I (nor any member of my family) own stock in the corporation.

I am, however, a citizen. I believe that this pursuit of the corporation has—frankly—reached a point where animus and a socialistic “force Bill Gates to share his wealth” financial gain is the motivation. In the latter, I would cite the experience with the tobacco settlements. The Attorneys General talked, ad nauseum, about the money going for “prevention” and “treatment” and “health care” that would come from these monopolistic purveyors of death and disease. Noble, noble motives! What happened? Some of the funds did go to programs and education, but most went into State general funds and used to fill general fund shortfalls. The money has been [mis]spent in lieu of general tax revenue, and the intended recipient programs/ actions are left underfunded—a “liability” on the books that we will be asked to pay for, again, later.

To quote a fitness guru, it's time to “STOP THE MADNESS”. If Mr. Gates builds a better mousetrap, then let him benefit from it. If some of Mr. Gates’ competitors can't stand that, let them build a better operating system instead of using the authority and resources of the United States, and “united” [small “u”—i.e. the aggregation of states” Attorney's General) States to substitute for their second-rate and second-rate-popularity product. If Mr. Gates has pushed past reasonable bounds, then penalize him, and move on to more critical issues.

Kristen Langley

**MTC-00022532**

From: ZAAP1@aol.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 2:49pm  
Subject: Microsoft Settlement

Enough is enough. Move onto putting illegal aliens, terrorists, and real criminals in prison. Remember when DOS was the operating system for personal computers? Nobody but Microsoft moved us past those days. Tell the cry babies to produce software that people will buy. Seems like you guys are being used as a tool to destroy one of the most successful AMERICAN companies EVER!!!! As a United States citizen, Microsoft user and owner of Microsoft stock, I am ashamed that you are allowing a bunch of sore losers use the United States Justice Department to destroy innovation. Why don't you tell the jerks to go out and try to beat Microsoft in the marketplace. After all, never has any value been created by a bunch of lawyers in a courtroom. Thank You.

Mark Bailey

**MTC-00022533**

From: Bill Wu  
To: Microsoft ATR  
Date: 1/24/02 2:50pm  
Subject: Microsoft Settlement

Hello Renata,

I am a software engineer and I am using various kind of software for 20 years. I like Microsoft's software and I feel that Microsoft really helped consumers like me to provide a comprehensive software package with reasonable price.

Microsoft acquired market fairly through technology inovation. We shouldn't punish a good company just because they are rich. AOL shouldn't join the game so late if they feel that they have a good point. AOL's motivation is very questionable in my point of view.

Regards,  
Bill Wu

**MTC-00022534**

From: mceschen22@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:45pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Catherine Sears  
P.O.Box 2112  
Cave Junction, OR 97523

**MTC-00022535**

From: Jason Cook  
To: Microsoft ATR  
Date: 1/24/02 2:51pm  
Subject: Microsoft Settlement  
ATTN: Renata B. Hesse  
Antitrust Division, US DOJ

Dear Ms Hesse, and any others whom it may concern,

I am writing to comment on the proposed Microsoft settlement. It is my individual opinion that the proposed Microsoft settlement does not adequately protect consumers (such as myself) from the effects of further anti-competitive practices. I believe the PFJ as currently written lacks an effective enforcement mechanism.

Sincerely,  
Jason Cook  
Oakland, California

**MTC-00022536**

From: Paul Gessing  
To: Microsoft ATR  
Date: 1/24/02 2:51pm  
Subject: Microsoft Settlement

As a private U.S. citizen who has no direct interest in the Microsoft Antitrust Case, I urge you to find that the current settlement is indeed in the public interest. The Tunney Review phase should be the among the final steps taken in this drawn out process that has hard consumers, Microsoft shareholders, and the objectivity of the federal and state governments. Please end this matter and approve the settlement in the final report and recommendation to the court.

Thank you,  
Paul J. Gessing  
4839 W. Braddock Road, #203  
Alexandria, VA 22311

**MTC-00022537**

From: Shea Lovan  
To: Microsoft ATR  
Date: 1/24/02 2:48pm  
Subject: Regarding the proposed settlement

As an systems administrator and software designer, I have followed the development of the information technology industry since the early 1990's; my profession requires it. The one thing that strikes me is that, as a consumer, I have \*never\* chosen a Microsoft product based on technical merits. In 1994, I commented to a colleague that, “I use Microsoft applications for the same reason I obey the law of gravity. I have no choice.” Instead, I have been backed into corners by Microsoft's licensing agreements with hardware vendors. At first (around 1993) the mediocre Word, Excel, and Access products were preloaded on newly purchased computers. Vendors would not remove the software and reduce the price to make it reasonable to purchase better, competing products (WordPerfect, Quattro, and Paradox). Their reason was that their agreement with Microsoft prevented it. Next, it was the debacle of Internet Explorer marginalizing Netscape Navigator. Later it there was the battle with Sun Microsystems over the Java programming language. Most recently, there is the incorporation of the Microsoft Media Player and Outlook Express into the operating system. In each of these cases, Microsoft's vaunted “ability to

innovate" was lacking; these were poorly-written, knockoff products fighting for marketshare at the OEM licensing level.

While these issues were being debated, even more insidious things were happening. Sybase (a database application company) was nearly destroyed after a cross-licensing deal with Microsoft expired. Microsoft had learned what was necessary to create Microsoft SQL. There was the Microsoft's attempt to purchase Intuit (fortunately, this was halted by the Department of Justice) to consolidate control of the personal finance application market. Finally, there were all of the product press releases that were issued just to create fear, uncertainty, and doubt in the marketplace over purchasing software in segments which Microsoft had little or no experience (yet). None of these issues would have even arisen if not for the vast wealth Microsoft accumulated through its monopoly of desktop operating systems and arguable monopoly of office productivity suites.

Finally, we come to the futility of the proposed settlement. I find it hard to believe that anything Microsoft would agree to will be in the public interest. I had hopes for the consent decree agreed to in 1994. However, Microsoft vitiated that document within months even though it was relatively mild. Now, the situation is much graver. In 1994, Microsoft was not even a player in server operating systems. Since 1996, the corporation has successfully exploited its desktop monopoly and made Windows NT and Windows 2000 into widely deployed, server operating systems. The potential for abuse is higher now than at any earlier time.

When reading proposed remedies over the last few years, I actually thought that a breakup was the best from a consumer standpoint. However, I thought the proposed divisions were poor. For any remedy to be successful, I think it should satisfy the following:

- Network services should be developed by a separate organization than the operating system. For example, Microsoft SQL, SNA Server, and Internet Information Services should not be bundled into the operating system; competition suffers in that case.
- The unit developing applications (such as the Microsoft Office package or Internet Explorer) should not have access to any unpublished operating system information. All the programming interfaces (APIs) should be available to anyone developing software for that platform.
- Microsoft should be prevented from preannouncing products; it causes useful products to never make it to market for fear of being steamrolled. This restriction was, to my mind, a critical piece of the remedy in the IBM anti-trust case.
- Microsoft should have a period in which each product is licensed to OEM's separately. The damage is already done by the agreements made to promote Office by reducing Windows license fees, but the tactic would work again.
- The Findings of Fact must stand. Microsoft has been found guilty of violating the law. People and companies damaged by their actions should be able to recover damages without reproving that Microsoft is a predatory monopoly.

A breakup may not be necessary to affect these changes, but it seems likely. In summary, I simply do not believe that the proposed settlement is satisfactory. It does little to curb current predatory practices and less to prevent creative minds from developing new ones within a few months. Any remedy should guard against future abuses and must preserve Microsoft's ability to innovate, but should force it to be at a level other than end-user licensing.

Sincerely yours,  
Shea A. Lovan  
2118 Mountain Ave.  
Santa Barbara, CA 93101  
shea@lovan.com  
805.895.7979  
CC:shea@lovan.com@inetgw

**MTC-00022538**

From: djanda78108@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:48pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
debbie janda  
3365 green valley rd  
cibolo, TX 78108

**MTC-00022539**

From: John Sheppard  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 2:55pm  
Subject: Microsoft Settlement

The proposed settlement is not as good as it could be. Please consider other alternatives presented to you. The Wine project for example. Thanks.

John Sheppard  
Customer Service Manager  
Corbis Corporation  
15395 SE 30th Place  
Suite 300  
Bellevue, WA 98007  
(425) 401-4008

**MTC-00022540**

From: Rob Hutton  
To: Microsoft ATR  
Date: 1/24/02 2:47pm  
Subject: Microsoft Settlement

Is there any question that Microsoft has violated anti-trust laws? When you look at the market, the answer is clearly no. When the only viable alternative to a product is

something that the manufacturer cannot buy or control, then there are obvious anticompetitive practices taking place. Our free market system encourages competition, and when there is none, then something is preventing it.

Let's take for instance, the constitution. While it is the basis for our system of government and law such as, it would be impossible to successfully argue a court case based solely on it without referencing case precedent, other laws, or previous findings of the court.

Microsoft has done just that. They have built a foundation, written the laws, and decided the cases, yet all that they have provided is the constitution. And when someone else does write a successful brief, they buy it, steal it, or offer their law services at such a reduced rate that that noone buys the other guy's services. They have said, sure, you can offer legal advise, but we're going to do it cheaper until we run you out of business, and if you are still around, once we have devalued your services, then we will buy you out.

Now, I certainly do not think that the consumer market is not stupid. Eventually there will be a backlash and all of the foolishness will end, but in an economy that is so dependent on technology, not acting on something that stifles innovation, and prevents competition at the earliest possible point is irresponsible. The government should not be the watchdog policing every action, but should insure that there are not practices preventing innovation, competition, and free trade, and in this case, there have clearly been all three.

Now, what to do. There are clearly two parts of Microsoft's offerings. There is the operating system, and the apps that run on it. There are the underlying programs and the things that present them to you, and then the things that use those to provide services.

I could care less if the operating system is presented through a web browser or a custom application, but there is clearly a difference between allowing access to files and application installed on a computer, and providing the files and applications. There is a clear difference between the graphical interface and a database engine or web server that runs on top of the OS.

So, I would break Microsoft into an applications company and an OS company. The rules governing transfer of information between the two would specify that the info would be available to any company under similar terms and conditions and reveivable at any time by an outside body. No financial penalties, just let the market do what it was assigned to do. Level the playing field, and let fair competition decide who the winner is.

Thanks for your time,  
Rob Hutton  
Security Engineer  
eCommSecurity, Inc.  
(877) 4-HACKED  
www.ecommsecurity.com

**MTC-00022541**

From: Carl A. Cook  
To: Microsoft ATR  
Date: 1/24/02 2:57pm



Subject: Microsoft Settlement  
Hash: SHA1

I want you to know that to allow the settlement in its present form, is an egregious disservice to the public. Microsoft has viciously shut down all of its relevant competitors, and will continue to do so until we have a disaster.

One company should not be allowed to control all of our computer software. I'm asking that you not approve this settlement for the sake of our futures.

Carl Cook

**MTC-00022542**

From: Bowers  
To: Microsoft ATR  
Date: 1/24/02 2:56pm  
Subject: Re: Microsoft Settlement—Benifits vs.damage

I as a small business owner feel that I am directly responsible for the Microsoft Antitrust problem. I was an early adopter of the total Microsoft systems. This was done because trying to use and/or coordinate the various software programs was costing me tens of thousands of dollars a year.

**BENEFITS**

1) Most importantly, networking with the greatest number of customers, clients, associates, suppliers, government etc. etc., was the driving force and my greatest benefit. Once I made my software decision, as a consumer, I and those around me (not Microsoft) drove or caused the total use of Microsoft software.

2) I demanded compatibility in software. I was wasting at least \$10k yearly getting all the various software/hardware to just work. A Microsoft choice with it's system wide compatibility was what solved my basic problems and increased my productivity by at least 200%. Yes, there were nice but seldom used features else where, but they provided no foundation, financial stability or guarantee of continued existence.

3) I required anyone doing work with me to be Intel PC compatible using Windows. This was one of the best business decisions I made. I and others did not have time for the loss of trying to get various systems and software to work. We all wanted to communicate quickly and accurately. It took about two years to standardize on Microsoft and AutoCAD.

**DAMAGES** If I'm to believe the settlement reports, there might be a \$10 to \$20 per machine "damage" to me the consumer. I say, balance this "damage" against the tremendous gains the use of Microsoft products gave me: At least a 200% gain in productivity/profitability; Elimination of yearly computer software maintenance costs; Enormous gains in quality and speed of service to my clients via networking;

And finally opening up of the internet to standardization and a vast array internet data, research, and business.

In summary, I and the rest of the world will be better off for having this anti-trust suit settled. It has the beneficial effect of declaring Windows the winner, allowing new features to be added, and placing the operating system with a company that has demonstrated the ability to keep the system coordinated.

Microsoft is a monopoly because most of us have chosen to use it, and have required those who do business with us to be compatible. It allows the specialty and /or hobby systems to continue in their efforts and allows business to continue the serious business of networking all aspects of commerce.

**MTC-00022543**

From: dlewis@qadas.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:53pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse: As for myself, I am very grateful that some of the states are not going along with letting Microsoft continue to be a harmful and predatory monopoly. I fervently hope that because some of the states will not roll over, the whole "deal" with Microsoft will unravel.

I feel that the US Justice Department did our country harm when the let Microsoft walk away. Even their give away benefits them. As a very computer literate individual I see letting them even stay together as a single business entity as something that will repress the open market and harm the development of new technology. New technology for which each of us wouldn't have to pay for again every two year with Microsoft's forced upgrades.

It is a farce that Microsoft will hide it's Internet Explorer icon from the desktop. Internally they still have the advantage over all other vendors that will have to use their desktop software: NT, Windows 2000, etc. Because of their intentional and illegal harm to their competitors, we the computer users have lost the choice of what vendors we can choose.

I see no difference between Microsoft and AT&T, before Judge Green and the Justice Department forced the break up of AT&T . It is a travesty of justice that harms all of us in the United States now and in the future.

Thank you.

Sincerely,  
Don Lewis  
7025 E. Townsend Dr  
Highlands Ranch, CO 80130

**MTC-00022544**

From: Dick and Judy  
To: Microsoft ATR  
Date: 1/24/02 2:51pm  
Subject: Micosoft Settlement

Attached is a letter expressing my opinions about the Microsoft Settlement. Please give it your consideration. <Thank You, Richard Englund

**MTC-00022544 0001**

9303 Sunset Way  
Bellevue, WA 98004  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

After following the political grandstanding for over three years now, I ask that the government accept the settlement deal with

Microsoft and move on to more important business. Microsoft's existence has, without question, provided more benefit than harm in the world and should be rewarded with this compromise.

The decision by Judge Jackson was over the line and showed a lack of understanding of the technology industry. This is not a time for bringing down the big guy, as the court-mediated settlement is more than generous, even exceeding some government demands. Competitors will have unprecedented access to Windows internal source code and be able to license intellectual property, while computer manufacturers will have near-free reign to alternate Microsoft and non-Microsoft software without a cost.

This capitulation will do more than necessary to revive the competition and should more than suffice when the final judgment is made. Please take the reasonable course and keep this company together, as any further disruption would only hurt everyone involved.

Sincerely,  
Richard Englund  
00022544\_0002

**MTC-00022545**

From: clrdkr@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carl Ross  
43886 Butternut Dr. Temecula, CA 92592-3037

**MTC-00022546**

From: Richard Lodwick  
To: Microsoft ATR  
Date: 1/24/02 2:59pm  
Subject: Anti-trust charges

I think this witch hunt should be ended. Microsoft has done nothing but help the general public and the fact they have made a lot of money in the process testifies to the American way.

Richard Lodwick

**MTC-00022547**

From: =?iso-8859-1?Q?H=E5kon?= Wium Lie  
To: Microsoft ATR  
Date: 1/24/02 2:58pm  
Subject: Comment

As the CTO of a company that makes browsers in competition with Microsoft, I've very disappointed with the proposed settlement. It will cement Microsoft's monopoly and turn the free internet into "Microsoft Plaza". Please, don't let Microsoft get away this easily.

-h&kon  
H?kon Wium Lie  
cto ?e(R)±  
howcome@opera.com http://  
people.opera.com/howcome

**MTC-00022548**

From: David Fisher  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 2:53pm  
Subject: Microsoft Settlement  
No to Microsoft!!!!!!

**MTC-00022549**

From: cgclarknm@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:55pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please break MICROSOFT into at least four separate companies. MICROSOFT in it's present configuration is a cancer growing on the body politic.  
Sincerely,  
Charles Clark  
1650 Valencia  
Las Cruces, NM 88001

**MTC-00022550**

From: David L. Sall, MD  
To: Microsoft ATR  
Date: 1/24/02 2:59pm  
Subject: Microsoft  
Enough!  
Please!  
Stop prosecuting Microsoft!  
Respect for government is low enough already.  
David L. Sall, MD Jacksonville, FL

**MTC-00022551**

From: K Brooks  
To: Microsoft ATR  
Date: 1/24/02 2:59pm  
Subject: Microsoft Remedy  
I've heard that Microsoft is planning to "donate" Microsoft products as part of their remedy. As this is planned to go to schools, I think a better idea is cash, so the school can choose their own technology. I've also heard that Microsoft donates large amounts of Microsoft products to schools—somehow this seems to be locking them in the market again, while avoiding cries of antitrust. I think Microsoft should truly be punished, and let's leave the politics out.  
Regards,  
Katherine Brooks

**MTC-00022552**

From: robroy43\_2000@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.  
Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
James Clark  
4648 Pontchartrain Drive  
Unit I  
Slidell, LA 70458

**MTC-00022553**

From: Carole Kleinknecht  
To: Microsoft ATR  
Date: 1/24/02 3:01pm  
Subject: Microsoft Settlement  
Dear Judge:  
I wish to express my opposition to the Proposed Final Judgement which would give Microsoft complete control over the Windows system.  
The principles of "fair play," if that term can be applied to business, require that healthy competition in industry be allowed. How can we even think of outlawing that? I believe that Microsoft has violated antitrust laws time and time again, and now wish to be rewarded for that instead of punished.  
That doesn't seem right to me! Does it to you? Please don't fail to make the most just ruling in this important case.  
Carole Kleinknecht  
212-494-0321

**MTC-00022554**

From: CWillis@ivy.tec.in.us@inetgw  
To: Microsoft ATR  
Date: 1/24/02 2:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.  
Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.  
Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Charmane Willis  
11322 Hwy 421 N

Milton, KY 40045

**MTC-00022555**

From: Don Albrecht  
To: Microsoft ATR  
Date: 1/24/02 3:01pm  
Subject: Microsoft Settlement  
Microsoft's arrogance is ultimately a threat to our national security. The rest of the world won't put up with it's business practice forever and we as a country and economy WILL pay for it some day.  
Don Albrecht

**MTC-00022556**

From: Pete Thompson  
To: Microsoft ATR  
Date: 1/24/02 3:04pm  
Subject: Microsoft Settlement  
As a Canadian, I'm not sure if my input counts. However, I want to stress the importance of this settlement as it has global economic implications. Microsoft has a global monopoly on the desktop operating system market, so whatever decisions they make, it affects me as well. Netscape was my primary browser until Internet Explorer became so widespread that it became impossible to ignore. Then of course, when I bought Windows 98 (Second Edition), it came —with— Internet Explorer. I didn't have a choice to buy it without Internet Explorer. So now I was faced with this decision: download and install Netscape and have two browsers on my system, with one just taking up unnecessary space, or just forget about Netscape and use IE instead.  
In my case, Netscape never stood a chance. I simply couldn't be bothered to install extra software for no real gain other than to simply say, "Ha ha! I'm using Netscape even if it means taking up extra space!" Microsoft basically made my decision for me. I believe this is true for millions of other users. Yes, I —do— have the option of downloading and installing Netscape, but since you can't uninstall Internet Explorer, that choice is only an illusion.

I believe that Netscape was significantly harmed, and lost so much money that they had no choice but to allow themselves to be bought out by America Online.  
Reviewing the settlement proposal, I consider it to be nothing more than a slap on the wrist for Microsoft. What exactly is Microsoft supposed to learn from this settlement? Just throw money around until they get a settlement that they like? What lessons are they supposed to learn? Now with the release of Windows XP, I'm seeing more and more integration happening. MSN is now a part of the operating system (putting ICQ, AIM, and Yahoo! Chat at a disadvantage). Windows Media Player can play MP3 songs (putting Nullsoft's WinAMP at a disadvantage). Windows XP has many "reminders" that you should sign up for the Passport service. Then, of course, there's Licensing 6.0—buy the Enterprise edition, and you get the cheapest subscription fees—provided you use ONLY Microsoft products and nothing else. Don't buy it, and you're threatened with the fact that you'll end up paying millions of extra dollars down the road (if you're a business).  
All this is happening right now. Microsoft has not learned anything from the trials.

Microsoft has consistently shown nothing but contempt for the trial process.

So, for the sake of the global economy, I urge that you reconsider this settlement and come up with a harsher one.

Regards,  
Peter L. Thompson  
215-1323 W. 71st Ave  
Vancouver, BC  
Canada

**MTC-00022557**

From: John Gilchrist  
To: Microsoft ATR  
Date: 1/24/02 3:02pm  
Subject: The proposed DOJ & Microsoft settlement

Dear Court,

The proposed DOJ & Microsoft settlement is neither a punishment to Microsoft nor a remedy for their proven wrong doings. Microsoft is clearly an unrepentant monopolist and must be forcibly punished and a true remedy (like company breakup) applied. Further, Microsoft, through their monopolistic powers and lax attitude about computing security (all those internet viruses and worms are directly targeted at the known security vulnerabilities of the ubiquitous Microsoft Office, Email, Web Server and Networking/OS products), are putting our national physical and economic security at risk in a manner unfathomable just ten years ago. We must act now to put Microsoft back in the place of a lawful and safe corporate citizen since they are obviously unwilling to police themselves.

Sincerely,  
John Gilchrist

**MTC-00022558**

From: Michael Haag  
To: Microsoft ATR,mhaag@worldjokebox.com@inetgw  
Date: 1/24/02 3:00pm  
Subject: Microsoft Settlement

To whom it may concern: not only should the settlement proceed without further action against Microsoft, the antitrust suit should not have been filed in the first place.

A permanent monopoly, in the absence of coercion, can not exist. The suit is without merit, and is the result of jealous competitors and a grandstanding and meddlesome government.

sincerely,  
-michael haag  
70 Leonard St.  
Malden, MA 02148

**MTC-00022559**

From: Gene Elder  
To: Microsoft ATR,gelder@mac.com@inetgw  
Date: 1/24/02 3:03pm  
Subject: Microsoft Settlement

My name is Gene Elder. I disagree with the current proposed settlement issued from Microsoft in its present form. That proposal being the contribution of 60% software, 20% refurbished wintel computers and 20% cash to underprivileged schools (as is my current understanding). This is totally unacceptable seeing as it will only ENCOURAGE Microsoft in monopoly practices. First: the production of software is relatively cheap, even when you include the time for development, the marketing and paying the programmers,

Microsoft will only pay a small fraction of the total amount they themselves suggest their software's really worth. Second: The purchasing of refurbished computers will be Microsoft's choice of platform. This platform will have to run Microsoft software and thus propagating Microsoft's stranglehold on another market that the currently dont dominate in, so they will only be strengthening their monopolistic position. Third: the suggestion of 20% cash seems to me to be totally inadequate in the extreme. They should have to pay the full amount in cash and let the schools decide what is best for their technological solutions, that decision belongs to the schools and NOT Microsoft.

I also thing that a breakup into two mini-softs, one for OS, another for applications, may be a good idea, since Microsoft as a combined entity has put to death many good companies that I have no doubt would still be around and thriving were it not for Microsoft buying them out, or taking their market out from underneath them entirely, with force or subversion. Our economy survives on competition and choice, and Microsoft has proven over and over that they do not believe in fair practices involving healthy competition.

I will not claim to be able to suggest an appropriate conclusion, I will leave that to the courts and the honorable judges the preside over said courts. But I must beg that you reconsider accepting ANY resolutions proposed by Microsoft themselves, I don't believe that they have the ability to act fairly in any business dealing. Please make a decision that is fair and unbiased. Let justice prevail in this case, and not money, because Microsoft has so often let their money buy their justice. Please let my faith in true justice prevail.

Gene Elder

**MTC-00022560**

From: ROBERT H BARGE JR  
To: Microsoft ATR  
Date: 1/24/02 3:01pm  
Subject: Microsoft settlement

A decision in favor of M'soft is wanted by a large majority of Americans. There is no proof of damage to anyone!!!!

R.H.Barge,  
Arcadia, CA.

**MTC-00022561**

From: wrenne@water.cc.mcgill.ca@inetgw  
To: Microsoft ATR,Guillaume Marceau  
Date: 1/24/02 3:03pm  
Subject: Microsoft Settlement

To whom it may concern,

I would like to state my opinion as a programmer that the proposed judgement in the Microsoft anti-trust case is far too weak with respect to opening up the field for developers of inter-operable systems (e.g. the Wine project).

To break down the entry barriers, all Microsoft specs, including APIs and file formats, current and future, must be freely available to developers. There can only be a free market in today's computing world in an environment where components from disparate sources can be made to interoperate; otherwise there remains a form

of mutual exclusion in terms of what runs on a given computer system. Only across the board, enforced openness of specs can enable a real free market by breaking this chain.

Will Renner  
Computer Engineer

**MTC-00022562**

From: JONES,PETER (HP-NewZealand,ex1)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 3:05pm  
Subject: Microsoft Settlement

To whom it may concern

In my twenty years in the IT industry I have witnessed a slow erosion of consumer choice, fair competition in the development of products and services for consumers in the PC industry and the growth of an insidious monopoly on the desktop.

The US Department of Justice has squandered an opportunity to return choice, flexibility and innovation to the consumer by, instead, pandering to Microsoft demands in the face of overwhelming evidence of unfair practice in the marketplace.

I, for one, am disappointed.

Peter Jones,  
Technical Account Manager  
Hewlett-Packard (NZ) Ltd.  
DDI:+64 4 802 8957  
Mobile:+64 21 452 994  
Email:pejon@hp.com

**MTC-00022563**

From: Thomas Donalek  
To: Microsoft ATR  
Date: 1/24/02 3:04pm  
Subject: Microsoft Settlement

I oppose the proposed settlement.

I believe that the proposed settlement is an inadequate remedy to the harm caused by Microsoft's illegal actions. Also, I believe that the proposed settlement is not adequate to prevent or even discourage Microsoft from continuing to abuse their still-present monopoly position in several critical markets. I believe that the culture at Microsoft is such that they do not believe that they have done harm, and thus they will continue to behave in the same manner.

It is in the best interest of US business and consumers to impose a far stronger sanction that would first, adequately punish Microsoft for the harm they have caused through their illegal actions, second, alter the situation so as to significantly reduce their illegally gained monopolies and third, monitor and strongly punish Microsoft for all their future transgressions.

Lastly, the clear inadequacy of the proposed settlement leads to an appearance of impropriety between Microsoft and the Ashcroft/Bush DoJ which weakens the democratic institutions of our great nation.

Thank you,  
Thomas Donalek

**MTC-00022564**

From: Jean-Marc Chevrot  
To: Microsoft ATR  
Date: 1/24/02 3:06pm  
Subject: Microsoft Settlement

I agree with the comments made in the web page below.. <http://www.kegel.com/remedy/remedy2.html>

Jean-Marc Chevrot

**MTC-00022565**

From: Mark Matarrese  
 To: Microsoft ATR  
 Date: 1/24/02 3:03pm  
 Subject: Microsoft Settlement  
 January 24, 2002

To the Department of Justice;  
 As a concerned consumer and IT professional, I regret to see the latest actions that AOL has directed towards Microsoft; the recent lawsuit filing for anti-competitive practices. Microsoft has CONSISTENTLY met the demands of business and personal users of their software and by no stretch of any imagination have damage the environment of competition and innovation. If the Suns, Oracles, and Netscape's are unhappy with Microsoft's operating systems and affiliated suites, please pressure them to following the road of innovation to create a system of operating and suite software that competes against their rivals. That is CAPITALISM!! By asking the government to compensate one for inferior software that was unable to offer the user an experience beyond the competitor's expertise is totally ludicrous. Please listen to the real people like myself that must make a living on software that is designed to meet the demands of the consumer—simplicity and ease of operation. What is wrong with making a product better? Is bundling an antitrust issue, a scheme to allow for anti-competitiveness, or a process to make superior software that increases the users positive experience, thus allowing for greater productivity?

We need to allow our country's great companies to become even greater. By restricting a company's ability to innovate through malicious acts of jealousy from their competitors is not how we have become such a great nation. May we never forget how we got where we are today!

Very Truly Yours,  
 Mark Matarrese  
 An Independent IT Professional

**MTC-00022566**

From: marv matson  
 To: Microsoft ATR  
 Date: 1/24/02 3:05pm  
 Subject: Microsoft Settlement  
 January 24, 2002  
 To: Department of Justice  
 (Microsoft Settlement)

I am outraged at AOL Time Warner for suing Microsoft because they purchased an inferior system and find it cannot perform on a standard with Microsoft equipment. Innovate not Litigate should be their guidance. Microsoft leads our nation and the world and is not appreciated by the Justice Department that continues to honor groundless and frivolous claims of competing companies, and Attorney Generals of states trying to improperly help and prop up weaker companies domiciled in their states.

We once held AOL stock but sold it due to the embarrassment of hearing complaints from friends and workers who had AOL as their Internet provider. AOL puts cookies, stops, blockages and all number of impediments in their system to block or diminish competitors from gaining access to AOL customers. People who quit AOL must have their computers professionally purged

of these illegal roadblocks at considerable expense to the customer. Dismiss the suit against Microsoft as frivolous and without merit and direct your attention to AOL's un ethical practices.

Marvin L Matson  
 Tacoma WA

**MTC-00022567**

From: Mike Rutter  
 To: Microsoft ATR  
 Date: 1/24/02 2:58pm  
 Subject: Microsoft Settlement  
 Hello,

My name is Michael Rutter, and I am a computing professional. I have been keeping a close eye on the Microsoft case, and I have read the proposed settlement with Microsoft, and I feel that it is inadequate. Not only does it not fully address the problem, but it is so full of loopholes that I sincerely doubt that Microsoft would suffer any effect from it. Please do not let this settlement go through. Thank you for your time.

Sincerely,  
 Michael Rutter  
 CDM Technologies

**MTC-00022568**

From: MLEmos@fleming  
 packaging.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 3:01pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Manuel Lemos  
 2022 Lone Oak Ave.  
 Napa, CA 94558

**MTC-00022569**

From: RM Wheeler  
 To: Microsoft ATR  
 Date: 1/24/02 3:06pm  
 Subject: Microsoft Settlement

I believe that the currently proposed settlement is flawed in a fundamental way. Namely, it does not prevent Microsoft from bundling web browsers and other application software into its operating system. While there are measures in place to discourage this kind of practice, the settlement as written does not take adequate steps to ensure that this practice will absolutely cease. Any just and reasonable settlement to this lawsuit must address the prevention of future

attempt to bundle software into Microsoft operating systems.

Raymond Wheeler  
 Berkeley,CA

**MTC-00022570**

From: Marcus White  
 To: Microsoft ATR  
 Date: 1/25/02 3:06pm  
 Subject: Microsoft Settlement  
 To Whom It May Concern,

As PC users, my wife and I were extremely disappointed to learn that AOL Time Warner has, once again, filed suit against Microsoft, claiming that Microsoft "harmed" AOL's Netscape Navigator.

I have been using the Internet since the days of the Mosaic browser, before either Netscape or IE were in use in large numbers. I well remember downloading free versions of Netscape and IE to test them side by side to see which one was the better browser—and Netscape was the better browser, at first. Very soon, however, it became apparent to me that Microsoft was building the better browser, and today I use Internet Explorer (and MSN Explorer, through the Microsoft Network) not because Internet Explorer is the default browser that comes with the Windows Millennium Edition operating system that we use on both of our PC's, but because the Internet Explorer is simply the best browser for the Internet. If I wanted to use Navigator I would do so.

And this brings me to the whole point about Microsoft, as I see it: Innovation. Certainly there is a profit motive with Microsoft, as there is with any other business in any field. Microsoft has continued to improve their products with each new version of each of their products until today I find very few non-Microsoft products on our computers here at our home. The reason is very simple: Microsoft has the best products available for the things for which we use a computer.

Up until a few weeks ago I was using both Quicken and MS Money to keep track of our family finances. Silly? Of course. But I liked the way each of them worked and provided different ways of looking at the same data. But after upgrading to MS Money 2002 I soon realized that Quicken was now redundant, so I stopped using Quicken and removed the program from my hard drive. Microsoft makes superior products, in my humble opinion.

Before closing, I would like to ask what America Online has done for their customers lately? The AOL with which I am familiar, and to which I subscribed until recently (when I decided that I could get the same information on MSN with much less hassle, and certainly on a much more stable and user-friendly system), has, with only a few changes, remained the same since AOL 4.0. Several years ago Microsoft developed their version of the instant messaging system, which was initially supposed to allow users of their service to communicate with AOL's AIM, but AOL saw it as a threat to their security (and dominance in that field) and blocked non-AIM users from communicating with their service. Yet they have the nerve to sue Microsoft over the browser issue?! Come on, guys! Get real! Netscape lost out to IE;

AOL bought Netscape knowing that the browser war was over and IE had won, and now they're trying to make financial hay over it! Seems like a suit "without merit" to me, eh?

Thanks,  
Marcus & Carole White

**MTC-00022571**

From: john heasley  
To: Microsoft ATR  
Date: 1/24/02 3:05pm  
Subject: Microsoft Settlement  
DOJ Antitrust Division,

I am writing this morning to express my support for Dan Kegel's forthcoming petition for further consideration of points of the proposed Microsoft antitrust settlement.

Furthermore, Computing has become a necessity in the everyday lives of nearly the entire population of the globe. The ability to communicate electronically, from electronic mail to a text document, is based on the fundamental concept of interoperability, which is entirely possible between any computer produced by any manufacturer if the underlying protocols are made known. This is fact and can be applied to almost any process, such as the US postal service, and is exemplified by the Internet Engineering Task Force (IETF, www.ietf.org) standards body which has developed many of the standards used in the Internet today, such as the Simple Mail Transfer Protocol (SMTP) for e-mail exchange. It may also be seen in the ITU, who has developed protocols that make even the most basic telephone call possible.

Without protocols being known, it is impossible for products to compete because customers will not be willing to sacrifice the ability to communicate with others. If the basic Internet protocols had not been published by DARPA in the 1980's, no other networked device would have been capable of communicating with their machines and today over 600 millions machines communicate. Those that have poor implementations of those protocols differentiate themselves from those who excel by their own sword.

Those businesses who create inferior products, such as Microsoft, or whose product's quality diminishes will find themselves with a mass exodus of customers. Without competition, those businesses have no incentive to excel and customers have no alternatives.

In the case of Intel based computers, customers do have a choice. Alternative operating systems exist. Some of which are actually stable, secure, and reliable. For example, netbsd (www.netbsd.org) running on one of my machines has an uptime (ie: a consistent operating period without any kind of reboot or crash) usually measured in a number of months vs. the comparable Microsoft machine measure in hours or days.

There is no contest in my mind; operating systems exist that are superior to Microsoft. But within lay two problems.

1) The majority of these alternatives are not suitable for the casual user. They require a more mature knowledge of computing which the average user lacks and is not necessarily easily acquired.

2) In computing, as with a simple telephone, the freedom to choose a product

based on it's merits is void if the cost is interoperability. The value of networking is zero if two devices can not communicate or, more precisely, a user can not communicate with any given individual of their choosing.

By Microsoft being allowed to continue its anti-competitive practices, they are robbing citizens of their right to choose. They can not choose alternatives if those alternatives render it impossible to communicate with those that choose to continue using Microsoft products. Furthermore, their agreements with other vendors for access to their APIs (Application Programming Interfaces) and other operating system programming specific data exacerbates the situation by forcing these businesses to make similar information proprietary and thus it is impossible for other vendors to communicate (ie: compete).

Imagine yourselves booting your computer and using it error free until a hardware failure or desired upgrade makes it necessary to reboot. Imagine applications that are not as frustrating to use as Microsoft Powerpoint, but can read and write the documents produced by them. Imagine applications that do not have gaping security holes which allow viruses through to destroy your data and cost your company hours to repair.

It is my firm belief that the DOJ should not consider any settlement that permits Microsoft to continue its onslaught of anti-competitive contractual agreements through omission of explicit court demands or vagueness of interpretation of those demands. Please rule in favor of the people.

Cheers,  
john heasley  
portland, oregon

**MTC-00022572**

From: Savnole97@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:02pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Timothy Savage  
215 4th St N  
Naples, FL 34102

**MTC-00022573**

From: Brian Reigle  
To: Microsoft ATR

Date: 1/24/02 3:06pm  
Subject: Microsoft Settlement

I think your proposed settlement is a bad idea. I have been following this through such online sources as Slashdot.org and Macslash.com. I've read through many comprehensive resources detailing the Tunney Act proceedings.

-Brian Reigle

**MTC-00022574**

From: Raffaella.Calabria@verizon.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:08pm  
Subject: Microsoft Settlement

As a US citizen I am opposed to the Microsoft settlement. I don't think it does enough to punish it.

Sincerely,  
Raffaella Calabria  
Annapolis, MD

**MTC-00022575**

From: whmrbart@wabash.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:06pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Bartels  
R.R. 4, Box 116A  
Louisville, IL, IL 62858

**MTC-00022576**

From: Bill Prentice  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 3:01pm  
Subject: Microsoft Settlement

I am writing to voice my disapproval of the proposed final judgment in the anti-trust case against Microsoft.

I have found several areas that I feel will not only fail to prevent Microsoft from engaging in anti-competitive behavior in the future but also re-enforce the current status-quo.

Section III-Subsection A. allows for Microsoft to terminate an OEMs Windows Operating system license after 2 warning notices are sent. The section does not define any time frame for which the notices have to be given within. Conceivably, Microsoft could use this provision to terminate licensing to an OEM by counting notice letters sent before the trial began.

Subsection C.2 : The phrase "so long as such shortcuts do not impair the functionality of the user interface" is entirely subjective and may be interpreted to mean Microsoft could determine that the functionality is impaired by having two internet browser application icons.

Subsection C.3 : Allows Microsoft to keep OEMs from including software that fore all intents and purposes has the same look and feel of Microsoft software—the same premise that Apple Computers sued and lost to Microsoft in an effort to block the distribution of the Windows OS

Subsection J.2 : Allows for Microsoft to refuse to provide any information as listed in the section to any distributor or developer of any open source type of software as the source code generally must be distributed and therefore could theoretically allow for any or all of the refusal conditions to be met

The main point of the findings of fact of the first proceedings under the Hon. Judge Jackson, and later affirmed by the Appellate Court, was that Microsoft had used such tactics as these to prevent and crush competition in the maintenance of its monopoly. By allowing this proposed settlement the court would be allowing for the continuation, with the sanction of the courts and government, of the very things already found to be illegal.

Sincerely,  
Bill Prentice

#### MTC-00022577

From: glaird@mpinet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:04pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gloria Laird

10532 Linger Lane Orlando, FL 32821

#### MTC-00022578

From: Miles B. Whitener  
To: Microsoft ATR  
Date: 1/24/02 3:09pm  
Subject: Microsoft Settlement

Attn: US Dept. of Justice

Please settle the Microsoft matter quickly. As a programmer and user of software, I have never felt forced by Microsoft to use any of their products. My experience in writing and

using software goes back almost twenty years. I have always felt that I had a choice between Microsoft and other brands. I feel that the UNIX providers did not take the mass market (that is, normal people) seriously back when they could have beaten Microsoft in the market. This is their own fault. If you punish Microsoft, it will largely be for delivering better value to their users, and for failing to pay off jealous politicians.

Thank you,  
Miles Whitener  
Manchester, Missouri  
Tel. 314-518-7511

#### MTC-00022579

From: STEINMETZFN@JUNO.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:04pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Fred Steinmetz  
7640 Lakeview Dr.  
Hillsboro, MO 63050-1526

#### MTC-00022580

From: LaurieIW@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:11pm  
Subject: MICROSOFT ANTITRUST CASE

I am so disgusted with the prolonged and continuously expanding litigations against Microsoft. The company has done more for technology and industry in general than I am aware of any other company having done for a long time. With all of the legal hassle I have seen my meager savings (I am age 72, retired secretary) dwindle, not only my few Microsoft shares, but also the few other holdings I managed to invest in from my puny paycheck. With it has gone my feeling of security, a large portion of my income (income from investments has now decreased to almost zero, and my retirement pay is \$900, ss income \$553, how would you like to live on that?). I am now eligible for low-income senior discounts on taxes and other expenses which I was able to pay full amounts for previous to the Microsoft case. Yes other things have affected the economy, but a fair settlement as I thought had been reached, but now seems in jeopardy, would be in the best interest of the public and the economy. Get this damned thing overwith,

please. Let's get on with life and protecting the country from more serious matters.

#### MTC-00022581

From: William G. Wagoner  
To: Microsoft ATR  
Date: 1/24/02 3:12pm  
Subject: Microsoft Settlement  
January 24, 2002  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

To Whom it May Concern:

I am 77 years old and thankful that Microsoft has provided we users with software that makes it relatively easy to use a computer. I was pushed into the computer age by my son-in-law about 8 years ago. How thankful I am.

I have tried AOL and Netscape. In fact when Netscape was charging \$24 to subscribe, it was given to me. I didn't even like it for free.

I subscribed to AOL for approximately 5 years, however I only used it as a means to get onto Microsoft Internet Explorer.

I have tried Microsoft's money program and found that Intuits Quicken was much better. Most computer users will buy the programs that they feel are the easiest to use or the best available regardless of who makes them.

I feel that the Companies that are suing Microsoft are only trying to bring Microsoft down to their level. They should be trying to develop better software. I have a friend that recently turned 80. He just bought a new computer with Microsoft XP installed and he and his wife are thoroughly enjoying the use of it.

It is now almost foolproof. I guess that I should tell you that the whole package, Computer, 17 inch monitor, and colored printer cost slightly over \$400.00.

Do not allow inferior competitors to bring Microsoft down to their level!

Sincerely, William G. Wagoner  
2591 Devonwood  
Ttoy, MI 48098  
Wagner—william@msn.com

#### MTC-00022582

From: Hilton, Jeffrey  
To: Microsoft ATR  
Date: 1/24/02 3:10pm  
Subject: Microsoft Settlement

To Whom it may concern,

I am a software professional, and find the proposed settlement with Microsoft quite disturbing.

1. It is not enforceable in a practical manner. In this time of war, our government cannot afford to, does not have the resources or will to, and should not have to, keep the constant active vigilance that would be required by this settlement to enforce this settlement. Microsoft has shown a great tenacity in pushing the limits of the law, and it cannot be assumed that Microsoft will suddenly try to adhere to the spirit of the law when it is not to their advantage.

2. It does not prevent Microsoft from artificially raising barriers to competitors. Nor does it have Microsoft redress any of the

many areas where Microsoft used its monopoly to gain advantage. At a minimum the field should be leveled, but after destroying the competitive ecosystem, they are also responsible for restoring the competitive environment.

3. Microsoft makes its money in a profession where a few changes in wording (code) can make major changes in the results, and they are experts at it. Yet, the wording used in the settlement leaves loop holes in the wording and definitions that are very simple to get around.

As a software professional I could go on for pages on how Microsoft used its monopoly status to destroy its competitors in the software market and that this settlement does nothing to curb those practices. However, I think it would be better for me to leave the details to others and simply state my concern that this settlement is a slap on the wrist, and will do nothing to better the software field (or industry as a whole) and is not in the public's best interest.

Sincerely,  
Jeffrey M. Hilton

**MTC-00022583**

From: Regina Keiter  
To: Microsoft ATR  
Date: 1/24/02 3:11pm  
Subject: Microsoft Settlement  
Attorney General John Ashcroft  
U.S. Dept. of Justice

Dear Sir,

I am writing you today to express my feelings in regards to the settlement that was reached between Microsoft and the Department of Justice in November 2001. This settlement is as fair as possible, and I am anxious to see this dispute resolved. I sincerely hope that superfluous action against Microsoft is ended.

This settlement contains provisions that foster competition and benefit the whole technology industry. Microsoft has pledged to share more information with other companies, create more opportunities for other companies, and give consumers more choices. Under this agreement, Microsoft must design future versions of Windows to make it easier to install non-Microsoft software and must disclose information about certain parts of source codes for Windows.

During these difficult times, one of our highest priorities should be improving our lagging economy. Hindering Microsoft will obviously not achieve this end. Please do not punish Microsoft for pursuing the American Dream. Please continue to endorse the settlement. Thank you for your support.

Regina B. Keiter  
HC 1 Box 2100 Birchwood Dr.  
Tannersville, PA 18372  
reginak@ptd.net

**MTC-00022584**

From: NB  
To: Microsoft ATR  
Date: 1/24/02 3:07pm  
Subject: Microsoft Settlement—My take on this

To the Department of Justice:

I'm writing to comment upon the settlement of the Microsoft (MSFT) case and the latest development of AOL to sue MSFT.

I believe the rapidly changing nature in the computer industry has shown that there was and is a need to allow the marketplace determine the winners and losers in this industry. The DOJ and the various State's AG's suit against MSFT was ill-advised. Events have proved the point that the computer industry changes so rapidly that innovation in its marketplace may lead a vast majority of consumers to gravitate to a particular operating system or platform based upon marketing, but not solely upon the marketing. Whether that platform is competitive comes down to its flexibility, its utility and its pricing.

Do any of you remember what it was like prior to MSFT's Windows 3.0 and 3.1? The various operating systems and the "barely adequate" programs that were designed for them led to a fragmented marketplace and a relatively low utilization of the desktop computer. The subsequent adoption of the PC by a vast assortment of people worldwide was a direct result of MSFT's operating system that proved to be the standard because it allowed manufacturers to predictably make peripherals and applications that worked on a machine. This predictability allowed mass production and distribution so that, for example, the 40 Gigabyte hard drive can now be purchased (let alone be produced in the first place) for 100 USD.

The great productivity in the US economy, particularly its service orientation, has been a direct result of the proliferation of the desktop PC. Because of MSFT's adopted default standard operating system and its program applications, the PC has become a standard tool in business. No one ordered American business and consumers to make the PC with the Windows operating system the dominant force in PC desktops; they're there because they work and they allow PC communication to occur. For crying out loud, do you think the vaunted Chinese black market would be producing pirated software of anything other than a Windows-based operating system if it didn't work?

Fragmenting this success story by breaking up MSFT and destroying such a success is only to destroy the productivity base that has led the USA to a global leadership position. Of course, this success does have its downsides, too: my bet is that the Al-Qaeda and Taliban's computers were all Windows based systems and the encoding that has been talked about in the press were all systems that were introduced to the world because they worked so well on the desktop PC...

Finally, having used browsers from their inception tells me once again that DOJ and the other whiners like Netscape and the states' AGs have a very short memory. Their browser's 1.0 and subsequent generations just plain got better as the revision numbers continued and we who used them migrated to platforms that worked better. What good is it to use something that decreases productivity and takes hours to get to do something that can be done in a few seconds. Netscape lost in the marketplace of ideas and execution because it wasn't a great product and didn't become a great product. Netscape would have you believe that since they had

the dominant browser at onetime, that the legal system should have frozen everything in time so that you and I would be forced to buy Netscape's product then, even though it proved, in time, to be such an inferior product. Has anyone tried to download and install Netscape 4.8 +? It doesn't install correctly even when you follow all their installation suggestions. Has anyone tried using Netscape's vaunted 6.0+...it doesn't live up to their own hype!

Don't take us back to days when we had to use white out and re-type something to merely change a misspelling or change a format. In fact, do any of you remember when the PC wasn't used? Like automatic margin resetting and left justification was the rage BEFORE the desktop PC became a standard. The success of the PC and MSFT's innovation has made such archaic discussions of "typing" a thing of the past, thank God, so no one dwells on paper format changes in business with the EXCEPTION of courts of law: they write books about such in that profession and number their lines while the rest of the world moves on to innovation.

I encourage you to settle this suit against MSFT and allow the marketplace and innovation to move on.

Nathan Watanabe  
San Diego, CA

**MTC-00022585**

From: robertvill@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:09pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. T

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Villanova  
98 Shenipsit St.  
Ellington, CT 06029-4318

**MTC-00022586**

From: David Roper  
To: Microsoft ATR  
Date: 1/24/02 3:09pm  
Subject: Microsoft Settlement  
Sir,

In my opinion Microsoft has flagrantly and repeatedly exploited its effective monopoly on the supply of PC operating systems to eliminate competition in other sectors. For example, it has used its position essentially to eliminate serious competition in the areas

of office automation suites—word processors, spreadsheets, e-mail and news readers, contact managers and calendars and personal databases—as well as in the arena of web-browsers. It is now using its position as virtually the sole supplier of PC operating systems to force users to upgrade not only the OS, but also all these essential software applications on a regular basis. May I suggest that any compromise agreement made with Microsoft must include an absolute requirement for Microsoft to:

(a) publish complete and detailed description of the file formats used by all its "Office" applications;

(b) to ensure that any changes to such file formats that are required to support new versions of these applications are published at least six months in advance of the production release by Microsoft of the applications; and

(c) adopt, as the default file format for such office application such publicly defined formats as are from time to time issued by bodies such as the World Wide Web consortium (W3C) and the Object Management Group (OMG). As these membership of these organisations is open to all, Microsoft should have no problem with influencing their specifications to ensure completeness and utility.

Yours faithfully,

David Roper <mailto:droper@lineone.net>  
Mountwest 287 Ltd.

Beechwood Manse,

Glenkindie,

By Alford,

Aberdeenshire AB33 8SH

United Kindom

Tel: +44 (0)1330 833882

Fax: +44 (0)1330 833882

Mob: +44 (0)7753 619219

**MTC-00022587**

From: [geenlane@yahoo.com@inetgw](mailto:geenlane@yahoo.com@inetgw)

To: Microsoft ATR

Date: 1/24/02 3:10pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Elaine Harbour

Drawer 465

Fairview, OK 73737-0465

**MTC-00022588**

From: [jwwf@salisbury.net@inetgw](mailto:jwwf@salisbury.net@inetgw)

To: Microsoft ATR

Date: 1/24/02 3:11pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jerry Wiles

4565 Mooresville Rd.

Salisbury, NC 28147

**MTC-00022589**

From: Chris Blount

To: Microsoft ATR

Date: 1/24/02 3:15pm

Subject: Microsoft Settlement

Dear Sir;

I have written you earlier indicating that this country needs to settle this unfortunate case against Microsoft. I hope that the settlement approved by Microsoft will be finally accepted.

The new development that AOL now sues Microsoft for "damages" in the "browser war" is only further proof that this case is all about easy money and lawyers and little about competition in the market place.

Being a software programmer I watched my clients willingly one after another at their own initiative begin to increasingly prefer the Microsoft IE browser, not because it was cheaper or even free, but simply because it step-by-step became a more desirable product yielding business efficiencies far in excess of whatever small cost it may have had.

Unless this country wants to spend all of our R&D monies on lawyers and inferior corporate innovation by competitors of Microsoft, I hope that the DOJ will terminate all this now so that we can get back to business as usual.

DOJ should not become the AOL corporate legal ("R&D") department; nor should DOJ become the vehicle for certain members of Congress to "buy" votes in the districts where Microsoft competitors reside.

Microsoft simply makes more innovative products at a better price year after year and that is what consumers want. What is so difficult to understand? Why all this government intervention socialism?

Sincerely yours,

Chris Blount

PO Box 503

Nome, AK 99762

**MTC-00022590**

From: [jsvink80@yahoo.com@inetgw](mailto:jsvink80@yahoo.com@inetgw)

To: Microsoft ATR

Date: 1/24/02 3:11pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jeremy Svinkelstin

20 Huntington Street

Fairlawn, NJ 08901-1002

**MTC-00022591**

From: Matthew Trumbell

To: Microsoft ATR

Date: 1/24/02 3:16pm

Subject: Microsoft Settlement

I am very much opposed to the proposed Microsoft settlement. Among my many concerns is the settlement's apparent lack of an effective enforcement mechanism. It is my opinion that the settlement should not be approved.

Thank you.

Matthew Trumbell

**MTC-00022592**

From: Yuen Liang

To: "Microsoft.atr(a)usdoj.gov"

Date: 1/24/02 3:17pm

Subject: Microsoft

To: Department of Justice District Court Judge  
in Charge of the Microsoft Antitrust case

Dear Honorable Sir:

I am writing to express my support for Microsoft in the ongoing antitrust case that has been filed against the company. Microsoft is a company that created a user-friendly and user-empowering operating system that took the computer out of the hands of the sophisticated few and into the hands of everyone—in schools, in factories, in art, in business. That it has become the dominant operating system and beat its competition by the merits and virtues of the software is the American Way. It's the reason why I chose to live in this country and not in one where arbitrary favors, race, and a patriarchal mentality dominate the culture and government. It is un-American to punish a company for doing good and doing it fairly in an open marketplace. (As an aside, I find it of no little coincidence that the biggest complaints about Microsoft are coming from those who wish to take Microsoft's place. The major difference is that they want to do this dishonestly: by forcing Microsoft to go down using a government decree, instead of letting consumers decide.)



Neither I nor my family work for Microsoft. However, I do know that if it were not for Microsoft products I would not be able to function as I do in life, both personally and professionally. I work for a small company which depends on Microsoft products. We freely chose their platform because it is the most user-friendly and powerful for our needs. I resent the fact that the government is telling me—or any one of its citizens, for that matter—what I can or cannot use. And I do not stand by idly letting the government force me to choose one way or the other.

The proper function of government is to protect the right of its citizens and entities to keep the products of labor and creative work, not to subject human rights to arbitrary whim. I expect the United States government to do just that, by protecting Microsoft's right to exist.

Sincerely,  
Yuen Liang  
Chicago

#### MTC-00022593

From: m nickle  
To: Microsoft ATR  
Date: 1/24/02 3:17pm  
Subject: Microsoft Settlement

Dear Sir(s)/Madam(s),

As a worker in the technology industry and a student of economics, I have grave concerns about the proposed microsoft settlement. My concerns are as follows:

1.) By allowing Microsoft to participate in the ongoing development and marketing of operating systems, application software and online content, the plaintiff is essentially giving Microsoft the ability to continue to leverage its size and monolithic operating structure to intimidate competitors from entering the market.

2.) There are no safeguards put in place to prevent Microsoft from engaging in predatory pricing schemes to gain marketshare. As we have seen with their entrance into the Internet browser and multimedia server tools markets (media server), these dumping practices have an adverse affect on the competitors while reinforcing Microsofts illegal monopoly.

3.) By allowing Microsoft to continue to develop and market the leading software development environment (>85% market share), the government is allowing the defendant to continue to bundle proprietary APIs that are detrimental to a competitive market. The solution that I would suggest is that Microsoft should be compelled to segregate their content (passport, MSN, Xbox), operating systems and application groups.

Ideally this would be accomplished by appropriately dividing the company into separate corporations. Alternatively these divisions could be turned into separate operating companies under the same corporate umbrella. The former proposal would probably have the least impact to shareholders since the value of the various groups would be dispersed to them through new share issuances. Ideally, these mini-Microsofts would be positioned to potentially compete against one another rather than collude as has been the case.

Thank you for the opportunity to comment on this ongoing issue.

Very respectfully,  
Michael Nickle, CISSP

#### MTC-00022594

From: Kevin Soukup  
To: Microsoft ATR  
Date: 1/24/02 12:15pm  
Subject: Microsoft Settlement

As a consumer and a United States Citizen (encouraged to follow the laws of this land and willfully do so) I am absolutely appalled that our US Government is considering settling the case (United States v. Microsoft) without actually punishing them. They're convicted monopolists and our Government is going to encourage their activities by doing nothing!? When President Bush took office, what did he do, call you guys and tell you to quit interfering with his friends or something?

Is that what President Bush is all about, big business? Why doesn't he just come out and say that he doesn't give a crap about the little people in this country and only cares about the powerful RICH people that bought him into the Presidency.

I fully disapprove of the settlement and reference the following since they say it do much more elegantly than I ever could.

The PFJ doesn't take into account Windows-compatible competing operating systems.

<http://www.kegel.com/remedy/remedy2.html#abe>

Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

The PFJ Contains Misleading and Overly Narrow Definitions and Provisions. <http://www.kegel.com/remedy/remedy2.html#def.a> The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

<http://www.kegel.com/remedy/remedy2.html#def.j>

The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

<http://www.kegel.com/remedy/remedy2.html#def.k>

The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

<http://www.kegel.com/remedy/remedy2.html#def.u> The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

<http://www.kegel.com/remedy/remedy2.html#info.requirements>

The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

<http://www.kegel.com/remedy/remedy2.html#info.timing>

The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the deadline for the ISVs to demonstrate that their middleware is compatible.

<http://www.kegel.com/remedy/remedy2.html#info.use>

The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

<http://www.kegel.com/remedy/remedy2.html#info.formats>

The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

<http://www.kegel.com/remedy/remedy2.html#info.patents>

The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft.

<http://www.kegel.com/remedy/remedy2.html#isv.oss>

Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

<http://www.kegel.com/remedy/remedy2.html#isv.atl>

Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

<http://www.kegel.com/remedy/remedy2.html#enterprise>

Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which *could* run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft.

<http://www.kegel.com/remedy/remedy2.html#caldera>

Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems. The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs.

<http://www.kegel.com/remedy/remedy2.html#oem>

The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

<http://www.kegel.com/remedy/remedy2.html#oem>

The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

<http://www.kegel.com/remedy/remedy2.html#oem.mda>

The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

<http://www.kegel.com/remedy/remedy2.html#enforcement>

The PFJ as currently written appears to lack an effective enforcement mechanism. We also agree with the conclusion reached by that document, namely that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems.

Join 18 million Eudora users by signing up for a free Eudora Web-Mail account at <http://www.eudoramail.com>

**MTC-00022595**

From: Alan L. Liu  
To: Microsoft ATR  
Date: 1/24/02 3:15pm  
Subject: Microsoft Settlement

Greetings,

I am sending this email to state that as a U.S. citizen, I am against the proposed Microsoft antitrust settlement, which I believe to be too lenient on the software company.

Linchuan Liu  
Mountain View, CA

**MTC-00022596**

From: QiTanya@netscape.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:12pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tanya Altmeyer  
7979 E. Princess Dr.  
Unit #26  
Scottsdale, AZ 85255

**MTC-00022597**

From: Gail Beddow  
To: Microsoft ATR  
Date: 1/24/02 3:16pm  
Subject: Microsoft Anti-Trust Settlement

I received a mailing giving this as the e-mail address to which send comments on the proposed Microsoft settlement. The organization gave the following as the mailing address (just to make clear for whom this message is intended):

Renata Hesse  
Trial Attorney  
Antitrust Division  
Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530

The organization encouraged me to support the settlement, but I do not. I sent this letter to the Illinois Attorney-General last November:

I have been a software developer for over thirty years. I can assure you that Judge Thomas Penfield Jackson's findings of fact in the Microsoft Anti-Trust case were entirely correct. I IMPLY you not to agree to the latest proposed settlement.

The core of the case is that Microsoft has mis-used its dominance of the operating system market to exclude competitors from the applications software market. Their contention that an Internet browser is properly part of the operating system, rather than an independent application, is preposterous. Their deliberately non-standard implementation of Sun's licensed Java language, designed to make competitors' software unusable under Microsoft's operating systems, is outrageous. Their practice of incorporating independently-developed applications into later releases of their own products without compensation to originators (not addressed in the suit, and widely-believed in the software community to be accomplished by reverse-engineering) is deplorable.

The net effect of their depredations has been to decrease variety and increase costs in the applications market, to the detriment of the citizens of this state.

Again, I ask you to reject the latest proposed settlement.

Sincerely,  
Gail Beddow  
√Gail Beddow Chicago, IL  
√Mainframe, PC, and Internet Consulting √  
√e-mail: feaudrey@prodigy.net √homepage:  
√ <http://pages.prodigy.net/feaudrey>

**MTC-00022598**

From: EndresJA@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Julie Endres  
1213 E. Gunn St. #6  
Appleton, WI 54915-2793

**MTC-00022599**

From: Calvin Harrigan  
To: Microsoft ATR  
Date: 1/24/02 3:19pm  
Subject: Microsoft Settlement

I would like to opine that the proposed settlement between the 9 states, the DOJ, and Microsoft is a bad idea. It does not even qualify as a slap on the wrist. If it does anything, it allows Microsoft more presence in a different market. One possible remedy might be, to force Microsoft to open its file formats, all formats, not just some that are rarely used. Thank you for your time.

Sincerely,  
Calvin Harrigan

**MTC-00022600**

From: John Wagenseil  
To: Microsoft ATR  
Date: 1/24/02 3:17pm  
Subject: Re: Microsoft Settlement

Dear Sirs, Now AOL is going to sue Microsoft. Is it endless? What a joke.

All the lawsuits should be dismissed as frivolous.

I wonder if any of the States suing Microsoft have ever had an Anti-Trust suit against anybody before. Hey let's all get together and sue the rich guys, they can afford it. Why, McDonalds can afford hundreds of thousands because the coffee was too hot, so Bill can afford to hand out some money.

AOL has a bigger market share of Internet action than Microsoft, how can they say Microsoft is being unfair.

Everybody wants to beat Bill, to get his Billions, and nobody worries what happens to the consumer. My daughter decided to use AOL Messenger a couple of years ago because her friends did, and AOL Messenger would not talk to her Microsoft E-mail. But they could talk to her!!!! Bill's product was compatible!

The whole problem is compatibility. Nobody wants to be compatible except Bill.

Leave Bill alone.

Regards,  
Jww

**MTC-00022601**

From: casey hutchinson  
To: Microsoft ATR  
Date: 1/24/02 3:18pm  
Subject: Microsoft Settlement

I write to you with the bias of someone who owns several computers and no Microsoft products. Microsoft is not a productive monopoly. Their drive for innovation serves only to isolate themselves in the market. They continue to put out upgrades which are mandatory and products which they create a niche for, with neither being useful to customers.

If microsoft is fined then those dollars should be channeled into Free software, but

even that would be a poor way of dealing with this. Microsoft must be forced to sell their products to OEMs at one price for all, no discounts and no restrictions (excepting a one copy one computer license), they must especially be prevented from punishing OEMs who choose to ship computers pre-installed with a Microsoft operating system, and a competing (or Free) operating system.

Furthermore I feel that as Microsoft forbids the resale of Windows licenses by end users, then they should be forced to buy back any copy of Windows at original price. Not only for currently selling computers where the buyer wishes to run a competing (or Free) operating system, but for outdated copies that legally upgrading customers were not allowed to sell on the open market.

I thank you for your time encourage you to seek a speedy but fair resolution to this case.

Casey Hutchinson,  
125 Pacheco Ave.  
Santa Cruz, CA 95062

**MTC-00022602**

From: geenlane@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:14pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elaine Harbour  
Drawer 465  
Fairview, OK 73737-0465

**MTC-00022603**

From: Howell4619@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:16pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jerry Ball  
113 Conly Drive  
Pineville, LA 71360

**MTC-00022604**

From: Margaret Cook  
To: Microsoft ATR  
Date: 1/24/02 3:18pm  
Subject: microsoft anti-trust

Stop the ridiculous persecution of Microsoft. What have they ever done except excel at business and creating superior products. Netscape and the others should be ashamed and so should the government.

Microsoft has created jobs and opportunity for thousands of ordinary Americans so leave them alone. Success should be rewarded not persecuted! This is still America!

**MTC-00022605**

From: marika\_46845@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:18pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Marilyn Kahn  
508 Elektoy Way  
Fort Worth, TX 76108-4630

**MTC-00022606**

From: Bruce Brodnax  
To: Microsoft ATR  
Date: 1/24/02 3:20pm  
Subject: MS settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially

important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Bruce Brodnax  
Laguna Niguel, CA

**MTC-00022607**

From: dorganus@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:18pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Don Organ  
280 squire pl  
Corona, CA 92879

**MTC-00022608**

From: irishind@netins.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:17pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Fitzgerald  
412 178th AVE  
Carlisle, IA 50047-9475

**MTC-00022609**

From: mhb73@netzero.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:18pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Miriam Boston  
12552 Reaves Road  
Winter Garden, FL 34787-5501

**MTC-00022610**

From: blumling1@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:19pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Lou Blumling  
6 Ewing Street  
Oakdale, PA 15071-2115

**MTC-00022611**

From: Kirt Thiesmeyer

To: Microsoft ATR  
Date: 1/24/02 3:22pm  
Subject: Microsoft Settlement  
Sirs:

I am opposed to the settlement, or anything else that permits MS to return to business as usual. They are so big and so powerful that they are able to throw corporate responsibility out the window. They make a terrific product, Windows. They deserve their market share because of the excellence of the product. BUT their attempts to dominate other markets by tying Windows use to other products is despicable, highly anti-competitive and destructive of American enterprise. Microsoft is too glib about being the public's friend and about donating software in huge amounts (suggested "retail") when it costs them almost nothing, for the free publicity. I think the government should see through these shams.

I would like to see a conditional settlement that puts them on probation, subject to a review in five and ten years to see if MS is participating in healthy competition or still mis-using their monopoly power. Anything less, given their money, power and creative genius, is going to result in a few shifts of emphasis and then business as usual—which means driving out other innovators. That should not be allowed.

Kirt Thiesmeyer  
Glendale, CA

**MTC-00022612**

From: markjamesn@mac.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:24pm  
Subject: Microsoft Settlement

Microsoft's greed and egotism has led to its anti-trust trial(s). Please stem and correct this software company's blind eye to the consumer, who deserves more in terms of options, quality and concern in the personal computing world: adopt a more appropriate settlement, where the inevitable justice awaiting Microsoft is finally served.

Sincerely,  
Mark Newlon

**MTC-00022613**

From: John Robert Boynton  
To: Microsoft ATR  
Date: 1/24/02 3:22pm  
Subject: Microsoft Settlement

I've been a programmer and publisher since the mid 1980s. Since 1995 I've worked in the internet industry for companies around the San Francisco Bay; writing web applications for companies such as Etrade, Sun, and numerous startups.

I have several comments about obvious flaws the proposed settlement, and a suggestion for a small, verifiable behavioral constraint on Microsoft that could reduce its ability to compete unfairly in the browser market. Regarding the settlement....

The proposed settlement in this case appears on the face of it to be as preposterous as the proposed settlement in the civil case. There the proposed punishment for unfair competition was to give away Microsoft software, thereby gaining market share. Here, Microsoft can eliminate competitors with impunity by claiming it is for "security". One significant bit of competition Microsoft faces

is from open source software. Samba and Linux, for example, provide workable file and print sharing—that would otherwise require purchasing Microsoft servers. Samba and Linux are cheaper and more reliable than Microsoft products. The proposed settlement requires Microsoft to share information, but specifically exempts them from sharing information with open source projects, and requires software developers to pay for "third-party verification". Open source projects use their large customer and developer bases for "verification".

We have a fair amount of experience with Microsoft's behavior with respect to legal settlements. With Gates as instigator, they have flouted and mocked every settlement. This settlement gives them a loophole that they don't have to share information related to security. Well, surprise! Now after years of ignoring security, and using lack of security to eliminate competitors, Gates says it's all about security. Who could look at Microsoft's record and believe they won't use the word "security" as a reason to avoid sharing information with potential competitors?

I trust that the judicial system's review of the settlement will reject the obviously wrong-headed elements of the settlement, and insist on some mechanism that publicly identifies and then stops Gates' attempts to defy the settlement. I presume this would mean rejecting the proposed settlement outright, and incorporating many of the points in a new settlement—without the loopholes, and with oversight that holds MS publicly and legally accountable.

Regarding a new condition.... I have a suggestion for an easily verifiable condition: all web pages on all Microsoft websites should validate according to the w3c.org validators. MS has already tried to exclude non-Microsoft browsers from their websites. In the face of widespread publicity during the settlement phase, they made a pretense of allowing other browsers access to their sites. If all of Microsoft's websites must validate, MS can't gain an advantage over other browser makers by making MS websites inaccessible to other browsers. "Can't", of course, is too strong a word. If they were also required to follow standard accessibility guidelines, there would be less room to cheat. Since Microsoft can test web pages before publishing them to a website, the fine for publishing invalid web pages could be very high. Since anyone with an internet connection can test the validity of any web page, there is little room for Microsoft to hide from this aspect of a settlement. Obviously, Microsoft's billion+ dollar per month net profit means they could afford to pay fines. Telco's—with their regional monopolies—seem to prefer paying fines over allowing competitors' access to necessary infrastructure. Small, set fines with no other enforcement mechanism aren't likely to change MS's behavior.

Requiring valid html pages on Microsoft websites is a relatively small step toward insisting on fair competition in the browser market, but it would be useful, and easy to verify.

**MTC-00022614**

From: Nick Belli

To: Microsoft ATR  
 Date: 1/24/02 3:23pm  
 Subject: Microsoft Settlement  
 To: microsoft.atr@usdoj.gov  
 Subject: Microsoft Settlement  
 To: Renata B. Hesse  
 Antitrust Division  
 U.S. Department of Justice  
 601 D Street NW  
 Suite 1200  
 Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

I am opposed to the settlement proposed by Microsoft. I feel the settlement would be very detrimental to education and fail to address the anti-competitive actions of Microsoft. As a elementary school district technology coordinator, I have been involved in implementing computing solutions for instructional and operational uses. The monopolistic nature and anti-competitive actions of Microsoft have forced us to make certain technology decisions that we would rather not have made. In my opinion, Microsoft's domination of the computer market has harmed educational users and consumers.

My district has several schools with over eighty percent of the students receiving free or reduced lunches. We certainly fall in the target group of schools the proposed settlement proposes to assist. We do not need more used computers. Too many businesses think computers that no longer have any value for them will be valuable to a school. In certain circumstances, that is true but usually the computers are more trouble than they are worth. The computers address the businesses' desire for to help (or more cynically, get a tax write off and get rid of old equipment without the expense of paying someone to pick it up and dispose of it.) We need to be able to chose equipment and software that meets our needs and situations.

I think any settlement should take into account the following points: Any settlement should encourage competition, not help Microsoft dominant yet another market.

If schools are to be the beneficiary of the settlement, make the settlement a cash settlement. Remove hardware and MS software from the settlement and allow schools to freely chose between Windows, Macintosh, and Linux solutions.

Nick Belli  
 Information Services Coordinator  
 Salinas City Elementary School District  
 840 South Main Street  
 Salinas, CA 93901  
 831-784-2252 voice  
 831-784-6893 fax  
 00022614\_0002

**MTC-00022615**

From: Doug Sherman  
 To: Microsoft ATR  
 Date: 1/24/02 3:24pm  
 Subject: Microsoft Settlement  
 Dear Sir or Madame:

I am writing in support of the proposed settlement in the Microsoft antitrust case. It is imperative that this matter be settled fairly and as swiftly as possible. Resistance by state governments who continue to insist upon a break up or massive financial penalties will

only serve to cripple Microsoft, thereby injuring individual consumers and businesses alike.

Most PC users are far more sophisticated than either the trial court or the Court of Appeals was willing to recognize. In 1995 neither Microsoft nor Netscape, or AOL for that matter, ever even tried to make a profit from web browsers. Microsoft gave IE away as part of the operating system. Netscape was always a free download, and every modem manufacturer included a copy with its product. AOL repeatedly mailed its proprietary browser to every household in America.

By the release of Windows 98, IE 4.0 had features comparable to Netscape; but users continued to prefer Netscape because it was faster for dialup browsing. However, the emergence of lost cost broadband service made such speed differences trivial. Netscape failed to respond to new hardware technology and consumers no longer had a reason to sit through a 15 MB download.

Most PC users are perfectly capable of and experienced in "sophisticated" operations, such as installing Windows. Had the trial court or the appellate court had the simple experience of the average user, there Windows. Had the trial court or the appellate court had the simple experience of the average user, there would have been a finding that the default installation of Windows 98 placed an icon on the desktop which provided direct links to AOL, Compuserve, Prodigy and other online services.

None of these findings were made, and there has been no recognition of the enormous benefit to both individual consumers and businesses of having a nearly universal operating system. The widespread use of Windows results in a compatability benefit which vastly reduces the cost of hardware and third party software. The comparison with Apple, which has a 100% monopoly on both operating systems and hardware, is not favorable. Mac users are repeatedly victimized by Apple's refusal to provide backward compatability.

The balance between abuse of monopoly power and benefit to the consumer might be different if Microsoft had a history of large dividend payments to shareholders and exorbitant pricing for 3 or 4 year old operating systems. This is not the case. Microsoft does not pay dividends; its research and development is the envy of the industry; and it provides cutting edge products at reasonable prices.

Any penalties severe enough to cripple Microsoft's ability to continue to improve its products risks destruction of American leadership in the PC industry. Individual consumers, businesses of all kinds, programers and other IT professionals rely upon and benefit from a strong and innovative Microsoft.

Douglas Sherman

**MTC-00022616**

From: Brian Bacon  
 To: Microsoft ATR  
 Date: 1/24/02 3:21pm  
 Subject: Microsoft Settlement

The proposed settlement is not a good one. Any acceptable settlement will NOT be made buy the lawyers of Microsoft.

**MTC-00022617**

From: thorson@magma.aster.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 3:25pm  
 Subject: Microsoft Settlement  
 Renata B. Hesse  
 Antitrust Division  
 U.S. Department of Justice  
 601 D Street NW Suite 1200 Washington, DC 20530-0001  
 Dear Renata,

I have been a software engineer for the last 19 years applying my expertise in the Scientific, Educational and Defense industries. My experience includes a broad spectrum of computer equipment at every level from massively parallel super computers, to Unix systems, all the way down to the Macintosh, Linux and Microsoft desktop systems. Over the years my purchases have been greatly affected by the growing monopoly nature of the Microsoft operating system. I have, at times, been forced by vendors to purchase dozens of copies of Windows which I didn't need nor use. There have been times where I could not purchase Intel based hardware without MS Windows at ANY mainstream vendor.

You can see where this could cause great frustration to someone who is trying to be financially responsible with public funds. When the US courts declared that Microsoft was a monopoly and had participated in unfair trade practices, I was elated. Finally, something would be done about them.

Now, I understand that there is a proposed settlement called the Tunney Act. I have read much about this proposed settlement but find it greatly lacking. It seems to try and address (much too late) the few infractions that were brought up in the anti-trust hearings but does nothing to change the years and years of disgusting strong-arm business practices. I am appalled that some states would even consider this document that looks like it may have been written in Redmond, WA. Be aware that if Microsoft's practices aren't changed now it will be much more difficult when they have control of every part of your daily business.

I am writing this to express my support of the nine states who refused to sign the settlement and hope they are successful in forcing a settlement that truly addresses the problem.

Also, in my search for Tunney Act information I came across an essay written by Dan Kegel. This essay is a "must read" for anybody involved with this case and I personally agree with it. You can find the essay this at this location: <http://www.kegel.com/remedy/remedy2.html>

Thank you.  
 Bill Thorson  
 Engineer/Scientist  
 Mission Research Corp.  
 Fort Collins, CO

**MTC-00022618**

From: Rick Bronson  
 To: Microsoft ATR  
 Date: 1/24/02 3:26pm

Subject: Microsoft Settlement

Dear Sirs,

The proposed final judgement on Microsoft is too lenient. Microsoft has repeatedly engaged in criminally monopolistic activity, and it needs a judgement severe enough that it will be dissuaded from more criminal behavior in the future.

The proposed final judgement is too narrow. It treats specific symptoms, some of which are already obsolete, but it does not attack the root of the problem. It should restrict Microsoft's ability to use its PC monopoly to enter new markets, but it does not. It should restrict Microsoft's ability to shut out competing software vendors in the PC market by requiring Microsoft to release API information well before software using those APIs is released, but it does not. It should specify how it will be enforced, with Microsoft bearing the burden of proving it is not abusing its monopoly powers, but it does not.

Most importantly, Microsoft should be prohibited from discriminating against open source software. Microsoft should be required to make its APIs available to the public, not just to licensees. Microsoft should be specifically prohibited from licensing any of its products in ways that exclude open source software.

Thank you,  
Rick Bronson  
Rick Bronson rick@efn.org Tel 541-485-7264  
Amazonia Computing <http://www.efn.org/rick>  
5050 Donald Street  
Eugene, OR 97405

**MTC-00022619**

From: Bill Sawyer  
To: Microsoft ATR  
Date: 1/24/02 3:24pm  
Subject: Microsoft Settlement

The settlement proposed by the Justice Department is hardly a slap on the wrist for Microsoft. More severe sanctions need to be imposed to ensure that Microsoft's monopoly does not continue to harm the market. For example, the "security clause", which allows Microsoft to choose not to disclose API information if the company believes it may endanger the security of the OS, is laughable at best. The architecture of the Operating System would, according to such terms, ensure that NO data is released to competitors and third-party developers. By tying in technology such as ActiveX and Visual Basic for Applications into the core of the operating system, the company has created intrinsic security problems in their software. EVERY part of the OS could be construed as insecure. Furthermore, the tying in of components is another reason why harsher sanctions must be levied against Microsoft. By forcing the user to use the Microsoft graphical user interface, the Microsoft Internet Explorer, the Microsoft Windows Media Player, etc., the company both makes competition difficult, if not impossible.

Under the US DMCA, competitors are not allowed to reverse engineer MS Windows, as it would undermine Microsoft's technological protection measures. As such, the only way for competitors to remain afloat

is to learn about the "hidden" APIs and system calls in Windows, which will only come about through a court-ordered release of source code and proper, thorough documentation unhindered by restrictive non-disclosure agreements.

Finally, a settlement or court-ordered sanction should require Microsoft to re-engineer all further versions of its operating system and software to be modular. Should a consumer wish to remove Outlook Express, Internet Explorer, or Visual Basic and the Windows Scripting Host, he or she should be able to do so easily.

Microsoft has been in the business of taking over the market via their monopolistic practices—not in the business of developing a secure operating system. To ensure that competition occurs throughout the market place, the suggestions outlined above, as well as the suggestions of numerous other groups, such as the Electronic Frontier Foundation and GNU, should be given heed.

Bill Sawyer  
371 Centennial Hall  
Truman State University  
Kirksville, MO 63501

**MTC-00022620**

From: Peter Denniston  
To: Microsoft ATR  
Date: 1/24/02 3:24pm  
Subject: Feedback on Tunney Review Period of the Microsoft case

Dear Sir:

I am writing to let you know I am very concerned about the continued persecution of Microsoft by its competitors as represented by the 9 states who have indicated they are not going to sign the settlement. I have reviewed the settlement and it seems fair. I am not a legal expert, but I do work in the computer industry and I can tell you that Microsoft has done a lot more good than harm in the industry.

\*It has established standards that allow consumers to choose from a variety of different products which has driven prices down (look at the prices of comparably priced computer peripherals on the Mac market, a closed system, and you will see what I mean).

\*Consumers benefit from Microsoft's giving away a browser in its operating system. It doesn't charge extra for the browser and you can always get free updates from their website. Although there are plenty of other browsers out there, both free and commercial, the reason that Internet Explorer has done so well is it is an excellent product that is continually updated with the latest features and security fixes. Yes, it has helped Microsoft to distribute the browser in their operating system. If it wasn't any good however, people wouldn't use it. How many professional designers use Microsoft Paint which is also included in the operating system? Not that many—it is not a distribution issue, it is a quality issue. Why don't people use Netscape? It is a crappy browser that hasn't kept up with industry standards and AOL hasn't done anything to make it better since they acquired the product in the middle of this lawsuit.

Please do not let a bunch of companies use litigation to gain unfair advantage against

Microsoft. Other companies should by all means have the right to sell their products to OEMs for inclusion in their bundled systems. They should not however have:

\* The right to be distributed with Microsoft product media however unless they mutually work out a deal

\* Additional protections from Microsoft competition Consumers and Microsoft are being unfairly hurt by this lawsuit. Litigation must be a huge distraction for the company and its having to be overly sensitive to everything it does must make it very difficult for them to get new products to market.

In my opinion Microsoft have never overcharged consumers for their operating systems. It takes a lot of code to get computers to a baseline where it is easy for programmers to write applications that perform the tasks that we all depend on so much. Even if this in itself was easy (which it is not), the process of establishing standards and consensus amongst the OEM and IHV community is extremely difficult. It is truly amazing what they have accomplished with the industry since the days of the DOS operating system. Having said all this, I do agree it is important to have oversight to prevent unfair competition. An equitable settlement has been reached, an oversight body established, now it is time for the other states to sign the agreement.

Thank you for considering my opinion.

Sincerely,  
Peter Denniston

Join the world's largest e-mail service with MSN Hotmail. <http://www.hotmail.com>

**MTC-00022621**

From: Phil Burk  
To: Microsoft ATR  
Date: 1/24/02 3:25pm  
Subject: Microsoft Settlement

As a member of the Information Technology sector, I believe the proposed settlement to be a VERY bad idea.

Thank you,  
Phil Burk

**MTC-00022622**

From: Dan  
To: Microsoft ATR  
Date: 1/24/02 3:29pm  
Subject: Microsoft Settlement

I have a hard time understanding how in good conches you can let Microsoft off with so little if any penalty. For the good of the people Microsoft needs more than a finger waved in its face. I implore you to stop Microsoft's monopoly and anti competitive practices before they do more harm.

**MTC-00022623**

From: Kevin Church  
To: Microsoft ATR  
Date: 1/24/02 3:25pm  
Subject: Microsoft Settlement

I believe the current proposed settlement in the Microsoft case will do nothing more than hurt the American consumer more than ever.

Please reconsider.  
Kevin J. Church  
[beaucoup@waste.org](mailto:beaucoup@waste.org)

**MTC-00022624**

From: Joe Provo

To: Microsoft ATR  
Date: 1/24/02 3:24pm  
Subject: Microsoft Settlement

To Whom It May Concern,  
The 'proposed final judgement' in United States v. Microsoft is unsatisfactory. The terms by which Microsoft must abide do very little to keep healthy competition alive, and do absolutely nothing to prevent Microsoft from resuming their abuse practices of thwarting interoperability.

Furthermore, Microsoft's "payment" in the form of self-promotion in a market they are demonstrably weak [education] is transparent. They are not wholly responsible for this payment and should be; their contribution is a trivial drop in their corporate coffers. If this form of "restitution" is to be implemented, they should be required to provide FUNDS to educational entities such that the educational institutions can perpetuate whatever existing standards, programs and vendor relationships they currently have. This would also give the educational entities the option of pursuing used or new equipment as their plans allow. Foisting Microsoft cast-offs onto educational entities as a "gift" is a blatant grab for a market in which Microsoft does poorly.

Sincerely,  
Joe Provo  
Network and computer professional since 1990

107 Marked Tree Road  
Needham MA 02492  
crimson@sidehack.gweep.net  
\* jprovo@gnu.ai.mit.edu  
\* jzp@rsuc.gweep.net  
RSUC / GweepNet / Spunk / FnB / Usenix / SAGE

**MTC-00022625**

From: Dick Shoemaker  
To: Microsoft ATR  
Date: 1/24/02 3:25pm  
Subject: Microsoft Settlement

Dear Sir,  
I feel the state and federal governments are over reacting to Microsoft. This is a new time where new technology lasts only a few years. It is a new age. Microsoft has made wonderful new products and has controlled the market because their product is better. I think their prices have been fair given their research and development. Let Microsoft continue to develop their products. They are a large reason that the US is ahead of the world in this area. We should not punish companies for innovation. Judges that don't understand email have sent this case way out of line. Government that doesn't understand email and the short time that software products have the market are hurting our economy. This has gone on way to long.

Sincerely,  
Dr. George R. Shoemaker  
5510 Ponderosa Drive  
Edinboro, PA 16412  
cc: Senator Rich Santorum

**MTC-00022626**

From: Jerry Garren  
To: Microsoft ATR  
Date: 1/24/02 3:27pm  
Subject: Microsoft

I strongly disagree with this plan to reward Microsoft for their illegal anti competitive actions.

Jerry Garren  
1595 LOVR 26A  
Los Osos, CA 93402

**MTC-00022627**

From: Aaron Gee  
To: Microsoft ATR  
Date: 1/24/02 3:21pm  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

I'd like to take a moment to comment on the proposed final judgment in the United States vs. Microsoft case. There appears to be some very serious flaws on the current proposed final judgment. Considering Microsoft's past failure to abide by any agreement made with the government, the lenient remedies with serious loopholes is all the more baffling. Below I will outline some very basic points that I feel have not been addressed in this agreement.

1. The Proposed Final Judgment does not prevent Microsoft from raising artificial barriers against non-Microsoft operating systems designed to communicate with machines running a Microsoft Operating System. The failure to even try to offer this rudimentary protection for companies trying to build products aimed at communicating with windows based machines seems to be a serious oversight. Without this sort of protection Microsoft is free to use it's monopoly power to illegally gain market share in different another market segments by virtue of the desktop. This leads to an extension of Microsoft monopoly and crushes competition and innovation.

For example: MS makes a change to their web browser that causes the browser to no longer display pages from apache web servers correctly. This nuance in the software can be touted as a "feature" because (for example) it allow a Microsoft IIS server to add some new multi-media content to web pages. In one stroke Microsoft has made every new system (and many older ones that automatically upgrade) incompatible with the majority of web servers on the planet. If one would like to see information from those server correctly they would have to A. download a non MS product, or the server would be forced to use a MS product. Since most end users would not want to incur the added expense or time to D/L another product, service providers are forced into using IIS if they are to deliver content to their customers.

2. The definition of "middle ware" is very different from the definition that was published in the "Findings of Fact". With the new definition Microsoft can easily make a change to almost any program considered middleware now so that it does not meet the new definition. Then Microsoft can and will (based on their historic record to date) withhold information critical for others to develop middleware products for the MS operating system.

These are only 2 items in a long list of things I think are lacking in the current proposed final judgment. I hope that the government will continue to try and protect the consumer against illegal practices. Only through strong enforcement of our current anti-trust laws can we protect our ability as a nation to innovate, and remain the competitive economic powerhouse country it is.

Aaron Gee  
Chief Technical Officer  
BestNet of Palm Coast  
Palm Coast FL

**MTC-00022628**

From: Gail Henriksen  
To: Microsoft ATR  
Date: 1/24/02 3:28pm  
Subject: Microsoft

I have used computers since before DOS. Until Microsoft developed a uniform system by which software manufacturers could be relatively sure that a large segment of the public and business world could work from uniformly, there was chaos. I am at a loss to understand why the government is allying itself with a competitor of Microsoft and in the process killing the golden goose.

What would the government like? Maybe it would be fun to ruin Microsoft so it goes bankrupt and then the software companies that base their programs on their operating system go bankrupt and finally we all have to learn a new system and ditch all our present programs? At that point home users will just return to watching TV.

Why not concentrate on the utility companies for awhile? Let's see- messed up ATT, lots of techies out of work, unemployment rising— must be some more mischief you can work!

Yes, I am an old lady but that means I remember a lot of history.

Gail Henriksen  
Thousand Oaks, CA

**MTC-00022629**

From: Donald Pothier  
To: Microsoft ATR  
Date: 1/24/02 3:28pm  
Subject: Microsoft Settlement

Please be advised that I wish to be numbered within that growing mass of citizens that are appalled that the DOJ would consider to settle in a case where the defendant is so blatantly guilty of violating the rights of the American public by restricting the free enterprise system through coercion of other potential suppliers.

Microsoft seems to be using its ill gotten gains very effectively to overwhelm anyone, including the US government, that tries to limit the MS dominance of the computer marketplace, or even for potential competitors to share in this market on a level playing field .

Please do not settle with Microsoft until and unless their unfair business tactics are curtailed.

Donald F. Pothier  
Fort Pierce, Florida  
Retired but a regular user of PCs and associated Software

**MTC-00022630**

From: Jerry Garren

To: Microsoft ATR  
Date: 1/24/02 3:27pm  
Subject: Microsoft

I strongly disagree with this plan to reward Microsoft for their illegal anti competitive actions.

Jerry Garren  
1595 LOVR 26A  
Los Osos, CA 93402

**MTC-00022631**

From: erlemarg@caltel.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:25pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ERLE HOWERY  
5028 Kiva Drive  
P.O. Box 520  
Copperopolis, CA 95228

**MTC-00022632**

From: Chad Smykay  
To: Microsoft ATR  
Date: 1/24/02 3:30pm  
Subject: Microsoft Settlement

I completely disagree with the settlement agreed put forward. Especially the part about the education. While I don't have a problem in the short term of the contract for Microsoft the issue support and/or operating systems for schools I have a problem with it in the long run. What is going to happen is that they will be able to pull all schools in America in to deals that they might not necessary lead.

Please do not pass this settlement without reviewing other options.

Kind Regards,  
Chad Smykay  
Rackspace Managed Hosting  
210-892-4025 ext. 1249  
<http://www.rackspace.com>

**MTC-00022633**

From: jrrwoodjr@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:27pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has

already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joe R Wood, Jr.  
607 Ridgeview Cir  
Rocklin, CA 95677

**MTC-00022634**

From: littlejohn@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:26pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Littlejohn  
27181 Calle Juanita  
Capistrano Beach, CA 92624-1063

**MTC-00022635**

From: Mark S. Irle  
To: Microsoft ATR  
Date: 1/24/02 3:28pm  
Subject: Comment on the Microsoft-DOJ Settlement

Judge Kollar-Kotelly:

The Microsoft-DOJ settlement echoes the punchline "Stop, or I'll say stop again!" in the old joke about an unarmed British Bobbie attempting an arrest of a fleeing thief. John Ashcroft's toothless capitulation to Microsoft in this case reminds me of Neville Chamberlin waving his Munich Pact in the wind. While Bill Gates publicly managed to hold his post announcement glee down to his trademark arrogant smirk, privately this appeasement must have him laughing at our "Justice" harder than Hitler did at the Brits and French.

Bill Gates and Microsoft are notorious for never signing any contract, entering into any agreement, partnership, or settlement, or seeing any court order he felt obligated to honor (remember, this case started when

Microsoft refused to obey its earlier "settlement" with the Justice Department). Ashcroft has given new meaning to the counter-cliche "snatching defeat from the jaws of victory," and the losers are us. He sold us out to a criminal organization, freeing them to turn the screws on us, and from here forth we will pay, and pay, and pay.

This settlement is riddled with more holes than the security of a Microsoft Operating System. Nothing in it will stop us from having to pay the "Microsoft Tax", forcing us to buy Microsoft's overpriced, ever expanding operating systems bloated with his bundled software along with other Microsoft products when purchasing a computer even if we don't want them, have no intention of using them, and with no recourse for returning them.

Nothing in this settlement will stop Microsoft from demanding that we keep giving them more and more of our personal information to even activate their operating systems, using that information to track and profile us on the internet while selling our information to any cohort willing to pay his price.

Nothing in this settlement will stop Microsoft or their minions from storing our information on his infamously insecure systems, leaving it unshielded from any thieving crackers, phreaks, and lamers that would steal it.

Nothing in this settlement will stop Microsoft from continuing to co-opt or steal any innovation that suits them and destroying any software developers that might threaten their dream of global information system dominance. Nothing in this settlement will stop Microsoft's relentless drive to conquer the internet and make the web their own exclusive proprietary marketplace that we will use only how Microsoft allows us to use it, for which they will make us pay dearly. The possession and control of information is the greatest force in the world today, far more powerful than money, weapons, or energy, and Microsoft will not let some farcical settlement with some trifling government stop their hell bent drive to acquire and command every bit of that power they can capture for their own.

If you accept this agreement, we will be assimilated. Our resistance will be futile.

Mark S. Irle  
IT Director  
Standard Equity Agency  
Suite C-45  
5901 Peachtree-Dunwoody Road  
Atlanta, GA 30328-7155

**MTC-00022636**

From: Jeffrey Wescott  
To: Microsoft ATR  
Date: 1/24/02 3:26pm  
Subject: Microsoft Settlement

The current settlement with Microsoft is a disgrace. It is exactly this "slap on the wrist" type of behavior that makes us all slaves to corporate interests. As a software professional, I am truly concerned at what this settlement will bring to the industry.

++jeff

**MTC-00022637**

From: Dan Jansen



To: Microsoft ATR  
Date: 1/24/02 3:29pm  
Subject: Microsoft Settlement

To whom it may concern:  
As a concerned member of the voting public, I find the Microsoft anti-trust proceedings troubling.

Microsoft appears to be attempting to coerce the outcome of the trial to help make the company an even bigger seller of software than they were before the proceedings began. By attempting to capture a significant percentage of the educational market for software, by effectively dumping products into school systems, Microsoft will be shaping the expectations of new users at a very early age, impressing on them that a computer "should look, feel, behave, and present in a particular fashion".

Furthermore, it would appear that Microsoft is the only one doing any proposing here. Little has been said, anywhere, about the Department of Justice offering a settlement to Microsoft. There is a "here, Department of Justice, take it or leave it" feel to the whole situation. I will cut to the chase. The DOJ is the DOJ, and not some groups of pantywaists that Microsoft should be allowed to bully. Start telling the corporate types what they can and can't do. They're using their own creativity in how to tell the DOJ what they can and can't do, and that's because they don't respect the DOJ, or law, or any other sort of authority besides what makes them the most money.

Enough said.  
Daniel E. Jansen

**MTC-00022638**

From: James Aird  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 3:33pm  
Subject: Microsoft Settlement

I find it a rather sad state of affairs when States are going to profit from the supposed harm of having Microsoft's Internet Explorer preinstalled on computers, which is now part of its operating system. It's also very sad that the people supposedly harmed by this (the computer user) are not going to get any of the money. I urge you to stop the witch-hunt.

Tax paying Citizen who would like to see states MEET their budget without ripping Microsoft off.

James Douglas Aird  
100 lakeview park road APT #74  
Colonial Heights VA, 23834

**MTC-00022639**

From: morristl@optonline.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:28pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Henry A. Pinand  
80 Upper Hibernia, Rd.  
Rockaway, NJ 07866

**MTC-00022640**

From: Don Rahl  
To: Microsoft ATR  
Date: 1/24/02 3:31pm  
Subject: Microsoft Settlement

Dear Sir,

Please review and complete this process so we can get back to more important business. The settlement seems satisfactory and should be concluded as soon as possible. I think the government has better thing to be done than dragging this out. We need protection from outside the US not from businesses that produce jobs in the US and add to the gross product of our nation.

Sincerely,  
Don Rahl

**MTC-00022641**

From: Timothy Frye  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 3:36pm  
Subject: Microsoft Settlement

Hello,

I believe that the proposed settlement between the Justice Department and Microsoft does far too little to make retribution for the practices of Microsoft. In fact, I believe that the settlement is just a minor slap on the wrist for Microsoft and that more needs to be done to ensure that it's business practices and strong-arming techniques do not occur again. The settlement does not address leveling the playing ground with its competitors as much as it speaks of Microsoft "giving back" to the community(country). In fact, this "giving back" will just serve to further Microsoft's monopoly by putting more Microsoft products on people's machines. We (the community at large) need to see that this settlement will encourage competition and force Microsoft yield to competition. Perhaps, that could mean releasing source code to some of their more common protocols or maybe even forcing them to release their older software, such as Windows 3.1 or MS-DOS, into the public domain. I would just like to see more intense reprimands.

Thank you,  
Timothy Frye  
Library Systems Manager  
Dimond Library  
University of New Hampshire  
Durham, NH 03824-3592

**MTC-00022642**

From: jmd73@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James G. Davis  
5454 N. Arroyo Vista Dr.  
Tucson, AZ 85718-5429

**MTC-00022643**

From: jmd73@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:30pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,  
James G. Davis  
5454 N. Arroyo Vista Dr.  
Tucson, AZ 85718-5429

**MTC-00022644**

From: Margaretreal@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:32pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Margaret Corbett  
9617 South Bell Avenue  
Chicago, IL 60643-1626

**MTC-00022646**

From: jdewitt@mail.frii.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:35pm  
Subject: Microsoft Settlement

I urge you to REJECT the proposed Microsoft anti-trust settlement. The proposed settlement will NOT, "provide a prompt, certain and effective remedy for consumers by imposing injunctive relief to halt continuance and prevent recurrence of the violations of the Sherman Act by Microsoft that were upheld by the Court of Appeals and restore competitive conditions to the market," as it states. It provides inadequate relief to consumers and victims of Microsoft's monopolistic behavior, and virtually no oversight or encumbrance on Microsoft to prevent its continued anti-competitive practices in the future.

James DeWitt  
Fort Collins, Colorado,  
Software  
Engineer

**MTC-00022649**

From: mfrobinson@pacbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:31pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jim Robinson  
4860 Black Oak Mine Rd  
Garden Valley, CA 95633

**MTC-00022650**

From: daytonjef@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:31pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jeffrey Rauen  
P.O. Box 3995  
Visalia, CA 93279

**MTC-00022674**

From: horsecarriage@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:33pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Shirley Gaines  
PO Box 939  
Flemington, NJ 08822-0939

**MTC-00022675**

From: mew@vitesse.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:36pm  
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous

actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general. While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Michael Weiblen  
Longmont Colorado

**MTC-00022676**

From: astwit@eoni.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:32pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sheryl Sheryl  
12 Driftwood Court  
Umatilla, OR 97882

**MTC-00022677**

From: John Engelman  
To: Microsoft ATR  
Date: 1/24/02 3:35pm  
Subject: Microsoft Settlement  
Gentlemen:

This economically-draining witch-hunt has gone on long enough. Nothing will be gained by the computer user.

Please settle this.

Sincerely,  
John Engleman

**MTC-00022678**

From: jimstewart7@mac.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:32pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This

has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Stewart  
157 1st Ave North  
Naples, FL 34102-5902

**MTC-00022679**

From: Richard Gallery  
To: Microsoft ATR  
Date: 1/24/02 3:39pm  
Subject: Microsoft Settlement

I am urging you to settle the Microsoft litigation against this United State icon.

We the tax payers are spending too much money chasing shadows of unfounded allegations. Microsoft a giant and leader in the industry is spending too much time and effort trying to address the problem. The company could use that effort and money building better products and more job opportunities. We should stop putting all this money into lawyers pockets.

If we don't act soon—some foreign company will replace Microsoft as the leader and our country will be the loser.

Richard J. Gallery  
64 Willard Street Unit 405  
Quincy, MA 02169

**MTC-00022680**

From: Ljugoz@fcpa.fujitsu.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:34pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Olga Leilani Jugoz  
520 N fifth street  
San Jose, CA 95112

**MTC-00022681**

From: Michael McHale  
To: Microsoft ATR  
Date: 1/24/02 3:36pm  
Subject: microsoft settlement  
1066 Chrisler Avenue  
Schenectady, NY 12303-1216  
January 22, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue,  
NW Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft antitrust dispute. I feel this dispute has gone on too long. It is time to devote our resources to more pressing concerns. For these reasons, I fully support the settlement that was reached between Microsoft and the government in November. I feel this settlement is fair and sufficient to deal with the issues of this lawsuit. Microsoft has agreed to fully carry out all provisions of this agreement. Among the many provisions Microsoft has agreed to, noteworthy ones include: designing future versions of Windows to make it easier to install non-Microsoft software, disclosing for use by its competitors various interfaces that are internal to Windows operating system, and licensing its Windows operating system products to the 20 largest computer makers on identical terms, including price. This settlement will benefit the entire technology industry.

I have been actively involved in the computer business since 1996. I have discussed this pending decision with many of my customers and the majority of them agree that Microsoft is a company that has contributed a great deal to our society. Our daily lives are made easier by Microsoft products. Stifling this company will only have adverse effects on consumers. Please support this settlement. Thank you for your time.

Sincerely,  
Michael J. McHale, CEO NSN Computer  
Upgrades & Repair

**MTC-00022682**

From: khwarch@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:37pm  
Subject: Microsoft Settlement  
January 24, 2002

Attorney General John Ashcroft  
The US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing you today to voice my support for Microsoft, and the Microsoft settlement that was reached on November 6, 2001. This settlement is fair and reasonable. The continuing law suits only benefit the attorney's at the expense of the public and the stockholders. After three long years of litigation, it will be in the best interest of the public to end this dispute promptly.

Microsoft has been most forward thinking and innovative, thereby providing great service to its customers. It has contributed immensely to our economy and technology industry. Microsoft has also contributed to businesses and individuals by making it

easier to conduct business. I feel very strongly that Microsoft should not be penalized for doing its job well and being successful.

The settlement will make it even easier for IT companies to do business. It guarantees that Microsoft will not take any retaliatory measures against hardware firms working with other software firms, and Microsoft also will be forced to avoid confrontation of software firms that enter the operating system market. The increased competition resulting from this will certainly be good for customers, and will make Microsoft more responsive to the market. I am pleased that Microsoft will finally be allowed to devote its resources to innovative practices instead of litigation, which has cost the company millions of dollars. Thank you for your support.

Sincerely,  
Kenneth H. Woolf  
Cc: Representative Jeff Miller

**MTC-00022683**

From: gene\_sumskis@atk.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:35pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eugene Sumskis  
4753 Burns Rd.  
Mound, MN 55364

**MTC-00022684**

From: Geoff Stewart  
To: Microsoft ATR  
Date: 1/24/02 3:38pm  
Subject: Let's get serious

Your honour

I have been in the systems business since 1965. I watched IBM abuse it's monopoly power for decades. Now we have microsoft doing the same. When I call the microsoft help desk for some advice about a problem in their operating system—they dismiss the query unless you are using Microsoft products (I use netscape and macromedia dreamweaver and fireworks). Is this tying?

Much more sinister is their capacity to destroy industry standards with newly created proprietary products. Get you techies to explain to you how Microsoft are destroying the industry standard language java with c#. Also get the to explore how the

latest versions of microsoft operating applications do not recognise the industry standard graphics format jpeg.

Microsoft are what business strategy people call a fast follower. They do not create new and innovative technology they imitate (occasionally buy) or crush new technology. Windows came from Xerox via Apple. Their early browser was an imitation of Netscape. DOS which got them, going originally—was an expansion of QDOS. A quick and dirty operating system written by a salesman in a computer store. They are crushing Java and jpeg.

Don't let the low IQ Texan stumblebum you guys didn't elect as president pervert the course of justice by allowing Microsoft to continue their plunder.

Regards

Geoff Stewart

#### MTC-00022685

From: LUCAS  
To: Microsoft ATR  
Date: 1/24/02 3:39pm  
Subject: Microsoft settlement

I urge the court to accept the settlement agreed upon by the Justice Department and the reasonable half of the states attorneys general. While I firmly believe that the entire case against Microsoft is fraudulent, and the decision of the appeals court was not based on any logical understanding of harm to consumers, the proposed settlement is the LEAST UNJUST way of ending this travesty of justice.

The principle complainants seem to be Microsoft's jealous competitors who, losing customer support for their technically inferior products, used the political support their contributions had won them with the Clinton Justice Department and the willing assistance of an utterly biased Judge to try and reverse the wishes of consumers. Anyone who ever used (or attempted to use) Netscape understands that Netscape failed because it was INFERIOR, utterly BUG RIDDEN and CUMBERSOME to use. Microsoft simply offered a significantly better solution to internet connection, and made it part of the operating system where it belongs.

It seems too late for common sense to prevail in this overly politicized version of judicial "theater", so the settlement is the next best solution.

But the Justice Department's Microsoft mess does follow the pattern of useless legal busywork the lightweights in the Anti Trust Division seem compelled to repeatedly pursue, causing immense harm to American consumers. Will we ever recover from the damage caused to the economy by Judge Green's 20 year micro management of the telephone company (and the ever more costly bungling of the successor demon, the FCC), or the Justice Department's fruitless 10 year jihad against IBM. The single most important thing Attorney General Ashcroft could do to help the economy would be a top-to-bottom housecleaning of the political ideologues in the Anti Trust division.

It's high time America came first.

John Lucas  
1621 North 50th Street  
Milwaukee, Wisconsin 53208  
lucasgroup@telocity.com

#### MTC-00022686

From: fox@rvi.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:38pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

John K. Fox, Ph.D.  
POB 491  
www.johnkfox.org  
Talent, OR 97540-0491

#### MTC-00022687

From: Colby, David L.  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 3:39pm  
Subject: You gave in to Microsoft

Windows 98 still costs \$89.00 even after being replaced by two versions (ME & XP). When they can still make users pay that much for out of date software something is definitely wrong.

I hope the judge throws out your settlement.

Dave C

#### MTC-00022688

From: bwweeks@worldnet.att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:36pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Donald Weeks

P O Box 1026  
Arlington, TX 76004-1026

#### MTC-00022689

From: Craig Milito  
To: Microsoft ATR  
Date: 1/24/02 3:40pm  
Subject: Microsoft Settlement

The Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest.

#### MTC-00022690

From: Roberts, Mark  
To: 'Microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 3:48pm  
Subject: Microsoft Settlement

What a wonderful settlement. Microsoft is basically being asked to discontinue acting like a monopoly and not retaliate against anyone they screwed over. Any organization that has 36 billion in cash reserves gained through monopolistic practices needs to be hit a lot harder.

Mark Roberts

Xperts, Inc.

software design & engineering

Interested in B2B? Give us a buzz. 804-967-0700.

#### MTC-00022691

From: Laurence G. Roth  
To: Microsoft ATR  
Date: 1/24/02 3:45pm  
Subject: Microsoft Settlement

Dear Justice Department—

It is my opinion that any settlement imposed on Microsoft truly address the root of the case: Microsoft used its monopoly share of the market in order to unfairly quash competition, and it continues to do so today. Any settlement that allows for donation of software should be ruled out, other than to current customers of the company—and the value of that donation should be calculated on the basis of the cost of materials, not an inflated retail price.

Any fines imposed on the company should be done so in a way that precludes Microsoft having any say in the disposition of such funds. I consider the original judgement calling for the break up of the company into two separate companies would have been a far more appropriate remedy.

Sincerely yours,

Larry Roth

#### MTC-00022692

From: jailerjack@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:42pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those

supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John C Weaver Jr  
1300 Maple Ave  
Elmira, NY 14904-2834

**MTC-00022693**

From: Matthew Dowd  
To: Microsoft ATR  
Date: 1/24/02 3:44pm  
Subject: Microsoft Settlement

I am opposed to the microsoft settlement. It does nothing to remedy the damage done by Microsoft's illegal practices and it will not prevent Microsoft from abusing its monopoly in the future.

Matthew Dowd  
55 Terrace Ave  
Niantic, CT 06357

**MTC-00022694**

From: David Kris  
To: Microsoft ATR  
Date: 1/24/02 3:45pm  
Subject: Microsoft Settlement

The proposed settlement does not go far enough in curtailing microsofts ability to set the personal computing agenda. The government must ask for more concessions.

Kristian G. Kvillekval  
email:kris@cs.ucsb.edu office:(805)893-4178 http://www.cs.ucsb.edu/kris

**MTC-00022695**

From: phildragoo@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:41pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Phil Dragoo  
310 Airport Road #311  
Santa Fe, NM 87505-1809

**MTC-00022696**

From: Giles Hendrix  
To: Microsoft ATR

Date: 1/24/02 3:41pm  
Subject: Microsoft Settlement  
USDOJ-

The final judgment in the Microsoft case as currently written seriously lacks an effective enforcement mechanism. The solution given, a Technical Committee with investigative powers, would only continue the cycle of litigation that favors Microsoft's massive legal resources. The public's interest will also be forced into the legal system again when violations continue, thus wasting the much exhausted resources of the government and private sector. A final judgment must be decisive and strictly and easily enforceable. Such a judgment would not only be more effective, but would save more money for the taxpayer in the future. The current judgment does not do this and I do NOT support it.

Giles Hendrix  
Brooklyn, NY  
Dir. Media Design  
webslingerZ, Inc.

**MTC-00022697**

From: James Roberts  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 3:44pm  
Subject: Microsoft Settlement

It is my personal opinion that the proposed settlement not adequate.

James Roberts  
Software Engineer  
Bankware  
(205) 408-9998 x 264

**MTC-00022698**

From: Russo, Vincent  
To: 'Microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 3:46pm  
Subject: Microsoft Settlement  
December 13, 2001  
The Hon. Richard Blumenthal  
Attorney General  
55 Elm Street Hartford, CT

Dear Attorney General Blumenthal:

We are writing to express our strong support for your decision to challenge what we consider to be a weak and ineffective settlement of the federal anti-trust lawsuit against Microsoft. We stand with you in your effort to stand up for Connecticut consumers and for restoring competition to an industry so important to our economy. As state lawmakers, we have worked hard and continue to work to strengthen our economy, encourage small businesses that create jobs, and protect consumers. This proposed settlement works against all of us committed to those goals by allowing Microsoft to continue to bully consumers and competitors.

The proposed settlement fails on every front. It will not end Microsoft's monopoly as the law demands. Instead, it will strengthen and extend Microsoft's monopoly power and its ability to inflate software prices, block innovation and prevent competition. Consumers will continue to pay more for fewer choices and for products compromised by a lack of competition and innovation. This proposed settlement rewards Microsoft's tactics of intimidation, not innovation.

Furthermore, the settlement does nothing to prevent Microsoft from attacking other markets with ever more aggressive tactics in

the future. The company's newest operating system, Windows XP, is only the company's most recent and most egregious attempt yet to leverage its existing monopolies to create new ones, this time, on the Internet. Microsoft is positioning itself to control Internet commerce with a hand in nearly every commercial online transaction. We know your decision to join eight other Attorneys General in challenge this settlement comes in the face of an unprecedented, multi-million dollar Microsoft campaign of influence buying and political pressure. Microsoft has spent millions in political contributions and phony front groups and lobbyists to win outside the court room what the law and the facts prevented them from winning inside the courtroom. We applaud you for standing up for the consumers and we stand ready to support your efforts.

Sincerely,  
Bob Godfrey—110th District  
Chris Murphy—81st District  
Walter Pawelkiewicz—49th District  
John Mordasky—52nd District  
Jessie Stratton—17th District  
John Geragosian—25th District

**MTC-00022699**

From: Megan Holbrook  
To: Microsoft ATR  
Date: 1/24/02 3:22pm  
Subject: Microsoft Settlement

The proposed settlement is \*bad\* idea, and promotes rather than prevents anti-competitive behaviour on the part of Microsoft.

Megan Holbrook—megan@kapow.com  
Partner—Business Development  
kapow, inc. (www.kapow.com)  
kapow, inc. Milwaukee  
kapow, inc. Los Angeles  
2405 E. Wyoming Place 2130  
Sawtelle Blvd, #302A  
Milwaukee, WI 53202  
Los Angeles, CA 90025  
T: 414-273-2446 \* F: 419-793-6271 T: 310-479-2020 \* F: 310-473-3711

**MTC-00022700**

From: ronhol@wt.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kim Holliday  
14213 4th St.  
Santa Fe, TX 77517

**MTC-00022701**

From: Dale Grover  
To: Microsoft ATR  
Date: 1/24/02 3:49pm  
Subject: Microsoft Settlement

I wish to register my strong objections to the proposed settlement involving Microsoft. One of many problems with this proposed settlement is that it fails to address the issue of proprietary file formats, which can create a barrier to entry for third parties as much as other elements of Windows.

In my opinion, this settlement does not do enough to remedy the illegal practices of Microsoft, and must be strengthened considerably to truly be in the public's interest.

—Dale Grover  
Red Cedar Electronics  
Lansing, MI

**MTC-00022702**

From: jaybee31@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jerry Babbitt  
38526 Frontier Ave  
Palmdale, CA 93550-4314

**MTC-00022703**

From: Jamie Piperberg  
To: Microsoft ATR  
Date: 1/24/02 3:49pm  
Subject: Microsoft Settlement

The proposed settlement for the Microsoft Anti-trust case is a good step, but it needs to go farther. Microsoft doesn't just need to be punished for their blatant anti-competitive practices, they need to be punished for some of the more subtle things as well, specifically making it easier for people to write a competing software product.

Micorsoft Office is used almost exclusively throughout the business world. I don't use it if I can avoid it, but I still have to be able to read the file formats, and send documents to others in those formats. The file formats for all MS Office applications should be

opened to the public. Competing products need to be able to read and write Microsoft's format as well, if not better than Microsoft in order to have any chance of competing. Although the formats for Microsoft Word, Excel, Access, and Powerpoint may not be the best formats for the job, they have become the default standard and like any other standard it needs to be available for everyone to use. What would have happened to the internet if each web browser used different versions of html and wouldn't release the specific specs? You would need multiple browsers open at once depending on which webpage you wanted to look at. Large companies would have to make several versions of their webpage in order to allow anyone to look at it. It would have been a disaster. But Microsoft has moved in there too. There are many webpages out there that do not render correctly in Netscape or other competing browsers (Opera, iCab, OmniWeb, Konqueror etc.) because they use Internet Explorer specific calls. One company should not be able to define the standards for any major aspect of computing, especially not one as widespread as the internet.

Microsoft also needs to be forced to release more of their API's to the public so competitors have a chance of making their applications run on par with Microsofts. Microsoft has the unfair advantage of knowing all the tricks with the operating system because they wrote it too, They're allowed to see the API's, everyone else should be allowed to too.

Thank you for your concern, and please don't let Microsoft win this battle. It would be very bad for the computing industry as a whole.

Thank you,  
Jamie Piperberg

**MTC-00022704**

From: myrongwaldrop@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
myron waldrop  
795 jack page ln  
canton, GA 30114

**MTC-00022705**

From: DELEON4943@aol.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 3:47pm  
Subject: Microsoft Settlement

Please allow me to add my voice to those who support approval of the settlement between DOJ and Microsoft.

I am a retired attorney, having spent several decades in private practice and as a government trial attorney and supervisor. During the later portion of my professional career I rendered service as a mediator and arbitrator. I have seen disputes from a variety of perspectives: as plaintiff, defendant, peace maker and arbitrator.

From this vantage point, it has become clear to me that litigation, particularly of the protracted variety, is the worst possible way to settle disputes. There are no real winners, since even the party who prevails bears substantial expense, waste of time, stress and uncertainty. Where, as here, one of the parties is a government agency the additional ingredient of the public interest comes into play. I am not an expert in anti-trust law, my primary experience having been in labor and employment law.

However, from the viewpoint of a member of the public, it is my firm conviction that if the DOJ and a number of the states have reached a settlement agreement with Microsoft, it would be counter-productive to disapprove such an agreement.

The hold-out states have their reasons for not wanting to join in the agreement, and while I have strong opinions concerning such unreasonable intransigence and obstructionism, that is a matter beyond the scope of the comments that have been invited.

Microsoft has made substantial and significant contributions to technology and to the economy. The public will gain nothing through the perpetuation of this unnecessary battle. Settlement will be in the best interest of the public from a variety of viewpoints.

I respectfully urge the Court to approve the Settlement which is now before it.

Respectfully,  
Heriberto (Herb) de Leon  
P.O. Box 380291  
Duncanville, TX 75116

**MTC-00022706**

From: tgwine@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:46pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
tony grim  
box4131  
kingston, NY 12401

**MTC-00022707**

From: Shannon Prickett  
To: Microsoft ATR  
Date: 1/24/02 3:50pm  
Subject: Microsoft Settlement.

I'm writing to express concerns I have with the Proposed Final Judgment in the case against Microsoft.

In particular, Section III.A.2 requires that OEMs ship only units with Microsoft's operating systems installed or be subject to retaliation from Microsoft. This allowance seems created in particular to shackle those companies who would do any business in computers with Microsoft's operating systems installed to doing business exclusively with Microsoft. A loophole like this in the Proposed Final Judgment leaves Microsoft's illegal practices virtually unchanged. I'm asking you to strengthen the measures to be taken against Microsoft in accord with those outlined by Dan Kegel at <http://www.kegel.com/remedy/remedy2.html#fix> for the sake of consumers.

Thank you for your consideration.  
Shannon.

**MTC-00022708**

From: Corey Cole  
To: Microsoft ATR  
Date: 1/24/02 3:53pm  
Subject: Microsoft Settlement

As a computer professional, I believe that the proposed Microsoft settlement is a fair deal for all concerned. The initial case was bunk, and here we are years later with a much changed competitive landscape. Settle the case and be done with it.

Sincerely,  
Corey Cole

**MTC-00022709**

From: Nancy Ging  
To: Microsoft ATR  
Date: 1/24/02 3:48pm  
Subject: Microsoft Settlement  
To: Renata B. Hesse

I have just been reading the settlement proposed for the Microsoft antitrust case, and am appalled at what I've found in the documents. The proposed remedy will in fact serve to further Microsoft's monopolistic hold on the computer operating system market.

They will be installing Windows computers with Windows softwares in our nation's schools. People who receive initial training in Windows are highly unlikely to change later when they begin to purchase products on their own. This is NOT because the Microsoft products are the best. It is because learning a new system is time consuming and expensive. Students trained on Windows will become consumers of Windows only because it's easier. Microsoft has always leveraged that fact of human nature in every way possible. This is just their latest attempt.

If schools had the option to choose their hardware and software \*freely\* under the

agreement (meaning no penalty from Microsoft now or in the future for their choices), that would at least be a little better. Best of all would be if Microsoft was totally removed from the process altogether except for having to fund it. The process should also include honest, factual operating system comparison information (produced by a neutral party) so schools can make an informed decision about the hardware and software they want. Training on any operating system should also be an option. This would allow \*real\* competition back into the system.

Please do what you can to make this a true remedy, one that actually penalizes Microsoft for their illegal behavior, and not just another example of deceptive tactics on the part of the Microsoft monopoly. It is a great shame for a country based on the benefits of open competition to allow its most promising technology to be controlled and manipulated by the illegal tactics of a monopolistic giant.

I have faith that you and the Antitrust Division will see that Microsoft behavior is truly rectified, justice is served, and the penalty for such illegal behavior is not just paid lip service.

Respectfully,  
Nancy Ging  
turtle@camano.net

**MTC-00022710**

From: tammy7@airmail.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:50pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tammy Haskins  
402 Hidden Oaks Ln.  
Corsicana, TX 75110

**MTC-00022711**

From: Scott McCool  
To: Microsoft ATR  
Date: 1/24/02 3:53pm  
Subject: Microsoft Settlement

I am writing to register my opposition to the proposed settlement in the Microsoft antitrust case. As both a professional software engineer and a long time computer user, I am outraged at the way your department has quite literally ignored previous court rulings and finding of facts. The currently proposed remedies do not even

amount to a slap on the wrist, and it appears Microsoft has been able to insert loopholes into every important facet of the agreement.

The insistence that 3rd party middleware can be bypassed if it "fails to implement a reasonable technical requirement" basically allows them to define their own requirements (Their proprietary ActiveX technology, for instance), then ignore third party applications that don't implement a requirement that MS defined and controls.

Equally as absurd is the caveat which allows Microsoft to withhold any API on the grounds that it might "compromise the security of a particular installation...". First of all, Microsoft is the last company in the world that should be listened to when it comes to designing secure applications. Second of all, the history of computing is filled with examples of open API's resulting in significantly more secure applications and operating systems. Open source software and API's are not just theories or experiments, but rather proven design paradigms that result in robust and secure software.

Aside from particular concerns with the agreement, I find the entire process to be in complete opposition of the spirit and letter of previous court findings. Frankly, it appears as if Department of Justice has decided to ignore every previous finding of fault in Microsoft, as well as previously proposed remedies, and instead come up with a nearly incomprehensible legal agreement with virtually zero teeth and declare it a win for the government. The acceptance of this proposal will do nothing to curtail Microsoft's monopoly, to help competitors, to protect the consumer from the effects of predatory pricing and the lack of competitors, or to punish Microsoft financially for years of illegal monopolistic acts.

Thank you for allowing me the opportunity to voice my displeasure.

Sincerely,  
Scott McCool  
Reston, Virginia

**MTC-00022712**

From: tifanyschneider@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:48pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Tiffany Schneider  
321 West G. Avenue  
North Little Rock, AR 72116

**MTC-00022713**

From: edmond temple  
To: Microsoft ATR  
Date: 1/24/02 3:57pm  
Subject: Microsoft Settlement

Why are you letting these crooks off? It increasingly seems that lying, cheating, stealing is the path to corporate success now a days and it seems to have gov't approval Shame on you  
Edmond Temple, Ph.D.

**MTC-00022714**

From: paad@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:52pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Patricia Adams  
208 Cedarwood Court  
DeBary, FL 32713-2222

**MTC-00022715**

From: Joy-Holly-1@worldnet.att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:51pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joy McDaniel  
554 Matthew Dr.  
Canton, GA 30114

**MTC-00022716**

From: revalusa@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:52pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rev. Alvin Cordes  
3202 Henrietta  
St. Louis, MO 63104

**MTC-00022717**

From: Dadio  
To: Microsoft ATR  
Date: 1/24/02 3:52pm  
Subject: Microsoft Settlement  
In my opinion the settlement is a bad idea.  
Frank Ruby

**MTC-00022718**

From: cnsomm@metc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:51pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Norma Summers  
1304 E. 10th St. Apt. 16B  
Atlantic, IA 50022-1942

**MTC-00022719**

From: DEACON2002@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:53pm  
Subject: Attention Renata Hesse  
Andy Yates

<AHREF="mailto:Deacon2002@aol.com">Deacon2002@aol.com</A>  
Wake Forest University  
Winston-Salem, NC  
January 24, 2002

Renata Hesse  
Trial Attorney  
Antitrust Division  
Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530  
Dear Ms. Hesse,

As a graduating senior at Wake Forest University and president of the College Republicans Club, I have been a student in the "technological age" since I was in high school. In fact, as you may or may not know, Wake Forest was one of the first schools in the nation to require that all students have assigned lap-top computers for their dorms and classes. In the many years I have spent working with these educational tools, of course, Microsoft products iare practically all I have used. During that time, I have never experienced any "consumer harm" from being one of millions of Microsoft users on thousands of college campuses across this country.

Since I have great interest in political matters, I have followed the Microsoft case with some interest and I wanted to comment at this time. Despite the fact that I have never approved of the government's handling of this case, I do heartily endorse the settlement in the case because it is the right thing to do. It is wrong to keep a company like Microsoft legally bottled up for so long and to keep government lawyers tied up on a case that would simply go on year after year and appeal after appeal. And since all major parties to the case agree to the settlement—except for nine AGs—why not?

In reviewing the settlement, I saw that Microsoft would come under independent monitoring and would have to make guarantees in regard to product production, etc. This sounds like the kind of conditions that the Department of Justice has been seeking all along and I am glad that all parties will benefit. But such is the nature of a settlement, true?

I appreciate the opportunity to express my views on this topic.

Sincerely,  
Andy Yates

**MTC-00022720**

From: truckpat@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:53pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible



precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Patricia B  
2428 Chickamauga Avenue  
West Palm Beach, FL 33409-5003

#### MTC-00022721

From: Norman J. Harman Jr.

To: Microsoft ATR

Date: 1/24/02 9:19am

Subject: Microsoft Settlement

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

#### MTC-00022721 0001

[This document is a public comment submitted under the Tunney Act] [CIS] below refers to the document available on Jan 23,2002 at <http://www.usdoj.gov/atr/cases/f9500/9549.htm> [PFJ] below refers to the document available on Jan 23,2002 at <http://www.usdoj.gov/atr/cases/f9400/9495.htm> [complaint] below refers to the document available on Jan 23,2002 at <http://www.usdoj.gov/atr/cases/f1700/1763.htm> To whom it may concern,

I have followed UNITED STATES OF AMERICA v. MICROSOFT CORPORATION for a long time and have spent the last 9, and counting, hours reading essays, editorials and court documents relating to it. I certainly can not claim to know all the law that applies, nor fully comprehend the history of how we (The People of the United States of America) arrived at this point in our case against Microsoft Corporation. However, I do understand that Microsoft's illegal monopoly injures me and that the Proposed Final Judgment has little to no chance of stopping Microsoft from further injuring me nor will it noticeably reduce its illegal monopoly power.

Technology changes too fast, Microsoft has too much money, too many lawyers, and too much industry influence (the money and influence both aided by its monopoly) for any such complex, overly-specific, and non-comprehensive remedy to be effective.

It is filled, with loop-holes, half-measures, inconsistencies, has no "bite", and in the end it does not even address the root of our (The People of the United States) complaint that "Microsoft possesses (and for several years has possessed) monopoly power in the market for personal computer operating systems" I ask, during these proceedings has it not been difficult and expensive for the plaintiffs to take Microsoft to court? Has it not been a constant tribulation, with Microsoft's legal team using every tactic and trick to delay and hinder (all within the law of course) our case? What makes the parties involved believe for an instant that a 3 person panel and the future victims of Microsoft's illegal activities will be able to hold Microsoft to the complex terms of the PFJ?

Few companies and virtually no individuals are capable or willing to take an entity, such as Microsoft, to court that has

monopoly status in their industry not to mention 44 billion in \*current\* assets (3 billion of that in cash) [Q1-2001 \$US as reported by fool.com] I understand that neither is the US government;

"First, the United States considered litigation of the issue of remedy in the District Court. The United States balanced the strength of the 00022721-0002 provisions obtained in the Proposed Final Judgment; the need for prompt relief in a case in which illegal conduct has long gone unremedied; the strength of the parties' respective positions in a remedies hearing and the uncertainties inherent in litigation; and the time and expense required for litigation of the remedy. The United States determined that the Proposed Final Judgment, once implemented by the Court, will achieve the purposes of stopping Microsoft's unlawful conduct, preventing its recurrence, and restoring competitive conditions in the personal computer operating system market, while avoiding the time, expense and uncertainty of a litigated remedy. Given the substantial likelihood that Microsoft would avail itself of all opportunities for appellate review of any non-consensual judgment, the United States estimated that a litigated result would not become final for at least another two years ...."

Still, that is lame. It makes me sad to be American. If my government can't stand up to the corporate criminals of our age and win, who can? I don't know what if any impact anything I could possibly say or add to these proceedings would have. Nor am I so vain as to believe what I say is novel, new, or "the answer". It's just that I couldn't sit by in silence. When contemplating adequate remedy one must consider the following: That Microsoft has hugely profited (both in monetary terms and in market position) from its illegal activities for many years, and they continue to profit every single day. That this is not the first time they have acted contrary to U.S. law. That their illegal acts have destroyed numerous companies, ruined lives, and swallowed entire markets whole. Finally, that they have been found guilty of violating US law.

This is not about punishing Bill Gates or Microsoft because they were too successful as I have often heard. Microsoft and it's management was not better or smarter, they simply cheated. Personally, I believe Microsoft (or at least its operating system portion of the company) has illegally (in violation of the Sherman Act) "murdered" (run out of business) various corporate persons among other crimes and deserves the corporate "death penalty". It, the OS division, should be shut-down. Its operating system source code in all its numerous forks and varieties should be stripped from it and placed in the public domain or under the government's choice of open-source license. Unfortunately, for various political and economic reasons I also believe the plaintiffs can never successfully carry through on such a course. Still, I agree with the CIS that, "Microsoft has monopoly power in the market for Intel-compatible personal computer operating systems and undertook an extensive campaign of exclusionary acts to

maintain its operating system monopoly" No remedy can be just & effective unless it eliminates that monopoly. 00022721-0003

Some specific thoughts on various sections of the PFJ:

IV.B.3 Why does Microsoft get to choose one of the TC members? It makes \*no\* sense. They have violated serious laws. They will try to subvert the PFJ (I base that opinion on their actions during these proceedings, their demonstrated contempt of the plaintiffs and original judge, as well as their demonstrated disrespect of U.S. laws). Do not give them an advantage by allowing them to appoint one of the TC's.

IV.B.8.e "The TC shall report in writing to the Plaintiffs every six months I believe these reports should be published and publicly available. Possibly, with provisions for blacking-out/separate (non-published) attachments for any trade secrets or other specific confidential information.

IV.B.10 "No member of the TC shall make any public statements relating to the TC's activities." I don't believe this provision is in our (The People of the United States) best interest.

IV.D.4.d "No work product, findings or recommendations by the TC may be admitted in any enforcement proceeding before the Court for any purpose, and no member of the TC shall testify by deposition, in court or before any other tribunal regarding any matter related to this Final Judgment." I don't understand what this provision is attempting to accomplish. I don't see how this provision eliminates or limits Microsoft's illegal operating system monopoly nor how it facilitates the enforcement of the PFJ.

VI.J.2 "is Trademarked" and VI.J "Software code described as part of, and distributed separately to update, a Microsoft Middleware Product shall not be deemed Microsoft Middleware unless identified as a new major version of that Microsoft Middleware Product. A major version shall be identified by a whole number or by a number with just a single digit to the right of the decimal point." This provision provides for two trivial methods with which Microsoft can evade sections of the PFJ. By not trademarking some future "middleware" or renaming existing "middleware and not trademarking it. And by using silly version numbers. Like, say "Windows XP" instead of "Windows 2002" or 7.0.0.0.1, or ... well the possibilities are nearly infinite.

VI.K.1 "Internet Explorer, Microsoft's Java Virtual Machine, Windows Media Player, Windows Messenger, Outlook Express"

This misses several (Outlook, C#, .net, etc.) But more importantly the author fails to comprehend the futility in trying to fixate specific (software) technology in law. It (software technology) is a spritely and a ever-changing target. Far more elusive than \*anything\* the government has tried to legislate in the past. The government must look away from past methods of law making in order to adapt to this new and novel issue. Comments prompted by the CIS:

Why does the PFJ exclude server and embedded versions of MS operating systems? Is it because the government does not deem Microsoft to have a monopoly in these fields? Is there "prior-restraint" limitations to anti-

trust enforcement? That would be a shame. It would be hard to name a more flagrant, consistent, and comprehensive contemporary user of illegal monopoly power than Microsoft. I have no doubt that they are currently and in the future will use their monopoly to illegally compete in these markets. The government should have no doubt either and address this issue today. Why are only the "20 largest competitively significant OEMs" protected in Section III.A? Do only large companies suffer from Microsoft's illegal monopoly? In fact, large companies are the most capable at fighting Microsoft's illegal practices. With the prospect of facing Microsoft's legal juggernaut small companies and individuals for the large part can't even afford to take their grievances against Microsoft to court. Small firms and individuals need government protection from Microsoft's illegal activities the most.

The following point is open for debate but I believe history shows that small firms and individuals account for the larger percentage of "innovation" in the computer software industry. They are the most likely source of any threat to Microsoft's OS monopoly. Just look at the current threats Microsoft is facing; Linux, Apache, Samba. And past threats; Netscape was a small company, SmartDrive competitors (names lost in time), 4DOS, DrDOS, etc.

How does defining the ill-conceived "20 OEM's" as being "the highest worldwide volume of licenses of Windows Operating System Products" encourage or allow the erosion of Microsoft's illegal operating system monopoly? One might imagine that the 20 largest sellers of Windows licenses could possibly have a vested interest in perpetuating a Windows OS monopoly as long as they themselves don't get "squeezed" too hard. This is not reducing the monopoly just extending it to a trust. A trust that is hopefully still illegal under The Sherman Act.

This statement: "...and promote particular types of software that could erode Microsoft's 00022721—0005 monopoly "CIS just makes me mad. How wishy-washy is that? Come on, Microsoft is THE monopoly power in the U.S. computer industry if not in the entire U.S. economy and has been for several years. Why is the government pursuing something that maybe, could, just might slightly reduce Microsoft's monopoly. The plaintiffs SHOULD BE seeking a decisive, absolute, expedient remedy.

Section III.E is good in spirit. But, stipulating that Microsoft provide protocol licenses under "reasonable and non-discriminatory terms" is not sufficient. Protocols and API's should not require a license to implement, period. But, for any communication or "Middle-ware" protocol or API that Microsoft chooses to bolt a license onto that license must be made available to any person, organization, or company without fee, and without restriction.

In addition Microsoft should be prohibited from implementing pre-existing API's and protocols in slightly or grossly different and/or incompatible ways. As suggested by one of the remedies reviewed and discarded [as listed in the CIS].

The exclusions for "anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems" are huge. I'm only a middling software engineer and I can devise any number of methods to render API's and/or protocols effectively useless without portions that a half-way decent lawyer could argue fall under those categories. Microsoft has enough middling software engineers and half-way decent lawyers to evade much of the PFJ in such a manner.

The PFJ focuses on commercial competitors and large ones at that. This is wrong. The Internet (and it is The Internet, ill advised or not, that the complaint envisions as the tool to end Microsoft's OS monopoly) largely exists and operates on software made and supported by small companies, government agencies, and non-profits. (DNS—bind and others, email—sendmail and many others, FTP—many, Apache, PERL, PHP, MySQL, Linux, various BSD flavors, and the list goes on)

I disagree with the following statement or more accurately I disagree with the conclusion that it is the most workable / best path the government should pursue in order to eliminate Microsoft's illegal monopoly. "The formidable applications entry barrier may be eroded through platform software known as "middleware.""

The concept the PFJ defines as middleware was a new market segment that several companies (Netscape and SUN among others) attempted to create in their desperate search for a niche in which to compete free of Microsoft's monopoly. I believe it is a risky ploy. Not at all assured to 'erode' Microsoft's monopoly status with or without the aid of the PFJ provisions.

Finally, "The ubiquity of the Windows operating system thus induces developers to create vastly more applications for Windows than for other operating systems. The availability of a rich array of applications in turn attracts consumers to Windows. A competing operating system will not attract large numbers of users unless those users believe that there is and will continue to be a sufficient and timely array of applications available for use on that operating system. Software developers, however, have little incentive to write applications for an operating system without a large number of users." CIS

The above paragraph suggests several effective remedies. Namely increasing the number of users of competing operating systems and increasing the number of applications available for competing operating systems. The U.S. and state governments have the power to do these things, perhaps not directly as a restriction on Microsoft but through other means. Just make Microsoft foot the bill. A very simple, enforceable, and in my mind just remedy would be to have Microsoft forfeit 1/3 of it's "current assets" (about 14 billion) or X billion per year for X years, whatever. Put one billion into a trust in order fund potential future cases against Microsoft. The rest used in any number of ways to promote serious private and public sector threats to Microsoft's illegal operating system monopoly.

I arrived at some of the conclusions above in part because I disagree or find erroneous the following parts of the complaint. Most of it is just too old and doesn't apply to the U.S. software market as it sits today. 1.3 "Because end users want a large number of applications available, because most applications today are written to run on Windows, and because it would be prohibitively difficult, time-consuming, and expensive to create an alternative operating system that would run the programs that run on Windows"

It is debatable whether most end users want a large number of applications available. Most want; MS Office, a HTTP/HTML browser, and E-mail. With a smattering wanting instant-messaging and file sharing. Although, game players want large number of application(games) available. I know several people who maintain a Window OS solely in order to play games. Everything else they do with some other operating system.

"most applications today are written to run on Windows"

Is only true if one does themselves the great disservice of limiting their definition of 'applications' to those sold commercially by large companies. The wine project [www.winehq.com] and Mandrake's gaming distribution [http://www.linux-mandrake.com/en/games8.0.php] demonstrate how it is not "prohibitively difficult, time-consuming, and expensive to create an alternative operating system that would run the programs that run on Windows"

Just hard and risky in the face of Microsoft's illegal monopoly. The fact that both projects are open-source might be a clue as to effective tools with which to eliminate Microsoft's illegal monopoly. 1.4 Follows on the questionable points of 1.3 and is therefore questionable itself. As proof I point to Linux in the server and other markets. Linux \*is\* a "direct, frontal assault by existing or new operating systems" and has created significant new markets, new companies, and huge opportunity for existing companies to compete against Microsoft even with its illegal monopoly.

1.6 Maybe when this was written, but Microsoft eliminated this 'threat' long ago.

1.7—1.38 If the government believes this then they should really want to limit Microsoft in the server market. Microsoft's recent and continuing practices with Kerberos, DNS, Active Directory, and IIS demonstrate its continued use of monopoly powers in one market to extend them into another, (server-infrastructure / client-browsers)

It would have been nice to see some commentary and detail on why and how the government came to believe the following remedies (taken from the CIS) were not in the our (The People of the United States) best interest. "A requirement that Microsoft license the Windows source code to OEMs to enable them to modify, compile and distribute modified versions of the Windows Operating System for certain limited purposes, such as automatically launching Non-Microsoft Middleware, operating systems or applications; setting such non-

Microsoft Middleware as the default; and facilitating interoperability between Non-Microsoft Middleware and the Windows Operating System.”

“A requirement that Microsoft disclose the entire source code for the Windows Operating System and Microsoft Middleware, possibly within a secure facility for viewing and possibly without such a facility.”

“A requirement that Microsoft must carry certain Non-Microsoft Middleware, including but not limited to the Java Virtual Machine, in its distribution of the Windows Operating System.”

“A requirement that Microsoft manufacture and distribute the Windows Operating System without any Microsoft Middleware or corresponding functionality included.”

“A requirement that Microsoft continue to support fully industry standards if it chooses or claims to adopt them or extends or modifies their implementation.”

“requirement that Microsoft waive any rights to intellectual property in related APIs, communications interfaces and technical information if the Court finds that Microsoft exercised a claim of intellectual property rights to prevent, hinder, impair or inhibit middleware from interoperating with the operating system or other middleware.”

btw, this ‘Factual Background’ from the CIS is false: “Operating systems designed for Intel-compatible personal computers do not run on other personal computers, and operating systems designed for other personal computers do not run on Intel-compatible personal computers” This myth might have been perpetuated since Microsoft’s operating systems typically cannot run on platforms other than x86 compatible ones. NetBSD and Linux are two contrary examples of operating systems that run on Intel-compatible personal computers and \*do\* run on other personal computers.

Thank you for your time and opportunity to voice my comments, have a wonderful day.

Norman J. Harman Jr.  
njharman@knoggin.com  
San Francisco CA

This document has also been sent by 1st class US Mail to:  
Renata Hesse  
Trial Attorney  
Antitrust Division  
U.S. Department of Justice  
601 D Street, NW, Suite 1200  
Washington, DC 20530

#### MTC-00022722

From: Cory Petkovsek  
To: “microsoft.atr(a)usdoj.gov”  
Date: 1/24/02 3:53pm  
Subject: Microsoft Settlement  
Department Of Justice,

I am writing to express my discontent over the proposed settlement between the DOJ and Microsoft. Microsoft has clearly committed wrong action in this country, against consumers and against other businesses. This settlement is a bare punishment with great benefits for Microsoft. Two great benefits for Microsoft are 1) Escape from punishment and justice. 2) The extension of its monopoly into schools, making the poorest schools in America dependent upon Microsoft and their

products. If Microsoft is allowed to continue without a real remedy they will both continue in their wrong actions, and set a precedent for other large companies. For years high paid lawyers of large companies will use Microsoft tactics and cases in defense of their own wrong actions.

Those that will suffer from such a poor settlement are American citizens. Immediately, everyone using or perhaps associated with other people using Microsoft software will continue to suffer. For instance if Microsoft had their way, MS Word documents could be opened only by MS Word, requiring everyone to own a copy of MS Word if they are to share documents. If Microsoft had their way, all internet websites would be viewable only by Internet Explorer. Both of these examples are or have been real problems experienced by me and thousands of computer users. Later, as precedents are set, more citizens could become affected as other corporations develop and extend their monopolies.

Please refer to your mission statement: <http://www.usdoj.gov/02organizations/index.html> “Department of Justice Mission Statement To enforce the law and defend the interests of the United States according to the law, to provide Federal leadership in preventing and controlling crime, to seek just punishment for those guilty of unlawful behavior, to administer and enforce the Nation’s immigration laws fairly and effectively, and to ensure fair and impartial administration of justice for all Americans.”

Is the proposed settlement a real enforcement of antimonopoly law? Will allowing Microsoft to extend its monopoly into our poorest schools “defend the interests of the US according to the law”? Is such a toothless settlement inline with the DOJ’s commitment “to seek just punishment for those guilty of unlawful behavior?”

I serve my company as a Network Administrator of computer systems running both Microsoft and non-Microsoft software. In such an environment it is very easy to compare Microsoft operating systems and products with non-Microsoft software, as well as the companies which produce them. Microsoft repeatedly expresses their interest and development of new plans for securing their products. Yet each new product is found to contain many security problems symptomatic of a flawed design (as opposed to a flawed implementation) and false marketing. Microsoft claims to be innovative while others are stifling their innovation. However I fail to see how bundling products and releasing “killer” applications (C# a Java killer, Internet Explorer a Netscape killer) provides innovation that benefits the consumer.

Real competition is great for the consumer and America. However Microsoft’s intentions are wrong. They choose actions that benefit Microsoft, not the consumer, not Microsoft AND the consumer. Their “competitive” practices are akin to ranchers killing all of the wolves in the forest to protect their sheep. These actions are against the laws of nature and will result in an out of balance ecosystem. Microsoft performs actions designed to kill off their competitors, which currently results in an out of balance econo-

system. Many people, companies and government agencies suffer from expensive, insecure, unstable operating systems and products (outlook), and are nearly forced to remain with the Windows platform, paying exorbitant prices to do so. I know a company that would like to replace some certain Microsoft software, however are unable to do so because there is not a viable product on non-Microsoft platforms. This is primarily due to lack of competition, for Microsoft’s monopoly also extends into the development community as well.

Such selfish actions don’t fit the mold of America well. When such selfish actions go to the point of “playing against the rules”, they need to stop playing. Department Of Justice, as the playground attendant, it is your responsibility to make sure everyone plays together nicely, and to correct those who do not. Please keep the ideals of America strong, unable to be watered down with handwaving and words, bypassed by lies or broken by dollars.

Liberty and Justice for all.

Cory Petkovsek

#### MTC-00022723

From: Steven York  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 3:49pm  
Subject: Microsoft Settlement  
Steven York  
2700 Colorado Blvd  
Santa Monica, CA 92606  
January 24, 2002

Microsoft Settlement U.S. Department of Justice ,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers’ dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Steven York

#### MTC-00022724

From: Frank Garber  
To: Microsoft ATR

Date: 1/24/02 3:52pm

Subject: Microsoft monopoly hearings

I don't understand how the proposed penalty of donating MS products to school systems keeps them from committing monopolistic practices? I want them broken up. I want fair competition!!!

Frank Garber

**MTC-00022725**

From: Pastor Deterding

To: Microsoft ATR

Date: 1/24/02 4:00pm

Subject: microsoft settlement

The Microsoft anti-trust suit has been a politically motivated witch-hunt. Let's bring this to an end as quickly as possible and let Microsoft and all its competitors get back to the business of improving computer technology.

Sincerely,

Paul E. Deterding

Carson City NV

**MTC-00022726**

From: Carlo =)

To: Microsoft ATR

Date: 1/24/02 3:56pm

Subject: Microsoft Settlement

To Whom it May Concern: This proposed settlement is wrong. Why let Microsoft come up with their own punishment? That's a ridiculous way to settle this. Please don't let them go unscathed.

Thank you

Carlo Pitocco

**MTC-00022727**

From: jdregalla@adelphia.net@inetgw

To: Microsoft ATR

Date: 1/24/02 3:54pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jon Dregalla

31011 Muirfield Way

Westlake, OH 44145-5060

**MTC-00022728**

From: word@speakeasy.net@inetgw

To: Microsoft ATR

Date: 1/24/02 3:54pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

jeanette Fenton

6533 6th Street

Rio Linda, CA 95673

**MTC-00022729**

From: lmicka@internetcds.com@inetgw

To: Microsoft ATR

Date: 1/24/02 3:53pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Linda Micka

PO 725

Merrill, OR 97633

**MTC-00022730**

From: bethlehempastor@

nanosecond.come@inetgw

To: Microsoft ATR

Date: 1/24/02 3:53pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Paul Deterding

3363 Oreana Dr

Carson City, NV 89701

**MTC-00022731**

From: djlholt@mac.com@inetgw

To: Microsoft ATR

Date: 1/24/02 3:53pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jeanie Holt

7027 Mozart Ct

Sun Valley, NV 89433

**MTC-00022732**

From: Vogel, Alan

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/24/02 3:56pm

Subject: Microsoft Settlement

Alan J. Vogel

Operation's Director St. Louis

Allegiance Telecom

Office 314 783-9339

Wireless 314 616-4440

MTC-00022732-0001

January 24, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft:

I have been a supporter of Microsoft from day one of the lawsuit against the company. In light of the recent settlement between Microsoft and the government, it is time to end this case and allow this great company the chance to get back to work.

Microsoft has granted computer makers the right to remove various Windows based systems, including Windows Media Player and Windows Messenger. What company in history that has ever volunteered to deliberately allow removal of its product? This provision alone in the settlement is enough to satisfy even the most envious rival. Additionally, Microsoft will use a uniform price list when licensing Windows out to the twenty largest computer makers in the nation. Microsoft has compromised a great deal in this case. Not only has Microsoft

agreed to more than what was asked for, but it has done so graciously and fairly. It is time for the government to end this case and allow Microsoft to continue making superb software and other products.

Sincerely,  
Alan Vogel  
2747 Danforth Drive  
Saint Louis, MO 63129  
cc: Representative Richard A. Gephardt

**MTC-00022733**

From: randyshiner@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:54pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Randy Shiner  
rd-2box321-a  
Dayton, PA 16222

**MTC-00022734**

From: Adam Hitchcock  
To: Microsoft ATR  
Date: 1/24/02 3:58pm  
Subject: Microsoft Settlement  
the proposed settlement is bad idea

**MTC-00022735**

From: David Rees  
To: Microsoft ATR  
Date: 1/24/02 3:58pm  
Subject: >  
Subject: Microsoft Settlement  
Subject: Microsoft Settlement  
To whom it may concern,  
I am opposed to the Proposed Final  
Judgement in United States v. Microsoft.  
David Rees reesdav@yahoo.com 01/24/  
2002

**MTC-00022736**

From: Bob Ulmer  
To: Microsoft ATR  
Date: 1/24/02 4:12pm  
Subject: MICROSOFT SETTLEMENT  
It is in my opinion in the best interest of America and the world at this time to settle the Antitrust case against Microsoft! Greed and jealousy and politics of other companies and states are feeding this frenzy! Send a signal to corporate America that to compete in the market place you must build a better product than your competition, and not try to steal from them! Microsoft has not done anything more than that which is practiced

today in any other corporation in America! Microsoft is good for America!

Please Settle This Antitrust Case Now!  
Respectfully Submitted,  
Bob Ulmer  
3959 Normandy Dr  
Owensboro, KY 42303  
CC:Microsoft ATR

**MTC-00022737**

From: Ron Unangst  
To: Microsoft ATR  
Date: 1/24/02 3:59pm  
Subject: Microsoft Settlement

I appreciate Microsoft and what it has done for the computer industry. I will be sending my letter to the Attorney Generals office. I can't believe AOL is doing this. What about their merger with Time-Warner? I think Microsoft has done right by all of us users.

Ron Unangst

**MTC-00022738**

From: Linda M. Bettin  
To: Microsoft ATR  
Date: 1/24/02 4:01pm  
Subject: Microsoft Settlement

Dear Sirs;

I, as a consumer, would like to see AOL back off on litigation against Microsoft and be more constructive. For instance putting the monies that they use in trying to sue Microsoft to better use. They could put their heads together with Microsoft, work together to make new innovations. It just seems like Microsoft is always trying to defend themselves in court about one charge or another. I for one, feel like they are being persecuted for having a superior product. Leave them alone and let them do what they do best, developing more new software!

Thank You,  
Linda Bettin

**MTC-00022739**

From: Alex Jacques  
To: Microsoft ATR  
Date: 1/24/02 4:00pm  
Subject: Microsoft Settlement

I am aghast that after having successfully prosecuted the anti-trust case against Microsoft (and after having it almost entirely upheld on appeal), the DOJ is willing to accept an incredibly weak and ineffectual "remedy".

The loopholes and flaws in the proposed agreement are many, but amongst the more serious are:

1. The definitions of API, middleware and "Windows Operating System Product" are much narrower than in the findings of fact or in common usage. This opens numerous loopholes as it allows Microsoft to continue their anti-competitive practices with products that fall outside of these curiously limited definitions.

2. Information concerning authentication and authorization protocols need only be given to concerns that meet Microsoft's criteria as a business. Given that Microsoft has publicly stated that free software (e.g. Linux, Apache, Samba) is its most serious competition, and that such software is frequently developed outside of normal business organizations, this allows Microsoft to stifle its most serious competitor. Any argument that for security reasons

information about authentication and authorization must only be disseminated on a limited basis is spurious. Such arguments are referred to as "security through obscurity", which has been widely discredited in computer security circles. Indeed, the specifications for many of the most widely used and successful security protocols (e.g. Kerberos) are publicly available. Many computer security professionals will not even trust those protocols that are not widely published and studied.

3. There are no requirements that Microsoft publish documentation for any of their proprietary file formats (e.g. Word). Given that Microsoft's anti-competitive practices have made the use of their proprietary file formats almost universal, and that hence the ability for competing software to read such formats is essential to the success of such a product, this allows Microsoft to forcefully maintain its monopoly.

I urgently hope that the DOJ will reconsider, and only accept an agreement that effectively limits Microsoft's ability to illegally maintain and advance its monopoly.

Alexander M. Jacques  
2 Carlson Ct.  
Kings Park, NY 11754  
ajacques@yahoo.com

**MTC-00022740**

From: tong@dal.asp.ti.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:00pm  
Subject: Microsoft Settlement  
No No No.

Settlement should not enhance the position of the one who is supposed to be penalized.

This is a "trick".

If this "settlement" is accepted at this present form, it's a form of "raping the whole public". It's not even funny thing like this can be even tried.

CC:Tong Wong

**MTC-00022741**

From: Scott  
To: Microsoft ATR  
Date: 1/24/02 4:00pm  
Subject: Microsoft Settlement  
To whom it may concern:

I have been following the Anti-trust suits against the Microsoft Corporation fairly closely. Being an engineer for an Internet Service Provider, many of the issues this suit was intended to resolve are important to me and the work I do. This is true not only for my own work in the office, but for dealing with our customers as well.

It is the nature of Microsoft's products, all of them, that they will work only in conjunction with each other. Thus, if I, or one of my customers, has need of one of my non-Microsoft products, whether Operating System, Office Suite, or any other software product, we must, by Microsoft's very nature, make a much larger investment in hardware to allow for these incompatible products on an entirely different workstation. Thus, instead of having to purchase one workstation for my small, business, I will need to purchase two so that I can fulfill the needs of my business. All of these products

are incompatible ONLY because of Microsoft's lack of openness in the programming needs to make them compatible. Even different Versions of the same product are incompatible! So, since, my customer has upgraded to a newer Microsoft product, I must do the very same, simply to be able to properly interact with that customer. But, since I did so, all of the rest of my customers are required to do so as well. Again, just so we can all properly communicate. Making it possible for any one who chooses to do so, to create software that is compatible with the most used Operating System and Office suite in the world. Looking over the information available on the proposed settlement of the Anti-trust suit, this is one of the most glaring failures of the settlement, this is not possible. Though there are statements in the proposal that seem to make this possible, there are enormous loopholes in each one, and even contradictory statements to nearly every one.

The largest interconnected network of computers, commonly referred to as "The Internet" is also dependent upon Microsoft. This highlights the glaring issues of Security in the Microsoft Product Line. I have not run across or used any product developed by Microsoft that has not required a security "fix" within the first month, at the outside. Because I deal with the Internet and the people who use it on a daily basis, I am constantly evangelizing about the dangers of the Microsoft products. Now, not only must I assist our customers with their Internet connectivity, but I now have to be a Microsoft Security Expert so that I can keep my own network secure and safe. Would I, because of the *liaise-faire* position of Microsoft when dealing with security issues, be able to charge back to Microsoft all of the costs associated with the time, effort, training, and materials involved in my support of their product? Because they choose not to?

The proposal simply changes "HOW" Microsoft must interact with others. Instead of acting in a self serving, threatening, monopolistic fashion that was not only illegal, but entirely unethical; Microsoft would be able to act in a self serving, threatening, monopolistic fashion sanctioned by the Federal Government. If the intent of those who brought and pursued the suit in the first place was to simply make it legal and easier for Microsoft to enforce and reinforce its monopolistic position, then this proposal would succeed admirably.

Thank you for allowing me to provide some input into this process.

W. Scott Page  
Sales Engineer  
Internet Service Provider  
Pennsylvania

#### MTC-00022742

From: wedanneberg@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Walter Danneberg  
1475 Midland Rd 4  
Southern Pines, NC 28387

#### MTC-00022743

From: JBSolyan@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:59pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Solyan  
4972 Webb Drive  
Colorado Springs, CO 80916-2231

#### MTC-00022744

From: doverjj@citlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:59pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Geraldine Crawford  
568 West Ames Road  
Canajoharie, NY 13317-3229

#### MTC-00022745

From: Annfucci@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:00pm  
Subject: Enough litigation

I really believe Microsoft has tried to do everything to satisfy the litigants and the Department of Justice has mnaed a ruling and Microsoft has complied . . . what more do they expect . . . The competitors have not had the technology that the public wanted . . . they wanted the Microsoft new innovations and that is what should count. The Competitors should go back to the drawing board and come up with something that the public wants more than Microsoft.

#### MTC-00022746

From: Turnblade@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:59pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Microsoft has delayed and evaded its just settlement long enough. Decisively end this case with Microsofts punishment. It may be fair to say that Microsofts evassion tactics has brought the most expensive guilty verdict money can buy. Unless the punishment phase is Microsofts just punishment, end it. Swiftly, Justly, and not in favor of Microsoft.

Regards,  
Donald Turnblade  
Sincerely,  
Donald Turnblade  
103 N. 130th Circle  
Chandler, AZ 85225

#### MTC-00022747

From: wsesler@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 3:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Donna Sesler  
3155 Ella Lane  
Manhattan, KS 66502-2012

**MTC-00022748**

From: Akito Hayama  
 To: Microsoft ATR  
 Date: 1/24/02 4:03pm  
 Subject: Microsoft Settlement  
 the proposed settlement is bad idea

**MTC-00022749**

From: Jim (038) Debby  
 To: Microsoft ATR  
 Date: 1/24/02 4:03pm  
 Subject: Microsoft Settlement

I remember when I wanted to buy my first PC in 1992. I called about 15 build-to-order firms such as Gateway 2000, Dell, etc. I wanted OS2 instead of Windows—none of them could leave off Windows.

My request was met with silence from a couple of them. I did not realize what was going on at the time, but I am 100% sure that Microsoft was putting anti-competitive pressure on the PC builders then.

As far as Microsoft's claim that the browser is an integral part of Windows, my first edition of Windows 95 had no browser. When I wanted to get on the Internet in 1996, I had to go get a browser and install it.

Nothing I see in my current Windows 2000 tells me that a browser is an essential part of an operating system.

I do not see Microsoft as any less of a monopoly than AT&T was a couple of decades ago. I think the national interest would be best served with more competition in the software industry.

Jim Rickey  
 2169 Neill Way  
 Hanford, CA 93230-1536  
 hiflyers@pacbell.net

**MTC-00022751**

From: Akito Hayama  
 To: Microsoft ATR  
 Date: 1/24/02 4:04pm  
 Subject: Microsoft Settlement  
 the proposed settlement is bad idea

**MTC-00022753**

From: Tito.Martinez@alltel.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 4:11pm  
 Subject: Microsoft Settlement

I fear that all that will happen to Microsoft is a small slap. I'm a developer and I use MS products, but have seen how they have negatively influenced the industry and consumers as a result. I'm just sending in my comments to hopefully influence the settlement as not being too lenient.

Tito Martinez

**MTC-00022754**

From: James McPherson  
 To: Microsoft ATR  
 Date: 1/24/02 4:04pm  
 Subject: Microsoft Settlement

I have given a lot of thought to how Microsoft should be made to pay for their past behavior. As someone who has worked for many years in the IT industry, and as a law student at the University of San Francisco, I feel that the best thing for the industry—would be to force Microsoft to open up its APIs and to “open source” Internet Explorer. These two actions will keep Microsoft from making their Windows

products incompatible with 3rd party software thereby creating greater competition in the area of applications. Also, opening up the APIs will allow companies to compete with Microsoft directly because the industry will now be able to create new operating systems which are Windows compatible.

Breaking up Microsoft will achieve nothing but create two monopolistic companies where only one existed before. There will be absolutely no benefit to the consumer. It would simply be an act of revenge.

Thank you,  
 James McPherson  
 Lafayette, CA

**MTC-00022755**

From: AXEL@DIGITALPASSAGE.COM@inetgw

\*COM001\*To: Microsoft ATR

Date: 1/24/02 4:02pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 CARL BRAUN  
 249 W ARCHER STREET  
 JACKSBORO, TX 76458-1745

**MTC-00022756**

From: Margaret E Stambaugh  
 To: Microsoft ATR  
 Date: 1/24/02 1:04pm  
 Subject: Microsoft Settlement

I firmly believe in the importance of competition in today's market. As there is no competition forthcoming in the software industry, everything should be done to foster competition. For this reason, the settlement reached with Microsoft, is not extensive enough to improve growth and diversity in the market. Please Reconsider.

Sincerely,  
 Margaret Stambaugh

**MTC-00022757**

From: jtylor1@gte.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 4:01pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 R. Finegan  
 1500A E. College Wy  
 #436  
 Mt. Vernon, WA 98273

**MTC-00022758**

From: msmargeret@svic.net@inetgw  
 To: Microsoft ATR

Date: 1/24/02 4:01pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Jesse Barrett  
 P.O. Box 587  
 Trenton, FL 32693

**MTC-00022759**

From: Knightsword@aol.com@inetgw  
 To: Microsoft ATR

Date: 1/24/02 4:02pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Knight  
10820 Helber Road  
Logan, OH 43138

**MTC-00022760**

From: drmjf@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Michael Fernandes  
3079 Simas Ave  
Pinole, CA 94564-1158

**MTC-00022761**

From: Robert Eden  
To: Microsoft ATR  
Date: 1/24/02 4:06pm  
Subject: Microsoft Settlement

I'm a computer professional that uses a multitude of different systems. I constantly see Microsoft abusing their dominant position to extort excessive fees, and to squash competition. It is my understanding that the judgment says the same.

The proposed remedies are a joke. They do little to punish Microsoft, only hope to prevent further abuses. Since Microsoft has ignored previous agreements curb their behavior, why does the DOJ expect this one to be any different? There is even language that protects MS from competition with Open-Source software!

I urge the DOJ to consider true punishment for Microsoft. Yes, it will hurt them, but isn't that the point? Nothing can bring back the companies MS has destroyed, but maybe others (or Open software) can be allowed to grow into competitors.

Robert Eden

**MTC-00022762**

From: Dan Martin  
To: Microsoft ATR  
Date: 1/24/02 4:06pm  
Subject: Microsoft Settlement

Hello,

My name is Dan Martin, and I am a network administrator for a logistics company. I am writing because I feel that the proposed settlement with Microsoft is a poor reprimand in an anti-trust hearing with so much on the line. Microsoft has 30 BILLION dollars in the bank, gained mostly from sales of it's OS and Office suite applications.

Microsoft has used their 90% market share in the operating system market (started because of an anti-trust hearing on IBM . . .) and pushed out netscape from the market. Please look on Netcraft.com and see the usage statistics on netscape. It used to be the highest, now it is abysmal due to Microsoft bundling their browser with Windows.

Now Microsoft is planning on expanding into other realms. I feel that this is OK . . . a company should be able to forage out into other markets. However, with their photo-suite application (bundled with WinXP) Microsoft had a scuffle (and a proposed lawsuit, if I am not mistaken) with Kodak, because the photo software would launch automatically and not allow the user easy access to software manufactured by another vendor. This becomes even more important when it is found that photo software makes a large amount of money due to sending away for photo's made by Kodak or Fuji.

On the other hand, Microsoft paid millions for hotmail.com, for (what is seems) the sole purpose of having users give microsoft their personal information to be used as a "passport". With Microsoft's .NET initiative, their are trying to privatize much of the internet, and unfortunately, due to Microsoft's abysmal security policies, I cannot sign up to use .NET, Hailstorm, or even use Passport. Microsoft leverages their monopoly on the desktop even today. I use windows XP, and the Passport sign-up screen has come up over a dozen times, and I have repeatedly told the software that I do not wish to sign up, but it keeps on trying to get me to send my personal information to microsoft. I don't need Passport to use my computer, or the Internet, but Microsoft obviously wants me to think that I have to.

Microsoft even tried to give 1 billion dollars in "free" software to underprivileged schools. Unfortunately, "free" software to Microsoft is just that. Free. Microsoft pays for the development, the CD's cost less than a dollar to produce. There is a reason Microsoft has 30 Billion in the bank. Apple computer's mainstay is Educational sales, and that would cut a large chunk out of that. How about microsoft purchases 1 billion dollars of Apple computer's (with Mac OSX) and gives those to underfunded schools.

Bottom line, Microsoft is a very large company with billions of dollars in the bank. They pushed Netscape out of buisness, and it is fairly obvious that the anti-trust settlement proposed will do nothing to stop this company from using their monopoly on desktop computers to drive out competition.

It has happened with netscape. Microsoft was going to do it with Kodak, but relented when they realized that they shouldn't push around a company with so much name recognition.

By the way, 30 Billion dollars cash is enough for hostile takeovers of 12 to 15 fortune 500 companies.

Thanks,  
Dan Martin  
dannm@afcxpress.com0  
CC:tunney@codeweavers.com@inetgw

**MTC-00022763**

From: w9wpo1@midamer.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 4:03pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
George Dodds  
1006 S. Carbon st.  
Marion, IL 62959-1412

**MTC-00022764**

From: mdeibler@biker.nocpulse.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:05pm  
Subject: Microsoft Settlement

Dear Sirs,

The Proposed Final Judgement is not sufficient—there are too many flaws in it. Some of the flaws I see are:

—The PFJ doesn't take into account Windows-compatible competing operating systems

—The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

—The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

—The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

—The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

—The PFJ as currently written appears to lack an effective enforcement mechanism.

Given the above, the PFJ should be scrapped and redone.

Sincerely,  
Michael Deibler  
Santa Clara, CA 95054

**MTC-00022765**

From: Ed Cramer  
To: Microsoft ATR  
Date: 1/24/02 4:09pm  
Subject: Microsoft Settlement  
GET THE LEAD OUT AND DO YOUR JOB!  
HOW MANY TIMES IS MS GOING TO GET OFF THE HOOK?

—Ed Cramer

**MTC-00022766**

From: tom@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:06pm  
Subject: Microsoft Settlement

I would like for you to have a real settlement with Microsoft. They have been pushing there software down our throats for way to long. I use Linux as my home OS just



to keep away from Microsoft. Allot of great software is available for windows and I don't use it because I don't want to get caught in the Microsoft trap. So I use Linux at this time and I would like to ask for you to make it clear that a PC from A OEM can ship with any OS and the OEM not get charged for Windows when it is not even on a computer !!!

You should also stop there browser monopoly NOW !!!! Netscape is a great browser but many people will never see this software because of Microsoft's way's

Thomas Wickline

**MTC-00022767**

From: Charles Davis  
To: Microsoft ATR  
Date: 1/24/02 4:09pm  
Subject: Microsoft Settlement

I wish to strongly voice my support for the pending DOJ-Microsoft settlement. I have been a user of Microsoft software for over 16 years, since the first edition of the Windows OS.

In 1991, my family—myself, wife, sons and daughters and in-laws—decided to standardize on the MS tools since we had wasted so much on ineffective SW alternatives. We have experienced an enormous level of satisfaction as a result of that decision and have been frustrated by the constant level of anti-Microsoft press we are forced to witness. None of us have any Microsoft stock so there are no self interests involved except the confidence in the high level of quality provided by using the Microsoft suite of products.

Please do not give in to the barrage of negative opinions offered constantly in so many trade magazines. From our decade of experience, it is simply inconceivable to consider that the DOJ-Microsoft is not in the best interests of my family.

Sincerely,  
Dr. Charles R. Davis  
9866 Natick Road  
Burke, VA 22015  
703-725-0147

**MTC-00022768**

From: William Sween  
To: Microsoft ATR  
Date: 1/24/02 4:08pm  
Subject: microsoft settlement

I think Microsoft has been delt with by the courts and the Federal & State Governments in a grossly improper way. Microsoft has helped the development of this country in a way that no private company has ever done before in our history. The government agencies and other companies that are bringing suit (AOL T/W etc.) are a bunch of crybabies who are looking for a chance to get something from Mr. Gates' company that they have no right to. Lets recognize Microsoft's achievements and stop persecuting them.

William R. Sween  
billbob9@worldnet.att.net

**MTC-00022769**

From: Xesdeeni Xesdeeni  
To: Microsoft ATR  
Date: 1/24/02 4:01pm  
Subject: Microsoft Settlement

The proposed settlement with Microsoft is a bad idea.

I have had a great deal of experience with Microsoft from the point of view of a non-competing hardware and software developer. And even in such a non-threatening role, we have been strong-armed by Microsoft. The propose settlement will do nothing to alleviate the tactics Microsoft uses every day. Mostly the indirect method of industry control has been accomplished through the preferential price given to computer manufacturers, but only if their PCs met the specifications Microsoft demanded. Of course, hardware vendors are free to ignore the Microsoft specifications, but then they are ignored by the PC manufacturers that would forfeit their discounted price if they used non-approved parts. There are three significant issues with the reality of allowing this situation to continue:

1. Any new innovation made by any company and included in their version of a device that is subsequently adopted by Microsoft is made mandatory in the next revision of their PC requirements. Obviously this removes the advantage of an innovator beyond the first generation, and puts a burden on competitors that may have made the judgement that they do not have the resources to develop this innovation, or that they do not believe that the innovation is important to their customers.

2. In many cases the original innovator may have patented their technology. This means that competitors are forced either to develop alternate methods of accomplishing the same thing (meaning their development time is longer than the original developer), or to enter into painful agreements with their competitors.

3. Because every developer of a particular device must provide all the functionality that Microsoft requires, none of the features may have any additional value associated with them. They must be added to the part "for free," because the features don't elevate the devices above the competition, they only allow them to catch up.

Here are some examples:

1. Our graphics chip design team was forced to create a 3-D hardware design team, a 3-D software design team, and a 3-D test team, so we could develop and include 3-D capabilities in our device, even though our intended market was corporate, and our customers did not want this capability. And because we were playing catch-up with the competition, all of the resources dedicated to this feature could not be offset by increasing the cost of our product. This company no longer makes graphics chips.

2. Our modem design team was forced to add features to our modems that we did not think were necessary for our intended customers. One such feature is called "distinctive ring detection." Distinctive ring is a feature provided by the phone company that allows multiple phone numbers to reach the same telephone. The ring heard on the phone differs for each phone number, so that the customers can tell which number is being called. The modem must detect the differing rings as well, so that it can be programmed to respond only on a particular phone number. The miniscule number of people in

the whole country with distinctive ring is only dwarfed by the number of those people who receive incoming phone calls for their modem. Yet this is a requirement for every modem that gets Microsoft's seal of approval. Those few people would likely have been willing to pay a bit more for this feature, if we deemed it worth our effort to even do the development for our mass-market product. But Microsoft forced us to do this work whether we wanted to or not, and then set us up so that we could not ask any more for this product, because everyone else had the feature as well.

3. During development of a new video feature for our graphics chips, we could not interest Microsoft in supporting the new capabilities. However, our customers were concerned that if others added the feature and there was no standard way of accessing this feature across all the brands, they would have difficulty using or supporting the feature. So we created an interface that we shared with our competitors. We did all the leg work, wrote drivers, documentations, and held a development forum to which we invited all of the competitors. Once we had drummed up enough interest in the industry, Microsoft decided to add support for the feature to Windows. Of course everything they did was completely incompatible with the work we had done. They did however, steal all of the knowledge and hard-fought lessons from our interface, and also wooed away one of our engineers in the process. Our company gained nothing by having done all this work, but we had no choice but to move to Microsoft's interface and lose all our work.

4. Further development of the above-mentioned video feature ran into an issue involving the interface between the applications using the interface and our drivers talking to our hardware. Microsoft defined the interface through which application developers would communicate to our drivers, but in this case they had no need to write any code. However, when both application developers and driver writers who had been invited to a development event at Microsoft asked (together) that the interface be changed to fix some problems that both groups were hitting, Microsoft said "No." That feature is still present on every graphics chip, but it is almost never used any more. However, it is still a requirement to receive Microsoft's stamp of approval.

I could go on, but the pattern should be obvious. We were not competing with Microsoft, but they still did things that are the very definition of anti-competitive. Of course, they are pitting non-competing companies against one-another, so the negative effects are not obvious at all. Any solution proposed so far is miles from one that will correct this type of industry-wide manipulation and destruction.

In an Old West traveling carnival, they used to display a bowl of boiling liquid sitting atop a block of ice. The sign said "the Backwards Element," as if to imply that the liquid boiled because the ice cooled it. The liquid was in fact liquid nitrogen. The ice wasn't causing it to boil, it was slowing the boiling. People believe that the computer industry is better because of Microsoft. But in fact it is better in spite of Microsoft.

Without proper and significant punishment, they will only grow more arrogant and manipulative.

And the sad truth is that splitting them into 5 pieces (Desktop O/S, Server O/S, Portable O/S, Applications, and Services) and forcing them to play by the same rules as everyone else will actually benefit them.

They will actually be forced to develop O/Ss that don't crash, applications that don't use up tons of system resources, and services that make sense for the masses.

Anonymous (for fear of Microsoft's backlash in "their" industry).

**MTC-00022770**

From: djw549@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
donna wheeler  
14429 s. gray  
cheney, WA 99004

**MTC-00022771**

From: quake-98@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Paul Miller

P.O. Box 417  
Utica, OH 43080

**MTC-00022772**

From: Kris  
To: Microsoft ATR  
Date: 1/24/02 4:16pm  
Subject: Microsoft Getting Away with Murder

Microsoft has systematically killed free market competition in the software marketplace. Please don't give them permission to rape and pillage in the education market, with their "big software giveaway."

My husband and I both work in Silicon Valley's high tech industry, and we continue to be amazed at how they stifle creativity in the marketplace. First, my husband worked for SGI on pen-based computing. No outside ventures would fund their company as a separate entity because they were afraid of Microsoft's CE operating system, targeted at palm-sized computers. They killed this SGI division, then hired away the best technical brains from this company.

Now he works at TiVo, a personal digital television recorder, and he's again positioned against Microsoft. Microsoft continues to shovel ill-gotten operating system gains into their Ultimate TV division. They can afford to lose money for YEARS, virtually crushing innovative start ups like TiVo. I first worked with Netscape and watched Microsoft crush them. And now I consult for Apple, and I resent, on a daily basis, that I'm forced to use a Microsoft browser and Word Processor and mail package. No Apple developer dares to enter these Microsoft-dominated markets, so we are stuck with the mediocre Microsoft software solutions indefinitely.

Thank God for Apple's innovation. So please don't give Microsoft license to kill Apple in the education sector.

Respectfully,  
Kris Newby

**MTC-00022773**

From: Twtinkertoy@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:12pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Palmer  
235 Reaves Ln.

Adamsville, TN 38310

**MTC-00022774**

From: Dennis Sosnoski  
To: Microsoft ATR  
Date: 1/24/02 3:12pm  
Subject: Microsoft Settlement

Dear DOJ,

In a prior email I expressed my concern that the proposed DOJ settlement with Microsoft is inadequate and ineffective. Here are my recommendations to the Court for a settlement which would serve the purposes of (1) eliminating the benefits to Microsoft of past illegal activity, (2) restoring competition to the marketplace, and (3) guarding against future illegal activities. Bear in mind that these are written from the standpoint of a software developer and are mainly concerned with the technology issues involved.

1. Microsoft should be required to reverse the present integration of Internet Explorer into the operating system software. If the company wishes to include functions in the operating system which use a web browser they should be required to define a public API to be used by the operating system for accessing the web browser. This will allow the owner of the system to choose any browser which supports that API, eliminating any arguments that Internet Explorer is a "required" component of the operating system.

2. Many other types of applications beyond the browser are now being "integrated" by Microsoft into the operating system. These include messaging software, multimedia software, and email software. Microsoft supplies their implementations of these functions with the operating system and makes it difficult or impossible to remove these implementations. In addition to limiting customer choice this also creates security vulnerabilities to the consumer, with no recourse under current law. As an extension of activities already found to be illegal these activities should also be stopped.

The court should appoint a technical overseer of the company who will monitor their actions in adding functions to the operating system and determine which additions are really separate applications (i.e., software functions which could plausibly be handled equally well by programs installed separately from the operating system). For any additions found to be applications the company should be required to make the components completely removable, with public APIs if the application is used by the operating system (as for Internet Explorer in 1, above). These public APIs should be required to be published at least six months prior to any shipment of a Microsoft product using the APIs; if an API is changed by Microsoft after initial publication a new six month interval will apply from the time the change is published. Microsoft should have the right to appeal the decisions of the overseer as to which components are applications, but those decisions should be in force while any appeals are in progress. Microsoft should not be allowed to ship any new operating system, version of an existing operating system, or update to an existing operating system until

the technical overseer has had the opportunity to review the changes (including comment from the public) and determine which changes are actually added applications. Outside parties should also have the right to appeal the decisions of the overseer if they feel these decisions are contrary to the settlement.

3. All APIs used by Microsoft applications (including those additions to the operating system which the technical overseer decides are really separate applications) should be subject to the six month publication rule. This should also apply to all file formats and communications protocols used by Microsoft products.

Microsoft should be required to waive any patent or other intellectual property rights to these APIs, formats, and protocols in order to allow free and open competition with their monopoly operating system and related products. They should also be prohibited from circumventing this requirement by licensing intellectual property rights from a third party which they can then use in their products.

The only exceptions to these rules should be for cases where (1) Microsoft needs to license intellectual property rights in order to compete in a market, or (2) full disclosure of an API, format, or protocol would create an unavoidable security vulnerability to the users. It's difficult to see how (2) could ever apply, since if there is a vulnerability in an API, format, or protocol it can normally be corrected by a change to that API, format, or protocol, but if Microsoft is able to prove such a situation to the satisfaction of the technical overseer this should be allowed as an exception. Here again, both Microsoft and outside parties should be allowed to appeal the decisions of the overseer.

4. If Microsoft ships products in violation of the settlement terms they should be required to issue an apology and partial refund to every purchaser of the violating product, including end users who purchased the product indirectly. The amount of the partial refund should be determined by the technical overseer in keeping with the severity of the violation but should be a minimum of five percent of the retail cost of the product. In cases of deliberate violations of the settlement terms the company should also be subject to a fine which is a minimum of all profits to the company from the sales of the violating product during the term of the violation (exclusive of the partial refund to customers). Any company personnel involved in a deliberate violation should also be prosecuted for Contempt of Court.

5. On the licensing front, Microsoft should be made to post an public list of operating system prices to OEMs based solely on volume and operating system version. They should be required to make available versions of all operating systems with and without bundled or integrated applications, with price differences which reflect Microsoft's development costs for the bundled or integrated applications vs the base operating system. The technical overseer should have the right to approve or modify the prices to reflect this agreement, if necessary with the help of accounting audits.

Microsoft should not be allowed to delay or refuse sales to any party at the published

rates except for valid business reasons such as nonpayment. Any such refusal should require full documentation, with heavy fines and damages paid to the party involve if Microsoft is found to have acted improperly. Any threats by Microsoft to delay or refuse sales should be considered the same as an actual delay or refusal. Microsoft should be specifically prohibited from delaying or refusing sales on the basis of any alterations to the operating system (such as addition of other software components, or removal of Microsoft-supplied components) performed by the OEM, though they should be allowed to require the OEM to inform the user of any such alterations.

6. All costs of the enforcement of the agreement should be paid by Microsoft. This includes all costs associated with the technical overseer, including costs of audits and technical consulting. I believe these recommendations are fair and equitable, and hope the Court will consider them in arriving at a final settlement for this case.

Sincerely,  
Dennis M. Sosnoski  
President  
Sosnoski Software Solutions, Inc.  
14618 NE 80th Pl.  
Redmond, WA 98052

**MTC-00022775**

From: Mark Derricott  
To: Microsoft ATR  
Date: 1/24/02 4:10pm  
Subject: Microsoft Settlement

To whom it may concern,  
I am opposed to the Proposed Final Judgment in United States v. Microsoft.  
Mark Derricott  
117 Standart Street #1  
Syracuse NY, 13210  
1/24/2002

**MTC-00022776**

From: Patrice Grant-Mitchell  
To: Microsoft ATR  
Date: 1/24/02 4:16pm  
Subject: Microsoft Settlement

This settlement is a bad idea. If you look at the software companies today there are how many? Not many, why? who can com compete with Microsoft's states. And it does not fit in to the best man wins story when you can't fight against the giant money. Also, in what part of the government or the United states it say that we can build the operating system, and then make the software that works with it, too. This isn't possible if you are working in the Government. I think it has the name of conflict of interest. Is because the people in charge are interested in the money that one can get when you are on board with the giant. This software company does not even give the consumers a choice of any software products that one wants. Look at any computer that you buy in the store. It comes loaded with the operating system and guess what many other software products installed in the system. And of, need a browser, here is one too.

This case is sound more and more like the OJ trial.

concerned consumer

**MTC-00022777**

From: Karner1271@hotmail.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 4:14pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Candice Karner  
306 S. Highland  
Rockford, IL 61104

**MTC-00022778**

From: Lance Lavandowska  
To: Microsoft ATR  
Date: 1/24/02 4:12pm  
Subject: DOJ vs Microsoft Settlement  
Proposal

As a long time user of Microsoft products, I don't believe that the proposed settlement goes far enough in remedying the underlying business practices MS employs, nor does the "enforcement" team of 3 persons have enough authority or scope to enforce those remedies. The issues raised by the "objecting" 9 states better represent my position. In particular, I want to state that the suggestion that Microsoft donate products to public schools to be offensive and contrary to any punishment that may be meted out against the company. If any donations are to be made to public schools, they should be in the form of hard currency, for the schools to spend as they please (on InformationTechnology).

Thank you,  
Lance Lavandowska,  
Shoreview MN  
www.Brainopolis.com

**MTC-00022779**

From: vic@referentia.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method

for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Victor Askman  
95-455 Kuahelani Ave., #102  
Mililani, HI 96789-1448

**MTC-00022780**

From: loishamilton@csi.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:16pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lois Hamilton  
1210 NE 181st Ave, Apt #21  
Portland, OR 97230-6761

**MTC-00022781**

From: senator6@gwe.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ben Alexander  
346 South 9th Street  
Montrose, CO 81401

**MTC-00022782**

From: dmillion@ctcis.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 4:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Darrell Million  
1506 Shelby St.  
Higginsville, MO 64037-1326

**MTC-00022783**

From: Samuel Lewis  
To: Microsoft ATR  
Date: 1/24/02 4:18pm  
Subject: Aol suit vs. Microsoft

I feel that AOL's suit against Microsoft, claiming that Internet Explorer illegally harmed Netscape's Navigator browser is without merit and should be turned down. I purchased a computer package that came with Netscape Navigator one year plus two months ago. After learning and working with Nets. Nav. for 9 months, I voluntarily switched to Internet Explorer and much prefer it. IE's success is based on market preference and support by the public.

**MTC-00022784**

From: russreed@losch.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
RUSSELL REED  
9 Coal Street, P.O. Box 103  
MIDDLEPORT, PA 17953-0103

**MTC-00022785**

From: Darren Woody  
To: Microsoft ATR  
Date: 1/24/02 4:18pm  
Subject: Microsoft Settlement

As a long time user in the computing industry, I think the measures taken to date to punish Microsoft for its monopolistic stranglehold on the technology industry is by and far to light of a punishment for a corporation that has more money than most countries of the world do. A slap on the wrist is not acceptable. Having Microsoft donate product worth a billion dollars only furthers the monopoly that Microsoft has. The Punishment for Microsoft needs to be something very clear and painful both financially and ethically. It needs to send a clear message that let's them know that there practices have stifled innovation. Microsoft is only happy with innovative products as long as they have come from Microsoft. The world has begun to accept Windows as an innovative platform, despite the fact that there are several other operating systems out there that in most cases offer a better user environment, are more secure and not riddled with errors or "Backdoors" in the coding. Microsoft will never try to make a perfect product, otherwise the entire IT industry as we know it today would be out of work. I would guess Microsoft will never make that perfect product, probably because the company makes as much money on supporting the garbage they have hoisted upon society as they do making the product in the first place. Just my 2 Cents worth. Please consider a tougher sentence and do the right thing for consumers everywhere.

Sincerely,  
Darren Woody  
Darren Woody  
Information Services  
RF Code Inc.  
480-969-2828  
Darren@rfcode.com

**MTC-00022786**

From: Britton  
To: Microsoft ATR  
Date: 1/24/02 4:19pm  
Subject: Microsoft Settlement

I believe the proposed settlement does adequately punish past MS transgressions or prevent future ones.

Three things in particular bug me:

1. MS claim to the right to withhold API information in the interest of security. Anyone who knows anything about computer security will tell you that protocol secrecy is the worst way to try to get it. This looks like just another way for MS to keep critical information out of the hands of competitors.
2. The oversight system looks very poor. I'm sure there are people other than MS who would agree to feed and house these people.
3. There is no reason to put an upper limit on the time to correct things. The problem is ongoing.

Britton Kerin  
GNU GPL: "The Source will be with you... always."

**MTC-00022787**

From: Dickg-7@yahoo.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 4:17pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Dick Gillespie  
 6456 Warren Drive  
 Norcross, GA 30093

**MTC-00022788**

From: Paul Raymond Busta  
 To: Microsoft ATR  
 Date: 1/24/02 4:21pm  
 Subject: Microsoft Settlement

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. This economically-draining witch-hunt has gone on long enough.

Please put an end to it once and for all and let us all get back to business.

Thank you,  
 Paul R. Busta  
 pbusta@msn.com

**MTC-00022789**

From: Jeremy White  
 To: Microsoft ATR  
 Date: 1/24/02 4:20pm  
 Subject: Microsoft Settlement

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

To Whom it May Concern:

Pursuant to the Tunney Act, I am writing to comment on the proposed settlement of the United States vs. Microsoft antitrust case.

Background:

I am the founder and CEO of CodeWeavers, Inc. CodeWeavers provides products and services that enable our customers to use Windows technology in non Windows environments, such as Linux. We use and support an open source technology known as the Wine Project. The Wine Project is an implementation of the Microsoft Windows API. It can run on top of a variety of operating systems, notably the Linux

operating system. It provides two important functions: it allows end users to run existing Windows applications on Linux, and it allows Independent Software Vendors (ISVs) to convert their applications from Windows to Linux quickly and easily.

A fully completed Wine Project would have two dramatic impacts on the marketplace. First, if combined with a Linux operating system, it would create a fully Windows compatible version of Linux. This Linux and Wine combination would serve as a direct and effective competitor to Microsoft's Windows Operating System products. Second, if Wine realized its promise, it would be trivial for an ISV with a Windows product to create a version of their application for Linux, thereby lowering the application barrier to competition described in the findings of fact. Therefore, I believe that an examination of the proposed remedy and its impact on the Wine Project is extremely relevant in determining how effective the proposed remedy will be.

The Wine Project is an entirely volunteer effort. It is organized via a central web site, [www.winehq.com](http://www.winehq.com). While my company tries to play a central role in helping develop Wine, the Wine Project itself cannot reasonably be called a business or even a non profit organization. Specific Failing in the Proposed Settlement: First of all, as I understand the proposed relief, the only sections with direct bearing on Wine are sections III.D and III.E. These sections would seem to attempt to insure that third parties would have access to information about Microsoft APIs and communications protocols.

1. III.D. API Disclosure

It is completely unclear how this requirement differs from what they do now voluntarily. The Windows API is incredibly complex and very difficult to document. One competitive barrier Microsoft uses is that they document most of their API, but omit certain key pieces of information. However, an omission of information is nearly impossible to prove. Further, there seems to be some belief that if third parties have access to the source code, the documentation will somehow magically improve. I do not see how this could be—reviewing the source code and correcting the documentation will be a monumental task, and no third party that I know has the resources or ability to do this.

2. III.J.2 Exceptions

This section specifically excludes Wine from participating in the benefits of III. MS has so ruthlessly exterminated all business competitors, that the only viable competition comes from volunteer efforts. Yet III.J.2 easily allows Microsoft the latitude to exclude Wine Project volunteers from the benefits of these remedies. The Wine Project certainly would fail to meet "reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business", because it is not a business.

In fact, III.J.2 could be read such that Microsoft could actually refuse to provide MSDN information to volunteers working on the Wine Project. Thus, as a result of III.J.2, Microsoft would have the ability to cut off information given to projects such as Wine,

and this remedy may actually prove harmful to the Wine Project.

Omissions in the Proposed Settlement:

A major component in the Findings of Fact discussed the "Applications Barrier to Entry" (section III. B.). The Findings of Fact go on to discuss that if a competitive implementation of the Windows API could be created, it would go a long way towards easing this barrier. It also goes on to posit that the task is too difficult to be viable. However, Wine has made major strides in recent years. Wine is now able to run many Windows applications, and has been used to port some major software systems (including Corel WordPerfect Office and Borland's Kylix products).

Yet nothing in the proposed settlement does anything to encourage the development of competitive systems such as Wine. I think it is unacceptable that the court find that a major barrier to true competition is unsolvable, because I believe there are several actions the court can take that would squarely address the issue, as follows:

1. Actively, not passively, document the Windows API

As touched upon in my comments, above, if a well funded, neutral third party organization was created or hired to research and fully document the Windows API, this would dramatically accelerate the ability of the Wine Project team members to compete with Microsoft.

We spend an enormous amount of our time and energy deducing the correct behavior of the Windows API through difficult trial and error processes, simply because the documentation is not complete enough. This could be rectified if a well funded third party produced a clear and complete set of documentation. In fact, there is already a European (ECMA-234) standard for the Windows API. This third party could enhance and extend this specification.

2. Protect people who would use Wine from retaliation by Microsoft.

One of the reasons that Wine has not been further adopted is that Microsoft has successfully used "Fear, Uncertainty, and Doubt" to scare business managers away from using non Microsoft solutions.

For example, when selecting a method of porting a major application to Linux, one prospect of mine was comparing Wine and a toolkit called 'MainWin'. MainWin is made by Mainssoft, and Mainssoft licenses its software from Microsoft.

However, this customer elected to go with the Mainssoft option instead. I was told that one of the key decision making factors was that the Mainssoft representatives had stated that Microsoft had certain critical patents that Wine was violating. My customer could not risk crossing Microsoft, and declined to use Wine. I didn't even have a chance to determine which patents were supposedly violated; nor to disprove the validity of this claim. For my customer, the risk of crossing Microsoft was too great to even contemplate using Wine. I think it is very telling that the attorney for the dissenting States is having to promise protection from retaliation to all of its potential witnesses, and even with that is having trouble finding people to testify.

So, my suggestion would be to amend the remedy to explicitly protect projects such as

Wine, Samba, and Kerberos from the offensive use by Microsoft of its patents. Specific Harm to Consumers For the most part, I have focused my comments on the Wine Project. Let me take a moment and explain how the failure of the Wine Project directly harms consumers.

It is easy, but wrong, to argue that having a single operating system be the standard desktop operating system is actually a benefit to consumers. This argument is like asserting that having only one car model would be easier for mechanics. How would you feel if your only choice was a Yugo? What's the harm, you can drive anywhere you want to, right?

Having viable, competitive operating systems has the potential to dramatically improve the benefit consumers receive from their operating system. For example, having an alternate operating system would mean that corporations would not be shut down periodically by email viruses. Having an alternate operating system might mean that a school system could realize dramatic savings by using Free software, and perhaps accepting some more limited functionality.

The single largest barrier standing in the way of real competition is the applications barrier to entry. People don't select an operating system based on its features; they select it based on what applications it runs. If Wine succeeds, then that barrier will be greatly reduced. By making sure that the remedy chosen to correct Microsoft's monopolist behaviour enables projects such as Wine to succeed, you insure that the market will soon see viable alternative operating system choices, and consumers will be able to reap the benefits in more stable, secure, and cost effective computing environments.

#### Closing Comments

I have focused my comments here on how the proposed settlement would affect the Wine Project.

I feel that the proposed settlement has other serious flaws. However, I felt it best if I focused on my area of expertise, and let others speak for me on more general issues.

To that end, I would like to echo the comments made by Dan Kegel, whose comments can be viewed at <http://www.kegel.com/remedy/letter.html>. I strongly support his overall comments on the proposed settlement and would like to add my voice to his.

To whoever is reading this, I realize that you have had to wade through a lot of material. I very much appreciate your time and effort.

Sincerely,

Jeremy P. White

CEO, CodeWeavers, Inc.

MTC-00022789 0005

#### MTC-00022790

From: michael

To: Microsoft ATR

Date: 1/24/02 4:22pm

Subject: Microsoft Settlement

In order for the Proposed Final Judgement in this case to level the playing field for application developers and for operating system developers, it must —enforce—:

1) Full and timely release of the Windows API (and modifications over time) to the

developer community. Timely in this case means that the developers have enough time to make modifications to their application to conform to changes in the API and to release those changes at the same time the OS is released.

2) Hardware providers must be able to ship Intel based systems with the OS of the customers choice without having to pay a fee to Microsoft if Windows is —not— on the system.

3) Microsoft must make full disclosure of Intellectual Property to which it claims rights. This enables developers to correctly identify what ideas are theirs and which have encumbrances from Microsoft.

Please make sure that the final judgement is both punitive, and encourages innovation in the software industry by allowing equal access to customers.

Michael Roberts  
Software Engineer

No animals were harmed in the creation of this message, though the english language was slightly bruised.

#### MTC-00022791

From: johnnyrom@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 4:20pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

John Romer

7033 Pelican Island Dr.

Tampa, FL 33634-7422

#### MTC-00022792

From: John Jesmer

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 4:23pm

Subject: Microsoft Settlement

Public Comment response from John Jesmer, Engineering Technician employed by the City of Colorado Springs, CO  
jjesmer@ci.colospgs.co.us

The Department of Justice has found Microsoft Corporation guilty of anticompetitive practices. Suggested penalties and remedies, which appear to benefit private software customers, may overlook the damages incurred by state and federal governments (the case originated from several state attorneys-general).

Local and state governments are legally bound to purchase goods and services under

competetive bidding practices, or be held liable to the taxpaying public. As Microsoft has absorbed or driven competitors out of business, governments now purchase software (with maintenance and upgrades) from an exclusive monopoly which is also the highest bidder. Where all other purchasing complies with standard public notice procedures, software that is included with new hardware is now concealed from open public records. Freedom Of Information Act inquiries on the cost of operating systems and software upgrades for existing hardware are frequently ignored, violating public disclosure law. This, in turn, encourages MicroSoft to increase prices at will and with complete immunity to free market forces. The resultant waste of taxpayer funds prevents governments from addressing urgent public safety and infrastructure maintenance needs. Free and open source software alternatives, where they exist, are excluded from the public bid process, due to real or perceived incompatibility with MicroSoft formats.

This respondent suggests the following remedies when addressing MicroSoft monopoly, particularly with respect to the taking of Public Funds:

1. Require the use of standard government bid documents and public advertisement/award procedures for all hardware, software, computer maintenance and software upgrades whenever such procurement involves public funding or tax revenue.

2. Require vendors to itemize their bids, showing clear distinctions between the price of each software, operating system software, and networking and internet software. In no case should the price of software be included with hardware purchase. This should not, however prevent volume discounting of any of the above software or hardware. Neither should it prevent the token listing of discounted and zero-cost software and software-inclusive bundles, providing that EVERY specific product is itemized, and all software is made available separately from hardware at the same price as pre-installed software on new hardware.

3. Require all vendors to list hardware requirements, as well as compatibility issues between MicroSoft and other commercial software, and require the inclusion of Open Source (freely distributed) software comparisons, where known.

4. Require vendors to list, and to offer support for all known commercial and open-source software on bids. Where a vendor is unable to list competetive alternatives, require the purchaser to consider bids from no less than two other vendors.

5. When served Freedom Of Information Act inquiries, allow government officials an amnesty period to resolve multiple-license software violations of MicroSoft User License restrictions. Encourage governments to solicit commercial and open-source alternatives to MicroSoft operating systems, internet browsers, office productivity and specialty software.

6. Remove penalties and protect government employees (individuals and groups) from predice for suggesting, installing or using non-MicroSoft products as alternative tools in their respective fields of employment.

respectfully submitted,  
John Jesmer

**MTC-00022793**

From: Steve Jacobs  
To: Microsoft ATR  
Date: 1/24/02 5:22pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

This e-mail responds to a request for public comments by the Court hearing the case U.S. v. Microsoft as part of the penalty phase of that litigation.

Two factors insure Microsoft's de facto monopoly of the Operating System market:

1. Most people, businesses and government entities use Microsoft operating systems and associated office products. I must communicate with them. If I cannot communicate, I will suffer economic loss. This is commonly referred to as a network effect and Microsoft has brilliantly exploited it.

2. Microsoft has kept its software file formats and interfaces secret. As a result, competing software developers cannot create programs that interact with Microsoft products in a fully functional way. Thus, an overwhelming majority of computer users have no choice but to use the Microsoft OS and associated office products. It is my belief, based on observation of Microsoft's past actions, they now wish to extend their reach beyond the PC desktop to control networking protocols for the Internet and act as its gate keeper. This is their ".NET" initiative. This would have devastating consequences for the U.S. economy and security. Microsoft has stifled innovation by its monopolistic practices. Microsoft products are notorious for their lack of security and vulnerability to attack by the technically incompetent.

I propose these remedies:

1) All specifications for present and future Microsoft file formats and Operating System Application Programming Interfaces (API) should be made public. This will help insure that any data or documentation I create will still be available to me in the future. It will also allow others to create programs that can meaningfully compete with Microsoft products. These specifications must be publicly available and made part of the public domain. Restriction to "commercial" entities is simply wrong. Open Source software initiatives should also be allowed to make use of this information. I believe this is essential to insure the long-term the availability and security of my data.

2) Any Microsoft networking protocols must be published in the public domain and approved by an independent standards organization. I suggest the Institute of Electrical and Electronics Engineers (IEEE). Already I see Microsoft limiting access to web sites for users not using Internet Explorer. This remedy would help prevent Microsoft from partitioning the Internet into Microsoft and non-Microsoft spheres.

3) Microsoft products should not be bundled as a hidden cost of buying a computer. The choice of buying a computer without any Microsoft products must be present. The real cost of Microsoft products should be presented to the consumer. Without this, there will not be meaningful competition in the OS marketplace.

4) Microsoft should be prevented from entering into exclusive arrangements with computer vendors. These arrangements have been used as rewards and punishments of computer vendors in the past and serve only to maintain monopoly status for Microsoft.

Sincerely yours,  
Steve Jacobs  
steve@trinidadusa.net

—  
Steve Jacobs  
www.trinidadusa.net  
Steve Jacobs & Associates  
Trinidad, CO US

**MTC-00022794**

From: daerlman@intrstar.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

David Ehrlichman 105 Fox Hollow Clinton,  
NC 28328-3104

**MTC-00022795**

From: wrichburg@mpinet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

wanda richburg  
36239 clear lake drive  
eustis, FL 32736

**MTC-00022796**

From: bjobert@utinet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:21pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

barclay robertson  
po box 787  
seven lakes, NC 27376-0787

**MTC-00022797**

From: James W. Lytle  
To: Microsoft ATR  
Date: 1/24/02 4:14pm  
Subject: Microsoft Settlement

Quite frankly, I expected you to actually do something! I am more than disappointed by your current performance. I would hope that under what I thought would be decent leadership, something would get done, but I suppose that is hoping for too much out of Washington. Microsoft builds an extremely shabby product, and I should know. I am one of those who has to support it each and every day. If Microsoft had been penalized for unfair business practices when they actually began happening, then there would have been some real competition. As it is we are fortunate that Microsoft hasn't just gone ahead and sued the creators of Linux for creating an OS without Redmond's consent. Come on! Get busy and do something. You and I both know Microsoft is using business practices that should not be tolerated, in order to further their company. After all, AT&T did the same thing, and they got broken up. What about Microsoft!?

James W. Lytle, CCAI, CCNA, MCP  
Information Services Director  
Gordon Cooper Technology Center  
1 John C. Bruton Blvd.  
Shawnee, OK 74804  
(405) 273-7493 x286  
(405) 878-5736 (fax)  
(405) 502-6189 (pgr)  
jamesl@gctech.org

**MTC-00022798**

From: jerdman1@new.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:21pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001



Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jan Erdman  
922 W. Packard Street  
Appleton, WI 54914-3846

**MTC-00022799**

From: Lauri K  
To: Microsoft ATR  
Date: 1/24/02 4:24pm  
Subject: Microsoft Settlement

Dear sirs/madams,

The recent progress in the Microsoft anti-trust proceedings has been alarming. The court's decision to move away from a structural remedy was, to us, absolutely horrifying, and it looks to us like Microsoft's pushes toward a settlement beneficial to them will harm this industry globally. We also feel that the court's proposed final judgement does not take into account details such as Microsoft's anticompetitive licensing terms, and contains misleading definitions and information. Gone are the days of old-fashioned competition that drives competing parties to produce, develop ? and most importantly, innovate. Microsoft has been granted the right to kill innovation and healthy competition by becoming a bloated behemoth of information technology. The PFJ does not remedy this. It is severely lacking. A comprehensive listing of details that are missing from the PFJ can be found at <http://www.kegel.com/remedy/letter.html> ? a thorough analysis of the PFJ and its failings is located at <http://www.kegel.com/remedy/remedy2.html> Everything Microsoft does is to become dominant, to gain a monopoly ? which is what it in all honesty already possesses. While Microsoft argues that the sheer survival of companies such as Apple is sufficient proof that there is no Microsoft monopoly, we at MacZ Software as Apple Macintosh developers must say this is not true. On paper, one can walk into an Apple retail location and pick up a Macintosh computer, and everything looks fine. On paper.

The truth is, the Macintosh is losing market share. A few years ago, it was at 5 percent worldwide. It has now dropped to a mere three percent. Meanwhile, Microsoft's Windows platform has gained market share. This is truly worrying. Despite all acts against Microsoft's obvious attempts to become the one and only choice in the operating system market, in the Internet browser market and in the media player

market, Windows, and all of the tied-in products, such as Internet Explorer and Windows Media Player, have not only stood their ground, but also gained share.

The acts Microsoft has played out and the way it has misused its massive market share clearly violate the Tunney Act, and as Microsoft has tied their products ? which are very much unrelated to each other ? closely together to have the end user use only Microsoft tools in the markets in which the company operates, their competition is in a legally unfair situation. If this continues, not only will the Macintosh market be destroyed due to Microsoft's unlawful conduct, it will also wipe out lots of Macintosh developers, such as our company. Without Microsoft's unlawful push for supremacy, the Macintosh platform, among other small platforms, would enjoy a much healthier market share. Microsoft's conduct is harmful not only in the United States, but also internationally. It is high time for someone to clip their proverbial wings and bring balance and competition back into the marketplace.

Yours sincerely,  
Lauri Kieksi  
Director of Design  
MacZ Software  
[lauri@maczsoftware.com](mailto:lauri@maczsoftware.com)  
<http://www.maczsoftware.com>

**MTC-00022800**

From: Lloyd Kvam  
To: Microsoft ATR  
Date: 1/24/02 4:24pm  
Subject: Microsoft Settlement

I am a software developer who depends upon a healthy technology infrastructure to make my living. Microsoft's practices have hurt that infrastructure.

My opinion is that Microsoft should be split into five entities:

- Operating Systems
- Internet Software (IE, Outlook, IIS)
- Business Software (Office Suite)
- Consumer Software (games, Encarta, etc.)
- Miscellaneous (MSN, HotMail, Xbox, etc.)

—  
Lloyd Kvam  
Venix Corp.  
1 Court Street, Suite 378  
Lebanon, NH 03766-1358  
voice:  
603-443-6155  
fax:  
801-459-9582

**MTC-00022801**

From: David B. O'Donnell  
To: Microsoft ATR  
Date: 1/24/02 4:24pm  
Subject: Microsoft Settlement

I STRONGLY oppose the settlement Microsoft is proposing. It does NOTHING to address the established fact that they are a monopoly, and in fact does a great deal to further entrench them in the position of crushing competition. —

David B. O'Donnell

**MTC-00022802**

From: Thomas Skidmore  
To: Microsoft ATR  
Date: 1/24/02 4:24pm  
Subject: Microsoft Settlement

It doesn't seem to me that the proposed settlement is in the best interest of the public, nor does it adequately punish for past anticompetitive practices, or prevent further ones.

While I cannot wade through the legalese of the entire settlement fast enough to form a point by point argument for this, I do know that the settlement has been progressively watered down to the point of being a mere slap on the wrist.

If this is truly a government of by and for the people, do not pass the settlement in its current form. The peoples' best interest has been replaced with the interest of the Microsoft Corporation... thanks for listening,

Thomas Skidmore  
(Columbus, OH)

**MTC-00022803**

From: Lyric  
To: Microsoft ATR  
Date: 1/24/02 4:25pm  
Subject: Microsoft Settlement

Under the Tunney Act, I'd like to comment on the proposed Microsoft settlement. I believe the settlement must not be adopted without significant revision; it has several major problems, detail on many of which can be found in Dan Kegel's analysis available at <http://www.kegel.com/remedy/remedy2.html>.

In particular I'd like to highlight that as a software developer myself, many of the proposed provisions do not help the situation, and in some cases even hinder interoperability and compatibility with Microsoft's products. Definitions such as "API" and "Microsoft Middleware" are so narrow that many APIs and versions of Windows are not covered at all; requirements and documentation disclosures are not nearly broad enough and do not serve their intended purpose—for example, the proposed settlement requires disclosure of API documentation, but prohibits competitors from using it to make their operating systems Windows-compatible. Many important aspects of Microsoft's monopoly are left unaddressed; for example, disclosure of Microsoft Office file formats is not required.

The proposed settlement also fails to prohibit intentional incompatibilities and anticompetitive OEM practices that Microsoft has historically used against its competition.

This judgment is not firm, clear, or broad enough, and should not be adopted without addressing these problems.

Thank you,  
John Stoneham  
eOriginal, Inc.

**MTC-00022804**

From: [gse@intrstar.net](mailto:gse@intrstar.net)@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:22pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the



fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gloria Ehrlichman  
105 Fox Hollow  
Clinton, NC 28328-3104

**MTC-00022805**

From: ModernBingo  
To: Microsoft ATR  
Date: 1/24/02 4:19pm  
Subject: \$\$\$ Do you like to win CASH? \$\$\$

**MTC-00022806**

From: Eric Clark  
To: Microsoft ATR  
Date: 1/24/02 4:26pm  
Subject: Microsoft settlement comments

To whom it may concern,  
It has been clear for years that Microsoft's practices are detrimental in many ways to the American spirit of innovation and fair business practice. Microsoft has repeatedly acted against smaller scale software developers' right to develop innovative and useful alternatives to their problematic Windows system or even to exist..

I urge you to continue to take strong positions in the Microsoft case, to send the message that such monopolies are un-American in every regard and will not be tolerated.

Free enterprise rests on high moral behaviors whether voluntary or upheld by our legal system.

Respectfully,  
E Clark

**MTC-00022807**

From: Eric Pollitt  
To: Microsoft ATR  
Date: 1/24/02 4:25pm  
Subject: Microsoft Settlement

I do not support the DOJ allowing Microsoft off the hook so easily. Microsoft is a monopoly and they illegally use their monopoly to kill off any competitor that gets in their way.

Microsoft uses the Windows operating system as a means to bundle a competing application and thus distributes their software freely onto over 90% of all desktop computers. For example, Microsoft bundles its Internet service, MSN, with each copy of Windows. Of course, AOL is a competitor of MSN, but to have the same access to Windows users, AOL has to pay Microsoft a large sum of money as well as make deals with each and every PC vendor (e.g., Compaq). AOL also has to distribute millions of copies of AOL to entice users to install their software.

For Microsoft to compete with AOL, what does they have to do? Next to nothing! There are no deals to be made with PC vendors, nor any CD1s that need to be mailed out to the

masses. No, Microsoft only has to bundle MSN with Windows.

Let's not forget what this antitrust case is about! It's about Microsoft illegally bundling software with Windows, as well as its exclusive contracts with PC vendors, ISPs, etc.

Eric C. Pollitt, Senior Web Editor  
MultiAd Planner Solutions  
1720 W. Detweiller Dr.  
Peoria, IL 61615-1695  
Tel: 309-690-5547  
Fax: 309-690-5599  
URL: <http://content.multi-ad.com/>  
MultiAd  
One Company. Many Solutions.

**MTC-00022808**

From: Michael Ickes  
To: Microsoft ATR  
Date: 1/24/02 4:26pm  
Subject: Microsoft Settlement

I do not believe that the settlement you have made will be enough of a deterrent to keep Microsoft on the right side of the law in their business practices.

At the very least you should make it mandatory that all offences found by your 3 member oversight committee should be published publicly for anyone to review.

I am in favor of the revised document submitted by the non-settling states. While I do not believe that all the measures will in that document would ever be implemented and some may well not be completely necessary, I believe that it is a more realistic approach to ensuring that Microsoft does not use its position in the computer industry to force their software on consumers. Microsoft has the resources at its disposal to make products that should be able to compete without any bullying or ant-competitive practices.

Michael Ickes  
Computer Tech assistant.  
Wayne College (university of Akron)

**MTC-00022809**

From: meginnes@myexcel.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:23pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Matthew Meginnes

1103 Mint Springs Dr  
Fairborn, OH 45324-5728

**MTC-00022810**

From: constructionbook@emailaccount.com@inetgw

To: Microsoft ATR  
Date: 1/24/02 4:24pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
karl schaupp  
PO Bx 6499  
Ocean View, HI 96737

**MTC-00022811**

From: Elizabeth Lester  
To: Microsoft ATR  
Date: 1/24/02 4:27pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

I am a California resident and, like millions of Americans, a technology consumer. I believe it is most definitely in the public interest to expedite settlement of the Microsoft case. Please, stop wasting finite government and private resources on this witch hunt. Let's move forward with technology and innovation, and stop punishing those who have done it well. Thank you.

Sincerely,  
Elizabeth H. Lester  
Fremont, California

**MTC-00022812**

From: John Knoll  
To: Microsoft ATR  
Date: 1/24/02 4:28pm  
Subject: Microsoft Settlement

Dear Sir,

I'd like to take this opportunity to state that I do not think that the proposed Microsoft settlement is any real form of punishment. First of all, most of the proposed giveaway of Microsoft software will cost Microsoft very little, since the cost of software manufacturing is very low to Microsoft compared to the retail price.

Second, this giveaway would only increase Microsoft's monopoly in the education market, exactly the opposite of our nation's interest. The settlement should be changed so that the schools are given no strings attached cash, so they can choose to spend it how they see fit.

Thank you for your attention.  
John Knoll  
San Rafael, CA

**MTC-00022813**

From: kcampbel@agsci.colostate.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:26pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Kay Campbell 10817 N. County Rd 3  
Wellington, CO 80549

**MTC-00022814**

From: Dennis Pepler  
To: Microsoft ATR  
Date: 1/24/02 4:29pm  
Subject: Microsoft Settlement

Dear Sirs

The proposed settlement terms look as bad in the UK as they do to many of your fellow-countrymen.

Microsoft did not adhere to previous settlement undertakings. It cannot be relied to do so again, even on a modified honour system. Its gagging of virtually captive OEM customers concealed its illegal acts. Your proposed remedies give no assurance of future compliant behaviour in their present form.

Nothing in your proposals will prevent lock-in tactics by Microsoft. Competition will continue to be stifled and—as always—the customer loses out.

You should be looking for a solution which makes it impossible to carry on rolling the bundling snowball down the Microsoft hill, as seems to be happening with Windows WP.

I write as a Windows user.

Yours faithfully

D G Pepler

Poynton, Cheshire, UK.

**MTC-00022815**

From: donrbowman@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:27pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Donald Bowman  
1605 Walthour Rd.  
Savannah, GA 31410

**MTC-00022816**

From: Andrew Bogott  
To: Microsoft ATR  
Date: 1/24/02 4:30pm  
Subject: Microsoft Settlement  
To whom it may concern,

I am writing concerning the proposed antitrust settlement with Microsoft. As a software developer I have experienced many consequences of Microsoft's monopoly and their abuses of it. I am deeply dissatisfied with the remedies that you are currently considering.

Clearly, Microsoft's ownership of Microsoft Windows is at the heart of their monopoly power. I'm struck, then, at how the proposed settlement dodges this essential fact: if there were other potential providers of Windows-compatible operating systems, Microsoft would cease to be a monopoly. Needless to say, Microsoft will do all that it can to prevent the emergence of such competitors; any antitrust action that permits it to continue to do so will ultimately fail to dislodge Microsoft from its position as a monopoly.

I am an occasional contributor to the Wine project, which is an open-source initiative which seeks to create (in conjunction with Linux) a Windows-compatible alternative to Windows. Wine is by no means the only potential competitor to Windows, but I suspect that the barriers we're encountering have impeded similar projects, commercial and non-commercial.

Most importantly, in order to create a Windows-compatible OS, we need to know—exactly—what it means to be windows-compatible. This would require Microsoft to publish accurate, reliable and up-to-date documentation of their APIs. The settlement proposal requires that Microsoft publish such APIs but, interestingly, it specifically excludes OS designers from the potential recipients of this information: (section E)

"Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, for the sole purpose of interoperating with a Windows Operating System Product..." Clearly, this line must be amended to allow this information to be distributed to potential OS (or Windows-compatible) designers. Additionally, as a Wine developer, I'm uncomfortable that this section discusses Microsoft's duties to specific company types... as Wine is not a company per se, I'd prefer that this information be released to the public domain, plain and simple.

Having dealt with a decade of Microsoft-imposed frustrations, I might like to see the company punished simply out of spite. I am, however, trying to take a utilitarian approach. I think of all the things that personal computers could be today if not for the past years under the monopoly's shadow, and I dream of a future in which true innovation (and the competition that produces it) is possible.

We are at a crossroads—either we can have Microsoft established (like AT&T of the 1900's) as our nation's single, government-protected operating system-provider, or we can have a truly diverse, competitive, innovative landscape for personal computing. The resolution of this antitrust trial will choose one of these paths. As currently written, it chooses the former.

Thank you for your consideration.

**MTC-00022817**

From: pod mate  
To: Microsoft ATR  
Date: 1/24/02 4:32pm  
Subject: Microsoft settlement

To whom it may concern,

I do not believe that the Microsoft judgement is correct or fair.

For years, Microsoft has used its monopoly in the software and web browser industry to force businesses and software products out of the market. I could not find any piece of the judgement that will force Microsoft to pay for the crimes of the past.

They are simply restricted in how they can do future business. This does not go far enough. Microsoft already has a monopoly in the market. They will not loose that monopoly just because they are not allowed to do or not do certain things, as spelled out in the judgement. Microsoft should be broken into two companies. Or, at least fine them severely (something like 75% of their cash reserves and 10% of all sales for the next 5 years) and impose the current judgement. Thank you for taking the time to read this.

Sincerely,

David Gill

Boston, Massachusetts

**MTC-00022818**

From: MarilynRM@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:33pm  
Subject: Microsoft Settlement

This lawsuit is laughable!!

I have used both platforms and all types of programs in my years of teaching business education and computers. Believe me Microsoft develops outstanding products, gives the consumer great help with problems and resolves any issues in the most professional way. I have been using AOL since it first became available and feel the same way about it. However, Netscape is another issue!! I teach people in their homes how to resolve and learn how to use their computer and the ones with Netscape have much difficulty. This has nothing to do with Microsoft but the program itself!! Get real!!!! Why is it that lesser companies try to recreate problems for the more knowledge, creative excellent performing businesses.

They want a handout as far as I am concerned and the legal system shouldn't

allow this!!!! I was very disappointed that the companies that were suing Microsoft wouldn't go along with the donation to the schools. What benefit to short of cash & technology the schools have to deal with that harm children!! But yet the companies are their with their hand out wanting something!! It is disgusting and I am not going to purchase any of those products from those companies. However, I love AOL and will stay with them.

Please look at the whole picture on this ludicrous (as far as I am concerned) lawsuit.

Marilynn M Russell  
12116 Cochise Lane SW  
Lakewood WA 98499-5247  
253 584-0147  
FAX 253 589-6813

#### MTC-00022819

From: Geoffrey Feldman  
To: Microsoft ATR  
Date: 1/24/02 4:34pm  
Subject: Support for Microsoft

I am a professional computer programmer with 25 years experience. I am an independent consultant and I have never been paid by Microsoft.

I have from day one believed that the anti-trust suit against Microsoft is a farce and a travesty. It should never have occurred. Software is simply a collection of ideas made manifest in a machine. It is no more possible, in my mind, to claim that Microsoft is a monopoly than it would be to claim that Stephen King monopolizes scary books or Disney is a monopolist in the entertainment industry.

When I began in this business, it was dominated by large companies who were far more dominant in their practices than Microsoft ever was. It was almost impossible for independents such as myself to afford the equipment, software and training that we would need to function and stay current in that environment. Thanks to Microsoft, I have my own business of which I am proud. At the same time that my costs have decreased to perhaps a tenth of what they might have been (not adjusted for inflation), the content and complexity of the work has grown ten fold. Microsoft has provided me with a wonderful business opportunity. I pay them, they do not pay me but I have profited from my association and from having Microsoft in the world.

I believe that if Microsoft were to abuse its market position and raise prices, they would lose business. It would not be hard to produce a product that competes with them, replaces theirs. In fact such products do exist and are not really popular. These products fail because the companies that produce them are badly run and not because of predatory practice by Microsoft.

Companies that it is alleged Microsoft has "injured" injured themselves more than they were injured while others are so much larger than Microsoft they can scarcely claim injury. During the period it might be claimed that Microsoft and Netscape were competing I found Netscape hard to deal with, hard to place orders with, producing a demonstrably inferior product and engaging in practices similar to those they claim for Microsoft. Bottom line and in my professional opinion

Netscape has an inferior product and was a badly, arrogantly run company and this is why they failed.

In regards to the notion that the browser can be removed from the operating system. This is superficially true but pragmatically irrelevant. As an analogy, one could remove the ability to play sounds on a PC easily enough but then many applications would fail to work. True, the operating system would work but not as a productive product. Similarly, as a technical question the browser could be removed. However, so many programs depend on the browser, not just those produced by Microsoft, that absolutely nobody would want a Microsoft operating system from which the browser has been removed. Help files would no longer work. Products that even compete with Microsoft such as Real Audio would no longer work. Almost nothing would work if Internet explorer were really removed.

As I said this is a farce and it should be simply ended in the most legally expedient way possible.

Geoffrey Feldman  
geoffreyf@computer.org  
1541 Middlesex St. #8  
Lowell, MA 01851  
617-429-8966

#### MTC-00022820

From: mrjc1947@mail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:31pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jerry Cook  
6917 Noah Drive  
Fort Washington, MD 20744

#### MTC-00022821

From: Burton Cohen  
To: Microsoft ATR  
Date: 1/24/02 4:34pm  
Subject: Microsoft Settlement

Dear Judge Kollar-Kotelly,

I am adding my voice to those who feel that Microsoft must be stopped from spreading their technology in an unfettered fashion. You were correct to reject the settlement proposed between Microsoft and the class action lawyers. That settlement would have allowed Microsoft to give away its software as a disguise to aiding schools

and school children. It would have hurt competition not helped to create more competition. Recently the headlines have shown once again how Microsoft is not capable of telling the truth or adhering to the law of the land. Last fall they filed papers saying that they did not try to influence the outcome of the case by petitioning congress or the administration. They have amended that statement by saying they in fact did do that.

As came out in the trial with Judge Jackson, Microsoft will lie and cheat even when it comes to dealing with a trial. I refer here to their presentation of a video that was to show how removing the browser caused a machine to slow down. In fact the tape was shown in court to be a false representation, one they could not make right when given a chance.

You can send them a message that when a company is convicted of a crime it cannot dictate their punishment but rather must accept the court's judgment. I recently came upon a document that tells, better than I, what needs to be done. It shows why it is imperative that Microsoft needs to be stopped from continuing to have their way with the courts and the free marketplace. Now is your time to act decisively.

Dear Judge Kollar-Kotelly:

The proposed settlement between the Department of Justice and Microsoft in U.S. v. Microsoft falls far short of what is needed to put an end Microsoft's pattern of predatory practices. This deal does not adequately protect competition and innovation in this vital sector of our economy, does not go far enough to address consumer choice, and fails to meet the standards for a remedy set in the unanimous ruling against Microsoft by the Court of Appeals for the District of Columbia. Its enforcement provisions are vague and unenforceable. The five-year time frame of the proposed settlement is much too short to deal with the antitrust abuses of a company that has maintained and expanded its monopoly power through fear and intimidation.

Microsoft's liability under the antitrust laws is no longer open for debate. Microsoft has been found liable before the District Court, lost its appeal to the United States Court of Appeals for the District of Columbia in a 7-0 decision, saw its petition for rehearing in the appellate court denied, and had its appeal to the Supreme Court turned down. The courts have decided that Microsoft possesses monopoly power and has used that power unlawfully to protect its monopoly.

The next step is to find a remedy that meets the appellate court's standard to terminate the monopoly, deny to Microsoft the fruits of its past statutory violations, and prevent any future anticompetitive activity. 2 This proposed settlement fails to do so.

The Deal Fails to Meet the Appellate Court's Remedy Standards This proposed settlement clearly fails to meet the standards clearly laid out by the appellate court. In fact, the weak settlement between Microsoft and the Department of Justice ignores key aspects of the Court of Appeals ruling against Microsoft. Here are several examples of where this weak settlement falls short:

The settlement does not address key Microsoft practices found to be illegal by the appellate court, such as the finding that Microsoft's practice of bolting applications to Windows through the practice of 3comingling code 2 was a violation of antitrust law. This was considered by many to be among the most significant violations of the law, but the settlement does not mention it.

The settlement abandons the principle that fueled consumer criticism and which gave rise to this antitrust case in 1998: Microsoft's 3sole discretion 2 to unilaterally determine that other products or services which don't have anything to do with operating a computer are nevertheless part of a 3Windows Operating System product. 2 This creates a new exemption from parts of antitrust law for Microsoft and would leave Microsoft free to bolt financial services, cable television, or the Internet itself into Windows. The deal fails to terminate the Microsoft monopoly, and instead guarantees Microsoft's monopoly will survive and be allowed to expand into new markets.

The flawed settlement empowers Microsoft to retaliate against would-be competitors and to take the intellectual property of competitors doing business with Microsoft.

The proposed settlement permits Microsoft to define many key terms, which is unprecedented in any law enforcement proceeding. Loopholes Undermine Strong-Sounding Provisions The proposed settlement shows that it contains far too many strong-sounding provisions that are riddled with loopholes. Here are several examples: The agreement requires Microsoft to share certain technical information with other companies in order for non-Microsoft software to work as intended. However, Microsoft is under no obligation to share information if that disclosure would harm the company's security or software licensing. Who gets to decide whether such harm might occur? Microsoft.

The settlement says that Microsoft 3shall not enter into any agreement 2 to pay a software vendor not to develop or distribute software that would compete with Microsoft's products. However, another provision permits those payments and deals when they are 3reasonably necessary. 2 The ultimate arbiter of when these deals would be 3reasonably necessary? 2 Microsoft. The settlement does nothing to deal with the effects on consumers and businesses of technologies such as Microsoft's Passport. Passport has been the subject of numerous privacy and security complaints by national consumer organizations. However, corporations and governments that place a high value on system security will be unable to benefit from competitive security technologies, even if those technologies are superior to Microsoft's. Why? Microsoft controls their choices through its monopolies and dominant market share, and still is able to dictate what technologies it will include.

#### Enforcement

The weak enforcement provisions in this proposed deal leave Microsoft free to do

practically whatever it wants. A three-person technical committee will be appointed, which Microsoft appointing one member, the Department of Justice appointing another, and the two sides agreeing on the third. This means that Microsoft gets to appoint half of the members of the group watching over its actions.

The committee is supposed to identify violations of the agreement. But even if the committee finds violations, the work of that committee cannot be admitted into court in any enforcement proceeding. This is like allowing a football referee to throw as many penalty flags as he likes for flagrant violations on the field, but prohibiting him from marching off any penalties.

Finally, Microsoft must comply with the lenient restrictions in the agreement for only five years. This is not long enough for a company found guilty of violating antitrust law.

The Proposed Settlement fails to Adequately Address Consumer Needs The settlement does not go far enough to provide greater consumer choice, and leaves Microsoft in a position that it can continue to charge whatever it wants for its products.

As a recent Chicago Tribune story said: 3If you believe that what's good for Microsoft Corp. is good for consumers, the proposed settlement of the software giant's three-year federal antitrust battle is cause for celebration. If you believe that consumers would benefit more if Microsoft could no longer use its Windows monopoly as a springboard into new markets, you stand to be sorely disappointed. 2

In addition, consumer groups have opposed the settlement. Mark Cooper, director of research for the Consumer Federation of America, said: 3Wall Street's view is that Microsoft's business model doesn't change. If that's the case, we will continue to be afflicted with the same anti-competitive behavior. 2

Analysts Conclude that Deal Will Not Affect Microsoft's Practices Sadly, the proposed final judgment by Microsoft and the Department of Justice has the potential to make the competitive landscape of the software industry worse, contains so many ambiguities and loopholes that it may be unenforceable, and is likely to lead to years of additional litigation. Analysts of all kinds have indicated that the weak settlement will not impact Microsoft or its illegal practices. Following are a variety of examples:

3As we have stated before, we believe a settlement is a best case scenario for Microsoft. And, this settlement in particular seems like a win for Microsoft being that it would preserve Microsoft's ability to bundle its Internet assets with Windows XP and future operating systems—a plus for the company. In fact, it appears that Internet assets such as Passport are untouched. Also, as is typical with legal judgments, this settlement is backward looking, not forward looking. In other words, it looks at processes in the past, but not potential development of the future. 2 Morgan Stanley, 11/02/01

3The deal ? appears to be ?more, better, and faster 1 than we expected in a settlement deal between Microsoft and DoJ. The deal will apparently require few if any changes in

Windows XP and leave important aspects of Microsoft's market power intact. 2 Prudential Financial, 11/01/01 3With a dramatic win last week, Microsoft appears to be on its way to putting the U.S. antitrust case behind it. The PFJ between the Department of Justice and Microsoft gives little for Microsoft's competitors to cheer about. ? There is very little chance that competitors could prove or win effective relief from violation of this agreement, in our view. 2 Schwab Capital Markets, 11/6/01

3This is a spectacular victory for Microsoft. 2

David Yoffie, professor, Harvard Business School, New York Times 11/02/01

This deal appears to fall far short of what could have been obtained in court, and what's necessary to protect the public. 2 Andrew Schwartzman, public interest firm lawyer, Media Access Project, Wall Street Journal 11/02/01 [The settlement] fails to protect competition in the software industry and does not come close to dealing with the problems that were found to exist by the District Court and the Court of Appeals. 2

Albert A. Foer, president, American Antitrust Institute, Washington Post 11/05/01 This is a reward, not a remedy. 2 Kelly Jo MacArthur, general counsel, RealNetworks, Inc., Globe and Mail 11/08/01 3It looks like the government is giving them a slap on the wrist. I find that sad. It won't achieve any of the goals of the proceeding. 2 Robert Lande, law professor and antitrust expert, University of Baltimore, ZDWire 11/07/01

The strength of any remedy is particularly important given Microsoft's growing dominance in the software markets. Since the end of the trial in the District Court, Microsoft's monopolies are stronger in each of its core markets with both the Windows operating system and the Office suite now higher than 92 percent and 95 percent, respectively. In addition, Microsoft has achieved a monopoly in web browsers, and has seen competitors such as the Linux operating system fade.

The Microsoft Monopoly Should not be Exempt from Antitrust Laws Enforcing federal antitrust laws against monopolies is not new or novel. Antitrust law has protected free markets and enhanced consumer welfare in this country for more than a century. The Microsoft case does not represent a novel application of the law, but is the kind of standard antitrust enforcement action necessary to insure vigorous competition in all sectors of today's economy.

These same standards have been applied to monopolies in the past. We do not have one oil company determining how much we pay for gasoline, but instead we have suppliers such as Exxon, Mobil, Amoco and Chevron competing with each other. These companies were all part of the Standard Oil monopoly, which was dissolved because Standard Oil was found to have violated the antitrust laws.

Less than 20 years ago, the nation essentially had one telephone company—AT&T. After the government sued AT&T for violating the antitrust laws, the company was broken up, and competition was introduced in the long distance business. Since competition was introduced into that market, real prices have declined more than 70

percent, and there has been more innovation in the past two decades than in most of the preceding century. Settlement is Based on Flawed Economic Assumption, and Sets a Bad Precedent Some defenders of the proposed settlement between Microsoft and the DOJ have adopted the view that settling this case could somehow revive the slowing U.S. economy. Their motives are good, but their reasoning is flawed. What economic theory holds that protecting monopolies is better for stimulating the economy that promoting competition?

In addition, this case will set an important precedent. Former Judge Robert H. Bork has noted that:

3In settling the most important antitrust case in decades through a remedy that will have not impact on the current or future competitive landscape, and absolutely no deterrent effect on the defendant, the Department of Justice has effectively repealed a major segment of the nation's antitrust laws. Moreover, any potential witness with knowledge of anticompetitive conduct in a monopolized market has to weigh the potential benefit of his or her testimony against the likely response of the defendant monopolist. The DOJ's proposed meaningless remedy would insure that no witness would ever testify against Microsoft in any future enforcement action. 2

#### Conclusion

The end result is that this proposed settlement allows Microsoft to preserve and reinforce its monopoly, while also freeing Microsoft to use anticompetitive tactics to spread its dominance into other markets. After more than 11 years of litigation and investigation against Microsoft, surely we can—and we must—do much better than this flawed proposed settlement between the company and the Department of Justice.

The points made in this letter must be addressed to finally free America.

Burton Cohen  
TBI Computer, LLC  
bcohen@tbicomputer.com  
(203) 222-1878 Telephone  
(203) 858-4728 Cell Phone

#### MTC-00022822

From: Jason  
To: Microsoft ATR  
Date: 1/24/02 4:32pm  
Subject: Microsoft Settlement

AOL are incredible! Purchasing Netscape after the media had already reported the MS vs Netscape saga with the clear cut runner being IE as a matter of consumer choice! Internet Explorer is streets ahead in technology, speed, you name it, it is the best browser ever. Do you honestly believe any courtroom decision will stop me using Internet Explorer. Do you think I wanted Netscape? Is Linux harming Microsoft—its Free!!!!!!1 What is the U.S.A going to do about that? What about Sun giving away Java? What about the bombardment of AOL cds through my letterbox every single MONTH!!!! My only thoughts are that its about time the US government took a stand against companies targeting microsoft purely to obtain quick financial gain from decisions they took which were inferior. AOL should be split up. How can you allow such a vast

company to control the media channels by using litigation instead of competitive practices.

Shame on you and on the nine states with their obvious corruption led decision making process. Microsoft started as 2 men, hard work, brains and success. AOL was started by a bubble—and its about time it was burst.

Jason

#### MTC-00022823

From: bob@evans-realty.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:31pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Robert Evans  
334 Ayers Farm Road  
Stowe, VT 05672

#### MTC-00022824

From: Troy Strand  
To: Microsoft ATR  
Date: 1/24/02 3:37pm  
Subject: Microsoft Settlement

Microsoft's proposed settlement will not only not cost them much financially, therefore not truly being a penalty but more of a marketing expense, it will also give them a new and lucrative monopolistic opportunity in the education market. The one market that they haven't been able to bully their way into has been education. Schools have been able to make their own choice based on cost of ownership, ease of use and ease of support.

If Microsoft's proposed settlement was approved, it would take away all opportunities for Apple Computer and many third party software vendors. Companies who create and distribute superior products would be forced out of the education market by way of lower income school districts not having a choice but to use Microsoft/Intel based products since they would be basically free, aside from the total cost of ownership, which is much, much higher than that of comparable Apple products.

Microsoft should be forced to pay a true financial penalty with a substantial amount funding an education pool that would allow school districts to be granted money to make purchases for technology based on their need and desire.

Sincerely,

Troy Strand

#### MTC-00022825

From: Ilya Volynets  
To: Microsoft ATR  
Date: 1/24/02 4:36pm  
Subject: Microsoft Settlement

-----BEGIN PGP SIGNED MESSAGE-----

Hash: SHA1

I think this settlement is plain wrong. You cannot limit monopoly actions, if it wants to abuse it's power: they will always find some way around. The only way to deal with it is to break Microsoft apart, into many companies: three or four of each sector of activity. By sector of activity I mean things like OS, Office Applications, Databases, Web and Application middle tier (Web servers, Application servers, etc), Web browsers, etc.

Best regards.

Ilya.

#### MTC-00022826

From: Murray Parker  
To: Microsoft ATR  
Date: 1/24/02 4:37pm  
Subject: MICROSOFT SETTLEMENT

It is clearly time to move forward with this case and complete a final settlement for the best interest of the consumer and the economy. There must be other "high profile" cases you can find that have more merit. It's no secret that Microsoft's tactics were obsessive in striving to create a platform standard. But it has done so, more successfully than anyone else. And using the courts to compensate for losses in a competitive market place is a waste of taxpayers \$ and diverts resources that could be further contributing to the market.

Some might say other technologies, systems, platforms, etc were superior and I would remind them of the fact that any R&D department knows, that most products area compromises and seldom use the most technically superior solution. That's why product development is separate from R&D. Yes, lots of people have good ideas and there is still an opportunity for those ideas to take hold in the market. At one time, Norel networks and Word Perfect were office standards. They were eclipsed in the market. Some day Microsoft may be eclipsed, but it should be without your help. We are farther along in standardized computing and electronic communication than without a Microsoft.

I would also say that the recent AOL case is clearly an effort to use the courts where competition failed. Netscape was on the slide when AOL acquired them. The product was eclipsed in capability and performance. The lawsuit is again a way to use you to burden Microsoft while AOL themselves hold the dominant position in Cable, Online customers, instant messaging, etc. It's like the pot calling the kettle black. Toss it out and let the markets move on!

Best regards,

Murray B. Parker  
808 826-6382  
mbp@gte.net  
fax 815 371 1915

#### MTC-00022827

From: Conan Heisel  
To: Microsoft ATR

Date: 1/24/02 4:36pm  
Subject: Microsoft Settlement  
To whom it may concern,

Although I am painfully aware of the difficulty in arriving at the current Microsoft Settlement, I am not pleased with it. I believe that instead of halting Microsoft's unfair business practices, this settlement will force them to discover other methods. Rather than this little "slap on the wrist," there needs to be something more serious and lasting, not something that can be side-stepped with relative ease.

Sincerely,  
Conan Heiselt  
Systems Engineer,  
Eastman Kodak, Health Imaging Division  
Fremont, CA

**MTC-00022828**

From: Grehan, Yvonne  
To: "microsoft.atr(a)usdoj.gov."  
Date: 1/24/02 4:36pm  
Subject: Microsot settlement

Please forge on with settling the above case. We, the American public, need all the help we can get to stimulate our economy and I believe this would be a GIANT step forward. AOL's timing implies nothing more than self-serving advantage.

Yvonne

**MTC-00022829**

From: Carol Shelton  
To: Microsoft ATR  
Date: 1/24/02 4:37pm  
Subject: Microsoft Settlement

The case against Microsoft may have had a basis in law in the beginning. However, the case has dragged on so long and the whole computer industry has changed so much in the intervening time that any continuation of the suit or of penalties to be paid to other than computer users is ridiculous. Stop this witch hunt and tell the states and government to look elsewhere for money to spend.

Carol M. Shelton

**MTC-00022830**

From: kdw19390@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:34pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kathleen Werner

101 Duck Woods Drive  
Southern Shores  
Kitty Hawk, NC 27949-3605

**MTC-00022831**

From: Safetyware.com  
To: Microsoft ATR  
Date: 1/24/02 4:37pm  
Subject: For Microsoft  
Hello

Other software companies like Oracle and AOL can't compete in the marketplace, so they have to stoop to legal attacks. Before we had Microsoft Windows, the computer industry was a mess with dozens of non-compatible software operating systems. Don't take us back to those dark ages. Please... rule against the bad businessmen at Oracle, AOL and other such companies and save Microsoft.

Thank you,  
Don Hughes  
dh@safetyware.com

**MTC-00022832**

From: Travis Lynch  
To: Microsoft ATR  
Date: 1/24/02 4:38pm  
Subject: Microsoft Settlement

My small technology consulting business is hobbled by the many anticompetitive practices that are clearly evident in Microsoft's business model. I do not believe that the PFJ adequately addresses the unfair licensing restrictions (imposed on both myself and my clients) that prevent me from providing my clients with simple and elegant non-Microsoft solutions. This leaves me (in many cases) with no choice but to develop using inferior Microsoft proprietary technologies that are more expensive to both me and my clients. I believe that the vagaries of the proposed settlement provide a license for Microsoft to continue with business-as-usual. These business practices amount to "Unacceptable Barriers To Entry" for my company and many others in what is probably the most important growing market segment in the world.

Travis Lynch  
Chief Technical Architect  
Pluggable Systems, Inc.  
<http://www.pluggable.com>  
(301)860-1261

**MTC-00022833**

From: Sharon K Miller  
To: Microsoft ATR  
Date: 1/24/02 4:37pm  
Subject: MICROSOFT SETTLEMENT

**MTC-00022834**

From: Vikram Chiruvolu  
To: Microsoft ATR  
Date: 1/24/02 4:39pm  
Subject: Cogent argument for Microsoft's break-up

As a software entrepreneur, I must advocate the dissolution of MicroSoft into three separate entities:  
—the operating systems company which is tightly monitored and regulated for compliance with anti-trust measures  
—the productivity/entertainment software company which is more loosely monitored to ensure no anti-competitive alliances are

created between it and the Operating Systems company  
—the media company which is monitored as any other is by the FTC/FCC  
By way of arguing my case:

Suppose a firm, MicroEngine Corp, had a 90%+ market share, a monopoly, on automobile engines. Suppose the US government has come to terms with MicroEngines that it shall not engage in anti-competitive behavior and is operating under a "consent decree". Now suppose you were an entrepreneur who devised an inexpensive gadget and service, called a TuneUpNet. The gadget is designed to easily be added under the hood of any car with a MicroEngine, based upon their published engine specifications. The gadget would allow the details of engine performance to be transmitted via satellite to the service, which would inform you via email when your car needed an oil change or tuneup. No market currently exists for such a product because you are the first to devise it; it is clear that the cost of not getting oil changes and tuneups costs consumers so much in destroyed engines each year that there will certainly be a strong market for it. Supposing it is such a strong value proposition that you are able to raise the small amount of investment capital required to market it, and you bring it to market. You get rave preview writeups from all the trade magazines.

Now suppose in the same week that you release your product to the open market, that MicroEngine Corp. contacts you with a proposal to buy your company. It is clear the alternative, should you not accept is that they will announce they intend to compete with you directly. Because they need only announce such a change to their product, they win the market with no actual investment into product research and development on their part. Further, they claim that network monitoring technology is an "integral part" of the engine of the future, and therefore is within their market; the claim seems quite reasonable to judges who have no special expertise in the engine market, and any civil lawsuit on the matter would take a decade to resolve. The judgement, de facto, is that unless you sell out to MicroEngine Corp, you go out of business.

Now imagine you are a competitor to MicroEngines, called GoodMachines, and you command 3% of the automotive engine market. Shortly after being approached by MicroEngine Corp, the head of TuneUpNet approaches you and suggests a deal to integrate his technology into your engines. However, it will require a great deal of custom technology research and development costs to make the product work with your product's published specifications nicely. It is unclear to you how much this will distinguish your product in the market; but it is clear that, if you don't do it, MicroEngine Corp will have a clear advantage. As you are a startup competitor to MicroEngine Corp, you do not have ample capital to finance development of this innovation, nor do you have the power to prevent it from gaining market share on its own. You go ahead with the deal at some significant risk and put a good deal of capital

into financing a partnership with TuneUpNet that would work with your engines.

Three months later, MicroEngine Corp issues a press release stating the next year's version of their product line will have its own network reporting system built in, functionally identical to TuneUpNet. Three months after that, investors pull out of TuneUpNet, its market is sapped by the MicroEngines announcement. TuneUpNet can no longer continue in its partnership, and the integration work is left half completed, and you, take a significant loss. Neither GoodMachines or MicroEngines next years product line have the features of TuneUpNet integrated into it, TuneUpNet is forced out of business, and GoodMachines capital strength has been sorely hurt and cannot compete well at all.

This analogy is all you really need to understand the core of what ought to be done about the Microsoft case. The scenario I've described has played out so many times in so many ways with MicroSoft using its operating system monopoly to crush what they view as "competitive" desktop productivity, entertainment, and network services. If senior management at Microsoft under its current corporate structure are to do their job effectively, they must use their clout in this way—their job is after all to maximize shareholder value. The only way to structurally detach Microsofts operating systems dominance from any incentive or even ability to drown out competition in the market for productivity and entertainment software, is for its operating systems unit to become a separate, tightly regulated company.

Further, note that Microsoft has already succeeded in extending their monopoly to PC productivity software market (word processors, spreadsheets, email readers, web browsers). They have already been successful with Microsoft Office in effectively defeating Lotus 1–2–3, Wordperfect, and Netscapes Navigator and Messenger products along the way. Just as there has simply no competition against Microsoft's ability to use their established market in desktop operating systems to dominate the way the desktop PC software market evolves, there is now no competition for Microsoft to leverage its dominance in the PC productivity/entertainment software market into the emerging market for network services and other media-company type offerings. This is why the Productivity/Entertainment software business must also be spun out as a separate unit from its media businesses, which should form the remainder of the company.

To close with a word of encouragement: government, we the people, must maximize the broader social values at stake—innovation, entrepreneurship, and fair competition. Legal structures exist to embody and enforce our highest values, not obfuscate and evade them. The protectors of such a system, the judges, must have the courage to act decisively when circumstances arise in which the veil of corporate secrecy and the power of corporate interests are in direct and ongoing conflict with our most fundamental ideas about the purpose of a corporation in human society and affairs to promote the general welfare through the innovation and

competition inherent in the free enterprise system. Do not shrink from doing the right thing here—America will be better off for it.

Thanks for reading,  
Vikram Chiruvolu  
6 Villa Place  
Eatontown, NJ 07724

**MTC-00022835**

From: Robert Weiler  
To: Microsoft ATR  
Date: 1/24/02 4:37pm  
Subject: Microsoft Settlement

Robert Weiler  
Perfectsense Software  
536 Marin Ave  
Mill Valley, CA 94941  
January 23, 2002  
Microsoft Tunney Acts comments  
US Department of Justice  
Dear Sir or Madam,

I am writing to express my opposition to the proposed final settlement of the Microsoft antitrust case. I have been a software developer for over 20 years and I am currently an executive of a start up corporation and have extensive experience with Microsoft's products as well as those of Microsoft's competitors. In addition, I have followed the trial very closely and have read the relevant documents. I would like to remind the court that the Microsoft has committed extraordinary public relations resources in an effort to influence public opinion, and ultimately, the court. Thus, it is likely that the overwhelming majority of pro-settlement comments were bought and paid for by the criminal. I trust that the court will take this into account and treat those comments accordingly.

Microsoft corporation has committed a serious federal crime. They received a fair trial, and the decision was unanimously upheld by a Court of Appeals. Microsoft has been repeatedly warned for past violations of the law and indeed the entire reason that this case is presently before the court is that Microsoft is unwilling to change their business practices to conform to the law. Microsoft is understandably reluctant to abandon those business practices as they are extremely effective and have allowed Microsoft to illegally eliminate competition and subsequently raise prices. Consequently, Microsoft has been able to make and retain extraordinary profits even despite the current recession. The Proposed Final Judgment is flawed for the following reasons:

1) It will do nothing to restore competition. Microsoft corporation has effectively eliminated competition on the desktop due to illegal practices. Apple computer holds less than 5% of the desktop market. OS/2, as a direct result of Microsoft's violation of the law, holds almost nothing, and Linux, the only likely future competitor, has perhaps 1%. Since Bill Gates, a founder and CEO of Microsoft, publicly derided the quality of past releases of Microsoft Operating Systems products at the Windows XP launch, and has recently derided the security of all Microsoft products, it is fair to say that Microsoft's success has not been due to having a superior product.

Instead, their success is due to illegal licensing terms and the application barrier to

entry. The Proposed Final Judgment allows Microsoft to continue discriminatory licensing practices and to continue to maintain the application barrier to entry. In addition, the language contains so many loop holes as to be unenforceable.

I propose the following language for section IIIb: "Microsoft shall offer their all of their products to all customers at the same price. Microsoft may set a lower limit on the number of copies that are purchased directly from the corporation, but may not set any terms for distributors that buy a large number of copies and redistribute them in smaller volume."

For section IIIC, I would propose the following wording: "Microsoft shall impose no additional terms on its OEM's or distributors regarding subsequent resale of Microsoft products." Section IIID appears to attempt to reduce the application barrier to entry, but does not do so in any way that is effective. In addition, it contains serious loopholes that would not allow developers to develop for any platform other than Windows, nor does it take into account Microsoft's other monopoly in desktop productivity software. For section IIID, I would propose the following wording:

"Upon release of any Microsoft software product, Microsoft will provide complete documentation of any protocols, file formats, and APIs. In addition, Microsoft will license any intellectual property required to implement such protocols, file formats, and API's under a royalty free and non discriminatory basis to any interested party." In addition, section III.J.2 must be dropped in its entirety. The only logical reason for this provision is for Microsoft to prevent competition from GNU Public License software, which Microsoft views as its primary competitor. Microsoft should not be able to select its desired competitors.

2) It imposes no penalty on Microsoft for past violation of the law. As a direct result of illegal business practices, Microsoft has amassed a cash pile of over 35 billion dollars. Some of that money belongs to the taxpayers due to the expense of the trial. In addition, Microsoft should pay some sort of fine for past violation of the law.

3) It fails to recognize that Microsoft poses two monopolies; one in desktop operating systems and another in office productivity software.

I addressed this in my previous comments, but it bears repeating. The proposed final judgment deal only with Microsoft's operating system monopoly. In addition, Microsoft possesses a monopoly in desktop productivity software. To a large extent, this monopoly was also illegally obtained by bundling Microsoft office with the operating system at greatly reduced cost, and using the operating system profits to offset the loss. Once the competitors were eliminated, Microsoft raised prices. Microsoft currently views the Linux operating system as it's biggest competitive threat. The largest factor preventing Linux from competing on the desktop is the lack of a 100% compatible office suite. Microsoft must publish and license their Office protocols and file formats on a non discriminatory royalty free basis. In addition, Microsoft must not be allowed to

use Office licensing fees as a club to prevent operating system competition.

4) It contains no effective provisions for enforcing the judgment. The technical committee proposed would have no actual power to enforce the agreement. In addition, the committee members would have a clear conflict of interest since one of the members is chosen by Microsoft and they would be paid by Microsoft. Any violation found by the committee would still need to be brought to court before a remedy could be imposed. I would propose the following:

“The Plaintiffs will appoint a special master with the power to enforce this judgment. Microsoft shall have the right to appeal decisions of the special master at their expense. The special master and staff will be employed and paid by the Department of Justice. Microsoft will reimburse the Department of Justice for reasonable expenses incurred by the special master and staff incurred in the performance of their duties.”

5) The term of the agreement is too limited. I would like to point out that the term of the agreement is not tied to any goals. The agreement should remain in effect until there is effective competition in desktop operating system and office productivity software markets. Microsoft can hardly complain about this as if the remedy is ineffective, it hardly matters. If it is effective, it will only serve to undo the effects of past illegal conduct and this should be the goal.

Robert Weiler

**MTC-00022836**

From: senatorjenkins@netscape.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:37pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
bill jenkins  
1610 dalary pt  
crystalriver, FL 34429

**MTC-00022839**

From: ex—marine@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:38pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ted Greig  
9124 Crebs AV  
Northridge, CA 91324

**MTC-00022844**

From: Billin@dzn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:39pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bill Woodward  
3829 Skyline Ave.  
El Paso, TX 79904-1142

**MTC-00022845**

From: baron1927@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:40pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
frank frank  
335 reserve st  
boonton, NJ 07005

**MTC-00022865**

From: Scott Fenton  
To: Microsoft ATR  
Date: 1/24/02 4:40pm  
Subject: Microsoft Settlement

Dear Sir/Madam:

If you have any idea how grossly inadequate the penalties levied at Microsoft's abuse of the anti-trust statutes are, you would feel compelled to make every effort to increase the severity of settlement. As the president of a California-headquartered investment company, Lodestar Capital Group, Inc., I am an otherwise disinterested party in the settlement. I can say, though, that for the six years our corporation has been in business, we have had to struggle with the enormous drag on productivity that Microsoft's stranglehold on the marketplace for computer operating-system [O/S], as well as for application-software. We have never been able to buy a computer without their operating system, even though half the machines in the house run under Unix or Linux, because they have forced vendors to only offer their operating system through selective contracts. We are then forced to throw out the software and manuals that we have just paid for, before installing the other operating systems such that we can continue our business. This is, in essence, a Bill Gates Tax.

But the lingering effects go further. Because we are forced to buy an O/S that we do not want or use—because of Microsoft's monopolistic abuses—we also invalidate part of our warranty and our technical help contract for the hardware we buy. It's one of several examples of this kind of insidious malignancy that the current settlement inadequately addresses.

Microsoft's products are poor and unreliable, but we in the business community are forced to buy them because of the illegal muscle they have applied to marketplace. We all end up paying a price for the substantial loss in productivity and increase in cost from this inefficiency. I am more than happy to give any further testimony or evidence to strengthen the penalties against this monopolistic corporation.

Scott Fenton  
President & CEO  
Lodestar Capital Group, Inc.

**MTC-00022866**

From: Robert E Finnegan  
To: Microsoft ATR  
Date: 1/24/02 4:36pm  
Subject: Public opinion

Dear Sirs,

I must say that my faith in the US justice system was shaken by the wishy washy



treatment finally afforded the prime example of a monopoly of the last century! The message seems to be that "all animals are created equal, some more equal than others"—that is, that if your pockets are deep enough, you're above the law. A sad day for America.

Robert Finnegan

**MTC-00022867**

From: David Finkbeiner  
To: Microsoft ATR  
Date: 1/24/02 4:44pm  
Subject: Microsoft Settlement

I would like to voice my dissatisfaction with the proposed settlement with Microsoft. It does not enforce any limitations on its bundling practices. With their next big strategy to take over the home electronics market (digital entertainment systems, etc.) it's vitally important that Microsoft not be allowed to continue its very effective bundling strategy. They must at least be split into an Operating system company and an applications company—that would really level the playing field.

Sincerely,

David Finkbeiner, a US Citizen  
David Finkbeiner  
10129 Oakwood Chase Ct.  
Oakton, VA 22124  
703-319-2099

David Finkbeiner email:  
David\_Finkbeiner@yahoo.com

**MTC-00022868**

From: mtodd02@attglobal.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:41pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Todd  
1303 Carolina Ct  
The Villages, FL 32162

**MTC-00022869**

From: paul poirier  
To: Microsoft ATR  
Date: 1/24/02 4:44pm  
Subject: Microsoft Settlement

On behalf of all internet users, I urge you to settle the case with Microsoft ASAP. Mediate the amount of software and hardware Microsoft must give to schools and other non-profit organizations to satisfy the

courts. Netscape/AOL are cry babies. They should spend there time and money developing a competitive product instead of try to make a profit in court at others expense. Netscape was never a good product that could have competed with Internet Explorer.

DoJ should consider Anti-Trust action against AOL/Time Warner for their monopolistic approach to internet access and music and entertainment.

**MTC-00022870**

From: M Land  
To: Microsoft ATR  
Date: 1/24/02 4:38pm  
Subject: Microsoft Settlement

"Surgeons must be very careful  
When they take the knife!  
Underneath their fine incisions  
Stirs the culprit,—Life!"  
Emily Dickinson wrote that.

Or, more bluntly, Robert X. Cringley wrote in a recent article for PBS.org [1]: "If this deal goes through as it is written, Microsoft will emerge from the case not just unscathed, but stronger than before." In this sense, it is not Microsoft who will die over a matter of a slip of the knife, so to speak, but everyone who chooses to offer serious alternatives to anything Microsoft develops and releases. Easily implementable MPEG (a type of audio and video format) decoding standards for DVD video and audio could be trampled to death if Microsoft is easily and freely able to push its more proprietary formats on the DVD industry [2]. For example, owners of non-Windows laptops with DVD players could be seriously affected in the long term. (What if I can't play some DVD I want because there's some obscure incompatibility in my DVD player? This is just one important question that can be posed.)

What may be the worst issue of all is demonstrated by visiting the following URL:  
<<http://www.microsoft.com/library/shared/deeptree/bot/bot.asp?xmlsrc=/technet/library/1033/toc/tnlib/tnlib6586.xml>>

What you're looking at is a list of just some of the major, KNOWN security issues with Microsoft's software. You'll notice I pulled this link from Microsoft.com itself. The dominance of Windows in the United States is becoming a national security threat [3], and will inevitably become worse as they're left more loopholes in court rulings and established case law. Their seedier actions are rooted in the loose and often downright retarded language in legal precedents, and if they aren't provided with precedents that are solid and thought-out, they will, as Mr Cringley wrote, continue to undermine the intent of courts in which they argue and rulings to which they're told to adhere.

I would have little problem continuing on and on, but I am aware of the almost uncountable amount of communication you must be receiving on this subject, and understand that an extremely long-winded, rambling rant would not be in the best interests of anyone but those about whom I seek to write.

Best regards,  
Matthew J. Land

4000 British Woods Dr.  
Hopewell, VA 23860

[1] The article referenced and quoted can be found at: <<http://www.pbs.org/cringely/pulpit/pulpit20011206.html>>.

[2] An article <<http://slashdot.org/article.pl?sid=01/12/12/1357232&mode=thread>> at Slashdot.org is a good example of what is being referenced here. The pushing of Microsoft's software in such areas could be very bad for the consumer electronics industry if left free to roam unattended. Subsequently, a search on Slashdot.org for the text "Microsoft" will yield a mountain of articles that discuss similar issues.

[3] An article <<https://www.latimes.com/business/la-000003463jan14.story?coll=la-headlines-business-manual>> published by The LA Times discusses an FBI warning—and even notes the inquiry of Rep Rick Boucher—regarding security holes in Microsoft software such as the wildly publicized Windows XP operating system. This is bad, regardless of what Microsoft's publicity team will have you believe about their future intentions regarding security issues with Windows and related Microsoft products.

**MTC-00022871**

From: eds999@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:42pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Edward Schultski  
43 Craig Dr  
Apt 3R  
West Springfield, MA 01089-4717

**MTC-00022872**

From: ngm81@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nelson Madrilejo  
820 34th St.  
Bakersfield, CA 93301-2268

**MTC-00022873**

From: zmog@chartertn.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
zan GREGORY 1041 amersham  
kingsport, TN 37660-5092

**MTC-00022874**

From: jim@midearth.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:48pm  
Subject: Microsoft Settlement

I would like to add my opinion about the Microsoft Settlement. This settlement is not in the interests of the people, the proposed settlement does not do nearly enough to encourage competition. The proposed settlement has too many loopholes which allow MS to continue its behavior. I would like to thank you for your time.

Derek Harkness

**MTC-00022875**

From: Dave Sweeney  
To: Microsoft ATR  
Date: 1/24/02 4:50pm  
Subject: Microsoft Settlement

How can you possibly think this is a settlement? When Ma Bell was deemed to have a monopoly on the phone system, was the answer to give more phones to schools so they could use Ma bells service more? It is like dealing with the petroleum monopoly by having them give out more cars.

Who was hurt by Microsoft's action? In my opinion it would be their competitors and the users of competitors products. One example is this: Many years ago there was a Database product called FoxPro, it only ran on the Mac, and it was a very good database. Microsoft bought it, combined it with their product Access, and then discontinued its support for the Mac. Who did it hurt 1) all Mac users, 2) Apple, 3) Everyone, like me who wrote products using FoxPro for the Mac.

If your goal is to help schools, great, why don't you have Microsoft buy 1,000,000,000 worth of Apple hardware and give it to schools. Plus prohibit Microsoft from buying any corporations that create software products. Just for the record, I have both Macs and PCs at home, and the company I work for develops software for windows platforms.

Thanks  
Dave Sweeney  
IT Manager  
Intrinsiq Data  
800-565-2279x115

**MTC-00022876**

From: pwill1466@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Patricia Williams  
917 Union Street  
Birdsboro, PA 19508

**MTC-00022878**

From: Jonas Callewaert  
To: Microsoft ATR  
Date: 1/24/02 4:54pm  
Subject: Microsoft Settlement  
hello.

I don't like the settlement proposed between MS and DOJ. I think it does not help consumers or companies who have been hurt.

I like what the 9 states are saying about a striped down version of windows with no frills. Windows runs much better when all the extra stuff is removed. when ever I set up my computer I remove IE with a nifty program called 98lite. it makes the computer much more stable and faster. because the IE

integration is removed, as a consumer I wish not to be pushed software from MS onto my desktop. I would like to choose what I want, and have a clean OS nothing but an OS, then choose my software.

thank you for you time.

Jonas

**MTC-00022879**

From: Matt Krabbenhoft  
To: "Microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 4:49pm  
Subject: Microsoft Settlement

To whom it may concern:

As a Microsoft customer and computer user, I am not satisfied with the Proposed Settlement currently under consideration in this matter. The following item is specifically lacking.

SECTION III.D. states:

Microsoft shall disclose to ISVs, IHVs, IAPs, ICPs, and OEMs, for the sole purpose of interoperating with a Windows Operating System Product, via the Microsoft Developer Network ("MSDN") or similar mechanisms, the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product. In the case of a new major version of Microsoft Middleware, the disclosures required by this Section III.D shall occur no later than the last major beta test release of that Microsoft Middleware. In the case of a new version of a Windows Operating System Product, the obligations imposed by this Section III.D shall occur in a Timely Manner.

This is not acceptable in terms of competition. Disclosure of the necessary APIs to developers of Non-Microsoft Middleware must be made well prior to any beta version of that software. By the time the Microsoft Middleware reaches its last major beta version, it is considered ready for release. If the Microsoft OS APIs are not available to competing products prior to the last major beta release, Microsoft enjoys a generous, government-sponsored lead in getting their product to market before their competitors. These APIs must be released to competitors sooner. The last major alpha release would be more sensible.

In addition, the term "in a Timely Manner" in regards to the disclosure of APIs of new Operating System Products is too broad a term and is open to interpretation. Microsoft may argue that a "Timely Manner" means "following the release of Service Pack 1" of the new Operating System which could take place as much as 6 months following the new software's initial release. Should there ever be a viable alternative to the Microsoft Operating System, this clause, would give Microsoft at least 6 months more time in the market than their competitors. This reduces a competitor's ability to provide a competitive product and leaves me as a consumer with little option but to purchase a Microsoft product.

Overall, this judgement gives the impression that it addresses the anti-trust violations for which Microsoft has been indicted. However, it does not address the current state of the software market which has been and continues to be heavily influenced by Microsoft's actions. In

addition, I do not see that I as a consumer am protected as much as I should be. Specifically, with no viable alternative to the Microsoft Operating System when using less expensive x86 compatible hardware, I am forced (for reasons of compatibility) to use and therefore purchase Microsoft software. It costs me less to purchase that computer equipment, so that is what I buy. To use that computer equipment, I must use an Operating System. Because of the greater availability of third-party software for the Microsoft Windows operating system, I am guaranteed that I can share files with friends, family, and business associates if I chose the Microsoft product over Linux. This is especially so since Microsoft Office (which holds a monopoly in the business productivity sector) is not available on the Linux OS, and there are no FULLY compatible alternatives available.

If I don't want to use Microsoft software on my less expensive x86 compatible hardware and still do business with those who do want to use it, I need a viable alternative which is fully compatible with Microsoft software. To get that kind of compatibility from a currently competing product, I must either pay a premium (to replace my hardware and ALL of my software) to use Apple software, or I must make operational and compatibility sacrifices which may affect my ability to effectively do business and use a Linux OS with software applications which are not fully compatible with Microsoft products because Microsoft will not disclose the necessary APIs. Thus, as a consumer, I am monetarily penalized unless I opt for Microsoft software when using less expensive computer equipment.

Restraining Microsoft from penalizing competitors isn't enough protection for the American consumer. Microsoft illegally forced its way into other markets because it has no competition in its own. In this instance, stimulating increased competition in the x86 Operating System market would better benefit consumers and competing producers of Middleware. It would improve the availability of alternatives and the quality and security of Operating Systems and Middleware products available on the open market. I want to be able run Microsoft Word or Microsoft Internet Explorer on a Linux OS computer without having to own a copy of Microsoft Windows too. In its current form, this agreement doesn't grant me that option. It addresses the past violations, but does not address the harm it has done to the current software market.

Sincerely,  
Matt Krabbenhoff  
6605 Hillside Terrace Drive  
Austin, TX 78749

**MTC-00022880**

From: rwgti  
To: Microsoft ATR  
Date: 1/24/02 7:53pm  
Subject: microsoft settlement  
enough already, get off Microsoft's back and end this mess. Microsoft is a great American company that we should be proud of, not demonize.  
thanks,  
Roger Wills

Glendale, WI

**MTC-00022881**

From: rkerkering@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:46pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Susan Kerkering  
92701 SW 138th Ave.  
Tigard, OR 97223

**MTC-00022882**

From: RFC-822=Joel.Schneider@  
effectivetechnicservices.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:37pm  
Subject: Microsoft Settlement

Joel Schneider  
8941 Kell Avenue South  
Bloomington, Minnesota 55437  
January 24, 2002  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

To whom it may concern:

As a software developer with over 10 years of experience, I would like to comment on the United States v. Microsoft Corporation Revised Proposed Final Judgement (PFJ), published in the Federal Register on November 28, 2001.

My reading of the PFJ has lead me to an opinion that it will not adequately curtail Microsoft's exclusionary, anticompetitive, and predatory practices, and therefore does not serve the public interest. This comment describes a number of my concerns.

One concern I have about the PFJ is its expiration date. This supposed remedy is set to expire five years from the date it is entered by the Court, with a potential one-time extension of up to two years.

Considering the fact that Microsoft has already been able to successfully circumvent judgements for Sherman Act infractions dating back to 1994, it seems unwise to limit the PFJ to a maximum term of seven years.

Section VI.N, the definition for "Non-Microsoft Middleware Product", includes a requirement that "at least one million copies

were distributed in the United States within the previous calendar year."

This is a ridiculous requirement, as it requires any Non-Microsoft Middleware Product to first struggle against and overcome Microsoft's monopoly power and the applications barrier to entry for at least one year before becoming eligible for protection as middleware under the PFJ. This numerical constraint should be eliminated.

Section III.C.1 grants Microsoft authority to restrict an OEM from displaying icons, shortcuts, etc. Granting this authority to Microsoft limits the ability of OEMs to compete through customization of their products. This section also does not clearly address middleware for which there is no Microsoft equivalent. Microsoft's authority to restrict the ability of OEMs to customize their systems should be eliminated.

Likewise, section III.C.2 prohibits OEMs from altering the user interface. This infringes on the ability of OEMs to compete by modifying the user interface. Microsoft's authority to stop OEMs from modifying the user interface should be eliminated.

Section III.C.3 requires Non-Microsoft Middleware to display a user interface similar to the corresponding Microsoft Middleware Product. This limits the ability of middleware producers to compete through user interface innovation. Microsoft's authority to control the user interfaces offered by competing middleware should be eliminated.

Section III.C.4 requires that a non-Microsoft boot-loader be used when launching other Operating Systems. OEMs should not be restricted to using a non-Microsoft boot-loader for this purpose, and should be free to use any boot-loader, including a Microsoft boot-loader.

Section III.C.5 requires that the OEM comply with technical specifications established by Microsoft when presenting an IAP offer in the initial boot sequence. This limits the ability of IAPs to compete against Microsoft's IAP (MSN.com) and aids Microsoft in its efforts to extend its monopoly into the IAP business. Microsoft's authority to control competing IAP offers should be eliminated.

Section III.H.1 grants Microsoft authority to restrict users and OEMs from displaying icons, shortcuts, etc. Granting this authority to Microsoft limits the ability of users and OEMs to compete by customizing their systems. This section also does not clearly address middleware for which there is no Microsoft equivalent. Microsoft's authority to restrict the ability of users and OEMs to customize their systems should be eliminated.

Section III.H.2 grants Microsoft control over the way in which Non-Microsoft Middleware Products are presented to the user. This grants favored status to Microsoft Middleware Products and thereby impairs the ability of Non-Microsoft Middleware Products to compete. Microsoft's authority to control the way in which Non-Microsoft Middleware Products are presented to the user should be eliminated.

Section III.H also grants Microsoft the authority to impose technical requirements, such as the ability to host a particular

ActiveX control, upon Non-Microsoft Middleware Products. However, Netscape 4.x, for instance, does not host ActiveX controls, in part due to the security risks they present. This authority should be eliminated.

Section III.J enables Microsoft to withhold documentation for some of its APIs and communication protocols based on the pretense of protecting the security of specific installations. It also enables Microsoft to impose limitations on the audience to whom such API documentation is made available.

However, there is a general consensus among computer security experts that the withholding of such documentation (a.k.a. security by obscurity) does not establish true computer security. Microsoft should not be allowed to withhold documentation for its APIs and communication protocols based on this pretense.

The PFJ also omits an important consideration. Much of the present and future competition to Microsoft comes from non-commercial Open Source and freeware software products such as Linux, Apache, Sendmail, Samba, and Wine. In January 2001, Microsoft president and CEO Steve Ballmer identified the Linux phenomenon as "threat number one." Apache and Sendmail are established mainstays of the internet. Samba and Wine enable non-Microsoft systems such as Linux to interoperate with (monopolistically entrenched) Microsoft systems. It is reasonable to expect that these and other Open Source and freeware software products are potential targets of Microsoft. Under the existing PFJ, Open Source and freeware software products receive very little consideration, as important portions of the PFJ apply only to companies that meet Microsoft's criteria as a business (see Section III.J.2). The PFJ should be revised to offer specific protection to Open Source and freeware software products.

The above briefly outlines several of my concerns regarding the PFJ. It is possible, even likely, that the PFJ contains additional significant flaws not mentioned here. I am of the opinion that the existing PFJ would completely fail to accomplish its stated purpose of providing "a prompt, certain, and effective remedy for consumers by imposing injunctive relief to halt continuance and prevent recurrence of the violations of the Sherman Act by Microsoft." The PFJ is in need of extensive rework and should not be accepted in its present form.

In addition to this comment, I have endorsed an open letter to the DOJ, written by Dan Kegel (of Los Angeles, California) and others. The open letter contains an analysis of deficiencies in the proposed Microsoft Settlement, along with suggestions for addressing those deficiencies. At the time of this writing, the open letter is visible on the internet at <http://www.kegel.com/remedy/letter.html>.

I hope the United States Department of Justice will take these comments into consideration and withdraw its consent from the PFJ. Failing that, I hope these comments will help the Court to reach a conclusion that entry of this PFJ does not serve the public interest.

Sincerely,  
Joel Schneider

#### MTC-00022883

From: Eugene J Rohrer  
To: Microsoft ATR  
Date: 1/24/02 4:50pm  
Subject: Microsoft Settlement  
To Whom It May Concern,

I want to submit my comments in support of the settlement the Department of Justice's settlement with Microsoft, as part of the Tunney Review phase of the settlement.

As a somewhat dispassionate observer, I'm amazed how the courts and the political process have been used by weaker competitors to literally punish success. I use Microsoft products (operating system and the word processing and spreadsheet programs), as does most of the working world, because they are better products, not because I felt it pushed upon me by a ruthless monopolist, and had absolutely no difficulty whatsoever choosing to use the Netscape browser over the Explorer browser. I also use the RealNetworks audio player instead of the Microsoft product. The notion that someone couldn't choose to use someone else's product because it was bundled with the operating system treats us all like 2nd graders. It's a flimsy argument that insults the intelligence.

Please, end the uncertainty. We don't need any more in the economy. Settle the case, and let the company with the best products win, not those with the loudest lawyers, or those with the most money to donate to some aspiring state attorney general. End the uncertainty. Approve the settlement.

Thank you.  
Gene Rohrer  
Eugene J. Rohrer  
mailto:rohreg@hargray.com  
843.524.9010 office  
917.887.1597 cellular  
801.749.3362 eFax

#### MTC-00022884

From: chuckbeatie  
To: Microsoft ATR  
Date: 1/24/02 4:51pm  
Subject: MICROSOFT SETTLEMENT  
Dear Sirs

It continues to be a disappointment for competitors of Microsoft to use the courts to compete instead of innovation and leadership in the field in which they are competing.

It is a real travesty to attempt to stifle Microsoft in order to have others compete.

Whatever happened to innovation to beat the competition instead of litigation to bring your competitors down to your level.

Should I be allowed to sue Microsoft just because I want to get into the browser business, when I don't do as good a job, or charge more for my service\* \* \*

This country was built on competition, innovation, and doing better than everyone else... let Microsoft get back to business, and quit punishing them for being the best of the best... Tell AOL to get on the ball and write better code at a better price, and Netscape will surpass Microsoft.

You know it, and so does everyone else!  
Sincerely,  
Chuck Beatie

#### MTC-00022885

From: Seth Wissner

To: Microsoft ATR  
Date: 1/24/02 5:16pm  
Subject: Microsoft Settlement

To whom it may concern, I believe the proposed settlement is not severe enough. Microsoft should be severely punished, not slapped on the wrist.

Regards.  
Seth Wissner

#### MTC-00022886

From: Charles I. Brown  
To: Microsoft ATR  
Date: 1/24/02 4:51pm  
Subject: Microsoft Settlement

We would like to add my feelings to the proposed settlement. We think it is a waste of the paper it is written upon. We can see no reason it will stop Microsoft from abusing their monopoly as they have done for the past years. Their abuses just seem to get worse with each new update of an operating system. They should have harsh penalties against them, not those currently proposed. Those currently proposed contain no real penalties or future oversight to keep them from abusing their monopoly. It seems the DOJ just folded after so successfully proving their case. Where did all the proposed penalties go? To the White house with all the campaign donations?

Charles I. and Angela F. Brown  
Randolph, NH 03570

#### MTC-00022887

From: Dan Warrensford  
To: Microsoft ATR  
Date: 1/24/02 4:52pm  
Subject: Microsoft Settlement  
40 Uranus Avenue  
Merritt Island, FL 32953  
January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

I am writing in order to give my opinion concerning the settlement that has been reached between the Department of Justice and Microsoft. While I feel that Microsoft is being asked to give up more than should be asked of them, I feel that whatever is necessary in order to bring about a resolution to this case should be done.

The settlement requires Microsoft to give over, to their competition, access to their software code and grant them intellectual property rights in order to further the ability of competing products to contend with Microsoft's products. Microsoft is not even allowed to retaliate when the completion uses these products to further their own.

This alone goes far beyond what would be expected of any other company. However, Microsoft is willing to do this because it very much wants to see this case over and done with. The average person does as well, and so I urge you to bring it to an end quickly.

Sincerely,  
Dan Warrensford

P.S. Microsoft's competitors should not be allowed to use government force to accomplish what those competitor's couldn't accomplish in the marketplace, to wit, come up with a better "mousetrap." If those alleged

competitors wish to play on a Fascistic field, there are several nations which will welcome their machinations; the U.S. shouldn't be one of those nations.

Microsoft has never forced anyone to use Internet Explorer. Every user of every machine has always been able to install and use other browsers of their choosing. As well, all Microsoft has done is provide a good product at a reasonable cost—as a Capitalist corporation in a Capitalist nation is supposed to do.

Indeed, the prosecutors and jurists who've made mini-careers of attacking Microsoft on behalf of Microsoft's competitors, or on behalf of kleptomaniacal state governors ought to have their motives questioned by the U.S. Department of Justice.

Regards, Dan Warrensford

**MTC-00022888**

From: Robert  
To: Microsoft ATR  
Date: 1/24/02 4:52pm  
Subject: Microsoft Settlement  
Sir or Madam,

I am writing to express my concern and opposition to the proposed settlement over the Microsoft Antitrust case. To my understanding, the courts have found it to be a fact that Microsoft, repeatedly and with malicious intent, utilized its OS monopoly to unfairly damage competitors and restrict innovation while simultaneously using it as a wedge to expand its own list of (often inferior) products into new arenas.

As a "punishment" for this, the settlement proposes (among other things) to allow Microsoft to —increase— its exposure in one of the few major niches in which MS is not yet the major presence—education hardware and software. The purpose for assisting a known malicious monopoly to expand that monopoly as a form of punishment escapes me.

Please do NOT settle on the provided basis. The proposed terms will, at best, do little or nothing to inhibit Microsoft and could, at worst, actually prove to enhance the MS market position.

Thank you for this opportunity to comment.

Robert Giffords

**MTC-00022889**

From: Jason Blackwell  
To: Microsoft ATR  
Date: 1/24/02 4:52pm  
Subject: Microsoft Settlement  
Sirs:

This e-mail is a response to a request for public comments by the court hearing the case U.S. v. Microsoft. After reviewing the Proposed Final Judgment (PFJ) there are many gaps that exist allowing Microsoft to continue with its unfair, restrictive, and threatening business practices. Microsoft's anti competitive measures coupled with their restrictive licensing terms ensures they remain the de facto Operating System for the Intel-compatible computing platform. Listed below are two reasons I must still use Microsoft products, some chilling thoughts, followed by comments on the PFJ remedies.

Given the choice, I would not use Microsoft Windows as an operating system at

all. However, I am forced to use MS Windows because as the de facto Operating System for home and business, and by virtue that MS Office is the widest used Office/Business solution, I often have to use Microsoft products to communicate with customers and business partners. Second, because the Windows operating system is on nearly every retail Original Equipment Manufacturers (OEM) Intel machine sold, users are forced to use some version of Windows. Microsoft's control over the OEM is stifling to say the least. Microsoft currently uses brutish tactics to force OEMs to sell their machines with a copy of Windows on it and nothing else, or the OEM faces retaliatory actions from Microsoft. This practice does not allow the introduction of alternate operating systems to the OEM customer base thereby ensuring Windows is the most widely distributed operating system.

I am equally disturbed by the recent actions Microsoft, specifically Microsoft Network (MSN), has taken to become the "Premiere" Internet Service Provider (ISP) of Qwest. Microsoft's terrifying vision of the ".NET" initiative is only further reached by this move. How better to ensure that their corporate vision as the single point of presence for entertainment, news, communication, and more important, ensuring their internet standards are widely accepted. The answer is simple, become the "default" ISP for one of the largest residential Digital Subscriber Line (DSL) providers in the United States. I fear that the garish tactics displayed by Microsoft in the past towards OEMs and Independent Software Vendors (ISVs) will be used on the competing ISPs.

Comments and proposed remedies:  
1) At no point does the PFJ obligate Microsoft to release specifications for current and future file formats be made available. Undocumented Microsoft file formats form part of the Applications Barrier to Entry.

By not allowing the specifications to be made public, any attempts by commercial or Open Source initiatives to make available a compatible program are hindered in doing so. I don't believe this is an Intellectual Property concern, more an effort to ensure there are no competing products made available to consumers. The file formats must be made available to ensure not only cross platform, but same platform operating system different programs can interoperate. Giving the consumer the ability to use what ever platform/Operating System they desire. The government must not allow the specifications be available to commercial entities only, but to all competing entities.

2) The PFJ prohibits certain behaviors by Microsoft towards OEMs. However, Section III.A.2. allows Microsoft to retaliate against any OEM shipping Personal Computers (PCs) containing a competing Operating System but no Microsoft operating system. This makes no sense to me. Currently Microsoft can retaliate against OEMs who put both Windows and an alternate Operating System on a PC, commonly known as dual booting or multi boot. There are currently no provisions in place to protect the OEM against these tactics. Provisions need to be in place that allow the OEM to install what ever

operating system they desire or the customer requests, on their products, whether it be Windows, an alternate Operating System, or a dual/multi boot environment. By not providing for the OEMs freedom and flexibility to do so, the PFJ allows Microsoft to continue the use of their current tactics to enforce their monopoly.

3) Microsoft uses license terms that prohibit the use of Windows-compatible competing operating systems the use of their products and discriminates against ISVs who ship Open Source applications. The End Users License Agreement (EULA) of many Microsoft products ties the hands of developers who intend to develop for Windows-compatible and competing operating systems. The restrictions imposed by EULA of the Microsoft Platform SDK make it illegal to run programs built with Visual C++ on Windows-compatible or competing operating systems. The Microsoft Windows Media Encoder 7.1 SDK EULA expressly prohibits the distribution of associated redistributable components in conjunction with any Publicly Available Software. This directly impacts competing middleware products that are to be made available to competing operating systems. Exclusionary behaviors allowed by the PFJ directly contribute to the Applications Barrier to Entry faced by any and all competing operating systems as well as ISV developed middleware.

Sincerely yours,  
Jason D. Blackwell

**MTC-00022890**

From: Roger Marquis  
To: Microsoft ATR  
Date: 1/24/02 4:52pm  
Subject: Microsoft Settlement  
Jan 24 2002

Renata B. Hesse  
Trial Attorney, Antitrust Division, Suite 1200

U.S. Department of Justice  
601 D Street NW  
Suite 1200

Washington, DC 20530-0001  
The DOJ's Proposed "Settlement" it is so full of holes as to be entirely ineffective in curbing MS' illegal business practices. I hope the transparency of this settlement is not lost upon the court. To accept the DOJ's proposal would:

A) keep this case in court for many, many years to come,

B) deny consumers the right to choose applications free from monopoly influence,

C) thwart the free-market competition needed to make software development profitable, and

C) deeply damage many American's belief in the US system of law. The DOJ's proposal would prove that laws apply only to those without the resources to litigate.

The only effective solution, the only solution that will restore a level playing field, not surprisingly the remedy previously entered, is splitting the company into two, OS and applications.

Until Microsoft is split, thereby forcing the OS division to publish ALL file formats, ALL communication protocols, and ALL APIs my business as many other's will continue to be

harmed. We will continue to waste time and money trying to correct intentional incompatibilities between MS and third party software, and our users will continue to be exposed to a completely unnecessary risk of viruses, trojans, and data loss. I urge the court to reject the DOJ's proposed remedy and restore Judge Jackson's order of June 7, 2000.

Sincerely,  
Roger Marquis  
CEO, Roble Systems  
P.O.Box 46  
Palo Alto, CA 94302  
(650) 323-2777  
(also sent via fax)

**MTC-00022891**

From: Greg Watson  
To: Microsoft ATR  
Date: 1/24/02 4:54pm

Subject: One computer professional's opinion—they are too powerful

I've been casually following this case since it started and in the process have almost completely changed my opinion of Microsoft and what the government should do about their monopoly. I've been a long-time user of Microsoft products at home and at work (I'm an Information Technology specialist for a medium sized software company). I generally find their software pretty good and my first reaction to the anti-trust case was to wonder why people picked on Microsoft so much. I figured that the other companies were sore losers that just couldn't compete.

After reading countless articles about their dirty tactics and having experiencing one too many incidents in which Microsoft's strong-arming has affected me and my ability to do my job, at this point I almost feel like no punishment would be too strong. A couple steps that seem entirely justified:

- 1) Split them up. Make Windows separate from Office and from developer tools.
- 2) Force them hand over office file formats to a standards body and severely fine them if they try to "embrace and extend" these standards as they have in the past.
- 3) Force them to stop developing web browsers. Just do something that will hurt them, force greater competition and allow more standards to be created and followed in the technology field. I strongly feel that Microsoft is just too powerful and if something isn't done, they will hurt far more than help the company I work for and other businesses in the U.S. Keep in mind that these comments are coming from someone who relies on and basically likes Windows and other products that Microsoft makes.

Thanks for your time.  
Sincerely,  
Greg Watson greg@thewatsons.info

**MTC-00022892**

From: Steven O'Toole  
To: Microsoft ATR  
Date: 1/24/02 4:53pm  
Subject: Microsoft Settlement

I think the proposed settlement is bad idea. I agree with: <http://www.kegel.com/remedy/letter.html>

Steven O'Toole  
21 Calavera  
Irvine, CA 92606

**MTC-00022893**

From: John Quigley  
To: Microsoft ATR  
Date: 1/24/02 4:52pm  
Subject: Microsoft Settlement

To Whom It May Concern,  
I am of the firm belief that the pending United States vs. Microsoft settlement is a profoundly bad course to take, and strongly advised both parties to return to the proverbial drawing boards—this, in order to cement a more restrictive penalty for Microsoft's unbearable anti-competitive maneuvers. Thank you for your time.

Sincerely,  
John Quigley  
Student, SUNY Maritime College  
74 North Street  
Greenwich, CT  
06830

**MTC-00022894**

From: scott.walker@autodesk.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:55pm  
Subject: Microsoft Settlement

To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

I would like my brief comments to be considered under the Tunney Act regarding the proposed Microsoft settlement.

The courts have already clearly established that Microsoft has used a monopoly power to unfair competitive advantage in the market during the last several years. Please do not let Microsoft's attorneys turn this settlement into a toothless, ineffective attempt at rectifying the situation. Rather, I hope that you will reconsider many of the points of the settlement to insure that actions are indeed in place to prevent Microsoft from further abuses of its monopoly power. As a computer professional with no financial ties to Microsoft's success or failure, I can truly say that from my perspective the industry would be better served by this result.

The issue with which I most take offense is the excessively narrow definition of many terms in the settlement. It seems that the existing definitions of Windows, Windows API, Middleware and many other such terms are so narrow that they would be easily sidestepped by attorneys at Microsoft in future revisions.

The trial is still under way and already Microsoft is pursuing it's next great attempt at strangling an area of the computer industry with it's invasive .NET architecture. It is bad enough that an end user who is uneducated already feels browbeaten into using Microsoft's Passport features in Windows XP, but when system administrators will be more and more frequently pressured into using Microsoft technologies on servers for other reasons they will have little other choice but to use Microsoft's middleware as well as their operating system because of Microsoft's practice of so tightly integrating their own ancillary technologies.

Please, earn your keep. Do your job. Don't make me embarrassed for my government.  
All the Best,

Scott Walker  
San Francisco, CA  
Scott "Chopper" Walker  
Consulting Network Engineer  
Autodesk BCS  
scott.walker@autodesk.com  
<mailto:scott.walker@autodesk.com>  
415.356.3259

**MTC-00022895**

From: Kerry Kartchner  
To: Microsoft ATR  
Date: 1/24/02 5:03pm  
Subject: Microsoft Settlement

The proposed settlement is a terrible idea. There is nothing to stop Microsoft from flagrantly violating the law again. They clearly have shown from past history that they have no respect for the law; but the settlement as proposed does not specify any significant enforcement mechanism. Furthermore, the settlement does not remedy Microsoft's attempts to restrict barrier to entry by means of their Windows Monopoly by the most direct route: Sections III.D and III.E prevent information released by Microsoft be used to create competing operating systems that can utilize a common API—competition IS the best means of eroding monopoly power. Forcing ISV's only to create products solely for Windows only extends Microsoft's monopoly power. If, as Microsoft claims, they are an innovative company they will surely produce the best operating system product and their software will be chosen—but if their product is not best, other products should be able to run programs written to Windows APIs.

Respectfully,  
Kerry Kartchner  
836 Doyle Rd  
San Jose CA 95129

**MTC-00022896**

From: Logan Hall  
To: Microsoft ATR  
Date: 1/24/02 4:57pm  
Subject: Microsoft Settlement

I would like to voice my views on the States v. Microsoft case. I believe that in the past few attempts to reach a settlement the DOJ has been very lax in pushing for a settlement that is acceptable to the states. Even though Microsoft has been found guilty of abusing its monopoly status, they seem to be in control of their own punishment! I think that the DOJ needs to regain its footing in the trial and push for a settlement that fits the goals of the states, along with providing sufficient punishment to Microsoft. To this end, I believe that Microsoft should not be broken up, but regulated in ways that would prevent it from unfairly crushing its competition. One idea for this would be to have a regulatory board set up that contains representatives from each state, or at least the states that comprise the plaintiff in this case. It is, however, not my position to suggest settlements in this matter; I only wish to show my support for the states case and for the regulation of the abusive monopoly that is Microsoft.

Thank you.  
Logan Hall  
ASU Information Technology CPCOM  
3N54

(480) 965-6070

**MTC-00022897**

From: hdaross@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:54pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Howard Ross

55 Co. Rt. 23

Harrisville, NY 13648-3225

**MTC-00022898**

From: Bill J.  
To: Microsoft ATR  
Date: 1/24/02 4:57pm  
Subject: Microsoft Settlement

Let's bring this settlement to a conclusion so Microsoft can concentrate on running the business and get out of the legal quagmire. If you're so concerned about saving the consumer money, why not look at the rounding up of minutes policy being practiced by the wireless phone industry.

**MTC-00022900**

From: tom@mainstreetcomp.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:03pm  
Subject: Microsoft Settlement

To whom it may concern,

I believe it is a prudent and reasonable conclusion on the Court's behalf to bring this case to a settlement with the agreement put together under the direction of Judge Kollar-Kotelly.

The case against Microsoft was primarily dredged up out of competitive spite. And now, many commentators, pundits, and others offering opinions have missed the bigger point. The technology industry is one built on competition, and it advances and evolves through that function. Government regulators, however, must move at the unhurried rate of political expedience, not at the eye-popping rate of development which the information technology industry moves.

Settling this case is most certainly in the public interest. We should bring innovation back to the marketplace and return the technology sector to its competitive spirit.

The economy is better off with Microsoft in the marketplace, and their place at the table in the technology sector generates jobs, opens markets, and brings investment. It only

makes sense to settle this case. I urge you to do just that.

Sincerely,

Thomas E. Bowles

**MTC-00022901**

From: TSurplusman@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:53pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Marilyn Phillips

807 E. Main St

Richmond, MO 64085

**MTC-00022902**

From: jlc@sdr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:58pm  
Subject: Microsoft Settlement

I am writing to vehemently object to the proposed settlement between the U.S. Department of Justice, et. al. v. Microsoft. My reasons for objecting to this proposed settlement strongly reflect those expressed by Matthew Szulik, CEO of Red Hat, Inc. in his testimony to Congress on December 12, 2001 (<http://www.redhat.com/opensource/now/speech2.html>) and those of Ganesh Prasad, as outlined in an open letter available at LinuxToday (<http://linuxtoday.com/news-story.php3?ltsn=2002-01-02-002-20-OP-MS>).

I object to this proposed settlement because:

1. It fails to deny Microsoft the fruits of its statutory violations, including the use of those gains to mount its legal defense.

The proposed settlement includes no punishment for Microsoft's repeated violations of the law; it contains only (weak and ineffective) mechanisms to attempt to prevent future wrongdoing. No monetary penalty of any kind is imposed upon Microsoft by this proposed settlement. Microsoft would not have made its huge profits without the benefit of its illegally maintained monopoly; therefore, a large part of its current wealth is illegally earned.

A long-established principle holds that convicted criminals should not be able to use ill-gotten gains to pay for their legal defense. Yet even after Microsoft's conviction, it is still using its nearly limitless wealth to

defend itself while several of the plaintiff States are agreeing to settle the case because they are running out of funds to pursue it.

Has fairness and justice in America been totally replaced by the principle that "those with the biggest pile of cash win"?

2. It fails to ensure that competition within the computing industry will be restored, and in fact, contains provisions which will hamper one of Microsoft's only remaining viable competitors: the open source software community.

The terms of this proposed settlement and the proposed mechanisms for ensuring Microsoft's adherence to them are so weak and vague as to be laughable. Massachusetts Attorney General was overly optimistic when he said "Five minutes after any agreement is signed with Microsoft, they'll be thinking of how to violate the agreement." You can be sure that they will not wait that long. Microsoft's survival depends upon their predatory and illegal business practices: I have no doubt that they have already developed a strategy for conducting their post-settlement business that will push the terms of the proposed settlement to their limits, and then proceed right through its (very large) loopholes. With their huge cash reserves and this flimsy proposed settlement, Microsoft has little to fear from their already vanquished commercial competitors (nor, obviously, from the DOJ). Several provisions of the proposed settlement contain terms which will regulate Microsoft's business relationship with other companies, particularly with respect to licensing. However, these provisions are worded in such a way that they pertain solely to corporate or other commercial entities. They will not hamper Microsoft's ability to retaliate against developers of open source projects, which are their only viable competition. Most open source projects are created by volunteers who have no corporate structure for entering into license agreements nor the financial resources required.

Microsoft is deeply concerned about the competitive threat presented by open source software and has identified it as the single biggest threat to their business. However, there are no terms in this proposed settlement that will provide developers of open source software with the same protections as commercial entities. This is not surprising, since the proposed settlement appears to have been custom tailored to meet Microsoft's own specifications.

3. It was an agreement reached during a period of national tragedy for the purpose of political expediency, not for ensuring an adequate remedy. This proposed settlement is clearly the product of political expediency and is not commensurate with the outcome of the trial and appeals process. Microsoft was convicted for illegally maintaining its monopoly and that conviction was upheld on appeal. Yet the DOJ has agreed to a proposed settlement that is much more favorable to Microsoft than the one that was on the table before it was convicted.

Federal District Court Judge Kollar-Kotelly pressed the DOJ and Microsoft to settle the case, saying a quick resolution of the case had become more important "in light of recent tragic events affecting our nation."



While the events of September 11 were truly tragic, they do not justify a mild slap on the wrist for a convicted criminal enterprise that has used illegal business practices to wrong millions of consumers, destroy innumerable competitors, and destroy efficiency and innovation within the computing industry. How many other convicted criminals have received a such a mild sentence since September 11 on the grounds that "times are tough"?

Microsoft continually argues that they should be free to innovate, but in reality monopolies do not do so. Economics teaches that monopolies are always bad: they stifle innovation, they do not create it. It is not in their interest to do so, as they have already captured the market.

Microsoft has therefore already negatively affected the economy. Ending its monopoly will undoubtedly cause short-term turmoil with the nation and its economy, but it is the only way that true innovation and competition within the computing industry can be restored.

A proper settlement for this case must be commensurate with the clear-cut findings of the trial and appeals, and must assertively address consumer's and competitor's interests. The terms of the current proposed settlement address only the issue of preventing future inappropriate behavior by Microsoft. The provisions of the current proposed settlement are so weak and vague that they are unlikely to impair Microsoft's illegally maintained dominance of the computing industry in any material way.

The proposed settlement does not address: (1) reimbursing consumers for the excess profits Microsoft has earned as a result of its illegal behavior; (2) reparations by Microsoft to restore competition and choice within the marketplace; or (3) punitive damages over and above reimbursement and reparations to serve as a warning to future monopolists.

The proposed settlement is fatally flawed and must be rejected as not being in the public interest.

Jeffrey L. Clark  
Software Engineer  
12161 Holly St. NW  
Coon Rapids, MN 55448

#### MTC-00022903

From: Lynn  
To: Microsoft ATR  
Date: 1/24/02 4:58pm  
Subject: Re:DOJ and Microsoft

In my opinion Microsoft has probably done more for the Computer Software part of our economy than any other company.

Netscape even gave their browser software away for free to any educational institute or any student (about 90% free at the time), long before Microsoft got into the browser business. Now Netscape is complaining foul because Microsoft did the same except it was free to everyone (100%) Why not let Microsoft get back to business without all these suits as a hindrance so they can help our economy to recover\* \*

Thank you,  
Lynn Vance  
lvance@rockisland.com

#### MTC-00022904

From: Bill Nicholls

To: Microsoft ATR  
Date: 1/24/02 4:59pm  
Subject: Comments on MS Antitrust  
Proposed Settlement  
microsoft.atr@usdoj.gov24Jan2002

To whom it may concern:  
I am an Information Technology practitioner with more than 37 years of experience. I am writing to object to the totally inadequate proposed settlement with Microsoft.

I have watched and experienced Microsoft's aggressive and illegal practices since 1987. They have repeatedly injured me by using their monopoly to pressure and harass other software vendors with better products out of business.

The first of these that I personally experienced was Desqview, an excellent product well ahead of Microsoft's early Windows. Microsoft repeatedly made changes to shipping versions of Windows that caused Desqview to crash. Over time, most people gave up on Desqview because even though fixes to Desqview were available, back in those days, they were slow and difficult to get.

I won't go into all the different tricks they used unless you want to see my full listing of direct and indirect injuries. The failure of adequate corrective actions with the first antitrust suit against Microsoft led predictably to the current situation.

To call the current proposed settlement a sellout or inadequate simply reflects the limits of my language skills to describe the situation politely. If applied, these limited actions will actually help Microsoft by enabling them legal protection from needing to divulge anything related to security. Anything could be easily interpreted by MS to include just about every product they make.

This may not be the worst of it. The billion dollar compensation that enables MS to step heavily into an area they don't have a majority in (schools) is wrong both on that basis, and because it is based on the list price of MS software, whose real cost is minuscule to them.

The gagged monitors is another useless step. It is more than useless because it gives the appearance of monitoring without the substance. In fact this whole proposed settlement is form without substance. If the only action the monitors can really take is to institute another (useless) lawsuit, then you shouldn't bother.

What then is really required?

Meaningful reform for MS practices will not be trivial to implement. It needs to deal with certain existing and emerging problems:

\* Open up file formats to competitors at least six months in advance of delivery to customers.

\* Insure that MS uses only documented API calls. Their use of undocumented calls creates a huge advantage over competitors.

\* Insure that MS may not unilaterally implement modified public standards such as are found in the World Wide Web consortium. If they want changes, they must work through the standards group and have them published.

\* Standardize the volume discounts for a specific volumes irrespective of customer.

\* Forbid the practice of bundling free software, such as Internet Explorer, into the operating system. Internet Explorer was developed at large expense, illegally subsidized by their OS monopoly. It was sold below cost in order to kill Netscape, with the ultimate objective of altering the Internet's operation to impose another monopoly.

\* Forbid the practice of increasing prices to preload companies if they want to unbundle MS products.

\* Free up the initial boot desktop setup completely.

\* Insist that Passport be open to authentication \*and\* authorization.

There are probably other remedies that are needed, including an independent arbitration board knowledgeable in the IT business to resolve disputes between third party developers and Microsoft. I would be willing to serve on such a board.

The settlement that this court develops with Microsoft will determine to a great extent whether the future of computing is diverse and energetic, or moribund and monopolistic. Microsoft now has more power to dictate the direction and future of IT than IBM ever did when they were "IBM and the seven dwarves." I worked then for IBM's competitors, and I can say from experience that Microsoft is a much greater threat.

Please keep in mind that Microsoft has \$36 Billion in cash reserves. A lot of that money was earned through the fruits of their monopoly extensions in office suites, internet programs and abuse of their restrictive preload agreements. Any fine applied to MS should make enough of a dent in their cash reserve that they are not ever tempted to risk that again.

Sincerely,  
Bill Nicholls  
billn@ywave.com

#### MTC-00022905

From: Mulhall@USADatanet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:57pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Mulhall  
7 Evergreen Lane  
Cazenovia, NY 13035



**MTC-00022906**

From: Doug Breitbart  
To: Microsoft ATR  
Date: 1/24/02 5:00pm  
Subject: Re: Settlement

You Honor,

Seems to me the only real way to level the playing field does not have to do with a cosmetic Microsoft settlement cum gesture, but an order compelling Microsoft to disgorge the gains of their wrongful behavior. That would be in the form of a monetary penalty roughly equal to 85% of the Company's liquid assets and reserves, said money to be paid to all members of the class damaged by their actions, which would include the states, companies, and any other plaintiffs. With Microsoft deprived of the cash reserves that enable them to do the damage they do (ie give away Explorer to decimate Netscape, simply because they can), and their competitors in receipt of fresh competitive operating capital, a competitive landscape and environment would then result.

I think the proposed settlement is a fraction of what is appropriate. Thank you for your review of the foregoing.

Sincerely,  
Doug Breitbart  
Douglas L. Breitbart  
Principal  
BedRock Ventures LLC  
315 East Glen Ave.  
Ridgewood, NJ 07450  
201-689-2150  
fax: 201-689-2151  
email: Doug@bedrockventures.com

**MTC-00022907**

From: maurean—e@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Maurean Winger  
618 Dutton Dr.  
Atlantic Beach, FL 32233

**MTC-00022908**

From: philborton@netscape.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:56pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Phil Borton  
3919 Lower Roswell Rd  
Marietta, GA 30068

**MTC-00022909**

From: hnmeinert@pcsisys.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 4:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Herman Meinert  
5327 Constitution Ave.  
Colorado Springs, CO 80915-1100

**MTC-00022910**

From: Mike Sendlakowski  
To: Microsoft ATR  
Date: 1/24/02 4:50pm  
Subject: Microsoft Settlement

I agree with Ralph Naders objections to the Microsoft settlement, as well as other criticisms I have read.

Please reconsider the settlement and the effect that it will have on the shrinking technology universe.

Mike Sendlakowski  
Sendlakowski Consulting

**MTC-00022911**

From: Nile Geisinger

To: Microsoft ATR  
Date: 1/24/02 5:01pm  
Subject: Reject the proposed settlement  
To whom it may concern,

I have been carefully following the antitrust case against Microsoft for the past two years. I am dismayed to learn that after the findings of facts were upheld on appeal, the proposed settlement will not prohibit similar behavior in the future. The language in the settlement is vague, full of loopholes, and does not cover a number of anti-competitive scenarios. This is not a theoretical problem. In 1995, Microsoft agreed to a consent decree that restricted the company from bundling its browser with its operating system. It then took advantage of the vague language in the consent decree to "integrate" its browser with its operating system. The vague language of yesterday is the foundation of today's case. The vague language of today will only lead to future cases.

Please end this cycle by rejecting the proposed settlement,

**MTC-00022912**

From: Flowers Christian-P29364  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 5:02pm  
Subject: Microsoft Settlement

Microsoft continues to flout the law in forcing users to sign up for specific services. In particular, the reliance on Passport for transactions is disturbing. Notwithstanding technical security issues, in pushing and requiring Passport, a large user base can be quickly built. This can be easily used to exclude other personal identification schemes, and shut out applications, retailers, other operating systems, or anyone else Microsoft feels may be competition.

If Microsoft is allowed to continue, they will continue to not only tie in services but REQUIRE their use. The common user will take what is in front of them and convenient. Whether it's Passport, .NET, WMA format, Microsoft will do everything it can to force users to be dependent upon them. Once that dependency exists, it will be difficult if not impossible to remove it.

There are many other reasons, and many other better written responses, but I felt it necessary to add at least my 2 cents.

Sincerely,  
Christian Flowers...

**MTC-00022913**

From: Ron Skoog  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 5:01pm  
Subject: microsoft settlement

In my opinion the proposed settlement with Microsoft does nothing to restrain the anti-competitive nature of their business practices. A similarly ineffective settlement was attempted in the early 1990s and did nothing to curb Microsoft. This company is infamous for it's twisting of any legal agreement to mean what it wants. If the settlement is not explicit and capable of easy monitoring Microsoft will simply force any future disagreements into court in order to delay any decisions and in the hopes of overturning parts of the settlement.

The settlement with Microsoft should be as strict as what IBM had, and still has, to

comply with. Microsoft needs to be partitioned into distinct divisions and all information passed between the divisions must be available to outside companies. This would force the disclosure of the operating system and application APIs to companies that are trying to write products that interface with Microsoft products.

The divisioning of Microsoft should be into two operating systems divisions: home and corporate, an applications division, a networking division, and a home appliance or embedded systems division.

Ronald Skoog  
Software Engineer  
Manufacturing Engineering  
TrueTime, Inc.  
3750 Westwind Blvd.  
Santa Rosa, CA 95403  
telephone: 707-636-1840  
fax: 707-527-6640

RSkoog@TrueTime.com/ <mailto:RSkoog@TrueTime.com/> www.truetime.com <http://www.truetime.com>

**MTC-00022914**

From: Avimanviky@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:02pm  
Subject: support for ms.

I want to let you know that I support Microsoft, all their policies and business practices. I am all for it, and so are all my friends and people I know. Thank you Manuel H. Avila

**MTC-00022915**

From: DAG92@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:04pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Gray  
PO Box 789  
Lexington, SC 29071

**MTC-00022916**

From: Marc Conover  
To: Microsoft ATR  
Date: 1/24/02 5:05pm  
Subject: Microsoft Settlement  
Marc Conover  
23280 NE 15th Street  
Redmond, WA 98074  
January 24, 2002  
Attorney General John Ashcroft

US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to see the Microsoft antitrust case settled. As a former program and Multinational OEM Account manager for Microsoft, I understand the rationale behind bringing this case against Microsoft.

However, the reasons behind the initial lawsuit have been resolved since the inception of the litigation.

At this point, there is no reason to continue with the litigation. The terms of the settlement are reasonable. In fact, they go beyond what should reasonably be expected of Microsoft. Microsoft has agreed to grant computer manufacturers rights to configure Windows in such a way so that consumers may access non-Microsoft software or Microsoft software. This will result in more choice for the consumer. Isn't this the aim of any antitrust lawsuit? Additionally, Microsoft has agreed not to retaliate against either computer manufacturers or third party distributors who promote the competition's product. This provision should dispel beliefs that Microsoft is acting in a predatory fashion.

The states that have refused to sign on to the settlement agreement are driven by greed. I applaud the Department of Justice's efforts to settle this case. I am hopeful that the settlement is approved by the Court. Thank you for your time and attention.

Sincerely,  
Marc Conover

**MTC-00022917**

From: Greg Cunningham  
To: Microsoft ATR  
Date: 1/24/02 5:06pm  
Subject: Microsoft Settlement

Never I have seen a settlement that seems so out of touch with the findings of fact.

Microsoft was found to be a monopoly, and found to have abused their position as a monopoly to retain their dominance over the PC market. Other instances of similar behavior (Ma Bell) have typically resulted in punishment for the those who broke the written and known law. Microsoft has a problematic attitude of denial towards their guilt and how to remedy their abuse of our business system. Any settlement option should be a instant enforcement, as Microsoft has proven to break and distort consent decrees in the past, so far as to go completely against the intent of the consent decree re Windows 95 bundling.

If something is not done to punish Microsoft for their illegal bullying tactics, they will, and to this day do, continue to use their market dominance to leverage themselves into new monopolies.

Already Microsoft is using it's clout to steal the console games market from Nintendo and Sony. Microsoft has gone so far as to purchase several of the top Games developers for PC games, to deny their products to the market competition. They are further using their massive cash reserves to "sell" these Xbox's at a loss, some have estimated as high as \$100 loss per box. Why can they throw money down the drain like this? Because when they own the market completely, they

can make all the money there is to make indefinitely.

If this court does not punish Microsoft much more harshly than the remedies proposed, there will be many dire consequences:

-Microsoft will continue to monopolize more and more market segments. This will ultimately cost consumers much more money, and their freedoms of choice.

-Microsoft (with \$38 billion in cash and monopolies over several major markets such as office suits, OS, Web Browsers etc) appears to be above the law in the current situation, the government does seem to be able to apply pre-defined legal remedies appropriately. As Microsoft grows larger and larger it will become even harder to control and punish for wrong doing, it may become a threat to the democracy and freedom we hold dear in America.

-With a 5-4 court appointed US President already sitting in office, people are loosing faith in the American justice system, Enron's recent events have only added to this feeling. If Microsoft is allowed to abuse other companies, and US constituents so blatantly without recrimination, not only will Microsoft continue business this way, but other business will be forced to practice once illegal business practices to be able to compete. The overall effect will have a massive damaging effect on the economy and our free democratic way of life.

-Further with Microsoft already flouting the same type of shady illegal and unethical business practices currently while under trial, it is reasonable to assume the will only intensify or at least continue these practices after this trial is over. Since Microsoft's actions are illegal under our present law it is only inevitable that will end up back in court again. Failure to quell Microsoft's stranglehold on the market would historically reflect poorly on this court, as the next jury will ask, "why wasn't this handled sooner?" This would not only beg the question of favoritism, or outright payoffs to the current court, but also ultimately would end up costing the American people much more money to run through this whole circus act again.

I plead with this court and the current administration in control of the DOJ to not risk criminal charges down the road from blatantly and grossly ignoring the facts in favor of Microsoft (the defendant has already been found GUILTY by findings of fact.)

Sincerely,  
Gregory Cunningham

**MTC-00022918**

From: Jeff  
To: Microsoft ATR  
Date: 1/24/02 5:08pm  
Subject: My Comments.

Respected Judge,

The proposed settlement between Microsoft and the U.S. Government is in my opinion biased towards Microsoft.

Microsoft is using it's influence and is trying to eliminate more competition that is out there. Microsoft's motto seems to be "Eliminate ALL competition". This kind of mindset is not what the United States was founded upon, sure, they have the money to

buy their way through anywhere, but, Justice isn't something one should be able to buy. If this settlement is pushed through, then the world governments will not have any chance to fight the money of Microsoft. As it is, Microsoft throws lots of money to the third world countries and is buying it's way through there.

There are operating systems out there which are more efficient, and less expensive for the businesses to use. Once the managers of these businesses are given the opportunity to learn about these new options, i'm quite sure they will make efficient use and build better businesses, which inturn will make the world economies stronger as costs of doing business fall.

Thank you for taking the time to read my comments.

Sincerely  
Jeff Bhavnanie.

**MTC-00022919**

From: David McKee  
To: Microsoft ATR  
Date: 1/24/02 5:09pm  
Subject: Microsoft Settlement

To whom it may concern,

I apologize for the sharp tone, but this is the only way to express the disappointment in the DOJ's buckling resolve to prosecute Microsoft: I am outraged to hear that the DOJ is not following its' responsibility to protect the consumer and free-market competition.

Microsoft has CLEARLY exceeded the bounds of legality and continues to use it's monopoly in nefarious ways. What is worse is that its' Ad campaign and actions have arrogantly flouted it's power DURING THE TRIAL. A mere mortal can only observe this circus and gag. If this is how MS acts during the trial, imagine what it will be like after a "slap on the wrist".

What vile gall MS had in proposing the "\$1 Bil, K12 aid" settlement, is overshadowed by the limp and impotent spine demonstrated by the defenders of the people.

To those who know the computer industry, it is well known that MS is on the wrong side of "innovation" and all that is good. Not because they are financially successful, but because of their never-ending "legally gray" methods of persuing their ruthless greed. Competition is something to be eliminated, and they are succeeding.

You have failed us, the people, and all that we can think is that perhaps big business is indeed more powerful that the government. I encourage you to re-evaluate your policy of bowing to MS, and not enforcing the law and the very spirit of what makes this country great. Please, do what is right, redouble your efforts and seek to break up this behemoth of criminal behavior. MS will not stop on its own, and it will continue to take advantage of the consumer.

David McKee  
Software Engineer

**MTC-00022920**

From: ksbaucums6@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:07pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Karen Stanley  
180 Dover Rd. NW  
Cartersville, GA 30120

**MTC-00022921**

From: Kip Gebhardt  
To: Microsoft ATR  
Date: 1/24/02 5:08pm  
Subject: Opinion on Microsoft Settlement

I am writing to voice my opinion (under the Tunney Act) on the Microsoft Antitrust Settlement.

The proposed settlement is not sufficient in punishing Microsoft for its previous anti-competitive practices nor does it do anything to ensure that Microsoft will not remain an illegal monopoly or more likely, extend its control into other areas of technology. As a programmer since the age of 10 (22years) I have had experience in almost all areas of computing and software. I have watched Microsoft's rise to "power" and the simultaneous strangle hold place on their competitors. As late-comers to the internet arena Microsoft pulled out all the stops (i.e. fair competition) by preventing other browsers (Netscape) from being afforded desktop placement in their Operating System. Simultaneously they sought to redesign their Operating System to force users to use their browser. On all fronts they engaged in unfair and illegal anti-competitive practices.

As a result we are left with one browser that has 80% market share. Is it the best browser. NO! It is buggy, doesn't conform to standards, and generally is a major headache for web developers. Yet I am forced to support it because Microsoft has squeezed out all other competitors illegally.

Please rethink the settlement so that it actually has an impact on Microsoft and works to improve outlook for software, the internet and what may come in the future of information technology.

Thank you,  
Kip Gebhardt  
Software Engineer

**MTC-00022922**

From: Joseph.Sutherland@Colorado.EDU@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:10pm  
Subject: Microsoft settlement

Department of Justice:

I am very distressed by the settlement that has been proposed by your office concerning the Microsoft case. It seems to me that the Bush administration is circumventing copyright law in the favor of Microsoft not by passing laws through congress, but simply by refusing to enforce the law. I find this terribly distressing. President Bush was elected to office and swore an oath that he would uphold the laws of this country. His behavior through your office with regards to the Microsoft case, and his recent involvement with Enron, suggest to me that the Bush administration is more concerned with the welfare of huge corporations than with the proper functioning of the free market and the overall wellbeing of America's citizens.

Sincerely,  
Joseph Sutherland  
3455 Table Mesa Dr. Apt. F153  
Boulder, CO 80305  
USA

**MTC-00022923**

From: l.laudel@worldnet.att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:07pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Louis Laudel  
58 Webster Acres  
St. Louis, MO 63119

**MTC-00022924**

From: Morelli  
To: Microsoft ATR  
Date: 1/24/02 5:11pm  
Subject: microsoft settlement

Dear Sirs/Madams:

I live in California and have been in the high tech industry for over 10 years. My job in marketing has been to speak with literally thousands of customers about network management software. I spoke mainly to key decision makers and cio's who approve budgets and purchase software. I saw major trends such as a switch in the marketplace from Novell Netware servers to Microsoft Windows. This happened in droves, not because anyone was twisting their arms to switch to Microsoft, but because their products were and are superior.

There is no doubt that microsoft is a very aggressive competitor, but sirs/madams, it seems as though the marketplace realizes that they may not be able to beat microsoft in some instances and are involving government bodies and attorney's to help prevent the possible demise of their own companies. I know many people who work for microsoft both personally and professionally. This company is by far one of the most top notch companies I've ever seen; from rewarding job performance, to employee benefits, etc, microsoft expects a lot from their employees, and rewards them through generous options programs, paternity leave, etc. This is why they have produced THE BEST products on the market. I believe the settlement they've offered is fair and just. Please consider this message from one who has an eye on the market through direct customer contact and knows that microsoft has become a superior company on its own merits. To punish inappropriately would be a grave mistake.

Sincerely,  
Kathleen Morelli-Parvizi  
Scotts Valley, California

**MTC-00022925**

From: Scott Brown  
To: Microsoft ATR  
Date: 1/24/02 5:10pm  
Subject: Microsoft Settlement  
Microsoft are as evil as a company can get. Punish them with extreme prejudice.  
Regards,  
Scott Brown  
Network Engineer

**MTC-00022926**

From: Kris Browne  
To: Microsoft ATR  
Date: 1/24/02 5:05pm  
Subject: Microsoft Settlement  
The proposed microsoft settlement is a bad idea. It will do nothing to censure them from committing the same acts over and over again in the future, as they have done in the past after settlements, and does nothing to actually punish them for their past crimes.

**MTC-00022927**

From: Mark Derickson  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 5:13pm  
Subject: Microsoft Settlement  
How is it LEGAL to NOT FIX BUGS in Windows 95 or 98 when the customers have PAID for a WORKING package ??  
Microsoft Continues to CHARGE for UPDATES when the UPDATES fix known ISSUE and BUGS that should NOT have been in the code that the CUSTOMER PAID for. Most of the issues in 95 were fixed in 98 but they STILL CHARGE MONEY even though the CUSTOMER DID NOT GET FULL VALUE from the original operating system.

Mark Derickson MCSE  
Technical Customer Service  
TrueTime, Inc.  
3750 Westwind Blvd. Santa Rosa, CA 95403  
t 707.636.1839 f 707.527.6640  
mderickson@truetime.com/  
www.truetime.com

**MTC-00022928**

From: damillers@adams.net@inetgw

To: Microsoft ATR  
Date: 1/24/02 5:10pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Miller  
3339 Lyric Lane  
Quincy, IL 62301

**MTC-00022929**

From: Robert Simmons  
To: Microsoft ATR  
Date: 1/24/02 5:13pm  
Subject: Microsoft Settlement

No! The proposed settlement is a joke. Microsoft already has a 90 percent share of the operating system market. So, now you're going to hand them the educational market as well? Microsoft is one of, if not the, biggest monopolies in history and you're treating them as if they paid your wages, not the disenfranchised public.

Microsoft and their business tactics are the worst thing to ever happen to the computer industry. All they've given us is built-in obsolescence; buggy, bloated software; susceptibility to endless security and virus attacks; and countless, never-ending, expensive upgrades. On top of that their practice of stifling innovation and squeezing out promising competitive products has actually impeded the growth of the tech market. All by themselves, Microsoft has turned off more people to the digital revolution than any other factor.

Please save us from this blundering behemoth!

Robert Simmons  
Ventura CA

**MTC-00022930**

From: kshisle@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:11pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kenneth Hisle  
1279 Floyd Switch Estesburg Rd.  
Eubank, KY 42567-8560

**MTC-00022931**

From: kshisle@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:11pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kenneth Hisle  
1279 Floyd Switch Estesburg Rd.  
Eubank, KY 42567-8560

**MTC-00022932**

From: tnjblessed@cfaith.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:10pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jim Herring  
16 Torey Pine#4  
Little Rock, AR 72210

**MTC-00022933**

From: Ellen Vande Kieft  
To: Microsoft ATR  
Date: 1/24/02 5:14pm  
Subject: Microsoft Settlement

I am no "techie", but I have been enjoying my computer and email and all that the internet affords. I have Microsoft to thank for making it possible and easy to navigate the internet and thereby freeing up the world for me with simple clicks.

How can Microsoft's bundling all the wonderful and different functions be "bad" for consumers, I cannot understand. All the complaints and law suits have been on behalf of Microsoft's competitors who cannot compete in the marketplace and thus turn to the greedy lawyers to help them get a slice of Microsoft's profits.

I hope the justice department will remember that it is the consumers they are to protect and not the competitors of Microsoft. Ellen Vande Kieft San Mateo 1/24/2002

**MTC-00022934**

From: AF5488@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:11pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Loudin  
2825 New Center Drive  
Sevierville, TN 37876-2270

**MTC-00022935**

From: oscargarcia76120@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:12pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Oscar Oscar  
1212 Susan Lane  
Apt. 168  
Fort Worth, TX 76120

**MTC-00022936**

From: mateerj@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:12pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joanne Mateer  
6407 West 83rd Street  
Los Angeles, CA 90045-2845

**MTC-00022937**

From: Mark A. Seaver  
To: Microsoft ATR  
Date: 1/24/02 5:15pm  
Subject: Microsoft settlement opinion

As a long standing member of the computing world, I feel that the current "settlement" with Microsoft is light handed at best. To call it a "slap on the wrist" as many have, does not go far enough in my mind. I have been involved in the microcomputing and personal computing industry since 1982. In that time I have seen many companies attempt to go head to head with Microsoft, only to lose significant market share due to unfair trade practices. Companies with much larger market shares and far superior products have dwindled to a bare existence, if they have survived at all. Much of this is due to predatory pricing and aggressive "behind-the-scenes" deals that force products off the shelf in favor of Microsoft backed products.

As the former Vice-President of Operations for a pioneer PC manufacturer and developer, our firm watched as Microsoft forced us to

bundle their operating system with our hardware, or face losing the ability to sell their product at all. If systems were found to have alternate operating systems loaded on them, even if at the customers requests, we would be heavily sanctioned by Microsoft if not cut off from all product entirely. Needless to say, we complied, if only to survive.

I hope that the Department of Justice will step back and look at the damage and devastation that Microsoft has caused in this industry, forcing computer manufacturers to bundle inferior products and causing on going consternation in the consumers minds. Technical support facilities have to be staffed with more personal than necessary in order to handle the flood of calls whenever new products are introduced, with a great deal of the problems caused by products forced upon the public by an all too powerful company, with an unnatural monopolistic hold on the market.

I hope that you will consider this information as you move forward as well as the other letters and e-mails that you have and will receive on this matter.

Thank you for your time

Mark A. Seaver  
Mark A. Seaver maseaver@earthlink.net  
Information Systems Director 949-366-4950 (Tel)

The Consumer's Choice Network 760-944-7583 (Fax)

2033B San Elijo Avenue, Suite 420, Cardiff, CA 92007

ICANN, Member at Large

**MTC-00022938**

From: Josh Mills  
To: Microsoft ATR  
Date: 1/24/02 5:15pm  
Subject: Microsoft Settlement

To whomever is listening:

The settlement helps Microsoft form yet another monopoly!!! It would weaken companies like Apple that have been leaders in educational research, while Microsoft build its business monopoly. What were you thinking when you accepted Microsoft's generous offer to take over the school market by providing old code and a few bucks and entrap schools into dependence on their products.

Jim Mills  
Technology Consultant  
Trotwood Madison City Schools  
Trotwood, OH 45426

**MTC-00022939**

From: barney1914@MSN.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:13pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
BRYAN MILLER  
1776 Bicentennial Way  
N.Providence, RI 02911

**MTC-00022940**

From: Ben Edge  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 5:13pm  
Subject: Microsoft Settlement

I believe the Department of Justice's proposed settlement with Microsoft is excessively lenient. It does not go far enough to prevent future abuses of Microsoft's monopoly position, and it does not punish Microsoft enough for past illegal activity.

Microsoft was found to have acted illegally. It also committed perjury during the trial, by introducing doctored evidence. For that reason alone, I can understand Judge Jackson's attitude toward Microsoft. I frankly think that the Judge's ruling ordering the split did not go too far. It is the only remedy that has a chance to reign in Microsoft's illegal activities without requiring continuous government monitoring. At the very least, the proposed remedy put forth by the dissenting states is more appropriate than the Department of Justice proposal.

Ben Edge  
607 Moss Creek Drive  
Cayce, SC 29033  
803-796-1260  
mailto:edgeb@org.tec.sc.us

**MTC-00022941**

From: William Stearman  
To: Microsoft ATR  
Date: 1/24/02 5:14pm  
Subject: Microsoft Settlement

The Microsoft settlement certainly seems a fair and equitable to all concerned, especially to the people who use their amazing products. They need the power to innovate and change the world for the better.

Regards, Bill Stearman.

**MTC-00022942**

From: davis1012@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:14pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Loraine H. Davis  
4828 Medical Drive Apt402  
Bossier City, LA 71112

**MTC-00022943**

From: John Garrison, Sr.  
To: Microsoft ATR  
Date: 1/24/02 5:12pm  
Subject: Microsoft Settlement

Please note AOL's recently announced law suit against Microsoft seems to be an effort to undermine the settlement. It is apparent AOL is again using the courts and political system to "compete" against Microsoft instead of innovating and competing in the market place. Respectfully submitted

John E. Garrison, Sr. mailto:johnhg@sun-usa.com

**MTC-00022944**

From: MANGORTOO@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:17pm  
Subject: Microsoft Settlement

Concord, CA 94518-2207  
January 22, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
Dear Mr. Ashcroft:

I am writing to say that I want to see Microsoft go back to business without being further persecuted for being successful. I understand they have agreed to settle the matter now pending and I believe that the settlement is the best thing to do without wasting more time and money in court. I believe the government should have never brought this suit against Microsoft, so it is now incumbent upon the government to accept a reasonable settlement.

Please accept and implement the agreement, and, most importantly, end the federal lawsuit. Thank you.

Thomas Gorman  
CC:fin@mobilizationoffice.com@inetgw

**MTC-00022945**

From: William C Watson  
To: Microsoft ATR  
Date: 1/24/02 5:16pm  
Subject: Microsoft Settlement

Thank you for the opportunity to comment upon this matter. I write as a low profile user/consumer of the computer. Also, my comments are based upon a somewhat limited knowledge of computer functions and technology.

I have always appreciated computer capabilities which would permit me to get online and browse the internet without being confronted by a labyrinth of confusing (to me, at least) maneuvers involving movements between internet access and other, non-internet, computer usages. When Netscape replaced Mosaic, a browser, as determined by my then employer, I developed hopes for such "one stop" flexibility. In my perception, this kind of access is a good thing for

computer users—and definitely what I wanted.

To my knowledge, Internet Explorer is the only product which actually offers this availability. Why others did not come up with the same or similar possibility, instead of fighting it with adjective laden allegations, seems disappointing to me. As there might be other alternatives to my understanding, I would hope they are to be exploited and determined in the market place rather than seemingly endless litigation. Continuing opposition to settlement suggests to me, a "sore loser in the market" attitude and, perhaps, special interest political efforts regarding a matter that should now be realized as settled. I do hope settlement can at last be achieved.

Thank you for your attention.

William Watson

**MTC-00022946**

From: TurboBird36@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:14pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joeleen Lee  
308 8th Street  
Ogden, UT 84404

**MTC-00022947**

From: crawfordw@onemain.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:14pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Wade Crawford  
201 N. Mathew St  
Porterville, CA 93257

**MTC-00022948**

From: Michael Logue  
To: Microsoft ATR  
Date: 1/24/02 5:16pm  
Subject: Microsoft Settlement

I think the proposed settlement is bad idea.

I am sending you this because I understand that Microsoft is doing their darndest to flood you with comments backing their side and i want you to know that there are those of us out here who view Microsoft as a predatory monopolist that must be effectively regulated in order for innovation to thrive.

In spite of Microsoft's hype and PR campaign, I challenge anyone to come up with one successful program that originated at Microsoft. All they do is buy, steal, trick and intimidate.

I'm out of my mind, but feel free to leave a message...

Michael Logue The Grateful Union  
<http://www.earthguild.com/> Earth Guild:  
Tools Materials Books  
mlogue@madison.main.nc.us  
mlogue@mac.com michael136@aol.com

**MTC-00022949**

From: marysimko@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Simko  
14500 Graef Rd.  
Creedmoor, TX 78640-3973

**MTC-00022950**

From: Peter Hassenstein  
To: Microsoft ATR  
Date: 1/24/02 5:17pm  
Subject: Microsoft Settlement

Sir:

As an end user, there is a problem with Microsoft's monopoly of the operating system software that I believe has not been addressed in the negotiated settlement.

This has to do with the constant "upgrades" of the Windows operating systems and the termination of support for those programs that are "phased out." Microsoft's policy is not to offer support or updates to any Windows system that is not the current one or the one immediately preceeding it. In other words, Microsoft no longer supports Windows 95, Windows NT 4 or any earlier operating system software.

Since it has been ruled that Microsoft has the monopoly for PC systems, it is forcing the users to upgrade whether the customer wants to or not. I think that this is very unfair, and it should have been addressed in the settlement. From what I have been reading, there are at least two more upgrades by Microsoft in the development stage for their Windows systems. The consuming public will be forced to upgrade in order to obtain support and/or receive any updates. Not everyone has the extra \$ 100.00 to upgrade Windows every time.

Microsoft should be compelled to offer support as well as updates to the individual versions or releases of Windows for a period of no less than 7 years, and it should happen no more than once every two years. In this way, the consumer might be able to afford to keep ahead of this vicious cycle of "phasing out" support and updates to the operating system software. Microsoft does not make the updating process easy for its users, and this as well has not been addressed. A user is unable to pick and download which updates to keep. There is no way for the PC user to download and save these updates for the operating system on his computer. If one has to reformat and reinstall an older Windows operating system that is no longer supported, he/she is out of luck in obtaining the necessary updates. Soon Microsoft will "phase out" Windows 98, and there will be no way to get the necessary updates if one will have to reinstall that operating system. This also should be addressed by the court. Of course, these would significantly increase the expenses for Microsoft to maintain the different Windows operating systems, but as a monopoly, there should be some sort of regulation on Microsoft to prevent it from compelling the personal computer user to constantly upgrade and pay such exorbitant prices for them.

At the present rate, the PC user is forced by Microsoft to upgrade about every two years in order to obtain the support and updates for their Windows operating system software. Of course, a consumer could choose to skip one release of Windows, but then he/she will be compelled to hop back on the upgrade train and pay the price every couple of years.

In conclusion, I would like to see the court address these two problems in the settlement with Microsoft:

- 1) Extension of the time for support and updaes for each Windows release.
- 2) Make available separate updates needed for unsupported Windows releases and allow the user download and save them.

I appologize for not being able to write this very succinctly and better. Thank you.

Sincerely,  
Peter Hassenstein

221 East 21st Street  
Sioux Falls, SD 57105  
605-332-1053

**MTC-00022951**

From: Joseph Palmer  
To: Microsoft ATR  
Date: 1/24/02 5:17pm  
Subject: Microsoft Settlement  
Dear Sir or Madam,

I'm writing you to express my opposition to the DOJ's proposed remedy in the Microsoft case.

I personally, have been harmed by Microsoft's illegal acts—I was for three years employed by Be, Inc., who had marketed a competing operating system, and had access to the PC-OS marketplace blocked by Microsoft. Be, Inc., was forced out of the market by Microsoft's exclusionary contracts with PC makers, and has since been forced out of business.

I have read the findings of fact, and do not see how the DOJ's proposed settlemet can prevent Microsoft from further illegal activities.

I have read the states proposed alternate remedy, and find it to have a better chance of preventing future illegal activities.

Feel free to contact me if you have any questions.

Yours Truly,  
Joseph Palmer  
(Former) Director of Hardware Engineering,  
Be, Inc.  
3128 Acorn Court  
San Jose. CA 95117

**MTC-00022952**

From: Marv Anderson  
To: Microsoft ATR  
Date: 1/24/02 5:18pm  
Subject: Microsoft Anti-trust case

Hello,

As a professional programmer for 35 years, and as a user of Microsoft software for the last 15 of those years, I feel that I have a fairly solid basis of experience on which to make my comments on this situation. Microsoft is most certainly a monopoly, as has been determined by the courts. They are also most certainly predatory. In almost all of their markets, at least one competitor has superior products. In spite of this, Microsoft continues to dominate market after market.

There are several costs for this domination that are borne by all other parties in the software field. First, good products are obliterated by the juggernaut of Microsoft's domination of the OS market. By including their products in packages, they make it impossible for anyone else to compete with them.

Borland International had a magnificent product called Delphi, which was far and away the best programmer development tool available. Yet, they are a totally marginal tool today because Microsoft's Visual Basic had too strong a following in corporations, which is a critical market segment for these tools. This did not occur because VB was a better tool, but because it was easily available and tied in with all of the other Microsoft offerings.

A second cost is that fewer and fewer companies are willing to develop new

products because if the product is technically successful, they will be attacked by Microsoft's bundling tactics before they gain enough market share to make the product a financial success. Netscape Communicator is a perfect example of this, and RealPlayer is likely to suffer the same fate.

Third, as Microsoft destroys competition, their products will inevitably become more and more inferior, while they can demand a higher price for them. The vast amounts of cash that they have accumulated would not have been possible if they had had to compete in any real sense.

I worked for twenty years in a mainframe world dominated by IBM, and all of these same problems existed then. But there are three critical differences. First, there were far fewer users of computers at that time. The public did not depend on them at all for its daily activities. Second, while IBM dominated the OS and hardware platforms, it did not have much presence in applications. Microsoft Office is a dominant application, and as such, most users are unable to avoid Microsoft in any aspect of their work lives.

The third, and most important difference, is that IBM was an honorable company that understood that they benefited by making their customers successful. While they certainly charged a lot for their services, they provided a very high level of service, and their software was extremely dependable.

Microsoft provides almost no services, and their software is riddled with bugs. XP is the first OS that does not crash often, and this is after 15 years of development. This is certainly not something that would be acceptable if there were real competition. Even more important, Microsoft exhibits an arrogance and lack of basic ethics on a regular basis. Microsoft has clearly lied in court, lied to the American public, and ignored the previous court-defined remedies. There is absolutely no doubt in my mind that the very weak remedies agreed to by the Justice Department will be ignored by Microsoft. They don't even acknowledge that they did anything wrong, so it is absurd to think that they will change their practices because of a basically unenforceable agreement. Even if they followed the guidelines, it is not likely to make much changes. The remedies do not address the essential issue of an excessively powerful organization with the means and intention of dominating the lives of as many people as they can.

I hate to think of the day when the United States government cannot function without Microsoft support for software upon which all departments will depend. I hate to think of an environment in which Microsoft controls the Internet the way they currently control desktop computing. At that point, there will be no way to stop them.

Thank You  
Marv Anderson  
650 573 5790

**MTC-00022953**

From: Ian Sliwinski  
To: Microsoft ATR  
Date: 1/24/02 5:18pm  
Subject: Microsoft Settlement  
Dear Sir or Madam,

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor does it reduce their ability to commit similar actions in the future against consumers.

The vast majority of the provisions do not appear to effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions against consumers.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses.

This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach a settlement just for settlement's sake especially if past acts are not punished. It is my understanding that criminals must pay for their crimes. The current proposed settlement does not hold convicted criminals accountable for their actions as well as not addressing the reduction of prohibited behavior in the future.

Respectfully,  
Ian D. Sliwinski

**MTC-00022954**

From: John Oglesby  
To: Microsoft ATR  
Date: 1/24/02 7:01pm  
Subject: Microsoft Settlement

I think the current settlement agreement is grossly unfair to the consumers who were ripped off and the competitors who were forced out of business. This is a touchy feely settlement that does not address the injustices done to Microsoft's victims.

John Oglesby  
15910 88th Street S.E.  
Snohomish WA 98290

**MTC-00022955**

From: Lurvey, Dan  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 5:19pm  
Subject: Microsoft Settlement

I'm against the proposed Microsoft settlement. I feel that the settlement only benefits Microsoft.

**MTC-00022956**

From: lnicoll28@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:17pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the

fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lyman Nicoll  
2523 E Pinewood Ln  
Layton, UT 84040

**MTC-00022957**

From: MERRILL,DAVE (HP-Corvallis,ex1)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 5:20pm  
Subject: Microsoft Settlement

Dear Sirs,

I am concerned with the current proposed settlement with the convicted monopolistic company Microsoft. I believe that the current settlement does not go far enough in creating an open and free market. The standards for document formats and windows should be opened so that others have a change to produce and market products other than Microsoft.

Sincerely,  
Dave Merrill

**MTC-00022958**

From: Phillip Blanton  
To: Microsoft ATR  
Date: 1/24/02 5:21pm  
Subject: Microsoft Settlement

Dear Sirs, in public response to your recent request for public comments with regards to the court hearing the case of U.S. v. Microsoft. I understand that Microsoft has been found guilty of violating Sections 1 and 2 of the Sherman Act.

By virtue of Microsoft's de facto monopoly of the Operating System (OS) market, I am compelled to use Microsoft products, which I otherwise would not use. There are two reasons that I am compelled to use Microsoft products. These reasons provide the rationale for my proposed remedies.

First, an overwhelming majority people use the Microsoft OS and their associated office products. I must communicate with these people. If I can not communicate effectively with customers, vendors and the general public, I will suffer economic loss. This is commonly referred to as a network effect and Microsoft has brilliantly exploited it. Second, because Microsoft has kept their software file formats and interfaces secret, others cannot functionally communicate with these products.

It is my belief, based on Microsoft's past actions, they they wish to extend their reach beyond the PC desktop to control of networking protocols for the Internet and act as its gate keeper. This is their ".net" initiative. This would have devastating consequences for the U.S. economy and security. Microsoft has stifled innovation by its monopolistic practices. Microsoft products are notorious for their lack of



security and vulnerability to attack by those who wish to harm companies or individuals for whatever reason. The remedies I propose in this case are:

1) Microsoft products should not be bundled as a hidden cost of buying a computer. The choice of buying a computer without any Microsoft products must be present. The real cost of Microsoft products should be presented to the consumer. Without this, there will not be meaningful competition in the OS marketplace. Right now, you cannot go to Dell, Compaq, Gateway, or any of the big computer manufacturers and buy a computer with the operating system of your choice. You must (are literally forced to) buy a copy of Microsoft Windows along with your computer, whether you want it or not.

Providing a round about way for the consumer to apply for a refund from Microsoft is not a suitable remedy. The consumer MUST have the freedom to purchase a computer with the operating system of his/her choice. Microsoft MUST NOT be allowed to penalize a computer manufacturer for allowing their customers choice in the marketplace.

2) Microsoft should be prevented from entering into EXCLUSIVE arrangements with computer vendors. These arrangements have been used to reward and punish computer vendors in the past and serve only to maintain Microsoft's monopoly status, and hinder free and open competition in the marketplace.

3) All specifications for present and future Microsoft file formats and Operating System Application Programming Interfaces (APIs) should be made public. This will insure that any data or documentation I create will be available to me in perpetuity. It will also allow others to create programs that can meaningfully communicate with Microsoft products. Please make no mistake in my intent for this remedy. The specifications must be made part of the public domain. Restriction to "commercial" entities is simply wrong. Open Source software initiatives should be allowed to make use of this information.

Microsoft does not own the content that I create on my computer. Storing that content in a proprietary format, which can only be accessed with Microsoft products, hinders my ability to freely manage my own intellectual property in a manner of my choosing. My concern is for the availability and security of the data that I create today, and going forward into the future.

4) Any and all Microsoft networking protocols must be fully documented, published in the public domain, and approved by an independent networking protocol body. I suggest the government request the Institute of Electrical and Electronics Engineers (IEEE) initially preside over such a networking protocol body as an independent and impartial organization. Already I see Microsoft limiting access to web sites, to those who use Internet Explorer. This remedy would help prevent Microsoft from partitioning the Internet into Microsoft and non-Microsoft domains.

With Regards,  
Phillip H. Blanton

Senior Software Engineer  
TurboPower Software Company

**MTC-00022959**

From: Marvin Becker  
To: Microsoft ATR  
Date: 1/24/02 5:20pm  
Subject: Microsoft Settlement

I feel that the settlement is a bad idea. It does nothing to sway Microsoft from its abusive licenses and subscription plan. I needs to require Microsoft to port its software to other x86 operating systems in a set of time close to the initial release. I would also like Microsoft be require to support one open source project. Thank you for you time.

Jacob Becker

**MTC-00022960**

From: andych1@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:18pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Andy Himmelsbach  
43 Drucker ln  
Old Monroe, MO 63369-2309

**MTC-00022961**

From: loisc@mtaonline.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:17pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lois Conway  
P. O. Box 94  
Palmer, AK 99645-0094

**MTC-00022962**

From: STHOMPSON112@  
HOME.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:19pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sharon Thompson  
3415 Jolly Lane  
Rapid City, SD 57703-6083

**MTC-00022963**

From: Evan Romer  
To: Microsoft ATR  
Date: 1/24/02 5:21pm  
Subject: Microsoft Settlement

I feel that the proposed settlement does little to punish Microsoft's past anticompetitive behavior, does little to remedy the harm, does little to prevent Microsoft from engaging in anticompetitive behavior in the future (or in the present, for that matter, witness what they are doing with streaming technology in Windows XP). Microsoft will continue to be a stifling force in technology unless there are negative consequences for these practices.

Sincerely,  
Evan Romer  
51 Chestnut St.  
Windsor NY 13865  
eromer@hancock.net

**MTC-00022964**

From: Roberta E. Hampton  
To: Microsoft ATR  
Date: 1/24/02 5:20pm  
Subject: Microsoft Settlement

Dear Sirs,

It is time to wrap up this mess that Janet Reno's bunch started at the Justice Department. Microsoft has already agreed to hide its Internet Explorer icon from the desktop, which was the main objection I believe most of us had about the Windows program.

Competition is just that, and Netscape, which used to be a good browser, just hasn't been able to keep pace—or hasn't tried. Also, AOL's taking over Netscape should have

gotten it over the hump. Let's get this case settled!

Sincerely,  
Roberta E. Hampton  
605 W. 10th St.  
Lamar, MO 64759-1424

**MTC-00022965**

From: Lyman Nicoll  
To: Microsoft ATR  
Date: 1/24/02 5:23pm  
Subject: Microsoft settlement  
Quit harrasing Microsoft.

**MTC-00022966**

From: David Dickerson  
To: "Microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 5:23pm  
Subject: Microsoft Settlement  
DOJ Antitrust Division:

I do not believe that the current proposal adequately addresses Microsoft's past misconduct (e.g., crushing Netscape Corporation's share of the Web browser market), nor does it, in any way, prevent future monopolistic behavior by Microsoft—behavior which is blatantly occurring now.

Thank you very much for your time and consideration.

Sincerely,  
David M. Dickerson  
Senior Technical Writer  
PEREGRINE SYSTEMS, INC.  
616 Marriott Drive  
Nashville, Tennessee 37214  
UNITED STATES  
Phone: +1-615-231-6260, Extension 6491  
Fax: +1-615-231-6144  
E-Mail: ddickerson@peregrine.com  
URL: <http://www.peregrine.com/>  
"In a world of absurdity, we must invent reason; we must create beauty out of nothingness."—ELIE WIESEL

**MTC-00022967**

From: cancerIAT@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:19pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Wusinich  
133 Longford Road  
West Chester, PA 19380

**MTC-00022970**

From: ejreed@prodigy.net@inetgw

To: Microsoft ATR  
Date: 1/24/02 5:21pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elmer J Reed  
3711-61st ST  
Lubbock, TX 79413-5305

**MTC-00022971**

From: Steve Loughran  
To: Microsoft ATR  
Date: 1/24/02 5:25pm  
Subject: Microsoft Settlement

Please find attached my comments on the attached settlements. Overall, I think it will be at stopping anti-competitive behavior at Microsoft as the 1945 Yalta Conference was at bringing democracy to Eastern Europe, but I also have some specific issues worth bringing up.

-Steve

Comments on the Proposed Final Judgment with Microsoft Steve Loughran, steve@liseran.com

As a software engineer with many years experience writing Windows programs, I read the findings of the anti-trust investigation into Microsoft with some interest. It was fascinating and saddening to see how products I had worked with: Borland OWL, QuickTime, Intel's NSP effort, Netscape were all destroyed by Microsoft in order to protect what is clearly a monopoly in both desktop operating systems and application. Given that Microsoft were found to have been maintaining an illegal operating systems monopoly, I would have expected a radical attempt to correct this problem, on a par with the EU-IBM settlement of the mid-eighties.

I was therefore highly disappointed when the final judgement appeared, as it:

? does nothing to remedy the damage already done

? does nothing to prevent a recurrence

I believe the fact that MS are amenable to this settlement shows that they recognize both these facts, and that by rushing to reach such an unsatisfactory agreement, the DoJ will only be wasting another opportunity to increase competition and innovation in the software industry.

Most pertinently, the settlement does not make it easy for alternative operating system vendors to integrate with Microsoft applications, products and protocols, as the

scope of what can be disclosed, and the security and business case get-out clauses open to Microsoft, will prevent enough information to do so from ever becoming available.

I would suggest that this settlement is discarded and a serious attempt is made to come up with a solution which actually addresses the fundamental problem, rather than nibbles at the edges. That said, I would also like to take issue with many of the points in the settlement on a case by case basis.

III. D and III. E : Disclosure of Information  
On the subject of Microsoft Middleware, I would like to state some examples of where the APIs are not documented in an open manner. They may be available under non-disclosure agreements, but that does not benefit me.

1. How to write a new subsystem under Windows NT; a peer of the Win32 and OS/2 subsystems. This would enable applications written for a different API, such as Unix, to run unmodified on Windows—one could even implement a native Java runtime instead of going through Windows. Microsoft have never documented how to write a new subsystem.

2. How to create new Windows XP themes.

Windows XP has a reskinable user interface, like the Macintosh does, but MS have not documented how to create new themes, so that developers such as myself cannot make or sell them, Microsoft do sell themes as added value extras, clearly demonstrating how withholding of information continues to provide direct financial benefit. There are rumors that only digitally signed themes can be loaded by the OS, in which case Microsoft will have to remove that feature from the platform or provide a free signing service, otherwise the theme creation information would still not permit competition in the theme product category.

3. What the MSSCI source control interface to Visual Studio is. This is the interface which source code management providers need to implement to integrate their products with Microsoft's development tools; it is available under NDA only, so cannot be supported by open source products. This effectively forces Windows developers to use Microsoft approved source code management tools, which ties them to a windows platform.

4. How to integrate applications with Internet Explorer to the level that the MS Office suite does: when this is installed it adds buttons to the toolbar which indicate that somehow IE is looking at the creating application of every page and determining if it was written by an application in the office family. Third party applications need to be afforded equal rights.

5. COM+. The entire network protocol.

6. The Microsoft Office file format.

I suspect that the "security" clause (J. 1) will be used to restrict access to items (1), (2), (5), and would therefore wish for the blanket option to deny requests to be severely curtailed. The TC committee should have the right to see the documentation of the API and determine if that really is the case, and the right to force OS changes to nullify the

security concerns in the interests of interoperability.

I fear that item (3) will be denied on the basis that it is an in-application API, not a middleware product which talks directly to the OS. The same would hold for any API used inside the office products. However the dominant market share of MS in these segments, and their track record in anti-competitive behavior, should require this kind of "extension API" to be documented.

This leads me to the conclusion that any "extension API" For any Microsoft application, which is made available for aftermarket or add-on products must be made available for developer scrutiny and use, as much as for OS APIs. Effectively the definition of a Microsoft Middleware product (ref. VI.J and VI.K) should include the Microsoft Office and Microsoft Visual Studio platforms.

File formats, such as MS office, are not disclosed in an open manner. Although MSDN does document parts of the format, it explicitly denies readers the rights to use that information to write competing applications or use it on a platform other than Windows. Both of these restrictions restrict competition.

The second of the disclosure clauses (J.2) permits Microsoft to deny information to any person they believe does not have a reasonable business need or fails to meet reasonable, objective standards concerning the authenticity or viability of the business. This will deny access to information to home and open source developers—despite the history of innovation which such people have brought to software. I propose that such decisions as to suitability of the recipient should be left to the technical committee, and that all information should be released without fees or under non-disclosure requirements. I would also propose that some fight of appeal should be available if, for any reason, and information request is denied.

B. Appointment of a Technical Committee  
I am concerned that the TC membership requirements: "you may not work for a competitor to Microsoft for two years" will unduly hamper who is willing to join the committee. Microsoft view everyone in the computing industry as a competitor for the money of consumers; so that clause denies so many career opportunities that you must be a retired developer to consider the post. Microsoft's own employees are not subject to such rehire restrictions, so why should the technical committee members. I would therefore propose that the TC membership restrictions exactly match those which Microsoft apply to their own employees.

#### Definitions

I am particularly concerned that the definitions are so tightly defined that they can be avoided with ease. For example, the Microsoft .NET runtime is not defined as middleware, even though the Microsoft Java VM is. This makes it possible for Microsoft to provide undocumented APIs between .NET and the OS, and between the .NET runtime and Microsoft applications.

Middleware should be defined as "any framework above the basic OS which can be used to write applications or components of applications"; that is the general definition as used in the computer industry.

#### MTC-00022972

From: Glik, Michael  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 5:25pm  
Subject: My Comment on the settlement between the DOJ and Microsoft

I think that the proposed settlement between the DOJ and Microsoft does not have an intentions of either:

- 1.Punish offender (Microsoft) adequately for the crime
- 2.Prevent the repetition of the offence, such as using operating system monopoly to get unfair advantage against competition for the other related products such as browsers (Netscape), office (Word-Perfect), databases (FoxPro), disk drivers (Stalker) etc.

The only measure that would do both of the above would be to award monetary damages to the companies (if they exist) or investors (at the time the companies were dissolved).

In other words, if Microsoft (and other legal monopolies) would know that breaking the anti-monopolistic law would not benefit the company (Microsoft) or its investors, they would not break the law. So if Microsoft is forced to pay the amount of money "reasonably assumed" to get by Netscape, Opera, etc. to those companies or their investors, that can accomplish both objectives above.

Michael Glik  
off. (781) 993-8611  
h. (617) 630-2877

#### MTC-00022973

From: mark hendricks  
To: Microsoft ATR  
Date: 1/24/02 5:21pm  
Subject: Microsoft Settlement  
To Whom it may Concern,

We have found the demise of competition in the browser market to cause us much more work in maintaining and developing web sites. As the Internet Explorer browser monopolized the market it became less and less sensitive to standards, to the point that it just runs roughshod over some of those standards most relied on.

For instance, much of our development depends on the Java standard. Microsoft no longer feels the need to support this standard. They instead require their proprietary ActiveX technology to support Java applications. ActiveX is considered a security risk in the real world. Therefore many institutional firewalls do not allow ActiveX, making all our Java applications non accessible to much of our public.

Everything we have done with QuickTime (a firewall friendly technology) has the same issues. These are two of many great standards (developed by Microsoft's former competitors) that people came to depend on. If Microsoft still had competition in the browser market they would not be trampling these standards to promote proprietary technology, they would be competing to make people's lives easier, as they did when there was still competition in the browser market.

Thank you for your consideration,  
Mark Hendricks  
Project Leader  
Public Web Site

Federal Reserve Bank of San Francisco  
101 Market St.  
San Francisco CA 94105  
415.974.3236

#### MTC-00022974

From: deej@thayer.dartmouth.edu@inetgw  
To: Microsoft ATR,deej@thayer.dartmouth.edu@inetgw  
Date: 1/24/02 5:30pm  
Subject: Microsoft Settlement

I think the proposed DOJ settlement is completely inadequate, and does not come close to stopping Microsoft from continuing to abuse its monopoly position. Please, please reconsider before allowing this current settlement to pass. The proposed modifications made by the states do improve upon the DOJ settlement, but should perhaps be even stronger in the proposed limitations.

I believe that the only way to truly allow competition to Microsoft is to have Microsoft make public the specifications that their software uses to communicate with their operating systems and other applications. Note that this is not asking for the source code for Microsoft software, but rather the information necessary to allow other software to interact with Microsoft's software. Examples of this would be the details of the file formats used in saving Microsoft Word .doc files so that other software, such as StarOffice, could be used to read and write .doc files; network server communications used between the client desktop OS (like Windows XP) and the servers—this would allow programs such as Samba to cleanly interact with Windows clients and other Microsoft servers; specifications used to allow applications like Microsoft Office to interact with the Windows XP operating system—this would allow programs like WINE to be used as an alternative to Windows XP and allow Windows applications to run under other operating systems such as Linux.

Thank you for your time and consideration,

-Dj  
Dj Merrill  
deej@thayer.dartmouth.edu—N1JOV  
Dartmouth College, Hanover, NH 03755  
Thayer School of Engineering  
Sr. Unix Systems Administrator  
8000 Cummings Hall

#### MTC-00022975

From: Angela Teater  
To: Microsoft ATR  
Date: 1/24/02 5:28pm  
Subject: Microsoft Settlement

To whom it may concern,  
As a concerned consumer, it alarms me that the Department of Justice is not taking a stronger stance on the illegal practices of Microsoft. I ask you to use the proposed alternate settlement created by the nine states which did not support the Department of Justice's Proposed Final Judgment in place of that Proposed Final Judgment. Thank you for taking the time to read the request of a citizen.

Angela Teater

#### MTC-00022976

From: Bill Fass  
To: Microsoft ATR

Date: 1/24/02 5:32pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

Can we just get this case settled and get on with the business of recovery? We who sit on the sidelines and ponder what these various suits are all about are getting very impatient with the ongoing litigation. As a customer of Microsoft I feel that they have done a great job in educating all the ordinary citizens who are not necessarily computer proficient and bringing them into the world of computer technology. This case and all the others have cost both sides considerable time and money that could have been used in a more productive manner. Can't you see that this is slowing the economy and pushing the recovery further in the future.

As President Bush put it "Lets Roll."  
Signed—Bill Fass Sr. Roseville, CA.

**MTC-00022977**

From: LHeinsch@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:32pm  
Subject: microsoft judgement  
Please lay off microsoft.

**MTC-00022978**

From: bcander@wt.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Billy Anderson  
17378 E. Greenleaf Lane  
Conroe, TX 77306-8211

**MTC-00022979**

From: rhemoe  
To: Microsoft ATR  
Date: 1/24/02 5:33pm  
Subject: Microsoft Settlement

As a former Netscape subscriber and user I can tell you it wasn't the Microsoft Icon being on my computer that got me to switch, it was the ripoff cost of upgrading my Netscape to the latest versions. After switching I discovered how much better MS is than Netscape. So, now you are giving Netscape a subsidy by allowing them to sue Microsoft. This is unfair and wrong. It's nothing more than balckmail to Microsoft. What is the purpose, are you trying to destroy

yet another company and leave in its wake another MOTHER BELL debaule????????

**MTC-00022980**

From: Lee  
To: Microsoft ATR  
Date: 1/24/02 5:30pm  
Subject: Microsoft Settlement

Since punishing Microsoft is out of the question or maybe even unpatriotic, why not just recommend dropping the whole mess? Maybe even giving Mr. Gates a billion or so as a bonus for his fine work would be appropriate. Taxpayers will cheer. God bless the United States of Redmond. The rest of the world watches in awe as a real democracy operates.

Sincerely,  
Don L. Wiggers  
911 NE 58th St  
Ft Lauderdale, Florida 33334

**MTC-00022981**

From: JJB7718@AOL.Com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
John Bush  
83 No. Concord St.  
Gilbert, AZ 85234

**MTC-00022982**

From: elee10@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Elaine Lee  
15 Hallenan Ave  
Lawrence, MA 01841

**MTC-00022983**

From: Ned Schall  
To: Microsoft ATR  
Date: 1/24/02 5:34pm  
Subject: Microsoft Settlement  
Gentlemen:

This settlement should be settled so that the company can get back to business of making computers for the work place better and better. The companies need to spend their energies working for the good of people and not spending time in the courts.

Sincerely,  
Mary

**MTC-00022984**

From: Jim Crumley  
To: Microsoft ATR  
Date: 1/24/02 5:34pm  
Subject: Microsoft Settlement

Hello,  
I am writing to show my opposition for the proposed Microsoft anti-trust settlement. The proposed settlement does little to punish Microsoft for its misdeeds and it would probably make it easier for Microsoft to abuse its operating system monopoly in the future. The settlement is so full of holes that actually dropping the charges against Microsoft would probably be a tougher punishment than what has been proposed.

Personally, I believe that the most appropriate punishment for Microsoft would be breakup, but failing that remedies with more teeth than this proposal are definitely required. At the very least Microsoft should be forced to open up and document all of their APIs early in the development process. Microsoft should also be constrained from further integration of features into the operating system.

Thank you for your time.  
Sincerely,  
Jim Crumley  
1450 Grotto St. N.  
St. Paul, MN 55117  
Jim Crumley ✓  
crumley@fields.space.umn.edu ✓  
Work: 612 624-6804 or -0378 ✓

**MTC-00022985**

From: RCB  
To: Microsoft ATR  
Date: 1/24/02 5:35pm  
Subject: "Microsoft Settlement"  
BlankJanuary 24, 2002  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001  
Fax: 1-202-307-1454 or 1-202-616-9937  
microsoft.atr@usdoj.gov

Dear madam:  
I understand that the Association of Concerned Taxpayers (www.aocpt.org) is reporting that negotiations over the Microsoft

antitrust suit are at a critical pass, and that the Dept. of Justice is asking for public comment. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

"This is just another method for states to get free money, and a terrible precedent for the future," states the AOCTP, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen." This economically-draining witch-hunt has gone on long enough.

We wish to let the Department of Justice know how we feel about the Microsoft Settlement: We are satisfied Microsoft customers and love their products. We benefit from their creativity. Instead of going after the terrorists about to attack our nation, Clinton went against an honest American. We want to see this Clinton-era case finally closed.

It is high time that we correct these scams, adjust our priorities, and apply some common sense. Our government and our system of laws ought to protect the welfare of the citizens and not the welfare of "special interests" that are filling their pockets with taxpayers' money.

Respectfully yours,  
Rosa C. Bengochea  
Accountant-Realtor  
Owner and Moderator of  
FOR FREEDOM & JUSTICE GROUP  
<http://groups.yahoo.com/group/ForFreedomandJustice>  
rnb52@bellsouth.net

#### MTC-00022986

From: Kathleen Donohue  
To: Microsoft ATR  
Date: 1/24/02 5:35pm  
Subject: Microsoft Settlement

This settlement contains misleading and overly narrow definitions and provisions.

Sincerely,  
Kathleen A Donohue  
Chat with friends online, try MSN  
Messenger: <http://messenger.msn.com>

#### MTC-00022987

From: Phil  
To: Microsoft ATR  
Date: 1/24/02 5:38pm  
Subject: Proposed Microsoft settlement

To whom it may concern,  
I am firmly opposed to the proposed settlement as it currently stands. Should a bank robber be allowed to keep the money if he promises not to rob any more banks? I think not. Should Microsoft be allowed to keep their illegal gotten gains if they promise not to do it any more? I think not. I do not see anything in the proposal that addresses this. Not having anything in the proposal to address this seems to send a message to the public that crime pays.

You could make them pay a fine of three or four billion dollars and put it in the telecommunication fund that is wiring up all of the public schools and libraries. This would reduce/eliminate the monthly charge

that all people are now paying on their phone bill. Microsoft should be forced to open up their APIs and/or be made to make their applications import/export files using open standards as defined by W3C, IETF, etc. For example: Microsoft Word should be made to export and import files using W3C defined HTML and also standard ASCII. Microsoft Powerpoint should be made to export and import from PDF and Postscript.

Opening up the file formats will enhance the overall business community by allowing seamless interaction among everybody. This will greatly benefit the public. Regarding Section III J 1: Please do not allow Microsoft to be the one to judge if an API is security related, otherwise they will use this to unfair advantage "in the name of security". Nobody said creating an equitable settlement would be easy, however the stakes here are enormous and the outcome will impact the public for decades to come.

If you do decide to come up with additions to the settlement and come to a point where you cannot decide between a lenient or harsh penalty I would suggest that you favor the harsh penalty because you can bet that Microsoft will be paying top dollar to their lawyers to find ways around that penalty.

Sincerely,  
Phillip Bunch  
Maryland Heights, Mo.

#### MTC-00022988

From: Jim May  
To: Microsoft ATR  
Date: 1/24/02 5:37pm  
Subject: Microsoft Settlement  
Your Honor,

As a concerned citizen, I urge you to reject the proposed final judgment in the U.S. vs. Microsoft case before you. The proposed settlement fails to meet the standards set forth in the Appellate Court's decision, and it seems like it would be harmful both to the public and to the rest of the high tech industry. Every court has ruled that Microsoft abused its power and ran afoul of anti-trust laws, yet this judgment would allow them to retain almost all of the profits from this illegal activity. Is that really just? I don't know if anything can be done about it, but there are no provisions in this judgment that would assure us that Microsoft will cease its bullying anti-competitive practices. Therefore, my humble opinion is that you should throw out this proposed final judgment.

Respectfully,  
James B. May  
365 Meetinghouse Lane  
Lancaster, PA 17601  
717-299-4487

#### MTC-00022989

From: alex(a)linker.com  
To: [microsoft.atr\(a\)usdoj.gov](mailto:microsoft.atr(a)usdoj.gov)  
Date: 1/24/02 5:37pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

I would like to express my displeasure with the terms of the settlement as proposed. Whereas the provisions of the settlement provide some measure of value to citizens, I feel the core problem has not been addressed. Microsoft's practices continue unabated. In

fact, it seems they will now have legal cover to continue many of the most egregious ones.

Even ignoring the preventative intent of the original lawsuit, the penalty aspect for past excesses seems merely a token—in many ways it seems Microsoft will be in an even stronger position by extending its reach into academia while supplying outdated hardware at minimal cost to itself. An informative line-by-line dissection of the settlement can be found at the following link: <http://www.os2hq.com/archives/arch46.htm>. Even if only half accurate, the points raised should be addressed.

—Alex Klaffer, a concerned citizen

#### MTC-00022990

From: Arthur Abraham  
To: Microsoft ATR  
Date: 1/24/02 5:39pm  
Subject: Microsoft Settlement  
Dear Sirs,

I have been a computer software professional for over thirty years. Over the last ten years I have watched Microsoft exert a strangle hold on the computer software field. Because of Microsoft's monopoly hold on the market I am forced to purchase tools which are exorbitantly priced, and work on an operating system (Windows) which is largely undocumented, insecure, capricious, and un-repairable.

The proposed settlement is very inadequate. It is a license to Microsoft to continue in the future as it has in the past. I am pleading with you reject the settlement, and to craft an effective remedy to these problems.

Thank you,  
Arthur Abraham

#### MTC-00022991

From: Sebastian Becerra  
To: Microsoft ATR  
Date: 1/24/02 5:38pm  
Subject: Microsoft Settlement

I do not like the proposed settlement.  
Sebastian Becerra  
Tucker, Georgia

#### MTC-00022992

From: N. C.  
To: Microsoft ATR  
Date: 1/24/02 5:38pm  
Subject: Microsoft Settlement  
To Whom It May Concern,

How many federal judges found Microsoft guilty of monopoly? Is the DOJ really going to let them off—without even making M\$ pay legal fees?

To hell with conduct remedies, why not a light slap on their wrists and be done with it? Oh, and then have the taxpayers pony up the bill for this mockery of justice. I hope you guys got your g-strings stuffed with a few extra bills, at least.

Absolutely disgustedly yours,  
N. C.

#### MTC-00022993

From: Lyle P. Jones  
To: Microsoft ATR  
Date: 1/24/02 5:38pm  
Subject: Microsoft antitrust settlement agreement  
Attorney General John Ashcroft  
US Department of Justice

950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
Dear Mr. Ashcroft:

I support the Microsoft antitrust settlement agreement. While I have been opposed to this lawsuit from its inception, I believe settling the case now is in everyone's best interests.

The settlement agreement provides for a variety of concessions on Microsoft's part. They have agreed to increase server interoperability. They have also agreed to make a great deal of changes in the way they handle their relationships with software developers. Once the settlement agreement is finalized, Microsoft will not retaliate against software or hardware developers who develop or promote software that competes with Windows. Nothing more should be expected or required of Microsoft beyond the scope of the current settlement agreement.

I urge your continued support of resolving this case. Thank you for your efforts in this regard.

Sincerely,  
Lyle P. Jones  
PO Box 281/451 Coul Ave.  
Buckley, WA 98321  
ljones0281@hotmail.com  
phone 360-829-9293

**MTC-00022994**

From: Dave Newman  
To: Microsoft ATR  
Date: 1/24/02 5:40pm  
Subject: Microsoft Settlement

Having been a professional software developer since 1987 and having observed numerous, predatory actions by Microsoft, I feel the proposed settlement between the DOJ and Microsoft is absolutely NOT in the best interest of consumers, independent developers, or free market competition.

This proposed settlement should be rejected.

Sincerely,  
David Newman  
tinman@pobox.com

**MTC-00022995**

From: chet(u)chap  
To: Microsoft ATR  
Date: 1/24/02 5:38pm  
Subject: Microsoft Suits

Dear Sir,

I am neither a holder of Microsoft stock, nor of AOL stock and have never been. My interest in this issue is to resolve these interminable lawsuits by companies and others against Microsoft. I view these suits as nothing more than a nuisance to the effort of a very viable and productive company (Microsoft) to produce products that have been of tremendous benefit to the American public. I hope that in your findings that you will put an end to these lawsuits. I am a very satisfied user of Microsoft products. It is through these products that the American public has become very productive, without having to learn a multitude of languages for various products of the same type. If this be a monopoly, so be it. The U. S. government is a monopoly also, but I happen to like it the way it is. And the same is true for the way Microsoft is pursuing its business.

All we have here with these lawsuits is a effort by some politicians (particularly those

in the San Jose Silicon Valley and an ambitious Attorney General of the State of California), a group of disgruntled companies (AOL, Oracle, Apple), and some greedy trial lawyers to try to muscle in on and impede the success of Microsoft. Please dismiss these lawsuits in a timely manner.

By the way, this whole thing was started by the prior Presidential administration as a payback for the support given to that administration by the various companies in the Silicon Valley. At least that is the opinion of myself and many others to whom I have spoken.

Chester Chapman  
P. O. Box 32307  
Tucson, AZ 85751  
email: chet—chap@msn.com  
CC:Chet Chapman

**MTC-00022996**

From: Eric Murray  
To: Microsoft ATR  
Date: 1/24/02 5:40pm  
Subject: Microsoft Settlement  
Greetings,

I am writing to let my feelings on the proposed Microsoft settlement be known, a right provided by the the Tunney Act. It is my belief that allowing Microsoft to continue doing business as a single entity does not sufficiently remedy the circumstances that allowed the company to become a monopoly power in the first place, and subsequently abuse that power. My views are in line with those expressed by Robert Litan and Roger Noll (American Antitrust Institute Advisory Board members) and economist William Nordhaus. I refer you to their Tunney Act comments by way of the following URL:  
<http://www.antitrustinstitute.org/recent/162.cfm>

Please accept my thanks for considering my opinion in this matter.

Eric Murray  
independent Computer Systems Consultant

**MTC-00022997**

From: PMeyer66@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:41pm  
Subject: Microsoft Settlement

I am requesting that the Department of Justice settle the Microsoft case under the terms of the original antitrust case. As a public school educator employed in a low income area, it would be a windfall for the underprivileged children in the district to have the use of computers and software. These are children that will NEVER have the opportunity again. I beg you to open the door to these deserving children. Without the funds to further their education, a computer background would at least give them skills that can be used in obtaining employment.

The government has spent enough of our tax money trying to cripple an American business. Enough is enough.

Thank you for listening.  
Priscilla Meyer

**MTC-00022998**

From: Kevin Cosgrove  
To: Microsoft ATR  
Date: 1/24/02 5:25pm  
Subject: Microsoft Settlement  
Greetings,

The Proposed Final Judgment (PFJ) against Microsoft is so weak and vague as to make a mockery of the justice process. How is this fair or even legal? Can the justice system turn a blind eye to Microsoft's continuation of illegal practices documented in the Findings of Fact even during the penalty phase of the ongoing trial?

I urge you with all the heart I can muster to take all legal steps available to level the competitive playing field in the software arena and allow this area of our economy to realize unfettered innovation amongst a broad range of savvy technologists.

My perspective is that of:  
—Electrical Engineer, I design integrated circuits (chips).  
—Software Engineer, I create software.  
—Educator, I teach electronics.  
—Musician, I use music software.  
—US Citizen, I expect that the justice system should do its job in upholding the law.  
Thanks for your attention.  
Kevin Cosgrove, Engineer, Portland, OR

**MTC-00022999**

From: eelsieh@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:38pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elsie Hendricks  
2308-B North Grand Ave.  
Roswell, NM 88201-6424

**MTC-00023000**

From: Art Gittleman  
To: Microsoft ATR  
Date: 1/24/02 5:41pm  
Subject: Microsoft Settlement

The proposed settlement is a bad idea.

Art Gittleman  
1902 Park St  
Huntington Beach CA 92648  
Art Gittleman  
Professor, Computer Science  
Calif State Univ Long Beach  
Long Beach, CA 90840-8302  
(562)985-1530  
artg@csulb.edu

**MTC-00023002**

From: Christopher Sean Morrison  
To: Microsoft ATR  
Date: 1/24/02 5:42pm  
Subject: Microsoft Settlement

To Whom it May Concern:

Per the Antitrust Procedures and Penalties Act, 15 U.S.C. 16 (Tunney Act), I am commenting on the revised proposed Final Judgment to resolve the United States v. Microsoft civil antitrust case. I find the proposed settlement to be inadequate; the settlement does not include any terms to enforce restitution or reprisal for the damages Microsoft incurred.

Microsoft was found liable for damages caused by its actions. The proposed settlement, however, does not go to any significant length to make provisions to any party, individual, or company that incurred a loss through Microsoft's actions. The proposed settlement only takes steps to limit damages that may be incurred in the future.

Given the substantial nature of the damages that were incurred and the period of time over which Microsoft has been able to use its monopoly for monetary benefit, I believe that direct monetary penalties should be included in the proposed settlement.

It is one thing to try and prohibit Microsoft's future actions and minimize their ability to leverage their position in industry as a monopoly. As the proposed settlement details, hopefully said restrictions will encourage competition in the marketplace and restrict Microsoft's monopoly. Without including settlement terms, however, that include retribution to those impacted by Microsoft's actions, Microsoft is allowed to essentially "get away with" everything that they did. To not be punished for improper behavior is to not serve proper justice. Microsoft was allowed to make billions of dollars through their monopoly. Other companies and individuals were directly penalized and damaged. The industry as a whole has also been impacted. The proposed settlement is inadequate because it is looking only to limit future activity. Thank you for your time and attention.

Sincerely,

Christopher Sean Morrison  
Senior Analyst  
U.S. Army Research Laboratory  
Quantum Research International, Inc.

[ the opinions and ideas included may not necessarily represent the opinions and ideas of my employer or affiliates ]

**MTC-00023005**

From: Michael Wojcik  
To: Microsoft ATR  
Date: 1/24/02 5:41pm  
Subject: Microsoft Settlement

Section J.1.a of the Proposed Settlement, allowing Microsoft to avoid disclosing APIs and other technical information on various grounds, in effect gives Microsoft carte blanche to conceal technical information about its products on the pretext of protecting security or DRM (digital rights management) mechanisms. It is generally acknowledged that Microsoft has often used and continues to use non-disclosure of technical data about its products ("hidden APIs") to gain unfair competitive advantage, particularly in interactions between its operating systems and applications divisions. If enacted the settlement as written has no power to prevent or discourage Microsoft from continuing to do so, and so utterly fails

to achieve the end it and the legal action it terminates ostensibly sought.

As a practitioner in the field where Microsoft is held to possess illegal monopolistic power, and as a consumer adversely affected by Microsoft's monopolistic practices (which have a chilling effect on the development of superior products), I protest the inclusion of this clause in the proposed settlement.

Michael Wojcik  
Principal Software Systems Developer,  
Micro Focus  
michael.wojcik@microfocus.com

**MTC-00023014**

From: geoffmiller@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:40pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Geoff Miller  
346 Burns Dr.  
Westerville, OH 43082

**MTC-00023018**

From: Cathy Cheung  
To: Microsoft ATR  
Date: 1/24/02 5:43pm  
Subject: Microsoft Settlement  
The proposed settlement is a bad idea.  
Redwood City, CA 94065  
Student

**MTC-00023020**

From: georgef@bitstorm.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:41pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not

only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
George Foster  
55 Rosedown Blvd  
DeBary, FL 32713-4118

**MTC-00023024**

From: Richard Hansen  
To: Microsoft ATR  
Date: 1/24/02 5:46pm  
Subject: Microsoft Settlement

I do not like the proposed settlement. Particularly, I don't like how loose the definition of "API" is (definition A). Also, as far as I can tell, there is no requirement that Microsoft discloses known limitations, bugs, or security issues in the API's (once they are discovered). I would like to see that included because software developers' products are often directly affected by bugs in Microsoft's products. Microsoft knows about the bugs/limitations and can develop software products around the problem, but third party developers are sometimes left to suffer bad PR because of bugs that are not their fault. One may argue that Microsoft could purposely introduce undocumented bugs and limitations in order to limit functionality of third party and competing software products.

Section III.J.1. should be phrased much more carefully. I believe there are too many obscurities that would allow Microsoft to not document many important API's.

In general, I agree with the arguments made in the following essay:

<http://www.kegel.com/remedy/remedy2.html>  
Richard Hansen

**MTC-00023026**

From: Ernie Fisch  
To: with a subject of "Microsoft Settlement"  
Date: 1/24/02 5:48pm  
Subject: Microsoft Settlement

I am against the proposed settlement with Microsoft. It does nothing to hamper their monopolistic practices.

Ernie Fisch <ernfisch@cox.net>

**MTC-00023027**

From: Rick Nall  
To: Microsoft ATR  
Date: 1/24/02 5:41pm  
Subject: Microsoft Settlement  
The settlement is a bad idea.  
Richard T. Nall  
1545 Gulf Shores Pkwy #205  
Gulf Shores, AL 36542

Never under-estimate the bandwidth of a station wagon full of tapes hurtling down the highway.

A. S. Tanenbaum

**MTC-00023028**

From: Victor E. Oekerman  
To: Microsoft ATR  
Date: 1/24/02 5:50pm  
Subject: microsoft vs AOL  
To Whom it may Concern:

I am a small computer user and am happy with my Microsoft equipment/programs and

do not wish to be forced to buy AOL products just to stay in business.

Thanks for your assistance.

Yours truly,  
Victor E. Oekerman  
P.O. Box 100  
Oceanside, OR 97134-0100  
CC:msfn@microsoft.com@inetgw

**MTC-00023029**

From: brenna burns  
To: Microsoft ATR  
Date: 1/24/02 5:49pm  
Subject: microsoft settlement  
please don't let microsoft get its big greedy way! thanks, Brenna Burns

**MTC-00023030**

From: Bruce  
To: Microsoft ATR  
Date: 1/24/02 5:51pm  
Subject: Microsoft Settlement  
I strongly oppose the Microsoft settlement.

**MTC-00023031**

From: Cmessmer@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:52pm  
Subject: Microsoft Settlement

Dear Sir or Madame,  
I cannot believe that this court and the nine states that don't want to accept Microsoft's Settlement offer are willing to send this very fragile economy into the sewer. As msft goes so goes the market, as we investors all know. This is simply a case of going for them because they have deep pockets and the consumer is very sick of this activity by the courts. A blind person can see that those companies who were competitors of microsoft were also the same companies that politically swayed the DOJ case against them. The states who are not accepting the settlement offer are mostly the states that the aforementioned companies have a large facility(ies) in. Is this right to litigate rather than compete? I guess as long as the courts rule in favor of them why should they compete. In fact, AOL just announced that they are going to sue msft because of how msft treated the company that AOL later purchased for \$10 billion because of the browsers. The timing for this lawsuit is certainly not a coincidence to millions of people. This country is way past being sue happy and we can thank the trial lawyers for that. This whole lawsuit is shameful for this country and our economy. Again I say, it's only a matter of deep pockets and we all know it.

Regards,  
Mr. and Mrs. Chris E. Messmer  
Seattle, WA

**MTC-00023032**

From: susan farrell  
To: Microsoft ATR  
Date: 1/24/02 5:52pm  
Subject: Microsoft Settlement  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

Honorable Justice Hesse,  
I am dismayed at the restraint with which the Department of Justice proposes to address

the illegal monopolistic practices of Microsoft. Microsoft has for many years acted with contempt for the laws, ethics, common practices, and spirit of fair competition in the computer software and hardware industries. Even now they are poised to take over broadband, media content, e-commerce, and several smaller but crucial industries. They have put other companies out of business in the most ruthless manner, stifling good designs, better products, and even open discussion.

Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems. This problem has seriously affected my work for years, because I use those competing operating systems (MacOS and Unix). Also, the proposed remedies, although seriously flawed in my view, since they do not address many serious issues, do not come with enforcement mechanisms likely to work.

In the past they have treated legal remedies to their anti-competitive practices with contempt by ignoring them. The alarming and potentially national-security-compromising state of Internet insecurity today is their fault, since they continue to ship insecure products while in fact forcing companies and .gov agencies to use them. The state of computing monoculture should be of concern to everyone. When one virus can wipe out billions of dollars in a week, it's time to ask "why are we so vulnerable?". Smart organizations, including the armed forces of Australia have already walked away from Microsoft solutions because of their inability to be secured or to be freed from the surveillance mechanisms Microsoft builds in for reasons of its own.

Please come to the rescue of the little companies, the hardware manufacturers, the industries that depend on computing to do business, and the People of the US (indeed of the world), and protect us in a meaningful way from Microsoft's unfair and freedom-stifling business practices. The company is evil and it could destroy what's left of our economy if left unchecked and unpunished. They are almost a sovereign power now, because of their economic power and ability to punish companies who don't comply. Please take them as seriously as they take themselves.

They need to open their APIs. They need to be held accountable for their lack of security in their email and office products. They need to be made interoperable on competing OSs. They need to be prevented from forcing hardware manufacturers to include their products but not competitor's. They need to be prevented from owning the sole means of online transaction management (.Net). And they need to be prevented from dumping free technology that puts other businesses out of business, as they did with Netscape by giving away a browser for free until Netscape founded. As they tried to do by giving free technology to schools as part of the settlement. Thank you for taking the time to consider real sanctions with real enforcement mechanisms against this long-time bad actor in our economy. Please act quickly before even more companies are forced out of business.

Sincerely,  
Susan Farrell  
Portland Oregon  
User Experience Specialist

**MTC-00023033**

From: kjan@ksable.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:50pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jan/Ken Miller  
18 E. 28th St.  
Hutchinson, KS 67502

**MTC-00023034**

From: Scott Stadelhofer  
To: Microsoft ATR  
Date: 1/24/02 5:55pm  
Subject: Microsoft Settlement

Please end the case against Microsoft as soon as possible. It is hurting the US economy and all of the shareholders in all of the companies involved.

Scott R. Stadelhofer  
sstadelhofer@maranatha.net  
703-641-9177

**MTC-00023035**

From: Joe@orodo.  
localdomain.private@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:56pm  
Subject: Microsoft Settlement

I am writing to express my strong disapproval of the Proposed Final Judgement against Microsoft Corp. It does not go nearly far enough to open the market to competition both in the operating systems market and the software applications market; furthermore it allows Microsoft to continue a great many anti-competitive practices.

Ideally, operating systems would be like household electrical outlets (commonplace and 100% compatible), and applications would be like vacuum cleaners and TVs (commodities built atop a common, standard infrastructure). Until that blissful state of affairs exists, the only way to ensure fairness in the software industry is to compel software makers, and particularly operating-system vendors, to clearly document all APIs, and to prevent vendors from offering those APIs preferentially to particular developers, including themselves. The Proposed Final



Judgement takes tiny baby steps in this direction, when what is required is several giant leaps.

Thank you,  
Joseph A. Knapka,  
Software Developer  
jknapka@earthlink.net

**MTC-00023036**

From: Sanjay Chandra  
To: Microsoft ATR  
Date: 1/24/02 5:57pm  
Subject: Microsoft Settlement  
Please see attached letter regarding the Microsoft Settlement.

Thanks,  
Sanjay Chandra Ph (972) 296-9599  
x202 <Mailto:SChandra@  
AmericanLeather.com>  
Vice-President Fax (972) 590-9291  
American Leather <http://

www.AmericanLeather.com>  
AMERICANLEATHERTM  
January 24, 2002

Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am contacting you to ask that you back the settlement reached in the Microsoft antitrust case. This case simply has continued for too long, and an enlightened settlement now exists that should bring this case to a close. The settlement that is currently being made available to both sides will bring improvement and more openness to the IT industry. The settlement allows computer makers to place non-Microsoft systems on their machines unencumbered by contractual restrictions. The settlement also will permit the easy placement of non-Microsoft software on Microsoft operating systems. Clearly this settlement presents a reasonable result for all sides. Pursuit of further litigation in the federal case is, in my opinion, unwarranted. I again respectfully ask that you back the current settlement.

Sincerely,  
Sanjay Chandra  
Vice President  
American Leather, LP  
cc: Representative Martin Frost  
3700 Eagle Place Drive Suite 100 Dallas  
Texas 75236  
Phone 800-456-9599  
Fax 972-296-8859

**MTC-00023037**

From: Adam Quddus Salter  
To: Microsoft ATR  
Date: 1/24/02 5:56pm  
Subject: Microsoft Settlement

I believe that the proposed mesures are not harse enough to prevent Microsoft from continuing their monopolistic practices. The original decision to split Microsoft into several smaller companies along specific "offerings" or "lines of business" was, in my humble opion, a good start.

Thank you,  
Adam Q Salter

**MTC-00023038**

From: frank@wymeng.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:54pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Frank Wymore  
545 Shoreview Park Road  
St. Paul, MN 55126-7018

**MTC-00023039**

From: EDBURK@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:56pm  
Subject: Microsoft Settlement

First I'd like to take this opportunity to tell you how much I respect you for the job you are doing during these trying times. I also find you to be very articulate and a pleasure to listen to on the tv. Now to the matter of Microsoft. Settle it, end it. Enough is enough. This is America and very few of us would expend money and not expect to get rewarded for it.

There are alot of laws that have changed over our existance and by tomorrow they will change some more. Microsoft is innovative and forceful-thats what makes America what it is. Microsoft employs alot of people and is extremely beneficial to charities. Placing their units in underpriviledged schools is a benefit to America and its children. Yes it creates advertising, but come on, who in America or elsewhere doesnt know Microsoft already-thats good govt. The good outweighs the bad-the majority is served. All "good" attorneys tell their clients to settle immediately and get on with their lives-please let America get on with their lives regarding this matter-plus if they mess up again-hit them again-simple. MOVE ON.

Thank you for your time,  
Sincerely,  
Debra Collard  
First City Realty Inc.  
Southwalk Ltd Inc.  
Parkview Dev. Inc.  
CBC Investment Inc.  
151 Creekside Drive  
St. Augustine, Fla. 32086  
edburk@aol.com  
CC:fin@mobilizationoffice.com@inetgw

**MTC-00023040**

From: Miles Robinson  
To: Microsoft ATR  
Date: 1/24/02 5:56pm  
Subject: Microsoft Settlement

To Whom it May Concern,  
I am saddened to hear that the Department of Justice and Microsoft have reached a tentative settlement of the United States vs. Microsoft antitrust lawsuit. I believe that the proposed settlement does a very poor job and that it is critical that aforementioned settlement be reevaluated and abandoned. To allow a company who has repeatedly "strong armed" and forced competitors out of the market (and eventually business) to pay their debt with software coupons is outrageous. In the end it would only expand Microsoft's market share. Where is the punishment in that? Thank you for your time.

Sincerely,  
Myles Robinson

**MTC-00023042**

From: m-yeakel@uiuc.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:56pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Martha Yeakel  
315 S. Poplar  
Arthur, IL 61911-1532

**MTC-00023043**

From: cmmelanson@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:56pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Orman Melanson  
1 Katie Lane  
Raymond, NH 03077

**MTC-00023044**

From: Denny Denniston  
To: Microsoft ATR  
Date: 1/24/02 5:59pm  
Subject: court settlement

Current proposal is fair and the competitors should compete in the market place rather than the courts. c. R. Denniston, Consumer

**MTC-00023045**

From: Rick Faber  
To: Microsoft ATR  
Date: 1/24/02 6:01pm  
Subject: Microsoft settlement not harsh enough

Microsoft is a monopoly. We have other monopolies in our societies as they are useful in some areas. That is ok. When a monopoly uses and or abuses its status to squash/intimidate/ or effect other persons/cooperations, That is not ok. Clearly Microsoft falls in the latter case.

I believe the proposed settlement is too lenient, and Microsoft should be punished more harshly for its actions.

Cheers,  
Rick  
Department of Biochemistry & Biophysics  
2011 Agricultural and Life Sciences  
Oregon State University  
Corvallis, OR 97331-7305  
USA  
Tel:(541) 737-3196  
(Monday,Wednesday,Thursday)  
Fax:(541) 737-0481  
fax:(801) 605-4566  
CC:nolandpeebles@attbi.com@inetgw

**MTC-00023046**

From: CMcN3115@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:00pm  
Subject: Microsoft Settlement

It is time to end all this litigation and get back to business. Let's get the economy started, not bog it down in the courts.

Catherine McNamara

**MTC-00023047**

From: John Hitt  
To: Microsoft ATR  
Date: 1/24/02 6:01pm  
Subject: Microsoft Settlement

Just wanted to congratulate the DOJ for doing a great job of moving America one more step towards "a government of the corporations, by the corporations, for the corporations". This settlement coupled with the superb DMCA laws make everyone feel that their freedoms and rights are being sold out from under them by corporate lobbyists everywhere.

John Hitt  
Strategic Applications Engineer, DHPG  
Sun Microsystems, Austin, TX  
x64073 (Internal) 512.401.1073 (External)

**MTC-00023048**

From: BILLIEA@MINDSPRING.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:58pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
BILLIE ALLENSWORTH  
2411 WINTER PARK ROAD  
WINTER PARK, FL 32789-6108

**MTC-00023049**

From: vcason@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:57pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Vida Cason  
Rt.3.Box 2461  
Coushatta, LA 71019-9582

**MTC-00023050**

From: matesky@peoplepc.cim@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:58pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel

going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
mark tesky  
204 Dublin CT  
Blue Springs, MO 64014-4818

**MTC-00023051**

From: jhuerta1@san.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 5:59pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jess & Julie Huerta  
14082 Montfort Court  
San Diego, CA 92128

**MTC-00023052**

From: Randall J. Parr  
To: Microsoft ATR  
Date: 1/24/02 4:04pm  
Subject: Microsoft Settlement

The proposed settlement is very, very bad. Right up there with building cars and making chemicals that kill people.

**MTC-00023053**

From: drennie  
To: Microsoft ATR  
Date: 1/24/02 6:03pm  
Subject: microsoft settlement

I do not believe that the currently contemplated Microsoft settlement will solve the problems caused by the long-term monopolistic behavior of Microsoft, or prevent these problems from continuing. I was personally adversely affected by Microsofts anti-competitive practices in 1994-1995 as I attempted to start up a small computer business based on the OS/2 operating system. Because of punitive Microsoft contract provisions, my hardware suppliers could not offer me basic unconfigured systems without a financial penalty in pricing if I was not going to use Microsoft Windows operating system. This was a telling financial disadvantage for

anyone wanting to sell OS/2. Please do not fail to not only enforce a remedy that fosters vigorous innovation and competition in the future, but also put in place oversight with ample authority to ensure compliance into the future.

Sincerely,  
David Rennie

**MTC-00023054**

From: janbig@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:00pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jan Bigler  
1492 La Brea  
Henderson, NV 89014-2587

**MTC-00023055**

From: Dwight Munn  
To: Microsoft ATR  
Date: 1/24/02 6:10pm  
Subject: Microsoft Settlement

To whom it may concern,

I would like to register my opposition to the proposed settlement with Microsoft. As an Apple Computer reseller with many contacts in the educational community (including my wife who is a teacher) I have seen firsthand how Microsoft's insidious practices have "persuaded" many educational institutions to abandon competing computer platforms in favor of Windows-based solutions, even when it could be demonstrated that they would be better served by using a competitive solution. I feel that the proposed remedy of donating Microsoft software and Windows-based computers would only serve to give Microsoft an unfair advantage in one of the few areas where it does not already enjoy a monopoly. In my opinion, a better solution would be to simply require Microsoft to donate an equivalent amount in cash which schools could spend as they saw fit.

I strongly urge you to reject the terms of the settlement as it currently stands. It does not begin to address or punish the unfair behavior in which Microsoft has engaged and would in fact reward the company for its misdeeds.

Regards,  
Dwight Munn

**MTC-00023056**

From: ELTONCHASE@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:04pm  
Subject: Microsoft settlement

For almost 30 years I worked for Community Colleges in Washington State as a computer instructor, Data Processing Director and at time of retirement, Director of Information Technology for the Community Colleges of Spokane. During those thirty years I was involved in the decision and approval process for the purchase of thousands of PC's, Apple Computers, Unix systems and computer software. These decisions were always based on what products local industry was using and what was the best technology for the application. When Microsoft products were chosen, it was due to superior products to do the job and to implement the industry defacto standard in order to keep technical support costs reasonable and applications compatible. We found Microsoft an excellent supporter of education in our state. Microsoft worked with the Washington Community College Computing Consortium over the years to provide much needed educational discounts, training and support to faculty, staff and indirectly students.

I do not feel the colleges, faculty or students were harmed in any significant way from the monopoly Microsoft gained over the years in desktop operating systems. Microsoft simply developed the best technology and prevailed in the marketplace. However since the courts have determined that Microsoft benefited unduly from their contracting practices, a remedy should be sought that provides the greatest benefits to our society. A breakup is not warranted, but changes in contracting practices with computer vendors should be implemented.

A decision by the courts that impacts education and students throughout the country will be far more valuable for our society than a rebate scheme to individuals or other companies which primarily benefit attorneys. Since product donations to schools as proposed by Microsoft is objected to by it's competitors as giving Microsoft unfair advantage, an alternative would be for the court to require the company to distribute, as a fine, several billion \$'s cash to schools throughout the nation to upgrade and improve their technology. The technology to purchase would be determined by each individual school district or college. They should be free to purchase products such as books, supplies, software, networks, communications, Apple Computers, Unix systems, whatever they determine are their priorities. This approach would distribute a large amount of cash through the schools to a wide variety of vendors, and benefit our economic recovery in the short term.

But most importantly everyone in our country would benefit in the long term as our schools will be better able prepare our students for competition in the increasingly technical and complex world economy.

Finally, it is important to conclude this case and let Microsoft and their competitors decide their fates in the marketplace, not in the courts.

Elton W. Chase

2416 Wedgewood Dr. SE  
Olympia, WA 98501  
360-705-8874

**MTC-00023057**

From: Patrick Boyd  
To: microsoft.atr  
Date: 1/24/02 5:59pm  
Subject: Microsoft proposed DOJ settlement

I wish this was going to Judge Colleen Kollar-Kotelly and not the Department of Justice, which after the change in administration, should now be called the Department of Injustice. I expect that whoever is reading this will stop at this point in put a check mark in a column against the proposed DOJ settlement.

The proposed DOJ settlement is an insult to everyone except mabey shareholders of Microsoft. It isn't even a slap on the hand. Or if you prefer, it is the perfect example of all the political and legal Justice someone can afford.

Even as we speak Microsoft is using the Business Software Alliance, its equivalent of the IRS/Gestapo, to put the fear of God into the public at large. The end result will be solidifying its monopolist position in the operating system, office productivity, web browser, ect.. Even though other companies are participating members of the Business Software Alliance, it is discounts for Microsoft software that are being used as the carrot for compliance.

A good example is the following excerpt from an article in the Tennessean, the major daily paper in Nashville, TN:

<http://www.tennessean.com/business/archives/02/01/12536028.shtml?Element—ID=12536028>

"Everyone is scared and thinks they could go to prison," said Wayne Adams, president of Night Technologies, a computer consultant company in Nashville. "We've had a tremendous number of people asking if they need to turn themselves in."

Microsoft's approach requiring both initial registration of Windows XP, and reregistration when changes to hardware are made, are another perfect example of a monopoly using its power to continue its monopoly. This has the potential to result in a greater database of personal information than even that of the IRS, because it will not only cover virtually every individual and business in the United States, but the world. Databases start small and grow as additional pieces of information are acquired and connected with other pieces of information. It doesn't matter what Microsoft says it won't do with the information, the fact that it will exist will mean it ultimately will be used, or mined as the industry likes to refer to it.

Patrick S Boyd, CLU, ChFC, CEBS  
Insurance Consultant & Broker  
4708 Granny White Pike  
Nashville, TN 37220-1012  
Tel: 615-371-8400 Fax: 615-370-9288  
patrick.boyd@nashville.com

**MTC-00023058**

From: mariamhughes@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:02pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
MARIA HUGHES  
14779 S. 600 W.  
WANATAH, IN 46390

#### MTC-00023059

From: EJoy49@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:02pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joy Feller  
816 Bonita Ave.  
Elk Grove Village, IL 60007-4410

#### MTC-00023060

From: Earl Rose  
To: Microsoft ATR  
Date: 1/24/02 6:06pm  
Subject: Microsoft Settlement

I think the Microsoft deal is a BAD IDEA!

#### MTC-00023061

From: Thomas G. Parsons  
To: Microsoft ATR  
Date: 1/24/02 6:04pm  
Subject: Microsoft Settlement

With respect to the proposed settlement of antitrust action against Microsoft:

#### SETTLEMENT INADEQUATE

I have followed relevant events in the media for several years, and I am seriously disappointed in the proposed settlement. It could hardly be weaker. It does not even

begin to approach a remedy, much less a punishment, but comes closer to being a government endorsement of Microsoft's abusive and harmful behavior.

#### MY POSITION

I am not a computer professional, nor involved in any way with the industry, but I have used home computers since acquiring a Northstar Horizon in 1979. I have tried to keep up with the field, and I regard myself as computer literate.

I have been personally injured by Microsoft's behavior over the years, and the damage continues. Years ago, I was initially involved as a silent victim in the controversy over the separability of Microsoft Internet Explorer from the Windows operating system. Believing Microsoft's publicity about the separability, and attempting to remove IE from my then-new Dell Latitude LM laptop, I destroyed the usability of Windows 95 and had to reinstall from the CD provided. Besides the cost in time and lost data, the operating system has never worked as well since, despite several reinstalls, following every instruction from Microsoft.

At this point, I am working to install and master Linux, despite the notorious difficulties. These difficulties pale in comparison with the many wasted hours and days I have been forced to spend to keep Windows functional. If there had been realistic competition in the marketplace, I would have a choice. I do not. The antitrust judgment recognizes this, but the proposed remedy is no remedy at all.

#### INADEQUATE REMEDIES

The proposed penalties appear not to require Microsoft to desist from their "embrace and extend" tactic of modifying established standards and then patenting, and/or hiding, key elements of their changes ("improvements").

The proposed remedies do not appear to give me the option to demand a reduction in the price of a new computer if it does \*not\* have Windows pre-installed. Thus anything Microsoft chooses to include in its operating system takes on the character of a forced purchase inseparable from the purchase of hardware. This can only extend the existing monopoly. There should be a price reduction that bears a reasonable relation to the retail price of the operating system.

#### INADEQUATE ENFORCEMENT

Worst of all, the proposed enforcement mechanism of even the too-weak settlement is meaningless. Any detection of a violation by the overseers will not automatically trigger serious penalties, as it should. Such a finding will just initiate another lengthy court battle about the substance and significance of the alleged violation. Back to square one. One could hardly imagine a mechanism closer to the classic "Throw Br'er Rabbit in the briar patch" for Microsoft's purposes.

#### PROPOSED SETTLEMENT DISCREDITS COURTS AND GOVERNMENT

The proposed settlement is so extraordinarily weak that it provides fodder for cynics. It could not favor Microsoft more, if Microsoft had written it and paid for it—which many suspect is not far from the actuality.

Sincerely,

Thomas G. Parsons  
[American citizen, currently resident in New Zealand]

#### MTC-00023062

From: lundberg@fiberpipe.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:03pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Lundberg  
1669 Nottage Court  
Laramie, WY 82072

#### MTC-00023064

From: Patrick Thurmond  
To: Microsoft ATR  
Date: 1/24/02 6:07pm  
Subject: I think you did the right thing with MS

I am so happy that the JD did not pursue the MS antitrust battle! Hurray. The department did the right thing. Let free enterprise ring!

Patrick Thurmond  
registered and active voter  
Overland Park Kansas

#### MTC-00023065

From: owen@dixon.  
DeLong.SJ.CA.US@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:07pm  
Subject: Microsoft Settlement

To: Renata B. Hesse Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney act, I wish to register the following comments: regarding the proposed Microsoft settlement. I agree with the problems identified in Dan Kegel's analysis, incorporated here by reference (on the Web at <http://www.kegel.com/remedy/remedy2.html>).

Further, I feel that Microsoft should NOT be allowed to release any additional versions or updates (other than emergency patches for security holes) to any of their software products until they comply with at least the following:

Microsoft shall be required to provide a Reference Implementation in source form, royalty free, and freely available to all users,

for all document formats created by any Microsoft Application Program.

Microsoft shall be required to provide complete documentation of all library calls, system calls, and any other entry point in each and every library (LIB, DLL, VXD, OBJ, or other format) shipped with any Microsoft product. Such documentation must include a description of the functionality provided by each entry point, the calling sequence, returned parameters, error conditions, how various errors are handled, and any other relevant information about each library or system call.

The above two paragraphs come much closer to the definition of an API, and would provide the community a substantially more useful guarantee that code can be written to:

1. Compete with any Microsoft API on a level playing field.
2. Utilize any Microsoft implementation of their API.

An example of such documentation would include the "Man Page" collection on any UNIX or UNIX-Like system.

In this instance, it will be necessary for the proposed Technical Committee (TC) to audit this documentation and verify that it is, indeed, complete by comparison to the source code from which the libraries are built.

The current settlement defines all of the restrictions so narrowly that Microsoft will easily be able to circumnavigate them and claim that what they have done does not violate the terms of the settlement. In fact, parts of the proposal will actually assist Microsoft in defending their anti-competitive practices.

Thank you,  
Owen DeLong  
3251 Firth Way  
San Jose, California  
95121  
owen@delong.com  
408-539-9559

#### MTC-00023066

From: James Slagle  
To: Microsoft ATR  
Date: 1/24/02 6:08pm  
Subject: Microsoft Settlement

I am opposed to tentative settlement of the United States vs. Microsoft antitrust lawsuit. I am a student hoping to get into the computer industry. If this proceeds, it is just a slap on the wrist for Microsoft and I believe it will eventually lead to a smaller job market in computerized areas.

James S Slagle  
Las Vegas, NV

#### MTC-00023067

From: lundberg@fiberpipe.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:04pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the

fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brian Lundberg  
1669 Nottage Court  
Laramie, WY 82072

#### MTC-00023068

From: Mark  
To: Microsoft ATR  
Date: 1/24/02 6:07pm  
Subject: Microsoft Settlement  
DOJ:

I disagree with your decision to settle the Microsoft antitrust case. The remedies agreed to do not go far enough to address the problem of a predatory monopoly with a profit margin around 40%. I agreed with Judge Jackson's remedy, and I did not believe that the appeals court decision totally precluded this remedy. I feel that the DOJ should have continued to pursue this remedy until it was irrevocably foreclosed. Microsoft has crippled a company I held in high esteem:

Netscape Communications. Netscape employees were the true innovators. Microsoft shamelessly copied them, and used monopoly revenues from their operating system to finance the destruction of a potential competitor. Lawyers can argue all they want, but the public knows the plain truth. Microsoft used revenue from Windows to try to kill Netscape, and succeeded in severely crippling them. This was illegal, because of Microsoft's monopoly status. The fundamental intensions of Microsoft were no different from the outrageous oil trusts which prompted the anti-trust laws. I believe Justice is not well served by the settlement agreement.

Mark Tremblay  
Annandale, Virginia

#### MTC-00023069

From: jhbrister@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:04pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Madison and Judy Brister  
5633 Sandalwood Drive  
Baton Rouge, LA 70806

#### MTC-00023071

From: sfortman@mindspring.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:04pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Steven Fortman  
18507 Jackson St. NE  
East Bethel, MN 55011

#### MTC-00023072

From: Alex Goldfinger  
To: Microsoft ATR  
Date: 1/24/02 6:08pm  
Subject: Public Comment

The trial judge in his Finding of Facts, enumerated the chronology of the Microsoft actions and showed he understood the essence of the matter when he stated that the control of the API's was at the heart of Microsoft's actions.

In any settlement or court order, the matter of who owns and controls the API's must address how that entity will not have the same motivations, as Microsoft previously did, to use its position to demand exclusive use of them and be absolutely prevented from doing so.

Splitting up Microsoft therefore is not a solution to the API problem, as whichever follow-on entity owns the API's will have the same power and incentives to use it as the present company does. You might consider that as a penalty, Microsoft lose the API's which will be put in some form of public domain or control, whether or not this is Open Source is less important than that Microsoft lose control.

Alex Goldfinger  
2306 Edgewood Terrace  
Scotch Plains, NJ 07076

#### MTC-00023073

From: Paul Anderson  
To: Microsoft ATR

Date: 1/24/02 6:10pm

Subject: STOP

Its time to stop the effort to stop Microsoft from doing what they do best....

Paul paulanderson@dtgnet.com

**MTC-00023074**

From: Michael W. Loder

To: Microsoft ATR

Date: 1/24/02 6:10pm

Subject: proposed settlement

Renata Hesse:

I do not think the settlement which the Justice Department is proposing is in the best interest of either the American public or computer users anywhere. It certainly does not appear to meet the criteria of punishment for an illegal act.

I am particularly troubled by the fact that Microsoft will be allowed to continue to demand exclusive licensing agreements of computer manufacturers, forcing them to include whichever version of the Windows Operating System that Microsoft chooses AND prevent them from offering other choices.

If this monopoly is to end, I believe that Microsoft must be prevented from entering into any exclusive licensing agreement, allowing manufacturers to sell their products with any operating system they choose or even none at all. Afterall, if I buy a Ford, I'm not restricted to always buying my gas at Ford service stations, am I?

Thank you for your attention to these thoughts and your inclusion of this letter with the public comments.

Michael W. Loder  
340 Maple Blvd/Deer Lake  
Orwigsburg PA 17961

**MTC-00023075**

From: PMGeddis

To: Microsoft ATR

Date: 1/24/02 6:09pm

Subject: Settlement

It's time to close this case down. Always, always, antitrust should be viewed through the eyes of the consumer. We consumers were never prevented from obtaining other software or browsers.

In fact, I still use Netscape as my first choice. I use Qualcomm's Eudora for my email. I continue to use Corel's WordPerfect over MS's Word. I use MS Windows rather than Linex. That's my choice and I'm free to do so. Microsoft's bundling may make it more convenient initially to use their products, but they've never prevented me from using another's. Fear of and actual lawsuits only reduce the number of enterprising businesses to emerge. Let go of the marketplace and let us decide the winners at the cash registers.

P. M. Geddis  
Los Angeles, CA

**MTC-00023076**

From: threatctgs@altavista.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:08pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Charles & Gayla Threatt  
5533 West 26th. St.  
Odessa, TX 79763-1910

**MTC-00023077**

From: chris@snogboggin.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:11pm

Subject: Microsoft Settlement

I don't have a ton of time to write a detailed message concerning all of the reasons for opposing the Microsoft settlement, all I can say is that it is in the best interest of all American's to look closely at the impact of this corporation on everything.

I am not advocating a solution. I am only saying that a better, more effective solution for diminishing the monopolistic powers of Microsoft can be found than the one currently on the table.

Sincerely,  
Chris Pelsor  
chris pelsor  
keep up on my misadventures in norway!  
<http://www.snogboggin.com>  
chris@snogboggin.com

**MTC-00023078**

From: shermsmith@liberty.zzn.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:08pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sherman Smith  
1242 Cobblestone Ln

Dandridge, TN 37725

**MTC-00023079**

From: bjfritschmann@

nmcsd.med.navy.mil@inetgw

To: Microsoft ATR

Date: 1/24/02 6:09pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
B. JUNE FRITSCHMANN  
2211 PACIFIC BEACH DR.  
SAN DIEGO, CA 92109-5626

**MTC-00023081**

From: Richard Barrett

To: Microsoft ATR

Date: 1/24/02 6:22pm

Subject: Microsoft Settlement Unfair!

Dear sirs;

I write to strongly oppose the proposed settlement for Microsoft. I am a strong supporter of the Bush Administration and understand the desire to go easy on technology companies in light of the current economic climate. However, Microsoft has committed criminal acts and should be suitably punished.

The proposed value of this settlement is NO WHERE NEAR \$800 million to the American people. In fact, it is nothing more than a Microsoft marketing ploy to get more PCs into schools running the Windows OS and Windows applications. It does punish them, it HELPS them. Please, reject this proposed settlement without hesitation.

You want to discipline Microsoft? Force them to pay the companies they hurt (Netscape, Apple, etc.) or force them to buy \$800 million worth of Macintosh computers to donate to schools, with Netscape software loaded on them! Surely we can all see that Microsoft benefits from this. Right?

Thank you for your time,  
Richard Barrett  
rich@doulos.net

**MTC-00023082**

From: wpbrence@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:10pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Philo Brence  
5409 West Wilshire Drive  
Phoenix, AZ 85035-1816

**MTC-00023083**

From: Mark Spain  
To: Microsoft ATR  
Date: 1/24/02 6:14pm  
Subject: Microsoft Settlement  
To Whom it may concern:

It is my opinion that settlement of this case is indeed in the best interest of the economy as a whole. Please consider settlement as a satisfactory resolution and move forward. Thanks for listening!

**MTC-00023084**

From: James G.  
To: Microsoft ATR  
Date: 1/24/02 6:15pm  
Subject: Microsoft Settlement  
Dear US DOJ

Why I think Microsoft is "wrong":

1. Microsoft dominance means innovation will suffer. If the masses do not have access to the proper tools, construction "will be delayed".

2. Dependancy on any one entity for any one service is dangerous (the USGOV should know this).

3. A win for Microsoft is a loss of freedom for the citizens of the United States (and irrelevant for the rest of the world). A MS win would force Non-USA people over to open-source quicker leaving the USA behind.

4. Open-Source is like a house-wife. To some, the wife seems to work for free and is foolish to do so. To others, the quality of her work is most important.

5. PC's come with MS Windows (as like sales tax does), "like it or not" (monopolistic).

6. Information technology is too important for any one entity to control. The people of the world should and will have control regardless in the end of what any one company or government does.

7. If Microsoft one day goes bankrupt (it could happen), then what?

James Galimi  
jamesga@kscable.com

**MTC-00023085**

From: Jay Cousins  
To: Microsoft ATR  
Date: 1/24/02 6:11pm  
Subject: Microsoft Settlement  
To Whom it May Concern:

As a web developer and Internet Service Provider since 1994, I have been a witness to the steady erosion of the competitive environment within the framework of the Internet and the software industry as a whole due to the business practices of Microsoft.

In particular, Microsoft has used its licensing agreements to unfairly erode its competitor's market share. Nowhere is this more obvious than in the web browser category of software. The most egregious example, or at least the example that affected the most end users, is that of the Netscape web browser.

In order to restore some measure of competition and fairness to the web browser market, I suggest that the following become part of the final settlement agreement with Microsoft:

1. That three or four of the web browsers with the largest user bases (excluding Microsoft's) be included in all future distributions of Microsoft operating systems and any other software sold by Microsoft that includes a web browser. These browsers should be available as icons on the desktop or in exactly the same manner as any Microsoft browser that is being offered.

2. Microsoft shall be mandated to share, in open source manner, completely and fully, all operating system components that work to integrate any Microsoft browser with a Microsoft operating system. Such sharing to be monitored by the Justice Department and a panel of experts established for the purpose of assuring compliance. This sharing to be without constraint on the part of Microsoft with regard to competitive concerns or issues related to any third party aquiring the knowledge necessary to implement browser software that takes full advantage of a Microsoft operating system; even though such knowledge is considered proprietary by Microsoft.

Thank you for your consideration.

Cordially,  
Jay Cousins, General Manager  
Runway.net

**MTC-00023086**

From: Jeff Schroeder  
To: Microsoft ATR  
Date: 1/24/02 6:15pm  
Subject: Microsoft Settlement

Concerning my comments to the potential Microsoft settlement: I am opposed to the proposed settlement in the Microsoft antitrust trial. I believe it does not adequately redress the actions of Microsoft nor provide a good mechanism for preventing their monopolistic practices.

The current proposal will not hinder Microsoft's monopoly in the computer industry. They, of course, are claiming that it is a big victory for the consumer and smaller companies, while the actual result is quite the opposite. The proposed remedy is a mere slap on the wrist telling them not to do it again! Some of the most noticeable problems are listed below:

1. Microsoft uses license terms which prohibit the use of Windows-compatible competing operating systems in its EULA for many products.

2. Large users (Enterprises and Universities) seem to be completely

unaffected by the settlement and, as before, have no financial incentive to not use a Microsoft product. They are still charged on a per-processor basis, no matter if the computer runs Windows or not. This problem can also be evidenced by the huge amount of extra software that Microsoft bundles with its Windows operating system. How can any company compete with products that are distributed (without additional cost for the user) on 90% of every personal computer?

3. Microsoft is not prevented from changing its software so that it can not run on non-Microsoft Operating Systems or other dependant components. 4. Narrow definitions in the Settlement provide ample loop-holes for Microsoft to exploit at will. Specific wording defines the current versions of Microsoft products, without any room for future products. Windows CE and other similar versions of Windows are also not included in many important components of the Settlement.

The vast majority of the provisions within the settlement only formalise the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. If an organisation is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

Thank you for your attention.

Jeff Schroeder  
1047 Southern Artery #602  
Quincy, MA 02169

**MTC-00023087**

From: Dick (038) Guen  
To: Microsoft ATR  
Date: 1/24/02 6:11pm  
Subject: MICROSOFT SETTLEMENT  
January 24, 2002

To: Attorney General John Ashcroft,  
US Department of Justice,  
950 Pennsylvania Ave. NW  
Washington, DC 20530

From: Richard & Guenivere Foss,  
9 N. Cove,  
Wenatchee, WA 98801  
E-Mail: dickguen@crwnet.com

Dear Mr. Ashcroft:  
My husband and I both are retired. We have experienced the breakup of other companies and the government's interference in matters that does not concern it. A lawsuit should never have been brought against Microsoft. Their fate should not fall into the hands of the U.S. government. PLEASE REMEMBER THAT WHEN A FEDERAL JUDGE BROKE UP AT&T PHONE COMPANY TO HAVE COMPETITION AND LOWER COSTS—thanks to the government interference our costs have gone up each and

every year, phone bills are so many pages long now, (when we got our bill before there was 1 or 2 pages only), now we have 5 to 10 pages, WE ARE BOMBARDED BY PHONE COMPANY CALLS TO SWITCH TO THEIR COMPANY, and costs have never gone down. WE ALSO BELIEVE THAT ONE PERSON SHOULD NOT DECIDE THE FATE OF MICROSOFT.

Further litigation will only prolong this extensive negotiation process that we have had to endure for the past three years. And it will only hinder the progress of our computer industry which Bill Gates has advanced remarkably well.

Sincerely,  
/s/ Richard & Guenivere Foss,  
9 N. Cove,  
Wenatchee, WA 98801  
E-Mail: dickguen@crcwnet.com

**MTC-00023088**

From: mcgalsal@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:14pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sara McNabb  
3805 Ridgemoor Ct.  
Bellingham, WA 98226

**MTC-00023089**

From: kdaylyon@medscape.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:14pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Karen Day-Lyon, RN, CPHQ  
467 Shannon Dr SE  
Bainbridge Island, WA 98110

**MTC-00023090**

From: O'Connell, Daniel P.

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/24/02 6:06pm

Subject: Settlement with Microsoft

Sir/Ma'am,

I am writing this note to express my distain over the relatively light treatment Microsoft seems to be getting in their settlement case. I am very disappointed that a more punitive and preventative settlement isn't being metted to Microsoft. Their anti-competitive and monopolistic practices haven't been sidelined, and it's to the detriment to all computer users. While I personally have always used Windows computers, I worked as a network administrator in the past, and I marveled at the ease of use, and lack of maintenance MACs needed. Now, Apple, Sun, Netscape, and other's are struggling for survival because of Microsoft's unethical business practices. If you can help keep Microsoft from stifling competition, we'd all be better off.

Daniel P. O'Connell

**MTC-00023091**

From: Peter Varlien

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 6:19pm

Subject: Microsoft Settlement

I have read several articles in the media that demonstrate that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. If this is the case, then it should not be adopted without substantial revision to address these problems.

For the record: I am a citizen of the United States of America, currently residing abroad.

Best regards,

Peter Varlien

Peter Varlien Telephone: +47 7288 0572

Fritz Aabakkens vei 17 Mobile phone: +47 917 69 384

N-7072 Heimdal Telefax/Voice mail: +47 904 10 648

Norway EMail: pvarlien@online.no

ICQ#109226539 World Wide Web: http://home.online.no/~varlien/

**MTC-00023092**

From: codeman2@ev1.net@inetgw

To: Microsoft ATR

Date: 1/24/02 6:15pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the

fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mike Welling  
2208 Pennington Dr  
Arlington, TX 76014-3512

**MTC-00023093**

From: Adam Ellis

To: Microsoft ATR

Date: 1/24/02 6:20pm

Subject: Regarding the Microsoft settlement,

I don't believe that the current

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition. Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

**MTC-00023094**

From: robert-blau@webtv.net@inetgw

To: Microsoft ATR

Date: 1/24/02 6:17pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.



Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
robert blau  
1621 Columbia Ave  
Chicago, IL 60626-4198

**MTC-00023095**

From: barsoom@midsouth.net@inetgw

To: Microsoft ATR

Date: 1/24/02 6:18pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
billy hamblin  
860 Hartman Ct  
Adams, TN 37010-8939

**MTC-00023096**

From: Michael Rowley

To: Microsoft ATR

Date: 1/24/02 6:23pm

Subject: Microsoft Settlement

The Microsoft settlement is a bad idea.

The settlement does nothing to redress any past action of microsoft which has hurt the american consumer and other businesses by denying diversity and technology to the computer public. It also does nothing to address the current monopoly that exists with microsoft. This company has placed themselves in a position very similar to IBM circa 1968, or Standard Oil, and this settlement only makes noise at preventing them from spreading their monopoly. It is less than useless. The only way to redress the problem would be to separate the middleware and OS parts of microsoft in to separate companies and forbid them from coercive behavior by enforcing this separation. Also it would allow more diversity in operating systems, and more choice and therefor more growth.

I believe this settlement was reached out of fear over the economy, and the misguided belief that microsoft somehow holds the key to the computer industry. In truth they have been strangling the computer industry for over 15 years. To truely increase growth microsoft must be stopped, or no growth will occur, as they already control over 90% of the computers run in this country. It is virtually impossible to buy a computer that does not contain a microsoft operating system, or microsoft software as a

cornerstone of the computer. As long as microsoft holds that 90% monopoly, they will continue to have a stranglehold on the computer industry.

Michael A Rowley.

**MTC-00023098**

From: Peter butcher

To: Microsoft ATR

Date: 1/24/02 6:24pm

Subject: MS antitrust case—The Global Perspective

Hello Doj

Have you considered your global responsibilities in this case? Microsoft needs to be kept strong for the benefit of global consumers and in the interests of the global economy.

I know that the USA takes a dim view of international legal processes, but there is a strong moral argument for protecting the interests of non-US residents. Your country is part of a global community in which which the tyranny of distance is shrinking. Xbox graphics chips are made in Asia. Our young people often seek work overseas. International tourism is (was) increasing. We all tend to use and often depend on Microsoft products.

My main point is: "What is the relevance of the IE/Netscape rivalries of quite a few years ago to the situation today?" If antitrust justice is this slow, then it is simply not relevant, and is a damaging distraction.

Microsoft has released over half a dozen new operating systems since then. It is now making a splash in the game console market with the Xbox, and is planning a broader invasion of the living room with it's " Home Station". We will all be better of if they can be left to focus on technology for the present and the future, rather than fighting rearguard legal actions from the past.

Don't get me wrong. I use Netscape. Mostly 4.7. I recently downloaded 6.2, but do not like it. It may look stylish, but it is too like Internet Explorer for my liking, especially the stop button function. Of course I do not use Outlook or Outlook Express. Initially because I preferred the email client that I was familiar with, but now mostly for security reasons. Several clients of mine have had dreadful virus problems, particularly BadtransB. Problems caused by a bug in the Microsoft email clients that they use.

My point is that if Microsoft had not been so distracted by legal battles from the past, then it could have concentrated more on securing it's current products, and making us all better quality future products. yours

Peter W. Butcher

**MTC-00023099**

From: Chad Walters

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 6:22pm

Subject: Microsoft Settlement

To whom it may concern,

The terms of the proposed settlement with Microsoft do not go nearly far enough to address the harm that Microsoft's predatory monopolistic practices have wreaked upon the software industry. There are two glaring deficiencies to the settlement as it stands:

1. no punitive damages for Microsoft's past infractions

2. no provision for strong punishment in the event of future infractions

Please reject the settlement as it stands.

Chad Walters  
Chief Engineer  
Anuvio Technologies, Inc.  
415-356-1182  
chad.walters@anuvio.com

**MTC-00023100**

From: root@khan.peak.org@inetgw

To: Microsoft ATR

Date: 1/24/02 6:25pm

Subject: monopoly

i am distressed at the possibility that microsoft will not be treated with justice i am a computer tech with 9 years working on peoples computers.

i have seen the web born and age. i have seen all the anti-free market and anti-innovation that mr gates has deployed. please punish this man and get him counseling.

the hold out 9 states are speaking the truth in the matter at hand and so history will show whether you act justly or unjustly. make windows be just an operating system...period. if the world was running on linux and oracle it is possible sept 11th would not have happened

please please do the right thing  
follow those 9 states reccomendations...all of them...i know they are the right actions  
please please do it.  
john petillo  
corvallis oregon

**MTC-00023101**

From: raylaubenstein@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:22pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ray Laubenstein  
54 Roberts Rd.  
Marlborough, CT 06447

**MTC-00023102**

From: Michael Montz

To: Microsoft ATR

Date: 1/24/02 6:26pm

Subject: Microsoft Settlement

I think to settlement decision reached with Microsoft Inc. will not curtail their practices that started this case and it is not in the best interest of consumers

Regards,

Michael Montz  
mmontz@cox.net

**MTC-00023103**

From: bmefo@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:24pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Monteith  
3095 Silver Lake Blvd.  
Stow, OH 44224

**MTC-00023104**

From: acrome@purina.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:27pm  
Subject: Microsoft Settlement

I believe that the proposed settlement is a mistake. Microsoft will still have a complete monopoly, and an effective statement from the judiciary of State and Federal government that this is a blessed monopoly. Most likely, they will continue to use their abusive tactics and monopolistic market position to quash the rest of the field.

My best analogy to this: A state highway department decides to manufacture tires. They then change the surface of the roads to conform to their tire surface, however, non-compliant tires wear twice as fast. As an added bonus, they change the surface of the road and the tires, every two years to keep sales up. (I know it is a far fetched analogy, however, the effect is pronounced).

I think that the Software business and the Operating System business should be seperated, and the Software business should be just as restricted in access as third party software manufacturers are.

Note: This is my opinion alone. This does not reflect upon the opinion of my company, its management or my peers.

**MTC-00023105**

From: mark hendricks  
To: Microsoft ATR  
Date: 1/24/02 6:22pm  
Subject: Microsoft Settlement

—Original Message—  
Reuters (01.23.2002 PST)—

Subject: Surprise Settlement Evenly Splits Microsoft; One Firm To Make Software, Other To Make Patches

Decision Keeps Redmond from Monopolizing Massive Microsoft Patch Industry

Redmond, Wash. In a surprise settlement today with nine U.S. states, Microsoft agreed to be split into two independent companies one that will continue to make Microsoft operating systems, browsers, and server software, and another, potentially larger company that will make patches for Microsoft operating systems, browsers, and server software.

Critics immediately charged that the settlement which overrides a previous agreement with the U.S. Department of Justice does nothing to diminish Microsoft's standing as the world's most powerful software company. But industry analysts argued that providing patches for security holes in Microsoft programs is a major, untapped growth industry, and applauded the states for not allowing Redmond to control it.

"Just consider, Microsoft can make an operating system, such as Windows XP, and sell 200 million copies, but each one of those copies is going to need at least five patches to fix security holes, so that's 1 billion patches," said Gartner Group analyst Mitch Fershing. "That is an enormous, undeveloped market."

Microsoft employees seem to agree, as sources in Redmond described a "mad scramble" among staffers to position themselves for spots at the new company, called Patchsoft. Asked why people would want to leave Microsoft for a startup, the source said the answer was "really quite simple."

"Everyone here is asking themselves, "Do I want to be part of the problem, or part of the solution?" he said. But J.P. Morgan analyst Sherill Walk suspects another motive.

"Considering the sheer number of patches we're talking about, I think the new company will become another monopoly, and I believe the people who've jumped ship very well know that." "Nonsense. It's really all about consumer choice," responded Patchsoft's new co-CEOs, Bill Gates and Steve Ballmer. But how will Patchsoft make money? Currently, Microsoft issues free patches for problems in Windows XP, SQL Server, Internet Explorer, Outlook, Windows 2000, Flight Simulator, Front Page, Windows Me, Media Player, Passport, NT Server, Windows 98, LAN Manager (for a complete list of MS software needing patches, see [www.support.microsoft.com](http://www.support.microsoft.com)). Under the agreement, Microsoft will no longer issue patches, which Gates said explains the recent five-day outage at Microsoft's upgrade site. "That was planned," he said. "It was a test of the Microsoft No Patch Access system. Went perfectly. No one was able to download anything."

At a press conference to outline the settlement, Connecticut Attorney General Richard Blumenthal pledged to keep a close eye on Patchsoft to ensure it would not overcharge for its services. He also expressed hope that other firms would soon become Certified Microsoft Patch Developers (CMPDs) and challenge the spin-off. Asked if Patchsoft, with so many former Microsoft employees, will have an advantage over

potential competitors in the Microsoft patch market, Blumenthal said the settlement prohibits collaboration.

"Patchsoft developers will not have any foreknowledge of bugs or security holes before software is released. They'll just have to be surprised," he said. "So it will be just like it was when they were at Microsoft," he added. One Reuters reporter, meanwhile, questioned the long-term viability of Patchsoft. "This seems like a logical split right now, but what if Microsoft's products improve to the extent that patches are needed less frequently, or perhaps not at all?" she asked.

"I'm sorry, I can only respond to serious questions," Blumenthal answered.

**MTC-00023106**

From: bob budke  
To: Microsoft ATR  
Date: 1/24/02 6:29pm  
Subject: Microsoft Settlement

Greetings,

The DoJ proposed settlement is a very bad idea. It is paltry, not even a slap on the wrist, a sell-out. We spent millions convicting a corrupt and abusive company for damages done to competition and innovation, only to sell out when state coffers need a little cash.

If this is the way US companies get off, the same DoJ will probably give Walker a walk, too.

It took 8 years to get rid of a bumpkin in the Whitehouse, is it going to take that long to get rid of a DoJ-for rent?

Bob Budke  
Walnut Creek, Ca

**MTC-00023107**

From: Greg G  
To: Microsoft ATR  
Date: 1/24/02 6:31pm  
Subject: Microsoft Punishment

I don't agree with the idea of Microsoft giving software to schools for their punishment. Microsoft is wanting to get their products into the schools in order to get the kids started on their products. Punishment should be fines and regulations regarding their business practices. I believe Microsoft should be split up into two companies. One for operating systems and one for browsers.

Greg  
Greg G  
vav750@onebox.com—email  
(847) 563-3001 x2339—voicemail/fax

**MTC-00023108**

From: Brian Merkey  
To: Microsoft ATR  
Date: 1/24/02 6:30pm  
Subject: Microsoft Settlement

Hello,

The proposed Microsoft antitrust trial settlement does not help the schools like Microsoft says it does. Much more could be done than they seem to plan on doing with the supposed \$1 billion cost to them. Our nation's poorest schools do not need computers; they need real people who know how to work with them; they need books that are not years out of date and falling apart; they need classroom facilities which promote learning. Computers provide none of this; rather they take away from the learning which could otherwise occur.

I would like to see a punishment which is more in line with helping schools out instead of one which furthers the Microsoft monopoly. Also, a monetary punishment means nothing to such a large corporation. A better solution is to limit its actions by a tightly regulated watchdog group. This would keep Microsoft from abusing their monopoly like they have in the past.

In short, I feel that the proposed settlement does nothing to punish Microsoft for its abuses and instead furthers their presence in the computer world. Their claim of aid to children is a lie and should be disregarded. Their plan does nothing to help the kids, and as such the proposal should be rejected. In plain words: this is a vote against the settlement.

Brian Merkey

**MTC-00023109**

From: johnjmedway  
To: Microsoft ATR  
Date: 1/24/02 7:19pm  
Subject: Microsoft Settlement

Microsoft is STRANGLING the technology market and should be punished and constrained far more than in the announced settlement proposal.

**MTC-00023110**

From: Linda DaCosta  
To: Microsoft ATR  
Date: 1/24/02 6:32pm  
Subject: Microsoft Settlement

It's really a shame that the government is supporting the Microsoft monopoly. I as a consumer am very disappointed in the manner in which my opportunities have been limited. Has Bill Gates bought off the US government too?

If you can do anything about this, please do. The future of America depends on it.

**MTC-00023111**

From: 1john19cole@tdn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:30pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carl & Mable Cole  
141 John Street  
Kelso, WA 98626-1861

**MTC-00023112**

From: 1john19cole@tdn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:30pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carl & Mable Cole  
141 John Street  
Kelso, WA 98626-1861

**MTC-00023113**

From: Haverkamp Brenda  
To: Microsoft ATR  
Date: 1/24/02 6:33pm  
Subject: Microsoft Settlement

I am writing to express my outrage regarding the currently proposed "penalty against" Microsoft (The "Proposed Final Judgement"), because it is clearly more of a reward than a punishment.

Microsoft is clearly happy because this "settlement" can only serve to grow the monopoly it was supposedly intended to "punish".

One company shouldn't be coming so close to controlling our whole economy, so much that when it breaks the law, it is rewarded under the a pretense of punishment.

"The liberty of a democracy is not safe if the people tolerate the growth of private power to a point where it becomes stronger than their democratic State itself. That in it's essence, is Fascism—ownership of government by an individual, by a group, or by any controlling private power."

— Franklin Delano Roosevelt, 1938

**MTC-00023115**

From: Daynna Rodosovich  
To: Microsoft ATR  
Date: 1/24/02 6:32pm  
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea

**MTC-00023116**

From: warren497  
To: Microsoft ATR  
Date: 1/24/02 6:34pm  
Subject: Microsoft Settlement

I think the government should be more aggressive to ensure Microsoft competitors are not unfairly destroyed.

Clinton L. Warren

**MTC-00023117**

From: LdiHawke1954@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:32pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carolq Romano  
3801 36th St  
Port Arthur, TX 77642

**MTC-00023118**

From: ddhadley@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:32pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Delores Hadley  
5 Fernwood Drive  
Taylors, SC 29687

**MTC-00023119**

From: Ray  
To: Microsoft ATR  
Date: 1/24/02 6:36pm  
Subject: Microsoft Settlement  
Justice Department:

Its past time to stop the witch hunt against Microsoft—settle this case today and lets let this great nation go forward with all the new advanced items that only we can do in this free nation. Let free enterprise succeed,

Thanks,

Ray & Doris Rogers  
685 Fostoria Road  
Port Clinton, OH. 43452

**MTC-00023120**

From: Craighead, Scot D  
To: "Microsoft.atr(a)  
usdoj.gov", nolandpeebles(a)attbi...  
Date: 1/24/02 6:37pm  
Subject: Microsoft Settlement

I was told that I could voice my opinion as a consumer regarding the settlement of the Microsoft anti-trust case to you.

As a consumer, I am appalled by this "settlement". This is not a settlement, but the Department of Justice changing sides after having won the case. This settlement does nothing to stop the monopolistic practices of Microsoft in the future. I use MS products as well as products from other sources, but if MS is allowed to continue unhindered, there won't be any other choices much longer. As the court has ruled, MS has on many occasions elected to force the consumer to use MS products. The court has a responsibility to protect the consumer from a company that has shown both the ability and the disposition to use monopoly power to benefit itself at the expense of both the consumer and anyone who might make a competing product. Our government should do everything in its power to encourage competition between companies. Breaking MS into 2 companies does not hurt the stock holders at MS, but it does relieve the conflict of interest between an operating system and a software vendor that currently exists. As things are now, there is no incentive for an investor to start a new company to make any software product. If the product is successful at all, MS will take action to destroy the company so that it does have to compete.

Remember that it is people that owned the stock of the companies, like Netscape, that have been hurt.

It is competition that has made the United States great. Without competition, a company can produce poor products and charge high rates for it because I, the consumer, have no choice but to buy the product. We need to vote with our buying choices for which product is better to encourage companies to make better products at better prices. Please reconsider this settlement. Thank you.

Scot Craighead  
8147 SW Fanno Creek Dr  
Tigard, OR 97224

**MTC-00023121**

From: ddhadley@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:33pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Duane Hadley  
5 Fernwood Drive  
Taylors, SC 29687

**MTC-00023122**

From: Stephanie R Walker  
To: Microsoft ATR  
Date: 1/24/02 6:37pm  
Subject: Microsoft Settlement  
This settlement is a bad idea.

**MTC-00023123**

From: Kroll, Dave  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 6:30pm  
Subject: Microsoft Settlement  
Please do not accept the Microsoft Settlement as proposed.  
It does nothing to ensure competition in the operating system industry.  
Thank you!  
David Kroll  
Quality Systems Specialist  
402-533-1449  
\* new \* 402-533-4071 (Cell)  
Dave\_Kroll@cargilldow.commailto:  
Dave\_Kroll@cargilldow.com>

**MTC-00023124**

From: Adam Ingleby  
To: Microsoft ATR  
Date: 1/24/02 6:38pm  
Subject: Microsoft Settlement  
Adam Ingleby  
3247 Alta Hills Drive  
Sandy, UT 84093  
January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

Three years ago, Microsoft was brought to trial for various antitrust violations. Six months ago, negotiations began to determine what a satisfactory settlement would entail. Last November, a settlement was finally reached. I am annoyed that the suit has dragged on for this long already. The case has not only had a negative effect on Microsoft and the Department of Justice in terms of wasted resources, it has also been detrimental to the economy, the IT industry, and the American public.

The settlement that was reached last year is perfectly reasonable. Microsoft has agreed to a broad spectrum of restrictions and affirmative obligations aimed not only at prohibiting future antitrust violation, but also at allowing Microsoft's competitors the opportunity to compete fairly in the market. Microsoft has agreed, for example, not to retaliate when any software is introduced into the market that directly competes with Microsoft technology. Moreover, Microsoft plans to document and disclose interfaces integral to the Windows operating system for use by its competitors in order to function

within the Microsoft framework. The settlement is not only just, it is fair. Some of the terms Microsoft agreed to extend to products and procedures that the Court of Appeals did not find to be in violation of antitrust laws.

I do not believe it is necessary to continue to try Microsoft in this matter.

I do not believe it is in the best interest of the American people to pursue litigation against Microsoft. Extended suit against Microsoft can only result in more economic hardship and trouble for consumers. I urge you to finalize the settlement as soon as possible.

Sincerely,  
Adam Ingleby

**MTC-00023125**

From: Colin Stuart  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 6:36pm  
Subject: Microsoft Settlement  
To whom it may concern:

As a former Microsoft employee, I disagree with the terms of the proposed Microsoft settlement. At a minimum, I believe the remedies outlined by Dan Kegel at <http://www.kegel.com/remedy/letter.html> should be implemented.

In general, an Operating System should publish APIs which allow anyone to write a component that "plugs" into place. Currently, Microsoft applications "plug-in" to the operating system in proprietary ways, making fair competition on the application front impossible. I feel that competition and quality in the software industry would be maximized if Microsoft were 2 companies, one OS company, and one Apps company.

thank you,  
Colin Stuart  
Sr. Software Engineer  
Anuvio Technologies  
San Francisco, CA

**MTC-00023126**

From: elteran@fallsnet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:35pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Alan Soltis  
P.O. Box 265

315 Basswood Ave.  
Upsala, MN 56384-0265

**MTC-00023127**

From: conniedavid@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:38pm  
Subject: Microsoft Settlement

To The Department of Justice:

I would like to voice my feelings about the Microsoft Settlement. Recently several friends and I were discussing this lawsuit. Most of us voiced the opinion that the stock market decline began when these lawsuits started against Microsoft. We (90%) have the conviction that Microsoft is an honest company. They are practicing the American free enterprise system. We fervently hope this case will end soon with a good result for Microsoft. I must tell you the group I speak of are mothers and grandmothers. We are not financial wizards. However, we are or have raised children, and we know right from wrong.

Most Sincerely,  
Connie McCormick  
Fort Myers, Fl. 33919

**MTC-00023128**

From: Richard Stamm  
To: Microsoft ATR  
Date: 1/24/02 6:39pm  
Subject: Microsoft Settlement

Sirs,  
Most briefly, I think the proposed settlement is a very bad idea.  
Yours truly,  
Richard P. Stamm

**MTC-00023129**

From: jlake62234@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:37pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Lake  
154 E. Shore Dr.  
Whitmore Lake, MI 48189-9441

**MTC-00023130**

From: giles@netdoor.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:38pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Edwards  
149 Giles Dr.  
Mendenhall, MS 39114

**MTC-00023131**

From: Ed, Zhenie, and K.C. Smallwood  
To: Microsoft ATR  
Date: 1/24/02 6:41pm  
Subject: Microsoft Settlement

Dear Sir or Madam-

I would like to protest your proposed settlement with Microsoft of the antitrust case. After going over coverage of the proposed settlement, it would appear at best that there are no teeth in the proposal.

Just what do you intend to do to Microsoft if it does not adhere to the settlement? Indeed, how can you even tell if they are not adhering to the settlement? What activities does the settlement bar that are not allowed in some other part of the settlement?

Do not allow this settlement to go through. Allowing any one company a stranglehold on a key market, such as computers, is NOT in the public interest.

Edward K. Smallwood

**MTC-00023132**

From: Harry Wynn  
To: Microsoft ATR  
Date: 1/24/02 6:43pm  
Subject: Microsoft Settlement

I believe this case should be settled in Microsofts favor now. Thank you, Harry Wynn

**MTC-00023133**

From: Hans Fairchild  
To: Microsoft ATR  
Date: 1/24/02 6:44pm  
Subject: Tunney Act Comment

To be brief:

After observing the computer industry for the last 10 years or so, I have come to the conclusion that one of Microsoft's main techniques for maintaining their monopoly is the use of proprietary file formats and "standards". In order for any corrective action to be effective, it must address this concern.

My feeling is that Microsoft should be required to publish full descriptions of all programming interfaces, file formats, communications protocols and authentication protocols.

I feel that any truly unbiased person who fully examines the Microsoft situation would come to the same conclusion.

Hans Fairchild

**MTC-00023134**

From: NPrewitz  
To: Microsoft ATR  
Date: 1/24/02 6:45pm  
Subject: RE: MICROSOFT SUIT

I personally think it's time to drop this crap with Microsoft and let them get on with running the company and developing products. If it wasn't for Microsoft the normal public would still be in the 1800 century and know nothing about computers, how they work, or ever be able to own one.

Please drop this crap and use the money to try these people who waged a war on the US rather than on stupid law suits against Microsoft.

Thank you....

**MTC-00023135**

From: Nick Fankhauser  
To: Microsoft ATR  
Date: 1/24/02 6:43pm  
Subject: Microsoft Settlement

Hello-  
I am writing this message to comment on the Proposed Microsoft Settlement for consideration in the Tunney act proceedings on this case.

I do not believe the settlement adequately discourages future unfair trade practices on the part of Microsoft. In particular, this settlement continues to allow retaliation against small OEMs that sell Intel-based computers with competing operating systems installed. (Section III-B and Section III-A-2) This is only one of the many flaws in this settlement.

The country is watching.

We understand what this case is about.

We expect Justice.

Nick Fankhauser  
nick@fankhausers.com

**MTC-00023136**

From:  
To:  
Date:  
Subject:  
From: Peter Pethoe  
To: Microsoft ATR  
Date: 1/24/02 6:45pm  
Subject: Microsoft antitrust- MS Internet Explorer.

CC:  
Peter Pethoe  
MTC-00023136-0001  
file:///c:/win/temp/tmp.v  
microsoft.atr@usdoj.gov  
Your Honor,

When first using the Internet I enjoyed using the Netscape browser. I particularly liked the "search for a word" in the text feature. It was easy to use and the word being searched remained and did not have to be retyped. Since I was searching for a particular word through many documents this was a real time saver. But other features made use of the Netscape browser more difficult on many websites that used MS Internet Explorer. Results were inconsistent using Netscape, most likely because Microsoft put bugs into these programs to

make Netscape users by disgruntled and switch. I eventually also was reluctantly forced to switch to MS Internet Explorer to escape these software bugs.

Now on MS Internet Explorer search for a word feature the word searched remains in place only if one first cancels the search. The next time Alt F is used the original word to be searched comes up.

But this is a time consuming way of handling this situation.

I seek a remedy to this problem that Microsoft initiated.

I would also like some monetary or some other suitable compensation for my reduced productivity since being forced to use MS Internet Explorer several years ago.

Sincerely,

— Peter Pethoe

424 Escalona Dr.,

Santa Cruz, CA 95060

— ppethoe@ix.netcom.com

**MTC-00023137**

From: pastormerritt@

tempenazarene.org@inetgw

To: Microsoft ATR

Date: 1/24/02 6:42pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Merritt Stru

1343 S Loma Vista

Mesa, AZ 85204

**MTC-00023138**

From: Sensei Kurisu

To: Microsoft ATR

Date: 1/24/02 6:45pm

Subject: Microsoft Settlement

To whom it concerns,

I believe that the United States government is taking it a little too easy on Microsoft in their antitrust case. I think it should last for more than 5 years. The entire life of the company might be a better way.

**MTC-00023139**

From: Seth Alan Kintigh

To: Microsoft ATR

Date: 1/24/02 6:46pm

Subject: Microsoft Settlement, my suggestion

I realize my opinion is meaningless to an administration so wholly and completely owned by campaign contributors, but here goes.

After MS was found guilty so many times of antitrust violations in federal court, I'm appalled that the DOJ would sell out and settle at all, never mind craft a "settlement" in which MS donates a "billion" dollars worth of software to schools, i.e. helping them while causing no harm. Even excluding the fact they have been found guilty of illegally holding prices high, that software donation could conceivably cost them \$0.35 for a CDR of the license numbers and some bandwidth for the downloads— software, e-manuals and all. In return the country would have a bigger monopoly and schools full of buggy, insecure software, requiring schools to spend money hiring IT personal to keep it running.

In the future, you need to be a little more sneaky when taking bribes, I mean contributions, as no one but Bill Gates would think that settlement was a good idea. Well, maybe Enron or one of your other owners, I mean contributors, would.

Now here's my suggestion. It's fair and logical, so there's no chance of it happening, but I'm stubborn.

Fact: MS has crushed other business, destroyed companies, and hurt people like me using anti-competitive practices, even "vaporware" to kill companies back here in New England just to keep them from innovating. Therefore, a settlement that only helps MS and does not harm them is NOT fair (emphasized for the less intelligent).

Therefore, a FAIR settlement would harm MS. This is called "punishment."

Now, the problem is to find a punishment that also helps America, and prevents future abuse, while not destroying MS. One obvious solution is to split MS into two companies: one that makes Windows, and one that makes applications for windows. I think we'll find that the second company will even make their products work on other OSes like Linux, as that is logical, and the only reason MS doesn't do that now is because they are being anti-competitive.

One could also split them into 3 companies, the third being an Internet division, but I'm sure people far smarter than me could better explain that idea.

**MTC-00023140**

From: dolomc410@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:44pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

DOLORES MCLAUGHLIN

410 WEST 24TH STREET

APT. 3L

NEW YORK, NY 10011-1307

**MTC-00023141**

From: Michaeljp9@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:47pm

Subject: Microsoft settlement

In the best interest of the economy, and our country, I would certainly hope that all parties would put behind us this case and abide by the settlement achieved by the U.S. government and various state attorneys". I view this situation as very harmful to the consumer and our economy. I have always seen this case as big government representing competitors of Microsoft who were able to get the attention of key political leaders to take up their cause. I never could see the harm being brought to the consumer. Competition is tough and that is what our company and family business had to do everyday in order to succeed. I am extremely disappointed by the suit being brought by AOL. It smacks of a possible looting of the bank account of Microsoft. Nobody ever looks at the bigger picture and that is very disappointing. I view at as nothing more than greed and jealousy by our government and certain companies involved in the competitive world with Microsoft.

In all my years of watching Microsoft, I never once heard a consumer talk about being ripped off by Microsoft, I only heard a few competitors crying foul.

**MTC-00023142**

From: zaphod beebledrox

To: Microsoft ATR

Date: 1/24/02 6:49pm

Subject: Microsoft Settlement

the proposed settlement is bad idea, people are missing out on a lot of stuff that computers are capable of because of their power.

**MTC-00023143**

From: RLifsey357

To: Microsoft ATR

Date: 1/24/02 6:48pm

Subject: Microsoft settlement

It is hoped that this settlement comes to a conclusion as soon as possible to avoid any possible further interjections by companies like AOL who only propose to make Microsoft look bad in the eyes of consumers. Bringing further litigation to the table is a waste of tax payer money and only furthers to separate the two companies from coming to an amicable agreement to work together to help consumers.

It seems Microsoft extends it's hand to work with AOL only to have it slapped; a thought to be considered.

Thank you,

Richard Lifsey

Metairie, LA

**MTC-00023144**

From: billgoldston@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:46pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
bill goldston  
1 oceans west blvd.  
daytona beach, FL 32118

**MTC-00023145**

From: Scott Bell  
To: Microsoft ATR  
Date: 1/24/02 6:51pm

Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

Microsoft XP requires an "activation key" after being installed for 30 or more days IN ADDITION to the serial code received when the product was purchased.

If the user does not contact Microsoft within the 30 days to get an additional "activation key", the computer becomes completely inoperative. In addition the user cannot access ANY private data stored on the computer without getting an activation key.

Microsoft is forcing me to give them private information about me in order to access my personal data on my private computer which happens to be using a completely legal copy of Windows XP that was bought at a legitimate retail outlet.

No company should be able to force a citizen to reveal private information that citizen does not want to reveal in order to access private information on a computer for which they have already paid.

When I buy ANY product, I do so with the implicit understanding that the product is protected by copyright and patent laws and that I cannot reproduce the product. When I buy, for example, a vacuum, I am not required to give the manufacturer of the vacuum my name, address, phone number, or where I bought the vacuum. Nor does the vacuum stop working after 30 days if I refuse to contact the manufacturer. I don't even have to do that for ANY other software I buy.

Microsoft's monopoly allows them to impose incredibly unreasonable restrictions on consumers like me who buy their products because there are no competing products to choose from. As an example, Microsoft's web publishing software comes with a license that restricts the user from publishing web pages that are derogatory or critical of Microsoft or its products. This is

like having a telephone company sell you a phone, and then saying you can't say bad things about the phone company if you are using the phone you bought from them!

Microsoft can only do this sort of thing to consumers because it is a monopoly, and there are NO provisions in the proposed settlement to address consumer issues. All the remedies are focused on remedies for software companies who are damaged by Microsoft's illegal business activities, but there are no provisions for reigning in Microsoft's unforgivable behaviour towards the end users who are forced to buy their products for lack of another choice.

**MTC-00023146**

From: Josh Prokop  
To: Microsoft ATR  
Date: 1/24/02 6:50pm

Subject: Microsoft Settlement

The proposed settlement is not just a bad idea, it's waste of time and tax payers money. It is so full of loopholes for Microsoft that it has to be a joke. Microsoft has been convicted of anti-competitive practices. This settlement does nothing to prevent this behavior in the future.

It's time to stop playing games and get serious about this problem.

Josh Prokop, Software Developer  
P.O.Box 1050  
Brewster, MA 02631

**MTC-00023147**

From: sedwards POP account sedward1  
To: Microsoft ATR  
Date: 1/24/02 6:50pm

Subject: Microsoft Settlement

The settlement proposed is a shameful embarrassment for this country, and an insult to all men and women of integrity. Bill Gates has shown that he has no concept of ethical behavior, and has predicated his company on the premise that cheating, lying, misleading and stealing are useful tools in the pursuit of success.

Sue Edwards  
Salt Lake City, Utah  
CC:sedwards@xmission.com@inetgw

**MTC-00023148**

From: rayjean@ticon.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:46pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ray McInerny, sr.,  
3565 Greenlawn Terrace  
New Berlin,, WI 53151-4371

**MTC-00023149**

From: Sean  
To: Microsoft ATR  
Date: 1/24/02 6:51pm  
Subject: Microsoft Settlement

to whom it may concern:  
i am disgusted by the proposed settlement that microsoft has been given by our government. the government's case clearly stated that microsoft had UNJUSTLY used it's influence and leveraging power as to prevent other companies from competing in the same space.

the idea that to remedy this is by allowing microsoft to give away computers and software to children (where they traditionally have had a much smaller market share) is ludicrous, laughable and unbelievably short-sighted. the government is not punishing microsoft by doing this, it is HELPING them enhance their already punishing stranglehold on an industry and on the education market. please, do not allow this to happen. this settlement in the interest of consumers and numerous businesses MUST be reworked and microsoft must not be allowed to further extend their monopolistic practices.

sincerely and respectfully,  
sean driscoll  
ny, ny.

**MTC-00023150**

From: inikk@pdi.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:49pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Irl Nikkel  
325 S. Aurora  
Geary, OK 73040

**MTC-00023151**

From: jacquiemarsh@iglide.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 6:49pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jacquelyn L. Marsh

1350 Woodside Terrace #3

Woodland, WA 98674-9458

**MTC-00023152**

From: David Posey

To: Microsoft ATR

Date: 1/24/02 6:52pm

Subject: Microsoft Settlement

Greetings,

I think the settlement, as currently constructed, is ridiculous. That is, DOJ has apparently caved in to Microsoft, despite having won it's case in court.

Let me get this straight:

a) The court found that Microsoft has been able to exert monopoly power.

b) The court found that Microsoft has and continues to abuse that power to the detriment of US citizens (and state citizens, and other countries, of course).

Despite these reasonably clear findings, the settlement does exactly nothing to improve the situation. Either of the following choices seem reasonable to me:

a) Massive \$ penalties for illegal conduct, stifling competition, price gouging, etc.

b) Break the company into smaller entities, with \$ penalties explicitly tied to infringement of any of their separation conditions.

I'm extraordinarily disappointed that the DOJ (and the state AGs who joined them) have caved in so completely. This is a complete waste of time and money—if DOJ is incompetent to bring and win these cases, I'd like to see this branch of DOJ disbanded completely. After all, if they can't achieve a reasonable settlement, after spending millions of \$ to WIN the case in court, what use are they???

Regards,

David Posey

Software developer since 1980.

**MTC-00023153**

From: JSweet9030@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:52pm

Subject: Microsoft settlement

I am a Microsoft customer. I think they have done great things for the Nation. Please vacate any further action against that company. Those who continue to push this case ar vultures hanging around for some

large scraps which they don't deserve. John

M. Sweet Boulder, CO

344 S 68th St. 303 494-5259

**MTC-00023154**

From: ja.haserodt@verizon.net@inetgw

To: Microsoft ATR

Date: 1/24/02 6:50pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Martha Haserodt

7186 Prospect Dublin Road

Prospect, OH 43342-9553

**MTC-00023155**

From: milesjl@olypen.com@inetgw

To: Microsoft ATR

Date: 1/24/02 6:51pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jim & Loretta Miles

1171 Township Line Road

Port Angeles, WA 98362-7438

**MTC-00023156**

From: wt.catch1

To: Microsoft ATR

Date: 1/24/02 6:51pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Bernadette Hein

72 Cambridge Dr.

Hershey, PA 17033

**MTC-00023157**

From: richardnp@iopener.net@inetgw

To: Microsoft ATR

Date: 1/24/02 6:52pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Richard Price

243 S. Medina Line Rd.

Akron, OH 44321-1158

**MTC-00023158**

From: David Kuder

To: Microsoft ATR

Date: 1/24/02 6:54pm

Subject: Microsoft Settlement

Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington, DC 20530-0001

Ms. Hess,

Even while attempting to send this message to you I ran into an instance Of Microsoft's power. My company requires me to use Outlook and it gives Me (that "Me" was capitalized by Outlook not me) two choices for composing messages: Word or whatever this thing that I'm typing at is. Whatever it is it's sad. Its programmers believe that I can't spell or type.



I am against the proposed Final Judgement. I feel it does a poor job of punishing Microsoft for its actions. I also strongly feel it does a poor job of requiring or encouraging Microsoft to correct its behaviour. I'm not a lawyer. I just stuck a dart in the PFJ and hit section III.J.2.b.

One reading of that section would be: "Microsoft promises to continue to deny individuals with purposes such as criticism, comment, news reporting, teaching, scholarship, or research from seeing their APIs because those are not legitimate business needs". As Bruce Perens writes in <http://slashdot.org/features/980720/0819202.shtml>:

First, publish the source code to your program, or, in the case of a cryptography program, publish complete details of the encryption algorithm so that a programmer can understand exactly how the code works. Encourage programmers to study your system and to attempt to break it. Only when a program has been publicly reviewed this way, and when people have tried to break it and have failed, can you be assured that it's useful for concealing your secrets.

But PFJ allows them to deny in the name of security the one thing all security experts agree on—there is no security through obscurity.

#### MTC-00023159

From: Jim Ault  
To: Microsoft ATR  
Date: 1/24/02 6:57pm  
Subject: Microsoft Settlement

The PFJ fails to prohibit Anticompetitive Licensing terms that Microsoft currently uses to keep Open Source applications from running on Windows. I believe that Microsoft is buying its way out of this predicament, and I don't believe the PFJ is satisfactory to consumers at all.

Far too many of Microsoft's anticompetitive practices are continuing to this day, and the PFJ will do nothing to change most of them. Please do not adopt the PFJ without substantial changes to address the deficiencies outlined by Dan Kegell on [www.kegel.com](http://www.kegel.com).

Thank you  
James Ault  
1 Hialeah Drive  
Albany, NY 12205

#### MTC-00023160

From: Eric R. Swanson, P.E.  
To: [microsoft.atr\(a\)usdoj.gov](mailto:microsoft.atr(a)usdoj.gov)  
Date: 1/24/02 6:58pm  
Subject: Microsoft Settlement

I do not approve of the settlement with Microsoft, Inc. I believe the settlement is neither adequate compensation for the damage done or appropriate to restore vigor and diversity to the software development business. I have had long experience in software development dating back to vacuum tube computers. I watched the extreme expansion of software in the 70's and 80's. Comparatively, little has been done in the last decade. Was this because of Microsoft? Was the "Dot.com" revolution technically where it was and when it was because Microsoft wasn't?

Eric R. Swanson

#### MTC-00023162

From: [llmartin@nwlinc.com@inetgw](mailto:llmartin@nwlinc.com@inetgw)  
To: Microsoft ATR  
Date: 1/24/02 6:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Linda Martin  
644 SW 144th Place  
Seattle, WA 98166-1574

#### MTC-00023163

From: [dicksonn@muscanet.com@inetgw](mailto:dicksonn@muscanet.com@inetgw)  
To: Microsoft ATR  
Date: 1/24/02 6:55pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard & Sondra Andersen  
221 Mary Place  
Muscatine, IA 52761-5503

#### MTC-00023164

From: Ben Jansen  
To: Microsoft ATR  
Date: 1/24/02 7:00pm  
Subject: Microsoft Settlement

I am one of the many people who feel that the Microsoft Settlement is ineffective in accomplishing the trial's original purpose.

Please don't allow this joke to go through.  
- Benjamin Jansen

#### MTC-00023165

From: Raible, Eric

To: Microsoft ATR  
Date: 1/24/02 7:00pm  
Subject: Microsoft Settlement

As a professional programmer for nearly 20 years (I graduated from MIT), there are so many aspects of the microsoft case that it's hard to know where to begin.

Regardless of other details, to me the single most important requirement is full documentation of all APIs that the company produces. Without full and open documentation, their monopoly power will never be diminished.

Thank you for your consideration.

Eric Raible  
Los Gatos CA

#### MTC-00023166

From: Cog  
To: Microsoft ATR  
Date: 1/24/02 6:59pm  
Subject: Microsoft Settlement

I believe that the settlement currently being proposed critically flawed in a number of ways. Cog.

#### MTC-00023167

From: [efoushee@yahoo.com@inetgw](mailto:efoushee@yahoo.com@inetgw)  
To: Microsoft ATR  
Date: 1/24/02 6:58pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Foushee  
1490 Payne Rd.  
Ekron, KY 40117

#### MTC-00023168

From: [jcgagnebin@aol.com@inetgw](mailto:jcgagnebin@aol.com@inetgw)  
To: Microsoft ATR  
Date: 1/24/02 6:59pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you. Sincerely,  
Jean-Claude Gagnebin  
23 Berkshire Dr.  
Danbury, CT 06811-4713

**MTC-00023169**

From: CSAZ  
To: Microsoft ATR  
Date: 1/24/02 7:04pm  
Subject: Microsoft Settlement

To Whom It May Concern,  
I know you are probably receiving a large volume of mail about this and don't have time to read everything.

The short version of my comment is: Leave Microsoft alone and drop all this silly nonsense.

The longer version of my comment is as follows:

I do not, nor have I ever worked for Microsoft. I have no stock or any other financial interest in the company. I am, however, a computer user of many years as well as a self-employed consultant and programmer. I remember well the late 70's and early 80's when there was no dominant operating system other than CP/M, and that required a different version for every computer as well as programs tweaked specifically for that version of CP/M

It is amazing to me that anyone can look at the progress in computers and software and the dramatic decrease in costs to the consumer for both hardware and software, and then turn around and say that Microsoft has hurt the consumer! Word Perfect used to cost hundreds of dollars just for the Word Processor. They chose to ignore the Windows operating system, and they lost their market share as a result. Today, you can buy Microsoft Office with Word Processor, Spreadsheet, Presentation tool, Database, Personal Information Manager, Web Site designer, etc. for less than what Word Perfect used to charge just for their Word Processor. Where has the consumer been damaged in all this?

Netscape used to dominate the browser market and basically gave away their browser. When they owned 95% of the market, nobody in the Justice department was crying foul and investigating them for having a monopoly in the Web Browser market.

Apple computer consistently quashes any attempt by anyone to build systems that are compatible with Apple which results in higher prices for their systems than PC's, yet nobody is investigating them for squelching competition. Sun has been just as draconian with their software and operating systems as Microsoft has, but since they are smaller, they get away with it. They have not helped to lower the cost of software or hardware in any way. They came out with Star Office to replace Microsoft Office, but it hasn't affected prices any as the prices are already very fair for the benefit one gets from them.

If Microsoft has indeed done things illegally, they should be punished for it.

However, I think that much of this case is about people missing the boat and who would do and have done the same things they are complaining that Microsoft has done.

Not only has there been no proof that Microsoft's market share has caused anything but benefits to the consumer, nothing has ever been proposed to compensate anyone who has allegedly been damaged by their actions. Taking money from Microsoft and giving it to states to do whatever they want with it hardly compensates consumers for any damages they may have had caused to them by Microsoft.

As a programmer, I am glad I can depend on Internet Explorer being installed on my client's machines. It enables me to add online connectivity easily. If I can't depend on it being there, I either have to write multiple versions of my software for each type of browser that may be installed, or my customer is going to have to install Internet Explorer anyway. I would most likely go to the second option, but it still creates another, and unnecessary, layer of installation issues for my clients.

Sincerely,  
Matthew Brock  
Matthew J. Brock—<mailto:mjb@delphi-programmer.com  
Computer Solutions:AZ—http://www.delphi-programmer.com  
Tucson, AZ—Phone: 520-577-6625  
Systems Sales, Service, Networking, Troubleshooting  
C U S T O M P R O G R A M M I N G  
A V A I L A B L E ! !

**MTC-00023170**

From: Scott Thomason  
To: Microsoft ATR  
Date: 1/24/02 7:03pm  
Subject: Microsoft Settlement

I urge you to find the proposed settlement between the DOJ and Microsoft inadequate. Please consider the many rational and fair alternatives so articulately expressed at <http://www.kegel.com/remedy/> and the links within. I find the suggestions revolving around the theme of open standards and interfaces to be particularly sensible. A company with Microsoft's size, market penetration, and anti-competitive aggression should be required to develop product and technologies in a way that gives the world a fighting chance at choice.

**MTC-00023173**

From: Gary Robinson  
To: Microsoft ATR  
Date: 1/24/02 7:29pm  
Subject: Microsoft Settlement

Microsoft has long used its monopoly power to make it impossible for competitors in non-OS fields to survive, by copying their innovations into Windows, under the guise of their right to "innovate". They have never innovated. They have only used their monopoly power to copy the innovators and put them out of business.

It is anti-competitive behavior at its worst. This MUST stop. Please do the responsible thing and MAKE IT STOP.

As the president of a software company that greatly fears the possibility that

microsoft will copy what we do and use their monopoly power against us, I ask you, Please, please do the right thing.

—Gary  
Gary Robinson  
President  
Transpose, LLC  
grobinson@transpose.com  
207-942-3463  
<http://www.transpose.com>

**MTC-00023174**

From: Steve Litt  
To: Microsoft ATR  
Date: 1/24/02 7:07pm  
Subject: Microsoft Settlement

From: Steve Litt  
Webmaster: Troubleshooters.Com  
385 Forest Park Circle  
Longwood, FL. 32779  
407-786-1278  
slitt@troubleshooters.com  
To: U.S. District Judge Colleen Kollar-Kotelly

1/24/2002  
Dear Judge Kollar-Kotelly:  
Reviewing the proposed stipulation and revised final judgment against Microsoft (the settlement), I find the proposed settlement wholly inadequate to restore competition in the marketplace, to provide remedy to those who have been harmed, to prevent future illegal acts by Microsoft, or to establish even a modicum of respect for the credibility of the law. It is likely that provisions III.J.2.b and c will be used to deny API access to Open Source projects. The cost associated with III.J.2.d is not affordable by the vast majority of Open Source projects, so it further denies access, even if Microsoft's restrictions are deemed "unreasonable". I believe it's no accident Microsoft wanted this language in the settlement.

Open Source (such as Linux) is Microsoft's only remaining competition, due to the extreme marketplace distortion created by Microsoft's illegal acts, such as Microsoft's revenue starvation techniques (see "We are going to cut off their air supply" in I.16 of the Civil Action No. 98-1232 complaint). Microsoft cannot kill Open Source by "cutting off their air supply" because the Open Source development model requires no revenue. So instead of competing head to head on features and reliability, Microsoft seeks to hamper Open Source by denying them API access in order to interoperate with Microsoft products.

There's no reason to restrict access to the API. APIs are not code—they're just a standard. A secret API does not protect one from viruses. In fact, Open Source products, whose API is accessible by all interested parties, has a much better record than Microsoft when it comes to security. Likewise, "piracy protection" does not require secret API calls. Microsoft wants provisions III.J.2.b, c and d to restrict their competition, not to prevent security threats or piracy.

If this settlement is approved, Microsoft will have used the court to further sabotage their competition.

Even more unsettling is the enforcement of this settlement. Provision IV.B.6.a places the three member technical committee assigned

to enforce this settlement on the payroll of Microsoft. This is an obvious conflict of interest. It would be better to fine Microsoft an extra few million, and have the government pay the technical committee out of those funds. Worse yet, Microsoft has every incentive to violate this settlement agreement. Section V, parts A and B, provide that the settlement will last 5 years, but if Microsoft violates the settlement it will last a maximum of 7 years. It basically gives them permission to thumb their nose at the law for 7 years, and repress the marketplace for 7 years.

What does this settlement say to the average citizen? Microsoft was found to be an illegal monopoly by Judge Jackson, and this finding was upheld by the appeals court. And their punishment is 7 years of toothless observation, during which time the very language of the settlement provides them with tools to attempt to destroy their one remaining competitor. This is akin to a bank robber being found guilty initially and on appeals, and being placed on observation for 7 years. No repaying the bank. No remorse required. No punishment. No real disincentive to rob again. This settlement weakens respect for the law. For the people of this country, this settlement sets a horrible precedent.

I believe Microsoft should be subjected to a structural remedy, or at the very least very serious behavioral remedies. Nothing short of that would change their behavior. Throughout their history, Microsoft has shown themselves to be scoundrels:

- \* Caldera alleged that Microsoft had placed booby traps in their Windows 3.0 product to prevent its installation over Microsoft competitor DR DOS. Rather than prove their innocence, Microsoft paid Caldera \$155 million. (<http://seattletimes.nwsource.com/news/technology/html98/cald-20000111.html>)

- \* Microsoft created a "Windows only" version of Java, and it took a lawsuit by Java inventor Sun to stop them from removing Java's most sacred feature— write once run everywhere.

- \* Using predatory pricing, Microsoft destroyed rival Netscape, and removed all incentive for anyone to create a competing browser.

- \* Microsoft took the Open Standard, Open Source Kerberos authentication standard, added code to make it incompatible with Open Source implementations, and then declared the revised product their intellectual property, thus eliminating Open Source/Windows interoperability. Only those with an iron clad monopoly would cynically cut off the rest of the world like that.

- \* Unable to kill Open Source with their customary revenue starvation techniques, Microsoft's Jim Allchin put out feelers to congress to outlaw Open Source (see <http://news.cnet.com/investor/news/newsitem/0-9900-1028-4825719-RHAT.html>).

- \* Microsoft attempted to commandeer all content passing through their Passport server, regardless of copyright, patent or trade secret. (see <http://www.theregister.co.uk/content/4/18002.html>). In that case their bluff was called by privacy advocates and newspapers, and they backed down.

- \* Microsoft's .Net architecture is required for many features of their new operating system, Windows XP.

- \* Microsoft is in the process of converting everyone to their .Net architecture, which funnels all communication through Microsoft's Passport server. If Microsoft succeeds, they will control the single tollgate on the entire Internet, and they will no longer need an OS, middleware or browser monopoly.

In considering whether the proposed settlement is prudent, please keep in mind that Microsoft has continually behaved as if their core competency was monopolism. Their product choices were based not on customer needs, but on killing the competition. With their .Net architecture fast on the way to monopoly status, it's clear that their past, present, and future is dedicated to monopolism. Please stop this illegal monopolistic behavior, once and for all.

Finally, as you read the many emails praising the settlement, or even saying it's too tough on Microsoft, consider their source. On 4/10/1998 the L.A. Times reported that Microsoft was paying freelance writers to pretend to be ordinary citizens and write letters to the media (<http://seattletimes.nwsource.com/news/business/html98/pr-041098.html>). On 8/23/2001 the L.A. times reported that Microsoft had paid freelance writers to pretend to be ordinary citizens and write to the state attorneys general asking the attorneys general to go easy on Microsoft. Two of the purported "citizens" turned out to be dead.

(<http://seattletimes.nwsource.com/html/nationworld/134332634-microlob23.html>). Judge Kollar-Kotelly, it's very likely that most of your pro-Microsoft emails and letters were paid for by Microsoft. If one figures \$75 per letter, Microsoft could fund a million letters for \$75 million— half what they paid Caldera to stop the DR DOS sabotage suit.

Please protect our economy, our nation and our society from these predators. Reject the settlement, and construct a remedy that punishes past illegal acts and prevents future ones.

Steve Litt  
Webmaster, Troubleshooters.Com  
<http://www.troubleshooters.com>  
slitt@troubleshooters.com

#### MTC-00023175

From: darrellfitts1@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:04pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Darrell Fitts  
3221 Judy Court  
Shreveport, LA 71119

#### MTC-00023176

From: Momcare2@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:05pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Cheryl Sanger-Morrison  
5524 Timbercreek Ln.  
Stow, OH 44224

#### MTC-00023177

From: tomshup@cox.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:05pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Shupper  
5654 S. Marion Ave.  
Tulsa, OK 74135

#### MTC-00023178

From: SiegerJA@aol.com@inetgw

To: Microsoft ATR  
 Date: 1/24/02 7:07pm  
 Subject: "Microsoft Settlement"

Microsoft is an adjudicated monopolist; it has demonstrated its utter insensitivity to that fact; and it continues to use whatever economic leverage it has as if it were a garage-housed start up company. These guys simply don't get it and, regardless of their intentions, they cannot be allowed, for another decade, to throw Microsoft's weight around the economy without seriously negative consequences for innovation, if not for software pricing.

Your settlement can't get to the heart of the problem. The heart of the problem is the Gates mentality, which can only be addressed through some kind of an epiphany or through divestiture; and the court took the latter off the table. But you could, at least, insist on behavioral restrictions and disclosure requirements that dampen and/or publicize Microsoft's bullying of other market participants. I don't think you've done that.

John Sieger  
 Houston, Texas  
 (713) 869-6574  
 SiegerJA@AOL.Com

**MTC-00023179**

From: David Christie  
 To: Microsoft ATR  
 Date: 1/24/02 7:08pm  
 Subject: Comments re: Proposed Microsoft Settlement

Dear Sirs:

I wish to register my disapproval of the proposed settlement in the case of U.S. vs. Microsoft. It does not address the harm done by the illegal conduct of Microsoft Corporation and it would not adequately protect the public against future harm from Microsoft's illegal maintenance and extension of its operating system monopoly.

As a former employee and stockholder of Netscape Corporation I was directly harmed by Microsoft's illegal practices. I have waited patiently for intervention which I always knew would come too late to save Netscape. However, I never anticipated Microsoft would escape effective sanctions, escape being broken up, and emerge stronger and more ambitious in its monopolistic behaviors than ever.

Allowing Microsoft to evade responsibility for its actions, and leaving it free to continue its deprivations of the industry, is akin to allowing Saddam Hussein to remain in power after the Gulf War: a big mistake. Microsoft was found guilty. It should now be held accountable. I urge the court to approve only a settlement that effectively restrains Microsoft from illegally extending its monopoly in the future. Of all the settlement provisions that have been debated, the most effective would be to require Microsoft to open the source code of its operating system under an open-source software license. That is the only way to guarantee that Microsoft will have competition in its core marketplace of operating system software. Currently Microsoft's ability to keep its source code private prevents effective competition by allowing Microsoft to hide the details of how compatible competing operating system

software could be written. Secret operating system software is bad engineering, bad for the marketplace, and an invitation to illegal monopolistic business practices. It is bad public policy and bad antitrust law to allow it in software that controls 90% of the computers in the marketplace.

If the source code were open, Microsoft would still have a long lead on its competitors, but the possibility of competition would exist. Therefore, Microsoft would be unable, in practice, to exploit its monopoly as ruthlessly as it has in the past.

The remedy seems clear. Microsoft abused its operating system software monopoly illegally. The direct solution is to limit the basis for that monopoly: the secrecy of Microsoft's proprietary source code. Stop Microsoft from keeping its operating system software source code under wraps, level the playing field, and in so doing, open the industry up to competition again.

Thank you.  
 David B. Christie  
 915 Peggy Lane  
 Menlo Park, CA 94025

**MTC-00023180**

From: A. David Garza Marin  
 To: Microsoft ATR  
 Date: 1/24/02 7:08pm  
 Subject: Microsoft Settlement

Hi. My name is A. David Garza Marin.

Since 1985, the first name I saw in my PC (a very old one) was Microsoft. Since then, the name impacted my life and way of work. Then I was the "rebel" one who didn't use Mac or Apple computers, who developed applications with BASIC, and who started to use one strange thing called Windows (and OS/2, by the way).

Through the years, Microsoft had grown consistently and I, strangely, passed from "the rebel" side to "the standard" side, because Microsoft grown with me and my computer related workings. I also saw in my country, Mexico, that everything started to grow by the first years of the 90's: all of that because Microsoft used its right to innovate with Microsoft Windows 3.x.

Today, there are more than 30,000 people employed by Microsoft. There are lots of additional people who are working RIGHT NOW just because Microsoft used its right to innovate. Just to mention, there are magazines, complete enterprises, consultants, developers, users, "even boys and girls" whose income or work depends on Microsoft technologies, and its right to innovate... Here in Mexico, at least 90% of the industry based in computer technology (one way or another) depends on Microsoft technologies and its right to innovate.

Last decade, Microsoft helped in many ways—using its holy right to innovate—many mexican enterprises to grow, and day by day, more other newly created and existing enterprises are using Microsoft technologies to grow in turn. I know that there are many, many other software enterprises that can help to this grow but, how many of the existing users could want to re-invest in their technologies and re-start to learn? What really helped in this "technologized" new world are standards,

and Microsoft technologies are, now, a standard. Please, let Microsoft to continue use its holy right to innovate.

¶ SALUDOS desde Mexico!  
 A. David Garza Marin (MSDN RD)  
 Director General de PRO-3  
 adgarza arroba pro guin 3 punto com punto  
 mx  
 adgarza at pro dash 3 dot com dot mx  
 http://www.pro-3.com.mx

**MTC-00023181**

From: msbaran@ra.rockwell.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 7:08pm  
 Subject: Microsoft Settlement comment

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement.

I agree with the problems identified in Dan Kegel's analysis of the proposed settlement (on the Web at <http://www.kegel.com/remedy/remedy2.html>) and support modifications as indicated therein.

Sincerely,  
 Michael S. Baran  
 Milwaukee, WI  
 Principal Engineer  
 Member, American Society of Mechanical Engineers

**MTC-00023182**

From: Gary Bodily  
 To: Microsoft ATR  
 Date: 1/24/02 7:10pm  
 Subject: Microsoft settlement

I think this thing with Microsoft has gone on long enough. Let's just drop it and let the company get back to business and creating jobs and helping the economy

Sincerely,  
 Gary Bodily  
 2295 Kalinda Dr.  
 Sandy UT 84092

**MTC-00023183**

From: hndrksnx2@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 7:07pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Morgan Hendrickson  
 1796 Kent Circle  
 Papillion, NE 68046-4118

**MTC-00023184**

From: cn2691@coastalnet.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:06pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Kathryn Bell

4326 Gum Branch Road  
Jacksonville, NC 28540

theodore roosevelt would turn over in his grave if he saw the travesty that our legal system has become.

burton miller

**MTC-00023186**

From: murphyjf@msn.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:08pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

John Murphy

2201 168th Ave. NE  
Bellevue, WA 98008-2432

\*It does not adequately compensate those adversely affected by its past misconduct.

\*It does not prevent future recurrence of anticompetitive behaviors.

\*It does not do enough to restore competition and offer real choice to consumers.

\*It has no effective enforcement.

\*Its duration is too short.

The PFJ has no teeth and no real penalties for non-compliance. It relies too heavily on Microsoft's voluntary compliance, cooperation, self-control and good faith. It also leaves the interpretation of key elements of the agreement in the hands of the defendant itself. If past experience is any guide, only a fool would trust Microsoft to abide by such an agreement, because it is by necessity unfavorable to Microsoft and it provides little incentive to comply. This PFJ leaves the fox in charge of the chicken coop. Moreover, sufficient time is needed to restore fair competition to the marketplace, to level the playing field and ensure that it remains level. Removing all restraints after 5 years, even for an otherwise fair settlement, is grossly inadequate.

If allowed to take effect, the PFJ would do little to remedy the current situation, and be an utter disservice to consumers and Microsoft competitors. It would be a farce and travesty of justice.

Respectfully yours,

Celso J. Frazao

celso@netapp.com

Palo Alto, CA.

CC: 'microsoftcomments(a)doj.ca.gov'

**MTC-00023185**

From: Miller, Burton

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 7:10pm

Subject: Microsoft Settlement

government attorneys:

the settlement under consideration fails almost completely in every way. first of all, in addressing the problem of anti-competitive behavior, the settlement hardly restricts microsoft at all. most of the clauses will be easy to get around or ignore, and very hard to prove in the case of transgression. judge jackson had it right; splitting microsoft into separate software and operating system companies would have a much greater and positive impact.

secondly, concerning the damages. \$1 billion is a drop in the bucket to microsoft, who has \$40 billion in cash. punitive measures should be punitive. furthermore, allowing them to pay in kind undermines the already frivolous damages, while simultaneously allowing them to gain unfair market share in the very act of being punished. all damages should be paid in cash, and the amount should be enough to sting a bit, say \$20 billion (half their cash reserves). furthermore, the money from the damages should be prohibited from use to purchase microsoft products; this is only fair, as microsoft has many years of unfair advantage under their belts, and all software/hardware purchased with these funds should go to even the scales. the money could be used both for educational purposes, and to fund non-microsoft affiliated high-tech startups (since they destroyed so many of them).

really, though, why settle at all. let the case go to the supreme court. let's see if america can do the right thing for once, or if it will allow legalistic maneuver to undermine justice on the grandest possible scale.

**MTC-00023187**

From: Jennifer Shively

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/24/02 7:08pm

Subject: Microsoft Settlement

I believe the tentative Microsoft Settlement is not acceptable, as it allows too many exclusionary practices to continue.

Jennifer Shively

Pasadena, California 91030

**MTC-00023188**

From: Frazao, Celso

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 7:11pm

Subject: Microsoft Settlement

To: Judge Kollar-Kotelly Re: Comments on Microsoft Proposed Final Judgment

Date: 24 Jan 2002

From: Celso Frazao

587 Center Dr.,

Palo Alto, CA 94301

I am a computer scientist active in my field for over 30 years. I am familiar with the software industry in general, and Microsoft's product line in particular, including its operating systems, browsers and other tools and applications. I am also familiar with similar products marketed by many of Microsoft's competitors. I have read the Proposed Final Judgment (PFJ) and numerous published articles and reports on the topic.

In my opinion the PFJ is flawed on many counts:

\*It does not effectively address or correct Microsoft's illegal practices.

\*It does not deny Microsoft the fruits of its ill-gotten gains.

\*It does not impose any punitive damages.

**MTC-00023189**

From: Capitmkt@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:14pm

Subject: microsoft Settlement

Dear Mr. Ashcroft, I feel the MSFT settlement was fair and just for the people of the United States of America which both MSFT the consumer and public have paid a dear price in time, money, personel and lives; had we as a nation watched less of our own and more about what forieners were plotting against the United States the twin tower would still be standing along with 3000 lives not to mention the families these people touched. Once again in the news is Aol which new and understood what the netscape broser was and the risk of a 10 Billion dollar purchase." Elephant." The trial was going on during the time of the purchase and the insiders thought they new netscape would control the market after MSFT lost because that did not happen netscape has filed a suit which I personal think is without merit and should be throw out . We as a nation should be very thankful for the creativity and jobs that Microsoft started and can only hope that the continued sucess will bring ever greater rewards to this country. Mr. Ashcroft I hope and pray that the settlement stand because it was fair and just for all. God bless.

Sincerely

Peter J. Borrello 413-731-2303

CC:Capitmkt@aol.com@inetgw

**MTC-00023190**

From: LFRICKE580@AOL.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 7:11pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

LUCILLE FRICKE

7 WAGON TRAIL

BLACK MOUNTAIN, NC 28711-2555

**MTC-00023191**

From: Warren or Nancy Dodson

To: Microsoft ATR

Date: 1/24/02 7:14pm

Subject: Microsoft suit

Dear DOJ,

Please, just drop this suit against Microsoft. It is costly. It is selective against a respectable and legal US corporation.

Further more this present recession really started into a nosedive when President Clinton began this suit.

Thank you, President Clinton. The biggest monopoly of all is the Federal Government. Some one should investigate IT.

Please just quit this.

Thank you. Warren E. Dodson, West Liberty, Ohio

**MTC-00023192**

From: deddle@voyager.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:11pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

MARILYN DIANE FRY

P.O. BOX 238

MACKINAW CITY, MI 49701-0238

**MTC-00023193**

From: doramill@msn.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:12pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Sincerely,

DONAL MILLER

2762 TONY DRIVE

LAWERNCEVILLE, GA 30044-5775

**MTC-00023194**

From: BRIAN LEJEUNE

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 6:59pm

Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,

Brian LeJeune

**MTC-00023195**

From: jimeklund@hotmail.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:12pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jim Eklund

2440 Green Canyon Rd.

Fallbrook, CA 92028

**MTC-00023196**

From: Bob Roberts

To: Microsoft ATR

Date: 1/24/02 7:15pm

Subject: Stop the Harasement of Microsoft

Dear Sirs/Madames:

I am writing to express my strong objection to the US Governments continued waste of time and money harassing Microsoft.

I don't know that I find all of their business tactics honorable but I strongly beleive this case is much more about competitors trying to ask for help as opposed to the Government protecting consumers.

I watch in amazement as other operating systems companies such as Apple release new verisons of their operating system with addiitonal free software bundled in (iPhoto, iTunes, iDVD, etc)and they are applauded for bringing more features, convenience and benefit to users. At the same time is chastised and sued for trying to deliver the very same types of advances and benefits to consumers.

As a citizen of this country I am appalled at the blatant manipulation of the US Government by Microsoft's competitors.

Sincerely;

Bob Roberts

**MTC-00023197**

From: Chris Collins

To: Microsoft ATR

Date: 1/24/02 7:16pm

Subject: Microsoft Settlement

To whom it may concern:

I believe that there is a period of time whereby the Department of Justice accepts public commentary regarding the Microsoft settlement case. I am writing regarding that matter.

I am an average jane working in the educational IT industry, and I feel very strongly that Microsoft's dominance in the

operating system, office suite, and internet browser business represents a clear threat to competition from any other company. I am strongly opposed to any sort of settlement that allows Microsoft to maintain this position. This country is founded on fair competition and it is ludicrous to think that any other company, even giants like IBM or AOL Time Warner, can edge into any of those three categories successfully. At the University where I work, use of the Netscape browser has declined in the last year to just 6%. People who are not very adept with software and computer technology often don't realize that they even have a choice! I speak with students every day who believe that getting onto the internet can only be done with Internet Explorer because that was what showed up on their desktop the first time they booted up a computer!

Microsoft exemplifies a monopoly. I hope the Department of Justice will not allow Microsoft to weasel its way out of restructuring.

Thank you for your consideration of my comments.

Regards,  
Chris Collins  
1820 Sterling Avenue  
Cincinnati, OH 45239

#### MTC-00023198

From: grbarth@ilene.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:13pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Geo R. BARTH  
3343 se 17TH ave  
Cape Coral, FL 33904-4462

#### MTC-00023199

From: Steve Zygmunt

To: Microsoft ATR

Date: 1/24/02 7:17pm

Subject: Microsoft Settlement

I personally feel that the current settlement offer for the Microsoft Anti-Trust case is a complete joke. I am absolutely NOT in favor of the current settlement as it does little to nothing to curb the predatory practices of Microsoft. Imposing far more demanding restrictions/penalties will be far more helpful to the computer industry as a whole in the

future. Having Microsoft as a monopoly (which it is by the courts own ruling) is not only dangerous to the growth and innovation of the computer industry but is also fundamentally dangerous to the United States should Microsoft suddenly fail due to attack, mismanagement, or otherwise.

Steve Zygmunt  
State College, PA

#### MTC-00023200

From: carmel@aristotle.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:14pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carol Mellinger  
5 Carroll Circle  
Mabelvale, AR 72103

#### MTC-00023201

From: justiniano@si.rr.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:15pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Anthony Justiniano  
61 hillcrest street  
staten island, NY 10308

#### MTC-00023202

From: fictional\_man@hotmail.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:15pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph Lobosco  
50 E Hamilton Ave.  
Massapequa, NY 11758

#### MTC-00023203

From: dmiles

To: Microsoft ATR

Date: 1/24/02 7:20pm

Subject: Microsoft Anti Trust Tunney Act

I think the proposed settlement is a horrible idea because it allows the software monopoly to tighten its grip in some key areas, see <http://www.kegel.com/remedy/> for details.

#### MTC-00023204

From: Valerie Kapko

To: Microsoft ATR

Date: 1/24/02 7:19pm

Subject: Microsoft Settlement

I am voicing my opinion in agreement with the following statements made by my associate Jim Lucha regarding Microsoft. Mr. Lucha states:

I am writing to inform you of a great injustice taking place, that left unchecked by good citizens such as myself, will sacrifice freedom for me and future generations.

On November 5, 1999, a U.S. Court found Microsoft guilty of abusing its monopoly. An appeals court upheld that decision.

This past November, the DOJ and Microsoft came to a settlement that appears to have been written by Microsoft, and are not in the best interest of you, the consumer and citizen.

The Department of Justice, the President, and Microsoft are using the tragic events of September 11th to sweep this case under the rug.

1. Microsoft overcharges for its products. Its rate of return on investments is 88%, far above the largest corporations in other industries. For the others 13% is considered quite good. Microsoft is holding approximately 35 billion of your money in cash to further its bullying of the computer industry. This is illegally obtained money.

Remember their overcharging is passed on to you the consumer and taxpayer. Virtually every single product you purchased, the

producer overpaid for computer software and had to pass that cost on to you. The government also overpaid for software with your tax dollars.

2. Microsoft forced computer manufacturers into illegal contracts prohibiting them from including alternative software and operating systems as choices. While the antitrust trial focused on the software aspects with Netscape the prime example, it did not address the issue of alternative operating systems.

It is my opinion that Microsoft's anticompetitive practices in this area alone have set the computing world back approximately ten years. I often hear from people "Why aren't computers easier to use." or "When will I be able to talk to my computer and tell it what to do." Well, Windows 2000 is only now approaching the level of stability that was available in 1994 with IBM's OS/2. Also, in version 4 of IBM's OS/2, released approximately in 1997, voice recognition was introduced, and you could speak commands to your computer. A feature that to this day is not available in a Microsoft operating system.

3. Microsoft developed a web site for the British government for use by its citizens for taxes. The site is only useable by people using Microsoft's Internet Explorer on its Windows operating system. Not even people using Internet Explorer on the Macintosh platform could use the web site let alone people using alternative web browsers such as Netscape and Opera.

4. In Australia, Microsoft rents its software products rather than sell them. The consumer must pay every couple of years or stop using the product. If they don't renew, then they are only allowed to view their current documents. They can no longer edit them in any way. Microsoft wanted to implement the software rental here in the U.S., but changed their mind due to the then current antitrust case. Consumers will have no choice in the next couple of years.

5. What message are we giving our future generations if we do nothing to convicted criminals and businesses?

#### WHY THE SETTLEMENT IS INAPPROPRIATE

1. First and foremost, the settlement does not address ill-gotten gains. Microsoft is allowed to keep billions of dollars acquired illegally. How many convicted thieves are you aware of that were allowed to keep their stolen goods?

2. The settlement creates a 3 person panel to make sure Microsoft does not continue its current illegal practices. The first problem is Microsoft gets to select one member of the panel, who in turn has a say as to who the third member is. Microsoft basically controls the panel. The second problem is that the panel members are not allowed to discuss with anyone except the DOJ. If Microsoft is in any violation, the public may never know.

3. No punishment for the executives of Microsoft that knowingly and willingly led their company into law breaking actions.

4. While the API's (programming interfaces) used to communicate with the operating system will be documented and released, it will only be done for companies and business that Microsoft deems have a

viable business. The Free Software movement has been acknowledged by Microsoft to be its biggest competition, yet they have publicly stated that businesses with a basis in Free Software don't have a viable business model. So, their toughest competition is excluded from the API's to begin with.

5. The duration of the restrictions is between 5 to 7 years, which is not a significant amount of time to reverse the detrimental damage caused by Microsoft. Also, if Microsoft is found to be in violation, there is no extension to the duration.

6. The settlement is full of loopholes for Microsoft to take advantage of. Remember that Microsoft has been found guilty in previous court hearings, and used the loopholes contained within those settlements to render them useless.

7. The settlement does not address the file formats used by Microsoft's Office programs. With each new version of Microsoft's office suite programs, they change the format of the documents created. This creates a barrier to entry for competing office software. It is also a means to force current customers in a never ending upgrade cycle, where they purchase the upgrade to be able to read the files sent to them by others, even though they themselves do not need the added features of the newer version.

Computer Economics estimated the economic impact of malicious computer code for the year 2001 as \$13.2 billion dollars. In 1995, prior to Microsoft's Monopoly, the impact was 1/2 a billion. There has been a steady economic drain year after year. While the costs include all malicious computer code, virtually all were due to Microsoft specific software. The virii that caused that damaged were classified by security experts as lower risk, basically meaning they did not destroy data. There are security experts that have predicted that if a cyber-terrorist attacks with a destructive computer virus, the economic impact will be devastating. It is this reason why the National Security Agency has recommended government agencies to adopt other server software.

I do not feel the Microsoft anti-trust settlement is in the consumer's best interest.

Valerie S. Kapko-Roots  
Managed Care Coordinator  
San Bernardino Medical Group  
Phone: (909) 883-8611, Ext. 2328  
Fax: (909) 886-1798  
E-Mail: hmo-coordinator@sbmed.com

#### MTC-00023205

From: jclobosc@suffolk.lib.ny.us@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:17pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel

going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Lobosco  
50 E Hamilton Ave.  
Massapequa, NY 11758

#### MTC-00023206

From: Herb Woodruff  
To: Microsoft ATR  
Date: 1/24/02 7:19pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

I am opposed to the proposed settlement in the

Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Herb Woodruff

#### MTC-00023207

From: Patrick McDonald  
To: Microsoft ATR  
Date: 1/24/02 7:19pm  
Subject: Will you let consumers down again?  
To whom this may concern,

I just can't believe how the DoJ was ready to let Microsoft off the hook so easily, and above all, so conveniently for the company. The proposed settlement looked so much like it was politically motivated, that it raises serious doubts as to the DoJ's competence, nay its integrity. After all, you yourselves found M\$ guilty of abusing monopoly power, and M\$ repeatedly lied to you in court. So the sentence better fit the crime . . . or no one will take the DoJ seriously again, which spells trouble in a democracy (now here's thought).



Give Microsoft the break they ask for, and they'll be back in no time doing what they do best, i.e. being a brutal and abusive monopolist. And expect them to be back at it with a vengeance. For M\$ will have been reminded that strangling competitors using a combination of legal and illegal means is a hugely worthwhile and profitable enterprise. Unless the price to pay for this kind of behavior is heavy enough to deter any corporation (even giants like M\$), you (the DoJ) and all of us citizen will have been a laughably short interlude in the life of an unrepentant and all-powerful monopolist. In the name of many consumers from the US and abroad, who think that the DoJ might be our last hope to force Microsoft to play by the rules, please don't let us down... again.

Pat McDonald  
Patrick P. McDonald, PhD  
Ass. Prof. of Immunology  
Pulmonary Division,  
Universit  de Sherbrooke  
Centre de recherche clinique  
3001, 12e avenue Nord, piace 4849  
Sherbrooke, Qc J1H 5N4  
Canada  
tel 819-346-1110 x14849  
fax 819-564-5377  
email

patrick.mcdonald@courrier.usherb.ca

#### MTC-00023208

From: gary nader  
To: Microsoft ATR  
Date: 1/24/02 7:22pm  
Subject: I think there should be something do about it.The TEC.sector is to one-sided.Microsoft tells me what

I think there should be something do about it.The TEC.sector is to one-sided.Microsoft tells me what I see. And tells oems what they are aloud to sell with their computers. Microsoft is going to get bigger and bigger.They have complete control over the computers.And it scars me it might be the USA.

Thanks Gary Nader

#### MTC-00023209

From: Chileverde88@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:19pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Eugene Gonzales  
1726 Manor Drive  
Hillsborough, CA 94010

#### MTC-00023210

From: ron\_a\_villanova@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:20pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ronald Villanova  
272 Shenipsit Lake Rd  
Tolland, CT 06084

#### MTC-00023211

From: Carole E. Mah  
To: Microsoft ATR  
Date: 1/24/02 7:21pm  
Subject: Microsoft Settlement  
To whom it may concern,

The proposed settlement with Microsoft is a mere slap on the wrist, and will allow anti-competitive practices by Microsoft continue unabated.

This settlement/final judgment should not be adopted until its weakness are well addressed. I am sure you are familiar with the well-composed list here: <http://www.kegel.com/remedy/remedy2.html>.

Don't let down users, businesses, and competitors by ignoring problems.

Thank you,  
—carole  
Carole E. Mah carolem@stg.brown.edu  
Senior Programmer/Analyst  
Brown University Scholarly Technology

Group  
phn 401-863-2669  
fax 401-863-9313  
<http://www.stg.brown.edu/>  
personal: <http://www.stg.brown.edu/carolem/>

#### MTC-00023212

From: Douglas Smith  
To: Microsoft ATR  
Date: 1/24/02 6:57pm  
Subject: Microsoft Settlement  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Hello,

My name is Douglas Smith. I am a software developer for TeraTech, a company in Rockville, Maryland. I firmly believe that the Proposed Final Judgement (PFJ) against Microsoft is weak and not in the public's interest. This is especially true in the section of the PFJ that has to do with defining the Windows Operating System. Any current and future operating systems designed by Microsoft that use any part of the Win32 API should be covered, since that is the core of the operating system, and the core of what defines the term "Windows compatible software."

Definition U: "Windows Operating System Product"

Microsoft's monopoly is on Intel-compatible operating systems. Yet the PFJ in definition U defines a "Windows Operating System Product" to mean only Windows 2000 Professional, Windows XP Home, Windows XP Professional, and their successors. This purposely excludes the Intel-compatible operating systems Windows XP Tablet PC Edition and Windows CE; many applications written to the Win32 APIs can run unchanged on Windows 2000, Windows XP Tablet PC Edition, and Windows CE, and with minor recompilation, can also be run on Pocket PC.

Microsoft even proclaims at [www.microsoft.com/windowsxp/tabletpc/tabletpcqanda.asp](http://www.microsoft.com/windowsxp/tabletpc/tabletpcqanda.asp): "The Tablet PC is the next-generation mobile business PC, and it will be available from leading computer makers in the second half of 2002. The Tablet PC runs the Microsoft Windows XP Tablet PC Edition and features the capabilities of current business laptops, including attached or detachable keyboards and the ability to run Windows-based applications." and Pocket PC: Powered by Windows Microsoft is clearly pushing Windows XP Tablet PC Edition and Pocket PC in places (e.g. portable computers used by businessmen) currently served by Windows XP Home Edition, and thus appears to be trying to evade the Final Judgment's provisions. This is but one example of how Microsoft can evade the provisions of the Final Judgment by shifting its efforts away from the Operating Systems listed in Definition U and towards Windows XP Tablet Edition, Windows CE, Pocket PC, X-Box, or some other Microsoft Operating System that can run Windows applications.

Definition U currently reads:

U. "Windows Operating System Product" means the software code (as opposed to source code) distributed commercially by Microsoft for use with Personal Computers as Windows 2000 Professional, Windows XP Home, Windows XP Professional, and successors to the foregoing, including the Personal Computer versions of the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion.

Definition U should be amended to read

U. "Windows Operating System Product" means any software or firmware code distributed commercially by Microsoft that is

capable of executing any subset of the Win32 APIs, including without exclusion Windows 2000 Professional, Windows XP Home, Windows XP Professional, Windows XP Tablet PC Edition, Windows CE, PocketPC 2002, and successors to the foregoing, including the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc.

Douglas M. Smith—Application Architect  
TeraTech—Tools for Programmers(tm)  
douglas@teratech.com

**MTC-00023213**

From: Niki Hansen  
To: Microsoft ATR  
Date: 1/24/02 7:27pm  
Subject: Microsoft Settlement

I would like to recommend that the Department of Justice, in the Tunney Review process of the Microsoft Antitrust case, approve the settlement. Actually, I would like to see a settlement more favorable to Microsoft. The Department of Justice has spent way too much money pursuing this non-threat to the consumer at the consumer/payer's expense.

A much bigger threat to the public, software consumers and non-consumers alike, is the giant conglomerate AOL Time Warner. The collection of Books, TV News Channels, Entertainment TV Channels, Cable, Web content sites, Web browsers, and who know what else, in the hands of one corporation is a threat. Books can be hyped as good by their own reviewers, and the word spread by news, TV, and web sites. Books published by others will be handicapped in competing for movie rights bids. But, the most frightening, is the serious censoring power when one corporation owns so many sources of news. Even if news is not squelched, it could be slanted by multiple sources that make it sound true. Movie studios were prevented from owning theaters under anti-trust. This big conglomerate is much, much worse.

Nicola S. Hansen  
(registered voter over 21)  
Reno, Nevada 89509

**MTC-00023214**

From: gibbrmartin@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:20pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gilbert Martin  
644 SW 144th Place  
Seattle, WA 98166-1574

**MTC-00023215**

From: Allan Kalar  
To: Microsoft ATR  
Date: 1/24/02 7:25pm  
Subject: Microsoft Settlement

It is my considered opinion that the marketplace should be the "great leveler" in the case of Microsoft. Using the courts to stifle honest competition or to punish success is a sure way to destroy this country. Microsoft's Windows is far from a monopoly. Linux is making great strides against Windows because of its greater reliability, lower cost/per seat (especially for Internet Servers), and the fact that it's considerably more secure. Also, many versions of Linux come bundled with very powerful software that costs extra with Windows.

Let competition rule. If Microsoft wants to compete against Linux, it will have to improve Windows considerably and lower the cost/per seat. Isn't that what we're supposed to be doing?

Allan Kalar  
alkalar@attglobal.net  
PO Box 1975  
Elma, WA 98541

**MTC-00023216**

From: fred smith  
To: Microsoft ATR  
Date: 1/24/02 6:56pm  
Subject: microsoft settlement  
Gentlepersons:

As a computer professional I wish to make known to you my DISapproval of the Proposed Final Judgement (PFJ) in the Microsoft Anti-Trust case. This is a case in which a huge company has been found guilty of illegal monopolistic practices. The penalties for such practice should be real penalties. It is my belief that the PFJ not only proposes no meaningful penalties, it allows Microsoft to continue to practice business in much the same way as in the past.

I am not a legal scholar, I cannot give you a scholarly argument, so therefore I wish to refer you to many excellent arguments made publicly, on the Web, by others more knowledgeable than I. Also, please note that I have willingly added my name to the list of signers to the "open letter" that will be sent to you by Dan Keigel (<http://www.keigel.com/remedy>).

Mr. Keigel's web site has many excellent discussions of this Microsoft case and the PFJ. There are also a number of links to many other articles/open letters/arguments/discussions on the subject, many of them by well-known and respected people. I specifically refer you to (and urge you to read) the following:

—<http://www.linuxplanet.com/linuxplanet/opinions/4020/1/> An interview with Judge Robert H. Bork.  
— <http://www.boston.com/dailyglobe2/015/business/Microsoft—case—key—to—tech—s—future+.shtml> An article by the Attorney General of Massachusetts

—<http://www.cptech.org/at/ms/rnj12kollarkotellynov501.html> Ralph Nader's open letter  
—<http://www.cptech.org/at/ms/rnj12kollarkotellynov501.html> Analysis by the Computer and Communications Industry Association Other important links are:

—<http://www.procompetition.org/market/settlement/BorkLetter.html> A letter from Robert H. Bork  
—<http://www.procompetition.org/market/settlement/BarksdaleLetter.html> A letter from James Barksdale

While the opinions of the authors of these (and other) articles are not necessarily identical to my own opinions, they do point out many problems with the PFJ, and do so much more eloquently than I could.

But the thrust of my argument (and theirs) is this:

1) the PFJ does not provide any meaningful penalties for past violations of anti-trust law.

2) the PFJ provides too little relief from Microsoft's monopolistic behavior.

3) The PFJ gives Microsoft far too much power to decide to whom they will release API (and other) documentation and too many ways to weasel out of releasing such documentation.

4) The PFJ specifically does not include any allowance for software or operating systems which compete with Microsoft but which are not supported or owned by a commercial entity. The major competition to Microsoft in the operating system arena, currently, is exactly that, and there is no provision in the PFJ to prevent Microsoft from doing anything they want to squash that competition. This type of software is often referred to as "Open Source" or "Free Software".

5) the commission mandated by the PFJ to oversee Microsoft's compliance is essentially powerless.

Microsoft has shown themselves in the past to be willing to essentially ignore consent agreements, and to work through loopholes in consent agreements. Also, Microsoft has shown no remorse or obvious willingness to change their business practices. We need a judgement that has REAL penalties and the teeth necessary to enforce them. This PFJ has neither. I urge you to please review the arguments above, especially the links given (as well as many others not shown here) to other excellent discussions and arguments on the case, and having done so to then rule that this Proposed Final Judgement is not a suitable remedy for the crimes of which the defendant has been convicted.

Sincerely,  
Frederick C. Smith  
20 Whipple Ave.  
Stoneham, MA 02180  
fredex@fcshome.stoneham.ma.us

**MTC-00023217**

From: TTA5448298@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:25pm  
Subject: Microsoft Settlement

To Whom it may concern:

At one time, the Bell System was the best communications system in the world.

If the U. S. government had not interfered, there's no telling what improvements we would have seen by now.

Don't let the same thing happen to Microsoft. Stop the court action now, do not help AOL, Time, Warner in their quest to get unjust compensation on the back of an unjust action in the first place.

T.E. Taylor  
3137 W. Country Gables Dr.  
Phoenix, AZ 85053-4827

**MTC-00023218**

From: Dave Nathanson  
To: Microsoft ATR  
Date: 1/24/02 7:27pm  
Subject: Microsoft Settlement  
Hello,

I feel strongly that Microsoft has run their business in an unfair & uncompetitave manner, at the expense of the general public. They have run rough shod over the hopes, dreams, and rights of the people and companies who are or were their comptitors.

To allow them the fantastic opportunity to dominate the educational market with a degree thaty they must give a bunch of computer software & hardware—all valued at retail prices, is absurd. It will benefit M\$ rather than punish them for their unfair business practices.

Best,  
Dave Nathanson  
Mac Medix

**MTC-00023219**

From: mfry@kscable.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:23pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Michael Fry  
229 Southport Dr  
Newton, KS 67114-5429

**MTC-00023220**

From: MJJNSN@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:27pm  
Subject: Anti—Trust Case  
United States of America  
Department Of Justice:

The purpose of this message is to express my strong support for Microsoft, and urge appropriate steps be taken to achieve fast

closeure of all pending Anti-Trust cases against Microsoft. This should be accomplished without further restrictions, actions or changes in the structure of the company. The corrective actions already taken by your department, along with world wide competition and fast changing technology, will quickly eliminate any still existing problems. It makes absolutely no sense to damage an American Corporation to solve correctable problems between American Companies. It can have a very negative impact on the American economy and it opens a much too wide door to foreign competitors.

Thank you,  
M.J. Jensen  
13447 W Gable Hill Dr.  
Sun City West, AZ 85375

**MTC-00023221**

From: jackybird@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:25pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jackie Kelton  
815 Country Club Drive  
Unit E  
Libertyville, IL 60048

**MTC-00023222**

From: Matthew McNeil  
To: Microsoft ATR  
Date: 1/24/02 7:27pm  
Subject: Microsoft Settlement

I am writing this because I think the proposed settlement over the Microsoft case is a bad idea. I believe Microsoft has painted themselves to be a friend to the American consumer and a crusader of technological advancement. Many ignorantly believe this view of Microsoft, and support such a weak settlement.

I however, am in support of a much more suitable settlement, which fairly punishes a company whose business practices are nothing short of deplorable. Please consider this and other such opinions before settling with Microsoft.

I am a Chemistry graduate student at Idaho State University.

Sincerely,  
Matthew McNeil

**MTC-00023224**

From: Howard Kim  
To: Microsoft ATR  
Date: 1/24/02 7:29pm  
Subject: The Microsoft Settlement  
To Whom It May Concern:

I find the proposed settlement in the Microsoft Antitrust case to be not a settlement in the public interest. It pains me to see Microsoft abuse it's monopoly power, and claiming they are doing it for the advancement of technology and business, but in fact ruining the entire technology industry for me and those who are not blind to their abuses.

Without rehashing the evidence pointed out during the trial, Microsoft's monopoly position threatens to control the foundations of technology itself. Since Windows is a "required" operating system, and since it is a proprietary one at that, Microsoft is leveraging that desktop ubiquity to take over the internet as we know it with their .NET strategy. Using their Passport system gives the keys of identity to Microsoft, a corporation, serving their own bottom line, not the public interest. Other products and APIs are forced on people's computers because they dictate it as such. Those that conflict with Microsoft are shut out entirely. Their DirectX API for example essentially forces game and multimedia developers to depend on fundamental and yet proprietary Microsoft technology for their livelihood, and as such they are tied to the Windows platform.

The same will happen with other fundamental APIs like security and identity (Passport), web services (.NET), etc.

Even our great government is shackled by Microsoft's proprietary and closed products. Why should our tax dollars be spent on products which are controlled by a corporation, especially something as fundamental as computer software? Our public government should be advocating open source software and encourage their use since it serves the public interest, not the pockets of a monopoly. The remedies in the proposed settlement do not address open source development. Non-profit organizations such as the Apache group and communities of developers put out seemingly the few successful competitive products to break the Microsoft hegemony.

I believe the government should advocate more software development in the public interest, and as such remedy the settlement to stop Microsoft from abusing their monopoly power, and also provide mechanisms to foster further growth in open source development.

I hesitated in writing my opinion on this matter for a long time. Perhaps I was afraid of being "marked", but this is too important to remain silent. The Tunney act allows us, the public, to voice our opinions. If Microsoft is allowed to continue their abuse, our industry will stagnate and be under the total control of a corporation. Many make jokes about Microsoft as "Big Brother", but we approach that as a reality everyday. It makes me want to quit the technology industry—how discouraging is that?

Howard Kim  
Software Developer

Brooklyn, NY

**MTC-00023225**

From: Neno1925@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:26pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Elnora Reid

205 Hilton Ave.

Catonsville, MD 21228-5729

**MTC-00023226**

From: rsgardner@mindspring.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:26pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Sallie Gardner

7417-165th Ave. N.E.

Forest Lake, MN 55025

**MTC-00023227**

From: drbob@pacific.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:26pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Bob Thompson

P O Box 1656

Willits, CA 95490

**MTC-00023228**

From: Mitchell Lifton  
(060)ml26(a)umail.umd.edu  
To: Microsoft ATR  
Date: 1/24/02 7:29pm  
Subject: Microsoft Settlement

The proposed settlement does nothing to alleviate, cure, or otherwise restrict Microsoft's rapacious, aggressive and continuous attempts—largely successful, alas—to control most areas of commonly used software. It essentially guts the proceedings brought against the most egregious monopoly since Andrew Carnegie et al were thundering through the American economic landscape. I urge the court to reject the settlement.

Sincerely,

Mitchell Lifton

Professor

New Media, Digital Narration

University of Maryland

College Park, MD

**MTC-00023229**

From: JHBEHAN@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:30pm  
Subject: Microsoft settlement

It is time to definitively settle the Microsoft case. It has been proven that Microsoft has given the consumer the best value. Other companies could have come up with other highly competitive software if they had the intelligence to do so. They were not blocked in any way to develop their own more competitive products. AOL is now planning litigation which is untimely and clearly meant to undermine efforts at settlement. It will be costly to the consumer and not in the public best interest.

**MTC-00023230**

From: conpharm@tampabay.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:27pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Joe Haynes

10012 130th Lane North

Seminole, FL 33776-1709

**MTC-00023231**

From: Rick Runowski  
To: Microsoft ATR  
Date: 1/24/02 7:29pm  
Subject: Microsoft Settlement  
Ladies and Gentlemen,

I would like a chance to comment on the proposed Microsoft Settlement. I agree with Dan Kegl's web site < www.kegel.com/remedy/ > in most aspects and believe it should be seriously considered before finalizing this Settlement.

I have been working in the computer industry for almost 10 years now. I am also a computer science student attending Oklahoma State University. I primarily run Linux at home, and use Microsoft Windows NT, 2000, 98, Me and Unix at work and at school. I work at a major computer component manufacturer as a supervisor, and have experience in supporting multiple operating systems.

Some points that I would like to emphasize: <www.kegel.com/remedy/remedy2.html>

"PFJ Section II: Prohibited Conduct

J. This agreement lets Microsoft keep secret anything having to do with security or copy protection." If Microsoft is allowed to continue to keep their security flaws from the public, how are we supposed to know how to defend our systems. Microsoft's OS has a history of insecurity, and Microsoft has made a point to deal with security issues as public relation problems. In order to refute this claim Mr. Gates made a press release stating that Microsoft would focus on security, and make it the "highest priority". < http:// slashdot.org/article.pl?sid=02/01/17/0259234&mode=thread > This clearly suggests that they will, in the future, continue to treat security flaws and issues and a public relations problem.

"PFJ Section VI: Definitions

A. "API" (Application Programming Interface) is defined as only the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs." APIs cannot be limited to "Middleware". All Microsoft API's that are used for non-OS functions should be clearly outlined and documented for alternate program vendors to use. Anything otherwise will give (and has given) Microsoft a competitive edge against program vendors. Please note that I'm not suggesting Microsoft

be forced to give away the APIs used solely for the design and implementation of their OS. Only those that are used to create non-OS software.

This final point does however create a problem of defining OS software and non-OS software. An operating system is defined as a program that lies between the user and the hardware. The Operating System should then be limited to that which is required for the user to interface with the hardware. This would explicitly leave out Media Player, Outlook, Internet Explorer, and many other programs Microsoft has not yet begun to capitalize on by including it in their "OS".

These are only two of many oversights in the proposed Settlement. Please carefully reconsider your position and rewrite this agreement to be more specific and binding. If there are any questions regarding this mail feel free to contact me using any of the information below.

Thank you for your time.

Sincerely,

Rick Runowski

11103 N. Chatburn Ln.

Stillwater Ok. 74075

(405) 410-1425 Cellular

runowsk@a.cs.okstate.edu

CC:governor@gov.state.ok.us

@inetgw, senator@nickles.se...

**MTC-00023232**

From: Bradley K. Tober

To: Microsoft ATR

Date: 1/24/02 7:31pm

Subject: Microsoft Settlement

Dear Sirs,

The monopoly that is Microsoft poses a severe threat to the system of economy in America. Microsoft's actions have all but completely wiped out any type of competition, which is a fundamental aspect of the Free Enterprise System. Corporations such as Apple Computer, Inc. have suffered heavily from the lies and deceit of Microsoft. Without Apple, Microsoft would not exist today, as their entire business is based on intellectual property stolen from Apple over 15 years ago. At one time, Apple was a great personal computer manufacturer, and while they still are, they have lost a huge portion of market share due to Microsoft's destructive practices. Any settlement including measures requiring Microsoft to donate money and/or product to suitable organizations will only extend their monopoly and further destroy their competition.

I believe that any settlement to the anti-trust case must involve Microsoft supporting their own competition. Microsoft should be forced to pay continued damages to its competition, such as companies like Apple. This will result in the growth of competition for Microsoft, and eventually even out the market share in the technology sector.

Whatever is chosen in this case, it must be something that will be damaging to Microsoft. You must fight fire with fire.

Thank you for your time.

Respectfully yours,

Bradley K. Tober

btober@mac.com

**MTC-00023233**

From: bj2bucks@cs.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:28pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jan Buckman

8445 Ranchita Way

Fair Oaks, CA 95628-6122

**MTC-00023234**

From: DonnetteG@webtv.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:28pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Donnette Hennigar

1631 Riverview Rd

Apt 504

Deerfield Beach, FL 33441-4361

**MTC-00023235**

From: Gerry Panganiban

To: Microsoft ATR

Date: 1/24/02 7:32pm

Subject: Microsoft Settlement

I believe the Microsoft Settlement is a bad idea.

Gerry Panganiban

San Jose, CA

**MTC-00023236**

From: Wm D Loughman

To: Microsoft ATR

Date: 1/24/02 7:32pm

Subject: Microsoft Settlement

I'm in total disagreement with the proposed Microsoft "settlement". It does not begin to address the harm already done by Microsoft, to consumers and "the industry" itself. It's a teensy slap on the wrist; an encouragement actually for Microsoft to continue its illegal practices.

WD "Bill" Loughman, PhD—Berkeley, California USA

wldklh@attglobal.net

**MTC-00023237**

From: Robert Burke

To: Microsoft ATR

Date: 1/24/02 7:32pm

Subject: Comment on the proposed Final

Judgement

This email is in regards to the proposed Final Judgement against Microsoft. I have waited this long to comment to make sure I understand the impact of the proposed solution in light of the changing landscape of technology, business, and the law.

To give you my background, I have been a professional programmer for seven years. I have worked in internet related business, scientific software production, IT for a financial institution, and Bioinformatics at UCLA. During my contact with computers, starting in early 1980 at a young age, I have used about every modern operating system and programming tool available in the last decade. Although I don't have and formal legal training, it has overlapped with my computer and business studies on numerous occasions.

From this perspective, I have become very nervous about the results of the proposed settlement in the Microsoft case. The most pressing concern is that non-profit computer projects are not included in the judgement. Most authorities consider software such as Linux, Apache, etc. to be the only real threat to Microsoft in the marketplace. Yet there is no provision in the FJ to get information about "Disclosure of APIs, Communications Interfaces and Technical Information." (Section III(D)) out to the developers that are creating the above software. If this isn't corrected, the FJ will have no positive effect on Microsoft's practices, or the makeup of the computer market.

In order for the Open Source community to gain any ground due to this judgement, all information about MS interfaces needs to be freely available to the public in an easily accessible place. This should have no negative affect on Microsoft beyond the intention of the FJ and will add OS developers to the list of people who can produce software for, as well as interfacing with, MS products. Also of concern is the definition of "Middleware" in the FJ. Whatever the final definition, it should encompass any interface that may reasonably be used to interface with MS products.

Thank you for your time.

Robert Burke

Santa Monica, California

Programmer, UCLA

**MTC-00023238**

From: brittne@visi.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:30pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Celia Williams  
16650 Longview Dr  
Smithfield, VA 23430-6703

**MTC-00023239**

From: bhirvela@frontiernet.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:30pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brian Hirvela  
178 Meserole Ave Apt 4  
Brooklyn, NY 11222-2418

**MTC-00023240**

From: mark@sisko.jsc.nasa.gov@inetgw

To: Microsoft ATR

Date: 1/24/02 7:34pm

Subject: U.S. DOJ vs Microsoft

I have submitted comments once before and wish to extend those comments with these few words:

According to the law as it has been put forth by Congress; any company created within the boundaries of the United States shall be considered, for all intents and purposes, an individual will all rights, restrictions, and abilities which a normal person shall have attained as a member of these United States. Thus, should one

company cause another company to cease to exist—for whatever reason, then the company which no longer exists can be said to have been killed by the first company.

My questions are:

1. Is this not murder?
2. Should we, as a nation, encourage, condone, work with, or even aid these actions?

**MTC-00023241**

From: gedel@houston.rr.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:32pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
George Edell  
6610 Wimbledon Trail  
Spring, TX 77379

**MTC-00023242**

From: Ted Johnson

To: Microsoft ATR

Date: 1/24/02 7:35pm

Subject: Microsoft Settlement

I think the settlement is a Bad Idea.

-Ted Johnson

**MTC-00023244**

From: roy.hamilton@verizon.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:31pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roy Hamilton  
230 SE 2nd Street  
Gresham, OR 97080-7624

**MTC-00023245**

From: llefort36@cs.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:31pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
A. O. Lee LeFort  
1328 Clements Rd  
Jacksonville, FL 32211-6352

**MTC-00023246**

From: Arshad Tayyeb

To: Microsoft ATR

Date: 1/24/02 7:35pm

Subject: Microsoft Settlement

PLEASE do not let Microsoft get away with just a slap on the wrist. Microsoft is destroying competition for computing, and many, many companies and people have suffered because of it.

The current proposed settlement is NOT OK.

**MTC-00023247**

From: bmitchell@ocsd.com@inetgw

To: Microsoft ATR

Date: 1/24/02 7:32pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
BEATRICE MITCHELL  
10428 Echo River Court  
Fountain Valley, CA 92708-5923

**MTC-00023248**

From: bub  
To: Microsoft ATR  
Date: 1/24/02 7:37pm  
Subject: Microsoft Settlement

Dear Sir or Madam:

If it was not for Microsoft, I would still be using my Apple II+.

I've spent hundreds and hundreds of dollars on PC software that did not function together. An example is mail-merge. To my knowledge, Microsoft Office is the only software, even today, in which the word processor (Word), the spread sheet (Excel), and the data base (Access) work flawlessly together. As a consequence, MS Office is the only business program I need today.

Microsoft is the best thing that's happened to this country since sex!

Please do not kill it.

Jon Glahn  
1721 9th Street  
Camanche, IA 52730

**MTC-00023249**

From: David Samuels  
To: Microsoft ATR  
Date: 1/24/02 7:40pm  
Subject: Microsoft Settlement

To Whom It May Concern:

It is time for this needless litigation against Microsoft to end. As a consumer, I am glad that Microsoft continues to innovate and push the industry to provide better products that work together and meet my growing needs. The other companies need to either innovate or get out of the way. Microsoft does not have a monopoly on new ideas or better engineering. They just listen better and deliver to the consumer. My vote is to end this time wasting, money wasting litigation and let the free market work.

I do not work for Microsoft or have any connection with Microsoft other than as a consumer of their products. I don't even own stock in Microsoft, even though I wish I did.

Thanks,  
David Samuels  
4561 Charlemagne  
Plano, TX 75093  
972-985-1343

**MTC-00023251**

From: Phil Dibowitz  
To: Microsoft ATR  
Date: 1/24/02 7:40pm  
Subject: Microsoft Antitrust

Dear Whomever it May Concern:

I am writing with regard to the Microsoft Antitrust suits. I would like to encourage a much harsher penalty for Microsoft that MS's original "deal." Such a sentence where they get to "pay" with their own software, which is costing them a few cents per CD and further securing their hold on the market, is unacceptable.

I would also like to point out that it is impossible to "monitor" a corporation like Microsoft. It would not be feasible to expect anyone to know everything that goes on at such a massive organization. Instead, restrictions need to be put in place to ensure

they \*cannot\* commit further violations of the law. A course of action that will actually affect Microsoft should be agreed upon, and an even worse one in case they make this mistake again (for example, fees below \$1 billion would not do much harm to them and thus should be avoided).

Lastly, I am in full support of a breakup of the giant. In addition to discouraging unfair bundling of their software, stock splits and additional jobs are likely to be results: things we could all use.

Thank you for your time,  
Phil Dibowitz  
Sr. Systems Administrator  
MySmart Solutions

**MTC-00023252**

From: slk0328@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:39pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sandy Kremer  
815 Hillside Dr. E.  
Seattle, WA 98112-5059

**MTC-00023253**

From: dforrest@digisys.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:38pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Norman L. DeForrest  
160 Pleasant Run  
Kalispell, MT 59901-2778

**MTC-00023254**

From: diann—sigler@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:39pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Diann Sigler  
6825 Wedgestone Drive  
Plano, TX 75023-1072

**MTC-00023255**

From: Tom Lee Mullins  
To: Microsoft ATR  
Date: 1/24/02 7:43pm  
Subject: The Microsoft Settlement!

I don't think the Microsoft settlement is fair to those who try to compete with them. I equate it to the agreement that Chamberlain made to with the Nazi German government and saying it was fair to the Polish. It allows Microsoft to continue what they have been doing before. Is this not what caused the lawsuit in the first place? The monopolistic practices of Microsoft to keep others from competing with them.

TomLeeMullins

**MTC-00023256**

From: Greg Dardis  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 7:42pm  
Subject: Microsoft Settlement

Dear US DOJ

I would like to record my thoughts on the disastrous lack of courage and intelligence on the part of the government in respect to Microsoft's illegal business practices. As a United States citizen I do not blame the government or the Dept. of Justice in such a difficult case. Blame should be on the guilty party, not the process, and that party in Microsoft, Inc. There is no need to debate the culpability of Microsoft. It has already been adjudicated. What needs to happen is for Microsoft to feel meaningful sentencing like all who break the law and affect so deeply the lives of many. It should not be difficult for me to live and work a life using computers independent of any one company that I feel lacks ethical business practices.

Microsoft is no exception to that and it is the job of the courts and DOJ to allow me that freedom.

Please don't let Microsoft corrupt the free enterprise system that so many have fought for. Do not let the truth become a victim of the perception that this is not important anymore. Do not let the years of work of the DOJ be another victim of Sept. 9th. just because some want to "move on." This is perhaps the most pervasive and important judgement that we may have for the economic future of our technical markets for years to come. Do not let this judgement be a victim of the previous judge's indiscretion.

Microsoft is guilty. Microsoft has shown no remorse or willingness to change its policies. It deserves to be punished to the fullest extent of the law. The freedom of the marketplace and Microsoft's position in it will be just fine.

Thank you,  
Greg Dardis  
1945 SE Water Ave.  
Portland, Oregon 97214

**MTC-00023257**

From: Charlotte Martin  
To: Microsoft ATR  
Date: 1/24/02 7:43pm  
Subject: Fw: Attorney General John Ashcroft Letter

Original Message

From: "Microsoft's Freedom To Innovate Network" <fin@MobilizationOffice.com>

To: <fluffydg@pacifier.com> Sent:  
Thursday, January 24, 2002 12:03 PM  
Subject: Attorney General John Ashcroft Letter

Attached is the letter we have drafted for you based on your comments. Please review it and make changes to anything that does not represent what you think. If you received this letter by fax, you can photocopy it onto your business letterhead; if the letter was emailed, just print it out on your letterhead. Then sign and fax it to the Attorney General. We believe that it is essential to let our Attorney General know how important this issue is to their constituents.

When you send out the letter, please do one of the following:

\* Fax a signed copy of your letter to us at 1-800-641-2255;

\* Email us at fin@mobilizationoffice.com to confirm that you took action. If you have any questions, please give us a call at 1-800-965-4376. Thank you for your help in this matter.

The Attorney General's fax and email are noted below.

Fax: 1-202-307-1454 or 1-202-616-9937

Email: microsoft.atr@usdoj.gov

In the Subject line of the e-mail, type Microsoft Settlement.

For more information, please visit these websites:

www.microsoft.com/freedomtoinnovate/

www.usdoj.gov/atr/cases/ms-settle.htm

MTC-00023257 0001

3700 X Street #38

Vancouver, WA 98663-2674

January 22, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

Microsoft and the Department of Justice have spent more than enough time hashing out the particulars of the antitrust case in the federal courts. Three years have gone by already, and it is high time that this suit should be settled. Unfortunately, even now as a settlement is pending in the federal courts, Microsoft's competitors and the nine states in which they have sufficient influence, are seeking to undermine the settlement and continue litigation against the Microsoft Corporation. I do not believe this would serve the best interests of the public, the economy, or the technology industry.

In November of last year, Microsoft and the Justice Department were able to reach an agreement that satisfies the demands of justice. Microsoft has agreed to a variety of terms under the agreement, some of which are restrictive, and some of which require changes in its products and procedures. Microsoft has, for example, agreed not to take retaliatory action against any party that introduces a product into the market that directly competes with Microsoft software. Microsoft has also agreed to provide third parties acting under the terms of the settlement with a license to applicable intellectual property rights, so that they will have the ability to work within the Windows operating system.

I believe the settlement is fair. I urge you to endorse the finalization of the settlement as soon as possible.

Sincerely,

Charlotte Martin Perry

MTC-00023257-0002

**MTC-00023258**

From: Robert Hebert  
To: Microsoft ATR  
Date: 1/24/02 7:44pm  
Subject: Microsoft/DOJ Settlement  
Sirs:

I believe that Microsoft has harmed me by its business practices—past and present—and that the currently proposed settlement between the DOJ and Microsoft is not only insufficient to correct the abuses of Microsoft, it is counterproductive and would be severely damaging to Microsoft's competitors (Apple, etc.) and amounts to an advertising coups for Microsoft in that the schools would be brainwashed with more MS equipment and software at your direction.

I insist that the damages be paid in cash and at many times the rate settled-on to date and paid to private consumers, computer soft- and hard-ware competitors, institutions and schools, and to governments who have all been harmed by Microsoft's monopolistic and anticompetitive practices. Additional severe penalties to correct Microsoft in its business practices need to be imposed now and in the future in order to provide for fair competition in the computer hardware, operating system, and program environments and in the internet access and communications fields.

Sincerely,

Robert J. HEBERT

<hebert@theriver.com>

Preston B. HEBERT, CAP (son)

<what@theriver.com>

Alma SANGER-HEBERT (wife)  
<almas@qwest.net>  
Amika R. HEBERT, 4H (daughter)  
<missmillwood@hotmail.com>  
5076 South Calle Encina  
Sierra Vista, AZ 85650-8972  
1-520-803-9919 (home phone & voice messages)  
1-520-803-9922 (home phone & voice messages)  
1-520-803-9920 (home fax)  
1-520-604-6633 (cellular phone)  
1-520-458-0888 (work 8am-6pm Mon-Sat)  
1-520-458-0999 (work-plain paper fax)  
"the Rest of Us"  
"...that others may live."  
"Prior Planning Prevents Poor Performance."  
3TEAM: Together Everyone Accomplishes More!"  
"Rank does not confer privilege or give power;  
It imposes responsibility." —Peter Drucker—  
"Remember... its not just a job, its an adventure."

**MTC-00023259**

From: atoll1211@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:41pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Audrey Toll  
9449 Briar Forest Dr. #3911  
Houston, TX 77063

**MTC-00023260**

From: Benjamin Liberman  
To: Microsoft ATR  
Date: 1/24/02 7:45pm  
Subject: Microsoft Settlement

To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

I would like to comment on the proposed settlement with Microsoft. The settlement does nothing to solve the problem of monopoly power the software giant wields. Even if Microsoft does everything required of it by the settlement (and there is very little



chance it will, given the settlement's lack of enforcement mechanisms) it will still have too few restrictions on how it can use its considerable power. A real settlement must force Microsoft to make space for alternatives to its dominant software. Complete access to Microsoft's APIs is necessary to allow other software manufacturers to write software that will work as well with the Windows family of operating systems as Microsoft's own software. Microsoft's licensing must also be kept from quelling competition. Microsoft is now in the same position AT&T was twenty or so years ago, and should have similar restrictions placed on it—ideally the company should have been split into several competing software firms, but, barring that, it should have restrictions placed on pricing to allow the competition to catch up with the giant. In the end, that is what it boils down to—competition. If you do not fight for competition in the software arena, it will all but disappear. When it does, our own national security will be at stake, because Microsoft will own the electronic highway that is becoming more and more vital to the national economy. Even a benevolent company should not be allowed this power—and Microsoft has proven itself again and again to be anything but benevolent.

Thank you,  
Benjamin Liberman  
Santa Fe, NM  
Computer Programmer  
Accent Optical Technologies

**MTC-00023261**

From: Scott San Filippo  
To: Microsoft ATR  
Date: 1/24/02 7:45pm  
Subject: Microsoft Settlement

I do not believe the proposed settlement is fair to consumers or developers, and I believe that the government has not done enough to punish Microsoft for the anti-competitive practices. As a software developer, I believe Microsoft, through its business practices, suppresses competition and innovation. As a consumer, I believe their practices result in inferior products.

Scott San Filippo  
San Francisco CA

**MTC-00023262**

From: tandg@ev1.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:44pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tommy Howe  
610 Cypresswood Dr.  
Spring, TX 77388

**MTC-00023263**

From: Peter Wittenberg K2LRC  
To: Microsoft ATR  
Date: 1/24/02 7:47pm  
Subject: Microsoft Settlement

January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice, 950  
Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am happy to hear that Microsoft and the government have reached an agreement. I think Microsoft has conducted itself appropriately as a corporate citizen throughout this entire ordeal, and think what they have agreed to do is fair for all.

If I understand it correctly, Microsoft has agreed to establish a "Technical Committee" that will monitor Microsoft's compliance with the settlement and assist with dispute resolution, as well as agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, for the sake of wrapping up the suit, and has granted computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows.

Mr. Ashcroft, this settlement shows the kind of company Microsoft has always been and that is a company that cares not only about sales, but also about the consumer's needs and abilities to have access to its innovative product. I support this settlement, and hope it will be approved at the end of this comment period.

Sincerely,  
Klaus Gormar

**MTC-00023264**

From: Janet Stephenson  
To: Microsoft ATR  
Date: 1/24/02 7:48pm  
Subject: (no subject)

Leave Microsoft alone. Why doesn't the DOJ concentrate on Enron .

Punish Ken Lay not Bill Gates. Bruce and Janet Stephenson

**MTC-00023265**

From: nthom65478@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:48pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel

going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nathan Thom  
795 Haftez Street NE  
Palm Bay, FL 32907

**MTC-00023266**

From: bdaul@pacbell.net  
To: microsoft.atr(a)usdoj.gov.  
Date: 1/24/02 7:51pm  
Subject: Microsoft MUST be brought down a

significant notch!

I find it HARD to believe that intelligent people do not see the follie in this dragged-out case. THE US has already decided MS is a monopoly and now you want to congratulate them as a punishment while the rest of the world loses innovation left and right.

Innovation in the computer world is AN ENGANGERED LIFEFORM!!!! How can any small entity compete with this control-freak of a company? All they can do is be absorbed and innovated technology gets shelved.

YOU (THE US GOVT.) need to do something for the people for a change. You continue to perpetuate the reality that companies are more important than individuals...no matter what you belief system is...God or Evolution didn't create organization...individual were created first.

I resent with such ferocity the crap that gets stuffed down my throat by Microsoft. PLEASE do something for the people for a change...give us an environment rich in innovation not a desert.

Bill Daul  
3030 Price Ct.  
Palo Alto, CA. 94303  
USA  
650.856.2002

**MTC-00023267**

From: Bob Goates  
To: Microsoft ATR  
Date: 1/24/02 7:51pm  
Subject: Microsoft Settlement

I believe the proposed settlement of the antitrust case against Microsoft is very inadequate. It provides little or no punishment for past crimes, and I suspect the system it proposes to monitor Microsoft's actions will be easily circumvented.

Also, the duration of settlement agreement will allow Microsoft to be completely unfettered within at most seven years. Considering the effort put into this case, the limited duration of the remedy gives Microsoft little incentive to obey the law in the future.

Sincerely,  
Robert R. Goates  
1224 Scott Drive  
Cheyenne, Wyoming 82007  
r.goates@ieee.org

**MTC-00023268**

From: Eugenia Loli-Queru

To: Microsoft ATR  
Date: 1/24/02 7:53pm  
Subject: The Microsoft case

Time is running out, and freedom, whatever the flavor to which you cleave, is at stake.

Microsoft wants to control people through their software. Today or in the near future, it will control the people, but within the years, if Microsoft gets into all kinds of digital equipment (they now want to have their software on the digital hub in the house, in a PDA, in a mobile phone etc), it will control the government too. Do not let this happen. Microsoft's ultimate goal is to create an artificial intelligent software that can spy and manipulate our personal data. And if FBI or CIA or whatever run Microsoft products in the future, that sensitive data will also be at stake. At fist, they will supposedly, work with the authorities or the government for this, but as the years go by, they will try to use this information against the authorities. Everyone's freedom is at stake with MS. Please split the company or make them open source the operating system and the browser.

Their illegal ways of keeping the monopoly, has resulted my husband lose his job. His company bailed out for not being able to make their SUPERIOR operating system successful, because Microsoft had special NDAed agreements with OEMs to only install Windows and not other operating systems. Result: The company bailed out, my husband laid off. No matter how hard they tried, they could not compete with Microsoft's illegal agreements with the OEMs. I am talking about this illegal agreement btw: <http://www.byte.com/documents/s=1115/byt20010824s0001/0827—hacker.html>

My teacher at college used to say:  
"The one who controls the "information" is the one true governer."

Don't let Microsoft have MY or YOUR "information".

Thank you,  
Eugenia  
Editor-in-Chief at <http://www.OSNews.com>  
Email: [eugenia@osnews.com](mailto:eugenia@osnews.com)—ICQ: 6070904  
Home page at <http://www.eugenia.co.uk>

#### MTC-00023269

From: Konrad Ko(FFFF)odziejczyk  
To: Microsoft ATR  
Date: 1/24/02 2:18pm  
Subject: Microsoft Settlement

This settlement reduce Microsoft's monopol acts.

#### MTC-00023270

From: James K. Wiggenhorn  
To: Microsoft ATR  
Date: 1/24/02 7:53pm  
Subject: Proposed Settlement

I am appalled that my government would wash its hands in these proceedings. The courts have ruled that Microsoft \*is\* a monopoly. Micorosft has and continues to use its position as a monopoly to fight down the innovators and to retain its position as a monopoly. As we continue to let Microsoft have its way, we are endangering our position as true leaders in the technology

world. A real solution to the stifling effect of Microsoft's illegal monopoly would be something that would keep Microsoft from continuing its ways.

I have read the settle and accompanying documents. I have also read the settlement Microsoft signed in the mid-90s. They are very similar. And, they both have the same effect: Microsoft admits it was a bad citizen and continues as if it hadn't been caught.

Now, with Microsoft's new initiatives, this dominance and arrogance is even more threatening. If I buy Windows XP, I am \*required\* to register with Microsoft's .net service.... Okay, I am not required to, but I won't be able to use the software beyond 30 days. Let's say I want to check my stock portfolio on CNBC's web site. I must join the .net initiative, thereby giving Microsoft access to much of my financial background (and they already have my name, address, and phone number from my software registration. Order a book at a merchant that requires .net authentication? More information to Microsoft. At some point, Microsoft will know everything about me. This is scary. This is the pattern Microsoft has continually used throughout its lifetime (did you know that when you registered Windows 95 online, you sent a list of the entire contents of your hard drive to Microsoft?).

Can we trust these people, based on their promise this time they really will be good? Let's look at past practices and we will see they are not to be trusted.

Let's try to find a solution that will keep Microsoft from abusing its position again. And again. And again.

Jim Wiggenhorn  
Lebanon, NH

#### MTC-00023271

From: Barbara Opyt  
To: Microsoft ATR  
Date: 1/24/02 7:53pm  
Subject: Microsoft Settlement

In my opinion, the proposed settlement will only increase Microsoft's monopolistic practices. How about if Microsoft gives millions of dollars worth of OTHER companies' products to schools. That might help!

Sincerely,  
Barbara Opyt  
email: [bopyt@att.net](mailto:bopyt@att.net)  
home: 512/248-0698  
cell: 512/965-0834

#### MTC-00023272

From: Edward DeSpain  
To: Microsoft ATR  
Date: 1/24/02 7:54pm  
Subject: Microsoft Settlement  
In Re: Comments on the Microsoft (MS) case—January 24, 2002

Dear Sirs:

1. Anti-trust law is intended to protect consumers and the American people collectively, it is not supposed to be, first and foremost, a weapon or shield for competitors.

2. Microsoft is a monopolist, or so it has been adjudged. It is certainly the owner of the source of monopoly power. Competitive operating systems are not permitted to easily provide the full technical interface between

computers and programs written to run with Windows. The current Lindows case is ample evidence that the latent monopoly tendencies are unaffected by the travails of the past couple of years. MS will yield this power only as a last resort and will fight every vestige of arbitrariness in any decisions.

3. The essential source of the MS monopoly power lies in its exclusive control over access to the Applications Program Interface (API) of the Windows operating system(s). Everything else MS produces can be readily supplied by the market. The unique feature of most MS products is their reliance on, and ability to define, the Windows API.

4. Widespread public access to the API would unleash powerful competitive alternatives to the MS products, with enhanced features and/or lower prices. Access to the economic rents emanating from control over the API would provide strong incentives for competitive software writers, both extant and potential. Access must be sufficient to allow rival operating systems providers to include essential functionality to their own products such that programs that work with Windows operating systems are not unreasonably precluded from use with other operating systems or other software..

5. Almost all of the problems arising from the MS monopoly position can be attenuated by breaking the exclusive MS nexus to the API.

6. Conversely, none of the proposed remedies, other than those aimed at liberalizing access to the API, directly addresses the root problem. Breaking up MS leaves control over the API with one of the successor companies, fines penalize MS stockholders, but leave the source of monopoly power intact. Most of the other remedies are, at best public relations or, at worst, a sop to influential rivals. None get at root causes.

7. The enormous administrative and legal costs attending the proposed remedies would be alleviated if such remedies were left to the market after freeing access to the API. Economic rents would be quickly competed away and the innovative forces currently foreclosed to rivals would give birth to new products from rivals to the MS monolith. The focus of anti-trust enforcement would be exactly where it belongs and the market would determine the allocation of benefits and punishment without undue favor. Both MS and rivals would be subject to market discipline and consumers would be the ultimate beneficiaries.

8. MS would still be the lead organizer of Windows standards, but the discipline of the marketplace would force them to be more responsive to the demands of rivals, partners and, especially, customers. Failure to bend to these demands would quickly induce competitive alternatives.

Please consider just where the MS market power comes from. Remedy this and you will go far toward providing an equitable outcome for all. Ignore it and no other remedy will produce a satisfactory solution.

Thank you,  
Edward DeSpain  
Economic Data Analysts  
5639 Anita St.

Dallas, TX 75206  
e—d@dr.com

**MTC-00023273**

From: Brian M. Reisman  
To: Microsoft ATR  
Date: 1/24/02 7:56pm  
Subject: Microsoft Settlement

I am constantly bewildered by our government's lack of direction. I currently use several browsers to peruse the internet and none of them are Netscape... I currently use Opera quite frequently. I don't use Netscape because quite frankly it is the worst browser on the market! I continue to be offended by these companies who can't win in the marketplace and cry foul. Netscape had the market; at one point over 80% of the internet browsers were running Netscape. It is foolish to believe that all of those users stopped using Netscape simply because it wasn't installed by default. In the days of Windows 3.1, no browser was installed. People still found a way to obtain the one that they wanted.

If Netscape wanted to keep their users they would have written better software. Even now, in its latest version Netscape's browser isn't even a product they created. They are using open source code (Mozilla.org) and there is almost no difference between Mozilla and Netscape. Why would people pay for a bad product? Exactly, they wouldn't!

The other day I purchased a cereal box and there was a Lego toy that came "bundled" with it; I don't believe Duplo can file a lawsuit for harm do you? I run Linux and Windows and my linux machine came with Netscape (Bundled). There is competition for Windows; the competition just isn't very good. Somehow you find a way to blame Microsoft, please protect us from terrorists and LEAVE OUR FREE MARKET ALONE!!

Let's keep our eye on the ball!  
Registered Voter,  
Brian Reisman

**MTC-00023274**

From: billbottle@adelphia.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:54pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
BILL BOTTLE

6152 N. VERDE TRAIL  
SUITE E-217  
BOCA RATON, FL 33433-2423

**MTC-00023275**

From: Erika Fawcett  
To: Microsoft ATR  
Date: 1/24/02 7:57pm  
Subject: Microsoft Settlement

I believe the current settlement offer between the Department of Justice and Microsoft is inappropriate and irresponsible. There is no part of it that inspires confidence in its ability to change Microsoft's business practices. In fact, the new Windows XP operating system release shows more of the "same old story" from Microsoft. Even their recent lawsuit against Lindows shows their dedication to driving out competition with the same ruthlessness they used to drive Be Inc. out of business years ago.

In a time of an uncertain political climate, uncertain economy and dicey international relations it is no time to encourage trouble at home by allowing an illegal monopoly in what has become an exceedingly important faucet of modern life.

Erika Fawcett  
Dance in the Light of the Pale Cold Moon

**MTC-00023276**

From: Verdeln@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:58pm  
Subject: Microsoft Settlement

**MTC-00023276 0001**

28444 Verde Lane  
Bonita Springs, FL 34135-6816  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
Dear Mr. Ashcroft:

I want to take this chance to express my support for the settlement concluded last November between Microsoft and the Department of Justice. I believe Microsoft should be free to focus on their business and not have to worry about any more litigation. The agreement requires many concessions from Microsoft regarding their business practices. One example includes agreeing to design future versions of Windows that will provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. This mechanism will give consumers the freedom to add or remove access to features built in to Windows or to non-Microsoft software.

I know there have been concerns that Microsoft won't abide by their obligations. But these concerns should be alleviated by the creation of a three-member Technical Committee to monitor Microsoft's practices. This committee will take any complaints from third parties who feel Microsoft is not complying with any provision of the settlement. So the agreement is strong and should continue to be supported by the federal government.

Sincerely,  
Joan B. Titus  
00023276-0002

**MTC-00023277**

From: david fowler  
To: Microsoft ATR  
Date: 1/24/02 7:58pm  
Subject: Microsoft Settlement

Please take another look at the practices that microsoft is following since the trial. With the software licensing model, the .net strategy, and the rush to get more software to market, they are making it more difficult for companies to compete in the marketplace.

thank you  
david fowler

**MTC-00023278**

From: vitom@ctrutah.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:57pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Vito Miragliotta  
1445 South State Street  
Clearfield, UT 84015

**MTC-00023279**

From: smartalleck@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 7:56pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lefa Elliott  
1131 Whitworth road

Leitchfield  
KY 42754

**MTC-00023280**

From: Stuart Lamble  
To: Microsoft ATR  
Date: 1/24/02 8:01pm  
Subject: The proposed Microsoft settlement Greetings.

I am a resident of Melbourne, Australia, working for Monash University as a Unix Systems Administrator. There are a number of valid points that have been made already by Dan Kegel, in an open letter at <http://www.kegel.com/remedy/letter.html> — being a non-US resident, I am unable to sign that letter; however, I assure you that I would if I were permitted. A number of other points spring to mind, and it is those that I wish to address in this email, rather than cover the ground already more than adequately covered by Mr. Kegel.

Section III.J.1 states that no API or Communication Protocol need be licensed “the disclosure of which would compromise the security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria”.

There is at least one case in the past where protocols essential for interoperation with Microsoft products (specifically, those implemented by the Samba project) were not properly authenticated at the server side. Instead, the server relied upon the \*client\* to request only shares that it was authorised to request. If the client did not perform proper authentication and validation of the request, the server would happily provide the data requested.

Details of this vulnerability can be found at the URL <http://www.securityfocus.com/cgi-bin/vulns-item.pl?section=discussion&id=1884> Taken in the most literal sense, then, if there were such a flaw in the implementation of some protocol in Windows 2000, Microsoft would not be obliged to release the protocol specifications, because doing so would compromise the system's security.. because the security is on the client's side, not the server's side. Upon such fine points can lawyers wriggle out of the spirit of the agreement, whilst keeping to the letter.

Secondly, section III.J.2 allows Microsoft to make certain requirements on the licensee: specifically,

“(b) has a reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product, (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, (d) agrees to submit, at its own expense, any computer program using such APIs, Documentation or Communication Protocols to third-party verification, approved by Microsoft, to test for and ensure verification and compliance with Microsoft specifications for use of the API or interface, which specifications shall be related to proper operation and integrity of the systems and mechanisms identified in this paragraph.”

If I, as an individual, wish to write (for example) a word processor which reads in Microsoft Word documents, I would require the document format specification. However, it may be that I wish to make that program available to all for their use as they see fit, with no formal remuneration from the end users. In this case, it could be argued that, as I am not involved in a business activity (as I do not intend to profit from my activity), I could not have a reasonable business need for this information. In addition, the third-party verification could prove to be cost-prohibitive for all but large-scale businesses.

Finally, an observation that appears to have been overlooked by the DoJ in its consideration: the de-facto standard for the exchange of information between businesses is Microsoft Office—in particular, Microsoft Word and Microsoft Excel. I realise that this point has been covered by Mr. Kegel; however, I feel it of sufficient importance to raise it once more. The largest impediment to any organisation that may wish to move away from a dependence upon Microsoft products is the non-availability of a completely compatible, independant word processing and spreadsheet package. There are independant products of this nature available—StarOffice, KOffice, and Applix are three that spring to mind—however, they are not able to do a completely reliable job of converting to or from Microsoft's file formats.

The Microsoft packages are available only for Microsoft Windows, and the Apple Macintosh. There is nothing in the agreement that covers:

vendors wishing to produce products compatible with the Microsoft Office products;

Microsoft's ability to withdraw, at any time, its Office products from the Macintosh platform;

Microsoft's ability to change, at any time, the file formats used as standard in Office; or

Microsoft's ability to change the pricing on Office to suit their own ends. For example, the Macintosh Office suite is only available as a single package, whilst the Windows suite is available in a number of bundles of varying prices. The price for the Mac suite is significantly greater than the low-end Windows suite, even though a user may only require functionality equivalent to that contained in the low-end Windows suite.

The competitive scene in the personal computer market would be greatly improved were Microsoft compelled to publish, freely available to all (or for a nominal publication and shipping cost), the complete specification required to properly read and write all possible aspects of Microsoft Office files. They should also be compelled to document all the programming languages, such as VBA, that may be embedded within such files.

I greatly appreciate the strains upon you in terms of time and other resources. This matter is, however, of great importance to the computing fraternity. It grieves me deeply to see the market dependant upon one source for the de-facto standard systems, who is free to set prices as they wish.

Finally, I should point out that in these matters, I am speaking on my own behalf, not that of my employer.

Thank you for your time.

Regards,  
Stuart Lamble,  
c/o IT Services,  
Monash University,  
Clayton, Melbourne, Victoria, 3168  
Australia.

**MTC-00023281**

From: Geo  
To: Microsoft ATR  
Date: 1/24/02 8:01pm  
Subject: Settlement is ineffective

Blankl oppose the settlement because I believe that it will be ineffective in truly opening the market place to competitors, which would benefit the consumer.

Sincerely,  
Geoff Freebern  
Tampa, FL.

**MTC-00023282**

From: Rob Mayoff  
To: Microsoft ATR  
Date: 1/24/02 8:02pm  
Subject: opposed to revised proposed final judgement

I am opposed to the revised proposed Final Judgement dated 2001/11/06. I have been a professional software developer for 13 years, and I see many problems with the proposed settlement. It will do much too little to prevent Microsoft from engaging in the same types of damaging behavior that resulted in its illegal monopoly. It fails to punish Microsoft for its past behavior. Its term is too brief. The enforcement provisions grant too much power to Microsoft, and fail to specify penalties for noncompliance.

Please withdraw your consent to the revised proposed Final Judgement.

Very Truly Yours,  
Rob Mayoff  
4207 Palacios Cove  
Austin, TX 78749

**MTC-00023283**

From: Michael H Roland  
To: Microsoft ATR  
Date: 1/24/02 8:02pm  
Subject: Microsoft Settlement

I think the proposed antitrust settlement with Microsoft will have little effect in stopping Microsoft's monopolistic practices. The proposal seems to have a loophole for each proposed remedy. Microsoft has not changed its behavior since being found guilty of monopolistic practices. In fact, Microsoft has become more brazen. Microsoft seems to realise that the proposed settlement will not affect their current business practices.

I believe the proposed antitrust settlement will have to be much more specific to have any effect on Microsoft.

Michael Roland

**MTC-00023284**

From: Todd Partridge  
To: Microsoft ATR  
Date: 1/24/02 8:02pm  
Subject: big business isn't always better

As a computer user every day, I was one of the small group of people who saw Microsoft actions leading to such economically crippling results far before concerns of monopoly appeared. Any company so large inadvertently swings into

competitors without notice, but this we must remember is not why Microsoft is being punished. Microsoft directly threatened (verbally and physically) key players in its industry. So the question is: How do we curb this habit? Thus far we asked Microsoft to write its own punishment, and like other requests of Microsoft that they did not want to do, they treated it with disdain their lawyers smiling. Is Microsoft above punishment? The government seems wary to punish them. Curbing this behavior is simple with many means to do it? The real question is: Do you have the gusto to?

Todd Partridge—toddpartridge@mac.com

**MTC-00023285**

From: bmelvin@alltel.net@inetgw

To: Microsoft ATR

Date: 1/24/02 7:59pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Melvin  
1108 n.w. end st.  
Springdale, AR 72764

**MTC-00023286**

From: rbrtstbby@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:02pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bob McCloud  
P.O. Box 5607  
Lafayette, IN 47903

**MTC-00023287**

From: Stephen Martin

To: Microsoft ATR, smartin@vanderfleet-martin.net@inetg...

Date: 1/24/02 8:06pm

Subject: Microsoft Settlement

I would just like to voice my opinion that the proposed settlement does not go any where near far enough to punish Microsoft for thier abuses of power, nor does it provide any guarentee that they will be controlled or stopped from doing more of the same in the future. As a software developer and one who has sat on IETF working groups, I have seen how Microsoft controls and terrorizes the software industry. If a company is lucky, they may survive and flourish as long as they are able to remain under the radar of the giant. This means either servicing a market that Microsoft is not currently interested in, or working to support their cause in an area they at they can not currently be bothered to do themselves. Trying to compete against them at this point is impossible. It's impossible for two reasons, first no one will invest in a company that competes with Microsoft, and secondly how can you compete with a company that has a seemingly endless amount of money to spend on development.

Any solution to the Microsoft problem must require them to fully disclose all API's, protocols, RPC's, interfaces and file formats. It also must require them to place this information under the control of a standards body and provide full disclosure of any planned or proposed changes to them well before Microsoft releases any new software. This is extremely important given that Microsoft has supporting monopolies in both operating systems and desktop applications. Microsoft constantly uses proprietary file formats, protocols, etc. to not only push other vendors out of the market but to lock in consumers and force them to upgrade

Microsoft software for no other reason than Microsoft has made a new version that is incompatable with the previous one. Forcing Microsoft to disclose this information in no way threatens their ability to "innovate" nor does it put them at a disadvantage in the market place. What it does do is provide the possibility, however slight, for other companies to enter and access the marketplace.

In closing I would just like to say that as a US resident, tax payer and consumer I do not support the current remedy and ask for something much stricter and comprehensive.

Stephen Martin smartin@vanderfleet-martin.net  
80 Hunterdon Blvd.  
smartin@behindenemylines.org  
Murray Hill, NJ  
smartin@binaryblizzard.com  
USA, 07974 Phone: (908) 790-9070

**MTC-00023288**

From: Bob O'Rear

To: Microsoft ATR

Date: 1/24/02 8:06pm

Subject: Microsoft Settlement

I urge you to complete the Tunney Review of the Microsoft Settlement and go forward with this settlement as it is in the best interests of consumers.

Thank You,  
Robert O'Rear  
9001 NE 26th St.  
Clyde Hill, WA 98004

**MTC-00023289**

From: Devrajpuri@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:06pm

Subject: Microsoft Settlement

2000 Beechwood Road  
Hyattsville, MD 20783  
January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

It has come to my attention that a settlement has been reached between the Justice Department, and Microsoft. I want you to know that I support the settlement, because the terms set forth in it are fair and reasonable. Microsoft will be making a number of specific changes to its products, and business practices. For instance, Microsoft has agreed to allow computer makers to remove the means by which consumers access various features of Windows, such as Microsoft's Internet Explorer web browser, Windows Media Player, and Windows Messenger. Computer makers can replace access to those features with access to non-Microsoft software such as programs from AOL Time Warner or Real Networks.

Furthermore, a three person technical committee will be in place to monitor Microsoft's compliance with the settlement, and aid in dispute resolution. I ask that the government stop prosecuting Microsoft once and for all!

Sincerely,  
Dev Puri

**MTC-00023290**

From: David Felske

To: Microsoft ATR

Date: 1/24/02 8:06pm

Subject: Microsoft Settlement

Gentlemen:

I believe that the settlement process between Microsoft And The Department of Justice should stand. This position is clearly in the best interest of the consumer.

Sincerely,  
David E Felske  
22532 N Sonora Lane  
Sun City West, AZ 85375

**MTC-00023291**

From: thills@njcc.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:04pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Theodore Hills  
147 Rock Road West  
Lambertville, NJ 08530-3111

**MTC-00023292**

From: Don Marti  
To: Microsoft ATR  
Date: 1/24/02 8:07pm  
Subject: Microsoft settlement

To whom it may concern:

The absence of an appropriate, large, fine is a fatal, glaring defect in the proposed settlement. Microsoft broke the law. Microsoft made billions of dollars by breaking the law.

A "settlement" that lets them walk away with the money is a mockery of the law.

Don Marti  
<http://zgp.org/dmarti>  
[dmarti@zgp.org](mailto:dmarti@zgp.org)  
KG6INA

**MTC-00023293**

From: rouse@phoenix.icemcfd.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:16pm  
Subject: Microsoft Settlement

Dear DOJ:

I want to add my voice to the chorus against the proposed settlement. I do not see that the current settlement will in fact restrain future anti competitive conduct by Microsoft.

I have been using computers since my high school days in the early 1970s. I have worked on a number of operating systems, and with a variety of hardware. As a physicist and now a computer professional, I have had an opportunity to look at a number of different systems and work on a number of different platforms. I can say, without a doubt, that the Windows platform has been about the most unreliable I have had to work on during these years.

The essence of competition is that the Market should have adjusted to this fact and provided competitors to both the Windows operating system and Windows applications. Let me say that there are a number of fine Windows applications that would find a market no matter which platform they were built for. I think that Microsoft Powerpoint, and Microsoft Excel are definitely world class products and could, in an open market succeed rather handsomely. But beyond those two products, I have grave doubts that a level playing field would make Microsoft a dominate player in both the operating system and the application side.

This leads us to the question, why hasn't the market succeeded? The answer was

eloquently put by Judge Jackson when he said there is a "barrier to entry" into the field. An operating system should simply allow you to run the applications you choose to run. Applications then should carry out the tasks that you choose. Microsoft has turned this logic on its head by integrating both its applications and its operating system so that you cannot choose one without the other thereby erecting the "barrier to entry" for other applications and operating systems.

This was aptly demonstrated by the governments case in the anti-trust filing in the case of Netscape. Microsoft forced OEM manufactures to put Internet Explorer onto the machine when there is no technical reason why Windows Explorer should be chosen over Netscape Explorer or visa versa. Microsoft further was shown to have lied when it claimed that the Internet explorer was the only choice for its operating system. The true essence of competition should be to let the consumers decide which application to run on which operating system not by fiat and requirement from Redmond Washington, but by the requirements of the tasks and costs faced by the consumer.

Microsoft certainly has shown no real intent to open a space between its operating system and its applications. Until and unless the company shows a commitment to carrying out this vital task, it will continue to squash competition not by the fair rules of the market, but by its monopoly position in operating systems.

Thank you very much for your consideration.

Forest Rouse.

**MTC-00023294**

From: Professor Time  
To: Microsoft ATR  
Date: 1/24/02 8:06pm  
Subject: Microsoft Settlement

Hello again. I have a small observation that I would like to share with you.

1) US Government persecutes, sorry, I mean prosecutes Microsoft—shortly thereafter the economy drops through the basement and I find myself out of a job. With a wife and 4 kids I might add.

2) AOL/Time Warner files all kinds of suits against Microsoft yet the US Government never bothers to see if THEY just might be a monopoly—and a vicious one too.

Just for once, how about letting someone who is successful help his country's economy and let me get back to work.

I wonder if anyone up there in the government stratosphere has noticed that the computer industry is now the only place where we have any kind of a serious advantage anymore. Let's not destroy it.

W. Craig Westlake  
[CC:msfin@microsoft.com@inetgw](mailto:CC:msfin@microsoft.com@inetgw)

**MTC-00023296**

From: wbraun1216@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Warren Braun  
11531 N. Civano Place  
Oro Valley, AZ 85737-1719

**MTC-00023297**

From: Scott M. Johnson  
To: Microsoft ATR  
Date: 1/24/02 8:03pm  
Subject: Microsoft Settlement

Dear Dept. of Justice,

I am writing as a concerned citizen in Washington State regarding the Microsoft / DOJ Settlement. I strongly urge you to settle the case and agree to the terms that the DOJ and Microsoft have agreed upon. As a 20 year veteran of the computer industry I have seen technology change from a unique perspective and I would like to point out some facts and opinions never mentioned by Microsoft competitors. The reality of the situation is certainly not what is portrayed by the Millions of dollars in lobbying spent by anti-Microsoft parties. \*In the computer industry, if you do not have the best product, your market share will decline until you are out of business, or you improve your product.

The ability of a new competitor to take over a market segment can happen overnight if the product is revolutionary or has superior quality and supportability.

The fact that Microsoft has a dominant position in the operating system market came from Quality Products that took millions of hours to create.

This fact, combined with the effort of hundreds of thousands of programmers that adopt Microsoft technologies, because they were easy to use and employed modular coding techniques made it easy to build solutions that work for businesses. (Solutions make business more productive)

The investment cost to build revolutionary products that are used by Millions of people is extreme... Billions of dollars to design and perfect the code to get it to a usable level. Then years of refining and optimization to produce one that works seamlessly, has the best set of functions and doesn't crash. This investment of money and man hours is rewarded in the marketplace by sales. Only through economies of scale, can a profit can be achieved.

The government and Microsoft competitors should not determine what functionality can and can't be included in a given product.

If a company can make a product that has the functions people need then they should

be allowed to develop it and sell it without fear.

In the future you will see a drastically different world than you see today. Thousands of people are working on killer apps, new operating systems, exotic form factors and new products that will someday blow your mind and drastically change the way you live and work.

Microsoft made many of these innovations possible, Microsoft took the risk to invest billions of dollars making these technologies through years of research and development.

Microsoft gives thousands of companies opportunities to make millions of dollars developing products that work on a common platform. Consumers have not been harmed by Microsoft, Consumers are the ones that request the software and the features that Microsoft builds, Consumers are the ones that reap the benefits of software that has innovative new features and works great together.

Because of Microsoft:

Businesses are more productive,

Consumers are more enriched,

My children will go to college.

Thank You,

Scott M. Johnson

Microsoft Corporation

Program Manager

Windows Driver Quality

See <http://www.microsoft.com/freedomtoinnovate/default.asp> for more information I agree with.

#### MTC-00023298

From: Dave Gardner

To: Microsoft ATR

Date: 1/24/02 8:13pm

Subject: Microsoft Settlement

I strongly urge the Justice Department to summarily reject Microsoft's own offer for a settlement to the successful anti-trust and monopoly judgement, and instead come up with a settlement that will properly punish Microsoft for their unfair and monopolistic practices, one that will quash the monopoly, as was intended when the anti-trust laws were drafted and put into effect so long ago.

Microsoft's own solution (to be fined a minuscule amount in proportion to their crimes, and to provide the country's schools with copies of Microsoft products and used computers) would only serve to further extend Microsoft's monopoly into an area where they have long been excluded. These copies of Microsoft products (presumably their operating systems and application software) would be counted at or near full retail cost. It actually costs a fraction of that amount for Microsoft to create and distribute compact discs to schools, and this negates the true value of this portion of their penalty. Too, the children in these schools (and their teachers as well) would be forced, and conditioned, into using Microsoft products to the exclusion of all else, and would of course become future full-price Microsoft customers.

This is hardly punishment. It's more like handing Microsoft the keys to the country's cash box, and walking away. For a financial penalty, I propose that Microsoft be fined quite heavily, in true proportion to the crimes of which it has been convicted. I also propose that all of the consumers who have

for years not been given a choice while purchasing hardware, being forced to purchase a copy of Microsoft Windows, to be given the power to have their money refunded in full. I also propose that Microsoft be split into two distinct companies, one responsible for maintaining and developing their operating systems (and hopefully paying some attention to an issue they've long neglected, to the detriment of the very customers they have so haughtily trod upon over the years: security), and another company responsible for application software.

These two companies should not be able to act in concert, or as one, to maintain and extend the Microsoft monopoly, and should be prevented from requiring hardware makers to pre-install Windows products on their hardware. Further, the operating system company should not be allowed incorporate any of the application company's software into the operating system, or to provide anti-competitive "secret" hooks into the operating system that make their application software run better than that of their competitors, as has been Microsoft's standard practice for years.

This is the only way that consumers can be offered a free choice between the various pieces of application software, operating systems, and even computer hardware, in existence today. That's all the consumer is looking for here: the freedom to decide what they will buy and use, a freedom that exists in almost every aspect of our great society save for the personal desktop and server computer industry. And that's precisely what Microsoft's illegal monopoly has been preventing the consumer from attaining for decades.

Thank you for your consideration of this comment, and for the solicitation of public comments regarding the penalty phase of the Microsoft case.

#### MTC-00023299

From: John Beal

To: "microsoft.atr(a)usdoj.gov"

Date: 1/24/02 8:11pm

Subject: Microsoft Settlement is not strong enough

Dear Sirs,

I would encourage you to reject the Microsoft proposed settlement as too little, too late. As proposed, the settlement further reduces competition by further marginalizing the Apple Macintosh and Linux operating systems. Instead, Microsoft should be required to open up the code to it's Microsoft Office products and/or pay monetary compensation to those companies and individuals harmed by their monopolistic practices.

Sincerely,

John Beal II

#### MTC-00023300

From: Ralph G Jaeggli

To: Microsoft ATR

Date: 1/24/02 8:11pm

Subject: Microsoft Settlement

Gentlemen:

It has been a mistake to penalize Microsoft for conducting their business in an aggressive and highly effective manner. I have not heard

one comment from Microsoft users about being bothered or harmed in any way through this whole fiasco and I feel this latest action is one more way Microsoft's competitors can get free money.

Ralph G. Jaeggli

15 East Ridgeway Drive

Weaverville, NC 28787-9487

828-645-7600

#### MTC-00023301

From: Newagent917@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:09pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Brennen Ivy

6222 Meadow View

Las Vegas, NV 89103-1128

#### MTC-00023302

From: Wayne Kallestad

To: Microsoft ATR

Date: 1/24/02 8:11pm

Subject: Microsoft Settlement

Microsoft has already agreed to hide its Internet Explorer icon from the desktop. To continue to punish Microsoft gives a windfall to Netscape and other competitors, but nothing goes to those supposedly harmed, the computer user. What is happening though is this case is giving the states another method for getting free money and setting a terrible precedent for the future.

The witch hunt has gone on long enough. Please end the case now.

CC:Wayne-Home

#### MTC-00023303

From: Kellyabq1@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:08pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel

going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Julie Kelly  
13501 Haines Ave., NE  
ABQ, NM 87112

**MTC-00023304**

From: lnjk@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:09pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Larry martin  
11529 W. Palm Brook Drive  
Avondale, AZ 85323-3839

**MTC-00023305**

From: Aaron Schmiedel  
To: Microsoft ATR  
Date: 1/24/02 8:12pm

Subject: Microsoft Settlement  
I am TOTALLY against the settlement as is with Microsoft. Apparently, they will just continue using their monopoly to put small competition out of business. Harsh sanctions, not a slap on a wrist, are necessary.  
Split the company!

**MTC-00023306**

From: Frank Kink  
To: Microsoft ATR  
Date: 1/24/02 8:11pm

Subject: Microsoft Settlement  
Alright, I think that it is time to stop all these frivolous lawsuits and lets concentrate on good solid consumer programs. I presently maintain 700 desktop P.C.'s and have had to completely reload 10 that the new AOL connection software was loaded on. As a company policy now we do not allow anyone to load anything AOL, which is just not a reliable piece of software. This was probably do to some subversive code written within the Microsoft Windows OS that causes these problems. O" Yes it must be a Microsoft problem. These problems range from system

lockups, to software corruption. After trying to uninstall the program several times but to no avail I had to resort to a complete reload. I have never had any problems with internet explorer, no matter what version was installed. I would hope that AOL was willing to defend it's present software, and also the many complaints I have had with their dial-up service. These vary from unable to connect to constantly having to reconnect. AOL problems do not emanate from Microsoft products, but from their own software. Any loss of business that AOL claims was do to the Microsoft browser, would be minute compared to the number of people that quite using AOL do to poor performance.

Maybe someone should file suit against AOL for delivery of a defective product! Witnesses would be simple to find since anyone who is presently using AOL will attest to these and probably many more problems. Lets not use Microsoft as a whipping boy for problems they don't, and would not have had any control over. Lets get out of court with these seemingly endless stupid suits, and start to clean up the backlog of consumer protection suits that really matter or have some merit.

Frank Kink  
P.O. Box 7253  
Springfield, IL 62791  
Frank Kink  
franpen@home.com

**MTC-00023307**

From: dannyjr@inetone.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:09pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Albert Stilwell, Jr.  
Rt. 1 Box 923  
Pounding Mill, VA 24637

**MTC-00023308**

From: DCasola@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:13pm

Subject: Microsoft  
Microsoft needs to do business. They or Microsoft does not need courts or government in there business.

**MTC-00023309**

From: m-dpayne@mindspring.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:10pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Maurice Payne  
8525 Todd Bridge Rd  
Owensboro, KY 42301-9615

**MTC-00023310**

From: Michelle Stecklein  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:03pm

Subject: One consumers input To whom it may concern,

It seems to be that if, in fact, it has been decided that Microsoft used its market power in restraint of trade, the settlement ought not futher Microsoft's strenght in the market. By giving a large amount of software to the education market, Microsoft is ensuring that they will dominate a segment which they are not yet fully entrenched. Further, the cost of producing the software is not equivalent to the market value of the software. If the legal remedy includes a fine which is paid with donated software valued at market price, Mircrosoft is paying a smaller fine that what has actually been levied.

If Microsoft is guilty of restraint of trade and if a fine is the best remedy, it seems that the fine ought to be paid in cash to those on whom the damage was inflicted—businesses and consumers who purchased the product. The real question is is whether a fine is enough to cause Microsoft to act in a more sportsman-like manner. I doubt that there is a fine large enough. It seems that as long as Microsoft controls the operating systems so completely, they will always be able to squeeze the next potential software application competitor out of the market. While it may not be the right long term action to split the company, it may be right long term action to force Microsoft to open up the source code for the operating system. It is clearly a complex case. And I have not invested the time and energy nor have the experience of someone of your position. I appreciate the effort that you are putting in to the case. I trust that you will make the just decisions even though many special interest groups may be pushing you to take the path of least resistance.



Respectfully submitted,  
Michelle Stecklein  
Michelle Stecklein  
Managing Director  
Thompson Clive & Partners Inc.  
3000 Sand Hill Road  
Building One, Suite 185  
Menlo Park, CA 94025  
Office 650 854 0314  
Fax 650 854 0670  
michelle@tcvc.com

**MTC-00023311**

From: Jim Bode  
To: Microsoft ATR  
Date: 1/24/02 8:14pm  
Subject: Microsoft Settlement

Settle the anti-trust lawsuit against Microsoft, Please! Do not allow Microsoft's competitors to do battle in the court room. Microsoft has not done anything to hurt consumers. In fact, through their innovations, they have aided consumers in having a better computing experience for less money.

Please end this frivolous lawsuit immediately and let Microsoft get on with doing what they do best, make great software.

Jim Bode  
Bode <<http://www.bodeenterprises.com>>  
Enterprises Web Site

**MTC-00023312**

From: Arfon Gryffydd  
To: Microsoft ATR  
Date: 1/24/02 8:12pm  
Subject: Microsoft Settlement

To whom it may concern,  
The proposed Microsoft settlement is, in my opinion, a farce. The settlement does nothing to prevent Microsoft from continuing their illegal practices nor provide any compensation to the people that have been hurt by Microsoft's actions. The only real solution is the dissolution of Microsoft! Only that would be acceptable.

A. Gryffydd

**MTC-00023313**

From: Otto  
To: Microsoft ATR  
Date: 1/24/02 8:14pm  
Subject: Microsoft Settlement

To whom it may concern  
I might be the minority in my opinion, nonetheless I do support settling your case with Microsoft. Doing otherwise would provide a precedent for sub-standard products and might start a vicious circle of lawsuits. I am proficient with three different operating systems, Windows, Solaris, and different distributions of Linux. Neither Solaris, nor Linux comes close to what Windows provides on the desktop. There are millions of Windows users who will not be served by this lawsuit and the subsequent limitation of Microsoft products.

Anyone so desired can get other systems without Microsoft software installed on it is free to do so. You should not force people to use sub-standard product. The success of the product should depend on the end user and not the DOJ.

I do hope you'll count my email as a vote for the settlement.

Regards,  
Otto

**MTC-00023314**

From: erich@frontiernet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:10pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Erich VanSpanje  
32 Old Quaker Hill Rd  
Monroe, NY 10950-1304

**MTC-00023315**

From: Roger Bailey  
To: Microsoft ATR  
Date: 1/24/02 8:14pm  
Subject: Please settle the Microsoft case.

Roger Bailey, M.D.  
409 A Street NE  
Linton, IN 47441-1907  
January 22, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:  
Thank you for providing the opportunity for public comment on the proposed settlement of the Microsoft antitrust lawsuit. I support this settlement wholeheartedly and without reservation.

As I understand the settlement, Microsoft has taken steps to open its Windows operating systems to more competition from non-Microsoft software programs. This will help competing Internet providers, messaging services, and media playing systems that may in the past have faced barriers to being installed or pre-installed on Windows. This is good news for both the computer industry and consumers.

I hope that you move forward quickly after January 28, 2002, and end this litigation. I think the Clinton administration-initiated litigation against Microsoft has had a devastating effect on the tech sector of our economy and the entire economy as a whole. I cannot imagine anyone thinking that the advancements over the last 10 years, fueled by Microsoft products have had anything but a positive effect on the consumer and country. I appreciate the opportunity to comment and I appreciate your time.

Sincerely,  
Roger Bailey  
cc: Representative John Hostettler

**MTC-00023316**

From: Bernard Bradley  
To: Microsoft ATR  
Date: 1/24/02 8:13pm  
Subject: Microsoft Settlement

I am a software developer and have been creating software for the Microsoft environment for more than a decade. I consider myself a very knowledgeable Windows developer. I have recently transitioned my personal computing environment to the Apple Macintosh platform even though I still program and work exclusively in Windows in my business (I have to because of the Microsoft monopoly!).

I believe the proposed settlement is insufficient in its current state. While it does an adequate job of limiting non-competitive behavior in the future, it does nothing to compensate or correct the monopolistic situation that exists today. If this settlement had been enacted in the mid 1990's, it might be enough. But today, especially with this economic climate, there is no other viable alternative to the Microsoft operating system on an Intel computing platform. Technically there is Linux and other versions of Unix running on Intel, but given their incredible low market share it will be impossible for them to effectively compete. Even Apple, which offers a true competitive product on a different hardware platform, does not have enough of a market share to compete. Apple is also significantly disadvantaged because it does not run on the predominate hardware (Intel) platform. Given the fact that this settlement will do nothing to restore a competitive environment, I believe it is inadequate. A true settlement would be one that not only stemmed the predatory practices, but also created real incentives for other products and innovations to compete with Microsoft at a significant level. Without such incentives, Microsoft will be able to use pricing to effectively eliminate any future competition. They will be able to say that the consumer is getting a great deal and that is why it is good for the consumer, but in reality they will be able to recoup the financial loss from one product because of their monopoly in others.

Secondly, I believe the interest of the consumer is not being served with this proposed settlement. As a developer, I can attest to the fact that the Microsoft Windows operating system is significantly flawed in its design. These flaws are evidenced by the security and reliability problems that have become well known over the years. Without true competition, Microsoft has been allowed to do three things. 1.) Continue to produce an operating system environment with fundamental design flaws; 2.) Hold critical information from competitive software developers about the operating system inner workings that are critical to producing quality product; and 3.) Charge customers upgrade fees every year or two for the latest version of the operating system or application software. The incentive to upgrade is often based on the need to achieve a higher degree of reliability or security. Given that no competition really exists, the latest version of Microsoft product can flourish even if it only resolves a portion of

the issues. In this manner, Microsoft is actually better off financially if it leaves a few flaws in the software. They will be the basic reason for users to consider the next upgrade.

My personal belief is that Microsoft would actually be a better company if it were broken into two organizations. One company to carry forward with the operating system and one to carry forward with the applications. In addition, some form of remedy to encourage or compensate competitive products should be considered. The damage has been done already. The current proposal is like closing the barn door after all the cows have gotten out.

Regards,  
Bernard Bradley

**MTC-00023317**

From: Roger Bailey  
To: Microsoft ATR  
Date: 1/24/02 8:14pm  
Subject: Microsoft Settlement  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
Dear Mr. Ashcroft:

Thank you for providing the opportunity for public comment on the proposed settlement of the Microsoft antitrust lawsuit. I support this settlement wholeheartedly and without reservation.

As I understand the settlement, Microsoft has taken steps to open its Windows operating systems to more competition from non-Microsoft software programs. This will help competing Internet providers, messaging services, and media playing systems that may in the past have faced barriers to being installed or pre-installed on Windows. This is good news for both the computer industry and consumers.

I hope that you move forward quickly after January 28, 2002, and end this litigation. I think the Clinton administration-initiated litigation against Microsoft has had a devastating effect on the tech sector of our economy and the entire economy as a whole. I cannot imagine anyone thinking that the advancements over the last 10 years, fueled by Microsoft products have had anything but a positive effect on the consumer and country. I appreciate the opportunity to comment and I appreciate your time.

IF MERGEFIELD PARA5 But is suspense, as Hitchcock states, in the box. No, there isn't room, the ambiguity's put on weight.<>''''''

Sincerely,  
Roger Bailey  
00023317-0002

**MTC-00023318**

From: Michael Syvertsen  
To: Microsoft ATR  
Date: 1/24/02 8:15pm  
Subject: Microsoft Settlement  
Lt Michael Syvertsen USN (Ret)  
21613 Echo Lake Road  
Snohomish, WA 98296-7857  
January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
Dear Mr. Ashcroft:

As a user of Microsoft products and a strong supporter of the company, I feel that the government has overstepped its bounds in this case. People seem to forget that Microsoft did the most to bring standardization, interoperability, and affordability to the software industry. The company not only built a better mousetrap, but also priced it lower than the competition's. If I have to choose between seeing Microsoft disbanded or the Department of Justice settlement, I choose the settlement.

Under your settlement, Microsoft will allow software engineers and computer makers to configure Windows so as to promote non-Microsoft programs that compete with the programs already included within Windows. This means that Microsoft will more or less allow the competition to use the success of Windows to launch their own programs that compete with those in Windows.

Does that sound like competition or exploitation? I think that if Microsoft made products that competed in more traditional and understandable industries, that we would call these concessions un-American. Imagine if Coke was mandated to include a sample of Pepsi in every can, or if McDonalds had to allow its customers to order a Burger King Whopper at its own restaurants. Would this be competitive? Would we allow it?

I agree that Microsoft could retaliate less against those that promote or produce non-Microsoft products, but that's capitalism and normal business, and should be an ethical question rather than a legal one. So when choosing between a break-up of Microsoft or the settlement, I choose the settlement. I just hope that we're not back at the federal level again in a couple of years, trying to protect Microsoft from competitors that are used to litigating away market share rather than earning it. Thank you for your time.

Sincerely,  
Lt Michael Syvertsen USN (Ret)  
President Washington State Council of Chapters  
The Retired Officer Association  
CC:Patty Murray Politician, Maria Cantwell Politician

**MTC-00023319**

From: agcarr@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Alice Carr  
7500 Hallows Dr  
Nashville, TN 37221-1149

**MTC-00023320**

From: jm9872@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jean Martin  
615 Towne House Lane  
Richardson, TX 75081-3531

**MTC-00023321**

From: rickbrown123@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:15pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ricky Brown  
136 Exbourne Ave  
San Carlos, CA 94070

**MTC-00023322**

From: agcarr@earthlink.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 8:16pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Peter Carr  
7500 Hallows Dr  
Nashville, TN 37221-1149

**MTC-00023323**

From: Cheungmd@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:18pm

Subject: microsoft settlement

The proposed microsoft settlement is unacceptable because it fails to prevent microsoft from continuing to exploit its monopolistic position to prevent competition while also allowing microsoft to keep profits illegally obtained by its past transgressions. Under no circumstances should this case be settled as proposed.

**MTC-00023324**

From: con15@arkansas.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:17pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001 Dear Ms.

Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kenneth Paul Spart Sr.  
PO Box 1029  
Conway, AR 72033-1029

**MTC-00023325**

From: foxprice@cs.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:17pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Donna Fox  
8123 Cesperdes Ave.  
Jacksonville, FL 32217-4068

**MTC-00023326**

From: JACK BALSAM

To: Microsoft ATR

Date: 1/24/02 8:18pm

Subject: Microsoft Settlement

Despite my being a Microsoft shareholder, I think they are being let off too easy.

There is no question in my mind that they are guilty of monopolistic practices to the detriment of both competitors and the general public. About three years ago I needed a new computer. I called Dell and asked them to include Lotus Smart Suite instead of Microsoft Office as I was used to the former's spreadsheet and word processing programs. They told me that they could not accommodate my request as they did not handle Lotus software. I then asked them to not include the Microsoft programs in the package and give me a credit; that I would buy the Lotus software on my own. Again the answer was in the negative. I made the same request of two other mail order computer vendors with the same results. It was quite evident that Microsoft used its operating system monopoly to force these manufacturers to install only Microsoft products and let the public be damned. I have no doubt that Netscape was similarly harmed in the case of their internet browser.

**MTC-00023327**

From: CWSBUMPASS@AOL.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 8:17pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Cheryl Smith  
543 Mapleranda Rd  
Bumpass, VA 23024-2605

**MTC-00023328**

From: Donald R McCarty

To: "microsoft.atr(a)usdoj.gov"

Date: 1/25/02 8:20pm

Subject: Worse than nothing

The appalling inadequacy of the proposed settlement is evident even to a non-lawyer. Subsequent public analysis and discussion of the settlement in the press and other forums has widely reinforced that perception. A few points I find most disturbing are listed below:

1. The settlement encourages misbehaviour by future monopolists. Microsoft has benefited greatly from its illegal actions in terms of profit and market position, but suffers almost no real penalty under this settlement. There is evidently great profit to be made in forming and maintaining an illegal monopoly even if one is eventually convicted. Even if we suppose the strictures of the present settlement are sufficient to restrain future misconduct of MS (and they clearly are not sufficient), MS remains far better off and continues to profit greatly from having taken its illegal course of actions against competitors. So why wouldn't they or any future monopolist embark on a similar course today given the opportunity? The evident answer is that they would be foolish not to.

2. The language and definitions in the settlement are carefully parsed and sufficiently ambiguous as to impose no real restrictions on MS. MS is a past master at negotiating this kind of document. Software is sufficiently maleable that it easily be shaped and concealed within this shell game of definitions. Hence effective enforcement will be difficult or impossible. This has the effect of immunizing MS from future litigation—in effect rewarding their past illegal behaviour. How many times must the courts be flouted by the contemptuous "ham sandwich" defense before this lesson is learned? I believe the public would be better served by having no settlement.

3. The repeated invocation of the 9/11 national emergency by the presiding judge as cause for haste in reaching a settlement defies all logic. The dire consequences of failing to adequately restrain an illegal monopolist can only be magnified in a national emergency—especially as MS illegal actions affect innovation in the critical tech sector. The judge's statements are widely perceived as having contributed directly to the climate that produced this very weak and therefore very dangerous settlement.

**MTC-00023329**

From: Aaron Cherrington  
 To: Microsoft ATR  
 Date: 1/24/02 8:21pm  
 Subject: Nay to the microsoft judgement  
 I will keep this simple for you. I plead of you not to allow this resolution to pass. Companies have been crushed, the public harmed, and the technical innovation stolen by microsoft. Please do not let the deal stand.  
 Thank you for serving the ideals of justice,  
 Aaron Cherrington

**MTC-00023330**

From: Bill Matthiesen  
 To: Microsoft ATR  
 Date: 1/24/02 8:19pm  
 Subject: microsoft settlement  
 Dear People—  
 I'm writing to express my opinion as being AGAINST the proposed settlement with Microsoft. My understanding of the facts of the settlement is that it will neither prevent the monopolistic practices that were the cause of the suit in the first place—nor will it stimulate investment in better technologies. Both are ample reasons to send this settlement back to the drawing boards, to come up with something that will help both the consumer and the larger computer industry.

Thanks for taking my opinion into consideration.

William W. Matthiesen  
 33 Stormview Road  
 Lanesboro, MA 01237  
 413-442-9172  
 bill@bfv.com

**MTC-00023331**

From: shirleyweyand@webtv.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:18pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Shirley Weyand  
 1923 Flores St.  
 Hemet, CA 92545-2468

**MTC-00023332**

From: Edward P. Bolin  
 To: Microsoft ATR  
 Date: 1/24/02 8:22pm  
 Subject: Microsoft Settlement

To Whom it may concern:

As an end user of computer technology since 1980 I have found that my computing experience has been enhanced by changes and advancements in both the software and hardware environments that can be directly attributed to Microsoft's contributions in both development and leadership.

Microsoft lead the way in creating competition in computer hardware manufacturing by making MS-DOS available to not only IBM, but also to startup companies that wished to compete with IBM, which lead to a decrease in cost to the consumer. Microsoft's leadership in creating standards for software applications again saved money for the consumer by decreasing the steep learning curves inherent in the non-standard command structure of early word processors, spreadsheets and databases.

Through the years Microsoft continued to improve its software products and challenged the hardware industry to match its pace by developing more powerful computers to run the advanced software providing better tools for the consumer, and yes, at lower cost.

Did Microsoft prosper from its strategy of seeking excellence and standardization in the highly competitive computer marketplace? Yes and so did all consumers.

As one of those consumers that has to watch his budget carefully, I must choose hardware and software based on price, quality and usability. Based on these factors I have chosen the IBM standard Personal Computer (from IBM to Packard Bell to Dell), Microsoft operating systems (which I choose to upgrade based on my needs, sometimes purchasing a new computer with the operating system pre-installed and sometimes purchasing an upgrade in the box over-the-counter: I went from MS-DOS to MS-Windows 3.11 to Windows 95 to Windows 98 SE and soon will purchase a new computer with Microsoft Windows XP Professional) and Microsoft application software (all versions of Microsoft Office Professional through the years). Was Microsoft always the lowest priced software? No it was not, but it offered the best usability features, making it the most cost effective. Have I owned the competitors' software? Yes I have and in the end I went back to Microsoft simply because it is a superior product.

Guess what? That superiority, not unfair practices (unless being better is unfair), is why Microsoft is today's technology leader. Isn't that the American way?

By the way, I am not only an end user, I am also a computer technology instructor in a community college. I have seen students from 16 to 75 years of age easily master computer skills using mouse clicks and the simple set of commands made possible by Microsoft software. The students horizons have been broadened and the lives enriched. Thank you, Microsoft!

Sincerely,

**MTC-00023333**

From: JAMES A THORPE  
 To: Microsoft ATR  
 Date: 1/24/02 8:23pm  
 Subject: Microsoft Settlement  
 Dear Sirs: I truly believe you have successfully defended my rights as a user of

Microsoft products from "Monopoly" status. To allow AOL to come in now to continue to confuse the issue would be a travesty. AOL is fast working toward "monopoly" status itself with its cornering of the internet access market and is seeking more at Microsoft's shareholders' and users' expense.

James A. Thorpe  
 223 5th Ave. S.  
 Kirkland WA. 98033

**MTC-00023334**

From: Nystromdance@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:20pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Stephen Nystrom  
 458 Falls Creek Rd  
 Sanford, NC 27330

**MTC-00023335**

From: John E. Getz  
 To: Microsoft ATR  
 Date: 1/24/02 8:23pm  
 Subject: How can you rape the best company to happen in ages?

Microsoft has done more to help the USA than all the Netscapes and Sun Microsystems combined. It's a travesty of justice, and all I believe this country to stand for, to see the shiester lawyers rape the company that helped me do my work.

**MTC-00023336**

From: stanriley@directcon.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:21pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Stanley Riley  
871 Harris Rd.  
Placerville, CA 95667

**MTC-00023337**

From: Yvonne Hull  
To: Microsoft ATR  
Date: 1/24/02 8:24pm  
Subject: Microsoft Settlement

I am not in favor of the proposed settlement. It is not restrictive enough. Microsoft is too willing to exploit gray areas.

Kind regards,

**MTC-00023338**

From: SOFTWARE by design  
To: Microsoft ATR  
Date: 1/24/02 8:25pm  
Subject: Attn: Renata Hesse  
SOFTWARE

625 East De/ Mar Boulevard—Suite 307—  
Pasadena, CA  
91101

January 21, 2002  
Renata Hesse, Trial Attorney,  
Suite 1200, Antitrust Division,  
Department of Justice,  
601 D Street NW,  
Washington, DC 20530;  
[microsoft.atr@usdoj.gov]

RE: US v. Microsoft proposed final order  
Dear Ms. Hesse,

In response to the invitation for public comment on the proposed consent final judgment for US v. Microsoft I offer the following thoughts from my own perspective as a software developer:

An Historical Overview:

Microsoft continually claims that it is defending its right to innovate. This is widely regarded as a cruel joke in an industry that regularly sees its best innovators attacked by Microsoft's unlawful anticompetitive behaviors.

Microsoft's agenda isn't innovation. It seeks to impose suffocating control over user choices and expand its ever-widening monopoly.

Microsoft is continually seeking to leverage its control over computer operating systems to gain control over technical (computer related and consumer) markets. To this end, they employ the use of restrictive contracts, strategically shifting standards, manipulation of product compatibility and other (unlawful) forms of monopolistic warfare.

Microsoft further seeks to expand its domination by transforming the Internet into its own private network.

One result (among others) is that companies must spend enormous resources anticipating and responding to these unlawful practices, which in turn, seriously detract from efforts to innovate or improve existing (competing) products. These very substantial costs are thus effectively hidden in the pricing and availability of competing products generally. The consuming public, in the end, unknowingly bears these costs. What

do we get for our money? Mediocre/unreliable products, and a steadily shrinking array of choices.

Judge Colleen Kollar-Kotelly  
U. 5, District Court

age 2

Findings of Fact:

The findings of fact in the Microsoft case are a devastating indictment of the company. Microsoft was found to be responsible for a litany of anti-competitive and illegal practices that have harmed consumers.

Little effort is required to discover a long and tortured history of Microsoft's evasion of antitrust enforcement and its extraordinary embrace of anticompetitive practices—practices recognized as illegal by all members of the DC Circuit court.

Subsequent to these events, Microsoft remains ruthless and totally unrepentant. The Currently Proposed Remedy:

The currently proposed remedies are toothless and largely cosmetic.

The proposed final order is populated with unintelligible gibberish and fluff such as: "Microsoft may restrict an OEM from displaying icons, shortcuts or menu entries specified in the Windows documentation as being limited to products that provide particular types of functionality, provided that the restrictions are non-discriminatory with respect to non-Microsoft and Microsoft products." As was once remarked in an earlier time, "There is less here than meets the eye."

The settlement contains no real penalties and actually perpetuates Microsoft's operating system monopoly.

Among other omissions, the absence of technical disclosure practice demonstrates a complete, profound, and willing capitulation on the part of the Justice Department. Compliance provisions in the proposed agreement embrace the most astonishingly weak oversight regime which includes—secrecy, —a guarantee of undue influence from Microsoft, and —a total lack of strong independent oversight.

The proposal actually legalizes and institutionalizes the continuation of Microsoft's tight control over access to technical information, and as a result, guarantees a continuation of its monopoly power over existing markets by denying meaningful access to needed technical data by would-be competitors.

Judge Colleen Kollar-Kotelly

U.S. District Court

Page 3

A More Meaningful Remedy:

In an industry (software) with short product cycles, changing product definitions & production innovations, it is critical that any remedies address the root causes of Microsoft's unlawful practices.

Among other things, the government must (at a minimum) require (in no particular order):

—full support for nonproprietary Internet protocols,

—nondiscriminatory licensing (independently enforced),

—nondiscriminatory sharing of technical information (ie. file formats)

—divestitures

—no secrecy, public oversight is absolutely essential

—meaningful restitution in proportion to the severity of the offenses.

(this means seriously punitive fines with triple damages)

The software industry, and the consuming public which it serves, will ultimately benefit from more diversity and less monopoly. The current proposal from the Justice Department is a national embarrassment and a cause for deep shame. Finally, both Microsoft and the DOJ, it now seems, have deliberately avoided the disclosure requirements of the Tunney Act process by submitting incomplete and misleading information. It is unlikely that the DoJ could have come up with a settlement so warmly accommodating of Microsoft without considerable coaching from Redmond.

Respectfully submitted,  
Douglas N. Glenn, Ph.D.  
SOFTWARE by design

**MTC-00023338-0004**

**MTC-00023339**

From: dwilliamsll  
To: Microsoft ATR  
Date: 1/24/02 8:24pm  
Subject: Microsoft Settlement

DAVID WILLIAMS  
7756 Dragonhead Road  
Fayetteville, NC 28311  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
Dear Mr. Ashcroft,

The purpose of this letter is to inform you of my support of the Microsoft settlement. After three years of litigation, I find it high time that the Justice Department ends this case against Microsoft. Too many federal dollars have already been wasted on this issue.

The details of the settlement are quite fair. Microsoft has agreed to make concessions in the hopes of resolving this issue. For one, with the release of Windows XP, Microsoft is implementing a new mechanism that will enable users to add and delete programs from the Windows operating system with increased ease. Similarly, this will enable users to delete programs that they do not want from the system such as Microsoft Internet Explorer and Media Player. I imagine that the average consumer would enjoy these changes.

Thank you for your time regarding this issue. Please enact the settlement at the end of January.

Sincerely,

David Williams 30023339-0002

**MTC-00023340**

From: silents@pcc.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:22pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the

fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Steve Vanover  
1436 w Erie St  
Chicago, IL 60622-6155

**MTC-00023341**

From: David W Schuler  
To: Microsoft ATR  
Date: 1/24/02 8:26pm  
Subject: Microsoft Settlement

Dear Sir:

I am writing today to protest the recently proposed settlement for damages relating to the monopoly status of Microsoft. I believe that both my employer and I, personally, have been damaged by Microsoft. The recently proposed settlement does not attempt to provide restitution to the affected businesses and individuals who have been forced to either buy copies of Windows when they did not want them, or to pay higher than free-market prices for their software.

To support my first claim that at times I did not want to buy Windows at all, I offer the following. Both my employer and I run the Linux operating system on some of our systems. Those systems purchased from any of a number of companies, including IBM, were only available with Microsoft's Windows operating system pre-installed. As a consumer, I was not allowed to purchase a system without this operating system installed, and I also was not offered a choice of any other operating systems on my Intel-compatible x86 computer. Thus, I was required to purchase software and license for a system on which I did not desire to run the Microsoft operating system. It has also been established that due to its monopoly position, Microsoft was able to charge a higher than normal price for its products. For the computers I own at home that do run the Windows operating system, I have purchased copies of Windows 95, Windows 98, Windows 98 Second Edition and Windows 2000. All of these copies were purchased as upgrades or full copies, at retail prices. The fact that there are never any "sale prices" on Microsoft software points out, in my opinion, part of the monopoly position that Microsoft possesses. They are able to control and manipulate the marketplace sufficiently enough to control pricing at a vast number of different retail establishments.

Any proposed settlement should, in my mind, be viewed as a penalty for Microsoft. It should NOT allow Microsoft to make any "donations" of software or services. It should not allow Microsoft to write off the expense as a "donation" or contribution to schools or non-profit agencies. ANY SETTLEMENT SHOULD BE IN THE FORM OF A REFUND

/ REBATE TO THE CONSUMER WHO WAS FORCED TO PURCHASE MICROSOFT'S PRODUCT AT INFLATED PRICES. There should be no strings attached to the refund that require purchase of a future Microsoft product or service, it should be a true no-strings refund. As an injured consumer who has been victimized by Microsoft's monopoly position, I would hope that you would ensure that I am compensated for the way that Microsoft has defrauded me.

David W Schuler  
david.schuler3@verizon.net

**MTC-00023342**

From: marrajo@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:23pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mari Jo Cline  
8080 Hwy 78 West #21  
Beulah, CO 81023-9700

**MTC-00023343**

From: munsel@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:24pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Wagner, Jr.  
12006 E. Mapleton Rd.

Mapleton, OR 97453

**MTC-00023344**

From: Cheungmd@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:27pm  
Subject: Fwd: microsoft settlement

The proposed microsoft settlement is unacceptable because it fails to prevent microsoft from continuing to exploit its monopolistic position to prevent competition while also allowing microsoft to keep profits illegally obtained by its past transgressions. Under no circumstances should this case be settled as proposed.

Deanna Cheung M.D.  
2865 Atlantic  
Long Beach, CA 90808

**MTC-00023345**

From: usinet.gekovac  
To: Microsoft ATR  
Date: 1/24/02 8:27pm  
Subject: Microsoft Settlement

The settlement proposed does not adequately fine Microsoft for its monopolistic practices and does not inflict enough pain to prevent further transgressions. The proposal to supply free software to the school system is more a reward than a punishment, since software companies would like early exposure of the products to future consumers. I have known small software developers whose software and companies could not survive when competing with Microsoft when their product competes with a Microsoft program, or the vendor refuses to sell his software to Microsoft.

I do not accept that I should pay for a Microsoft OS when purchasing a new computer, as is the current case. This should be prohibited for the computer consumer who does not want Windows.

Fine them big time, and make them pay!  
Make future abuses unacceptable.

George Kovach MD  
27948 229th Street  
Le Claire Iowa 52753

**MTC-00023346**

From: Dale DuVall  
To: Microsoft ATR  
Date: 1/24/02 8:30pm  
Subject: Microsoft settlement opinion

I feel that since the US Department of Justice found Microsoft guilty of being a monopoly and that it has used monopolistic practices to stifle competition and as a result many companies perished, Microsoft must pay a substantial price. The consequence must equal or nearly equal the effect of the behavior. I do not feel that the proposed settlement in any way will prevent Microsoft from continuing its monopolistic practices. A new settlement with teeth is needed. It must be fiscally and politically painful. Otherwise, the DOJ is sending a bad message to the citizens of the United States. Once again, if you have enough money, there are no real consequences.

Thank you for your time.

Sincerely,  
Dale DuVall  
Eugene, Oregon

**MTC-00023347**

From: Michael Bolen

To: Microsoft ATR  
 Date: 1/24/02 8:31pm  
 Subject: Microsoft Settlement  
 This is a bad idea.  
 Michael Bolen

**MTC-00023348**

From: Alex Brotman  
 To: Microsoft ATR  
 Date: 1/24/02 8:32pm  
 Subject: Microsoft Settlement

Dear Sir or Madam,  
 I have quite a few issues with the proposed settlement of the Microsoft/DOJ trial. I will only point out the one that I think would be part of a fair punishment and allow for better competition in the Tech marketplace.

Microsoft has made some good products over the years and may do so in the future. Some of these products save or transmit data in its own proprietary format. This to me is one of the most damaging things about Microsoft and its products. I would propose that for the next 5 years (at least if not more) that Microsoft be forced to provide the specifications for its file formats and its transmission protocols to a general committee. These formats could then be used by competing companies to allow them to open Microsoft documents or send data to a Microsoft server. This would hopefully level the field and force each company to strive to deliver a technically superior product and not rely on a file format to force customers into upgrades and hold them in that chosen product. For example, Microsoft produces a word processor called Word, part of Microsoft Office. This program uses a format that is only known to Microsoft and therefore no other program can have full interoperability with Word. If the format were available for all to use then a program like WordPerfect or Star Office could open and save documents in Word format. This would allow companies to have a better choice in choosing a word processor and hopefully companies would deliver better products.

I have talked with other IT professionals about this and they say that Microsoft deserves to have this monopoly because they make good products. I say—make the formats and protocols available to all and then let the market decide who has better products. I shouldn't be trapped into using a certain product just because it has a special format. That to me is the biggest part of Microsoft's monopoly.

Thank you.  
 Sincerely,  
 Alexander Brotman

**MTC-00023349**

From: total fitness  
 To: microsoft.atr(a)usdoj.gov,  
 activism(a)moraldefense\* \* \*  
 Date: 1/24/02 8:32pm  
 Subject: Microsoft Settlement

Dear Sir/Madam,  
 I am writing regarding the Department of Justice's anti-trust case against Microsoft. I have watched in dismay as the U.S. Government, whose constitutional duty it is to protect the rights of U.S. citizens, has zealously pursued one of the most productive individuals in U.S. history- Bill Gates, and his company Microsoft.

One of the Department of Justice's rationalisations for its crusade against Microsoft is that the company has engaged in "anti-competitive" behaviour that has "hurt consumers". I find this accusation ridiculous. Exactly who are all these wounded consumers? I have been happily using, and benefiting from, Windows 98, with Internet Explorer, on my computer for the last two years. Microsoft's products have greatly enhanced my productivity and made my life a lot easier. I certainly do not feel "hurt" in any way by Microsoft! Neither do my family and friends who enjoy the benefits of Gate's innovations. Evidently, neither do millions of others around the world who have purchased, and continue to purchase, Microsoft products of their own choice and free will. If the Department of Justice is truly concerned with eradicating anti-competitive behaviour, then it should swiftly get out of the way of those who benefit America and the rest of the world- dynamic, competitive producers and innovators, like Microsoft- and let them do what they do best, free of unprovoked co-ercion. Microsoft should only be the subject of legal action if it can be shown that it has used force or fraud in its dealings with others. I have not seen a skerrick of evidence to suggest this is the case. It is actually the government who has initiated force against Microsoft. It appears the Microsoft case was initiated by competing companies, who, unable to compete on their own merits, lobbied the government to co-ercively restrain Microsoft in order to level the playing field. If these companies want an increase in market share, they should do it not through Government favours, but by appealing to consumers with more competitive offerings and innovations.

The Government's anti-trust stance is not untainted by hypocrisy, either. The U.S. Postal Service IS a true monopoly- it enjoys a privileged position in the market by virtue of government edict. It is not subject to competition from other firms who would no doubt be more than willing to supply consumers with alternative provision of mail services. However I am unaware of any pending anti-trust action against The U.S. Postal Service.

Yours faithfully,  
 Anthony Colpo.

**MTC-00023350**

From: ted046@jps.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:31pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
 Sincerely,  
 Tom Donahue  
 255 Colonial Circle  
 Vacaville, CA 95687-6708

**MTC-00023351**

From: madeyas@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:31pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 6601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.  
 Sincerely,  
 Robert Madeya  
 803 Carmel Dr.  
 Belen, NM 87002-7236

**MTC-00023353**

From: Charles Wyatt  
 To: Microsoft ATR  
 Date: 1/24/02 8:30pm  
 Subject: I disagree with the antitrust settlement as it stands.  
 Microsoft IS a monopoly.

No question there. And their territorial business practices DO hurt competition. Example: Bungie Software, makers of PC games were bought by Microsoft so that they would have the rights to the groundbreaking game HALO so that it would be a premier title on their X-Box platform. They had the money and power to buy a whole company for one piece of software which has yet to be released to PC as it was originally intended. An addendum should be added that Microsoft must turn over ALL of it's source code for Windows for review. And give the government the right to change it and use it for government use. There are so many security flaws that other foreign governments have banned the use of Windows in their government offices. Might Microsoft be keeping tabs on the Government through its own holes?

Microsoft should be barred from any further company purchases, either directly or through a third party. Also they should be prevented from starting up a spinoff company during that time period.

Charles Wyatt

**MTC-00023354**

From: Gen LaGreca  
 To: Microsoft ATR  
 Date: 1/24/02 8:36pm  
 Subject: Microsoft Settlement

This is to state that I oppose any action taken by the Justice Department against Microsoft as a so-called monopoly. Only government force can create a monopoly by legally restricting entry into a field through regulations, e.g., the US Postal Service and the Medallion cabs of New York City (the latter restriction of competitors being the reason for the \$45 cab fare to go 8 miles from LaGuardia Airport to Coney Island!). It is NOT a monopoly if a company outperforms its competitors in a climate of free competition. When is the government going to stop meddling in our economic affairs? If business don't produce (farming), we give them subsidies for not making anything. If businesses overproduce (Microsoft), we shoot them down. It's time to end this arbitrary meddling which limits our freedom of choice and a company's freedom to operate. I say laissez faire—LEAVE IT ALONE!

Yours truly,  
 Genevieve LaGreca  
 Chicago

**MTC-00023355**

From: Dana Lee Ling  
 To: Microsoft ATR  
 Date: 1/24/02 8:35pm  
 Subject: Comments on settlement

I think ultimately technology will outrace the courts on this matter. Any proposed settlement should have sufficient teeth to prevent Microsoft from engaging in non-competitive practices, level the playing field, and actively encourage competitors. That said, the industry will likely render any settlement moot. Compare, for example, the sudden and explosive rise of open source software for Internet servers to the sudden conversion to TCP/IP and Internet protocols in the late 90's that led to the virtual death of software giant Novell. Sure, Microsoft has a monopoly on the desktop. But the arrival of Apple onto the Unix desktop scene is evidence that if a level field is assured, then others can compete and today's software giant is tomorrow's dust bin occupant. Even Microsoft is subject to the markets it created. In the early years of Linux Microsoft said the operating system was not a significant player and that there would never be a version of Microsoft Office for Unix. Now we have Office V.x that runs under BSD Free Unix on the new Macintosh OS X. In some sense, time and technology will do more damage to Microsoft than any legal settlement.

Dana Lee Ling  
 dleeling@comfsm.fm

**MTC-00023356**

From: Christopher Heiser  
 To: Microsoft ATR  
 Date: 1/24/02 8:35pm  
 Subject: comment on proposed MS/DOJ settlement

I remember a conversation that I had with a friend about five years ago. He was talking about how he didn't dislike Microsoft, and that the new operating system of the time (Windows 98) was a real improvement over

the previous version. While this friend was in fact an avid fan of the Apple Macintosh, he did not share the typical anti-Microsoft fervor that seems to be the norm for a Mac user. He saw Microsoft as getting progressively better, and thought that objections to the company and/or their software were founded primarily on people who were purists and did not understand the reality of the computer industry as an economic machine. I argued with him for a few hours as we drove around the Virginia countryside. The gist of my argument was, and still is:

- 1) Microsoft has a monopoly
- 2) Microsoft uses this monopoly to force the entire computer industry to use unstable, poorly-engineered, insecure, and generally inferior software through blatant campaigns of fear, extortion, and bullying
- 3) This is ultimately bad, as sooner or later another company will produce a superior product, and chances are that this product will come from outside the US where Microsoft can exert the greatest influence on its surroundings
- 4) Regardless of the future, it is patently clear to anyone in the industry that Microsoft hampers innovation in a major way, which affects not only the computer industry but in fact the entire American economy. As someone involved in the investment community of Silicon Valley, I can assure you that there is always a major fear of investing in any new company that is directly or indirectly competing with Microsoft. While this may be a reality for entrepreneurs, it does not help matters when the US Department of Justice seems complicit with Microsoft in preserving and extending this monopoly without any regards for the consequences nor punishments for flagrant violations of US antitrust law. The United States version of free market economy must deal with companies that abuse their monopoly power with severe and meaningful penalties. Any settlement that does not force Microsoft to pay dearly for its transgressions or does not make a significant effort to prevent future transgressions with powerful laws is worthless. -ch

**MTC-00023357**

From: rghudson@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 8:34pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Roger Hudson  
 6 Optima  
 San Clemente, CA 92672

**MTC-00023358**

From: Gary Ce  
 To: Microsoft ATR  
 Date: 1/24/02 8:37pm  
 Subject: Missing the Crucial Consideration  
 Your Honor,

The frivolous and anti-free-enterprise case and defences being made regarding the activities of Microsoft are causing the more serious "offence" to be missed. Effective application of the Microsoft Windows License Agreement requires that copies of the operating system previously legally purchased may as well be disposed of when old hardware is disposed of because re-use on new equipment is prohibited. This is tantamount to saying that the engine in your old car may not be re-used in a different car. If Intel were to follow this rule with processors, or IBM with hard drives, there would be an uproar. Where is the uproar? This seems to me to be an indefensible application of a purchase agreement. If it is not legal, the public should be so informed and free to seek damages. If it is legal, you or anyone who can must move to strike such a law or the already thin illusion of free enterprise in America become even more thin. Look for industry-wide collusion in the above because the beneficiaries are Microsoft and the hardware vendors et al. Here is how it works;

- Users are never satisfied with the speed of computing equipment over all. (by this I mean real world benchmarks of the entire computing experience, not simply "boot time" or "screen re-draw" or "hard drive spindle speed" and dozens of other terms and tests that have no net meaning).
- Hardware vendors seem to offer a remedy via the purchase of new hardware.
- New hardware generally comes with new Microsoft operating systems.
- The new operating system always uses more hardware resources to deliver the same computing experience. (there are very few "new" applications for computers that are actually new. Most things we do with a new computer are the same things we have been doing for a while, we get the new computer in hopes that it will "go faster".)
- The public hunger for computing equipment that allows more efficient use of time is not satiable in this scenario.
- Thus the consumer or corporate buyer heads dutifully and with anticipation to the store to "upgrade" on a regular basis all software and hardware, yet other than trivial user interface enhancements, all those billions spent don't actually amount to a better computing experience.

Those of us consultants and professionals who get hired to make this stuff all work more quickly, are not allowed to use the best choice when it comes to operating system (for example Windows 95 on a modern computer) because Microsoft would have us believe there is no legal way to use their better historical products on newer



equipment, and our clients have little interest in being the test case to challenge the mighty Microsoft.

This cycle seems set to continue without abatement even though technological accomplishment in the economy as a whole is advancing exponentially. Failure to focus on this strange little industry collusion would be a mistake if the point of your trial is to improve the lot of the American public with regards to their relation with Microsoft.

In summary, I believe Microsoft has changed the world for the better. Their products are consistently better than the alternative in most categories. If the disingenuous nature of their licensing agreements I have pointed out here could be remedied, all our efforts of late might not be for nothing.

Sincere Regards,  
Gary Chernipeski  
CC:wes cook, TerrenceWalters@consultant.com@inetgw, Ste...

**MTC-00023359**

From: Tim Boester  
To: Microsoft ATR  
Date: 1/24/02 8:37pm  
Subject: Microsoft Settlement

To the United States Department of Justice:

Microsoft is a monopoly, and as such, it should be made certain that it cannot use its dominance in operating systems to take control of other parts of the software industry. Specifically, Microsoft should be told to allow users the ability to use open source software in lieu of Windows and/or other pre-loaded software that comes on PCs. In order to help enable this action, Microsoft should be forced into opening up its APIs, not just for the short term, but for the long term. Until Microsoft joins with the rest of the software industry in embracing industry standards, Microsoft will continue to leverage its operating system monopoly to gain control of other software arenas.

Thank you  
- Tim Boester  
Graduate student, Department of Educational Psychology, University of Wisconsin-Madison

**MTC-00023360**

From: Ken Humphries  
To: Microsoft ATR  
Date: 1/24/02 8:33pm  
Subject: On the subject of the Microsoft settlement

I normally don't send letters to government agencies, but I feel that to not put my two cents worth on this issue, it would be a big mistake on my part.

I have been in the computer industry since the early eighties, and I was around when Microsoft was a company that produced reasonable quality products for a reasonable price. Somewhere along the way (around the time that Office was released,) the company changed its business philosophy, they started bullying companies, and if you crossed them or you were in an area of the marketplace that they wanted to expand into, they would attack. This has included bullying or tempting resellers to not sell competitive products, stealing ideas & code, hiring away employees, buying a company that has a

competitive product, then give it away for a fraction of the cost (often free and more recently bundled as a part of the Operating System.) This strategy has effectively stifled most companies from competing directly with Microsoft. Most companies scurry around the edges of Microsoft, praying that Microsoft doesn't target their niche next.

Microsoft marketing and their lawyers will tell you that this is the way the industry works. Every industry leader does these things. That innovation and better products are why they dominate. I can safely tell you that this is not true. Most of the "Industry leaders" that they talk about were driven effectively out of the business, because Microsoft controlled the platform that all of these products ran on. Wordperfect and Lotus were once the #1 word processor and spreadsheet programs on the market, until Microsoft released Office, which cost less than either and was the only product that worked on the then new Windows 3 software (The reason being that Microsoft developed Office at the same time as Windows and didn't allow access to the Windows development team to their competitors.) Now, there is no effective competitor for this product, and they charge an arm and a leg for the product now (I picked up the original Office for \$99, now it costs \$279, and that's an upgrade price.)

As for this case, Microsoft buys a small developer that has a web browser, because it wants to get into the Internet business. The browser wasn't that good, but Microsoft put their name on it and started giving it away for free. The #1 browser at the time was Netscape, which was charging about \$40 for their browser. Even after throwing a large design team to work on their browser, adding features to the product and starting the "Browser Wars", most users still didn't flock to Microsoft's browser, they then decided to include it in Windows 95 as a standard feature when they released an update. Why buy a product, when you get one free, integrated in the software? (especially when most machines that you can buy has this updated version of Windows 95 included.) Strangely enough, Netscape, having been forced to give away their software for free as well, lost its market share and Microsoft dominated the browser market. Now, they've put Microsoft Windows specific elements into the browser (to reinforce their OS monopoly) and charge more for their operating system (Windows 95 cost \$79 and now Windows XP costs \$199.)

There are other examples, like when Microsoft forced Windows on computer manufacturers, but I wanted to keep this short and concise. I know that the Sherman Act was designed to keep companies that have a monopoly from trying to exploit that advantage to make a bigger monopoly, and I think it's safe to say that this fits Microsoft's actions to a T. If I thought the settlement arranged between Microsoft and the Justice department would control Microsoft, I wouldn't even have sent you this letter. I'm just letting you know that as an insider, I still see the same business tactics today, that I saw before the trial. I also know that if all you are going to do is give Microsoft a light slap on the hand and put an impotent group

of observers to try to control a company that's company culture is "Power wins", especially with them sitting on a \$40 billion dollar cash reserve and growing, what do you think will happen? If they aren't punished properly, all we will get is more Microsoft monopoly products in more markets that cost more and work less.

Thank you for your time in this matter.  
Ken Humphries  
Sr. Project Manager  
Quarium, Inc.  
khumphries@quarium.com  
(408) 246-1585  
"Change is inevitable."  
AND  
"Change can be either good OR bad."

**MTC-00023361**

From: sugg2@surf-ici.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:34pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mariann Green  
980 N Boehning Ave  
Indianapolis, IN 46219

**MTC-00023362**

From: jmitchelljr@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:35pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
1108 Fairview Drive  
La Canada, CA 91011-2359

**MTC-00023363**

From: Tracy Rupp  
To: Microsoft ATR  
Date: 1/24/02 8:39pm  
Subject: MicroSoft Opinion

I believe the Microsoft antitrust is highly important if not central to the free enterprise and competition debate with regard to the "computer revolution". My qualifications are that I have been using the personal computer for some twenty years, have been an enrolled student of computer science for over two years. I'm 56 years old and a stockholder of MicroSoft.

I am concerned that the near monopoly that MicroSoft has on most aspects of popular computing is detrimental to the advancement of commerce and technology. While Microsoft does innovate, the pace of innovation has been slowed and quality has suffered due to their overwhelming influence. Prices remain higher than would be the case if a more competitive environment prevailed. I feel like the government case against Microsoft softens when the economy turned down. I hope expediency will not drive this monumental interpretation of the law in this challenging new era. I lose money on my MicroSoft stock, but, am still in favor of a critical stance against Microsoft.

Thank you,  
Tracy Rupp

**MTC-00023364**

From: eg8wood@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:36pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Edward Gatewood  
820 Virginia St., #202  
Dunedin, FL 34698-6746

**MTC-00023365**

From: Semach, Dave  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 8:39pm  
Subject: Microsoft Settlement

Please consider the following regarding the Microsoft case.

Thank you for your time.  
Dave  
<<USAGSemach David 1020 0122.doc>>  
MTC-00023365 0001  
David Semach  
15515 186th Ave NE  
Woodinville, WA 98072  
January 24, 2002

Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

I support the settlement between Microsoft and the U.S. Department of Justice. It is fair and reasonable, and will bring this case to a close. Microsoft has agreed on several matters that extend well beyond the issues of the lawsuit. They have agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating systems. Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms. They have agreed to document and disclose for use by its competitors various interfaces that are internal to Window's operating system products. These are only some of the issues of the settlement that I would call above and beyond the call of duty. No more action should be taken at the federal level. I agree that the settlement is in the best interest of the people, the industry and the economy. Further litigation would only prolong a drawn out lawsuit that was not necessary from the start.

Let's get this behind us and move on with other important business.

Sincerely,  
David Semach  
0023365-0002

**MTC-00023366**

From: Tim Weaver—InfoTech  
To: Microsoft ATR  
Date: 1/24/02 8:41pm  
Subject: Forced application bundling

Dear Madams and Sirs:

With 30 years of computer experience as buyer, user and IT consultant, my observations are both positive and negative regarding Microsoft's market power and subsequent abuses. Point #1—I have prospered because Microsoft products required added support which I provide but I am also offended that functions that should work do not; thus requiring the customer to hire me to do extraneous tasks— well known security flaws comprise just one example. Point #2—More egregious abuse however shows not only at Microsoft but also at related "reseller" companies such as Dell. When a friend configured a personal computer system he asked me why it was so expensive when the hardware alone was advertised as "below \$700". As it turns out Microsoft Office Suite was included as a default and my friend was unable to "deselect" this option. This alone added \$300+ dollars to the overall cost.

The issue is not only that this was a "forced" added-on but also that no other office suite is available. Point #3—Finally as a shareholder of other public companies (not of Microsoft) I am aghast that Microsoft holds

over \$36 billion in cash and refuses to pay a dividend in spite of their obligation to their shareholders.

Thank you consideration of my comments.  
Timothy M Weaver  
415-550-0525

**MTC-00023367**

From: Dan Lynch  
To: Microsoft ATR  
Date: 1/24/02 8:41pm  
Subject: Microsoft behavior

Dear Judge,

Since it is now officially recognized that Microsoft has a monopoly with respect to the operating system of the hugely dominant computer architecture of Intel's it is necessary to be sure that they do not use that monopoly to leverage into related areas of computer software. They do it all the time. I would too, if no one stopped me from doing it. I believe you are the one to do the stopping.

Thank you for listening.  
Dan Lynch  
Los Altos Hills CA

**MTC-00023368**

From: sdau@ncn.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:39pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sandra Dau  
16811-256th Ave  
Spirit Lake, IA 51360

**MTC-00023370**

From: fangshome@att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:42pm  
Subject: PFJ for Microsoft

Your Honor,

I'm concerned about the proposed settlement in the U.S. vs. Microsoft case, and I urge you to reject it. Microsoft is a convicted monopolist, yet the proposed final judgment allows them to keep virtually all the illegal profits they've amassed over the years. Furthermore, there's no provision to protect the software (and hardware) industry from Microsoft's strong-arm tactics in the future. The monopoly is allowed to stand with very little punishment. In fact, the proposed final

judgment would amount to a government mandate of the monopoly.

Please reject the proposed final judgment for its serious shortcomings.

Sincerely,  
Michelle B. Fang  
41 Lantern Circle  
Stamford, CT 06905  
(203) 329-0366

**MTC-00023371**

From: hank—linda@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:40pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Hank Jonson  
6812 Wycliffe Ave  
Waxhaw, NC 28173

**MTC-00023372**

From: alyne52@email.msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:41pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
William Meyers  
6660 Loblolly Drive  
Huber Heights, OH 45424

**MTC-00023373**

From: Steve Scherf  
To: Microsoft ATR

Date: 1/24/02 8:42pm  
Subject: Microsoft Settlement

I am compelled to comment to you that I feel the proposed Microsoft settlement with the DOJ is insulting and wholly insufficient. It will do nothing to stop the antitrust activities of Microsoft, and amounts to even less than a slap on the wrist. It is unfortunate that the DOJ does not seem to understand the issues from a technical standpoint. If the DOJ did truly understand the issues, it would be clear that there need to be strong rules instructing Microsoft to publish critical application interface information for would-be competitors. What does this mean exactly? Microsoft controls everything from the operating system to the web browser to the office applications people use on a daily basis for writing documents, sending and receiving email, and so on. These form the core, the vast majority, of the software used by the computer-using public. Because Microsoft controls these facets of the computer, there is no need for them to disclose the proprietary interfaces used by each piece of software in order to interoperate. In fact, in order for them to maintain this control, they have a great need NOT to disclose these important interfaces to the public.

This effectively forms a roadblock for any would-be competitor who wishes to produce a competing application. Netscape is a prime example. It is incapable of doing many of the things that Microsoft's browser, Internet Explorer, is capable of doing. Netscape lacks the necessary ties with the operating system and its components for it to have the same capabilities as IE. It would be a daunting task, and possible illegal thanks to the DMCA, for someone to reverse-engineer the interfaces necessary to make a browser with the same capabilities as IE.

I feel that the original solution proposed by Judge Penfield Jackson was a logical, just, fair and correct solution to the problem. I understand that such a solution is now quite unlikely, unfortunately. Short of that, I still feel that Microsoft must be made to disclose all programming interfaces to their software that are necessary for competitors to make products with at least as much functionality as Microsoft's own. Microsoft must be required to make full disclosure of all programming interfaces to the public, free or for a nominal charge to cover the cost of publication. Also, they should be required to publish updated information in a timely fashion whenever said programming interfaces are enhanced or modified in any way. I would consider this to be the minimum solution to the problem. Other steps should probably be taken as well, such as rules to curtail their predatory practices. However, I consider what I've said here to be the primary action that should be taken in the absence of more sweeping ones.

Regards,  
Steve Scherf  
steve@gracernote.com  
(510) 849-CDDB  
<http://www.gracernote.com>

**MTC-00023374**

From: tmyork@home.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 8:42pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Timothy C. York  
7139 Hampstead Lane  
Indianapolis, IN 46256-2315

**MTC-00023375**

From: William Sears  
To: Microsoft ATR  
Date: 1/24/02 8:45pm  
Subject: Microsoft Settlement

To Whom It May Concern,

I do not agree that the proposed settlement in the Microsoft antitrust trial is acceptable. It neither punishes them significantly for past actions nor does it inhibit their ability to commit similar offenses in the future.

Microsoft will continue to be able to abuse their current monopoly and will have no effective deterrent from doing so since the scale of their punishment is insignificant compared to the gain they have made on their actions. The smart business move on their part would be to repeat the kinds of actions in the future to maximize their profits. They can easily pay for the minor punishment out of the vast treasure chest that they can amass by continuing.

Respectfully,  
William Sears  
8313 Beacon Ridge Pl.  
Fort Wayne, IN 46835

**MTC-00023376**

From: Janet Davis  
To: Microsoft ATR  
Date: 1/24/02 8:45pm  
Subject: Microsoft Settlement

This economically-draining witch-hunt has gone on long enough.

**MTC-00023377**

From: Brad Smith  
To: Microsoft ATR  
Date: 1/24/02 8:46pm  
Subject: Microsoft Settlement

I stand in opposition to the proposed settlement between the DOJ and Microsoft. I believe the settlement is far too lenient, and will in no way act as a deterrent to current and future anticompetitive practices by Microsoft.

As a college student pursuing a degree in Computer Engineering, I shudder to think

that in a few short years, I may very well enter a job market dominated by a single company. A company that controls what type of hardware I'll be developing for. A company that controls what type of software I use. A company that dictates what standards I can (theirs) and cannot (open standards) use. A company trying to control the freedom of the Internet revolution. A company that will have squandered out all but the last faint flickers of competition. A company not unlike IBM once was. Rather than fumbling around trying to express the exact reasons for my discontent with the proposed settlement, I would like to voice my support for a man whom I think has already said it best. Dan Kegel has put together a very detailed and extensive list of the problems with the current settlement, and I agree with him 100 percent. The document to which I am referring is located at: <http://www.kegel.com/remedy/remedy2.html>

Sincerely,  
Brad Smith  
Computer Engineering Major  
Georgia Institute of Technology

**MTC-00023378**

From: Sis Hartgers  
To: Microsoft ATR  
Date: 1/24/02 8:46pm  
Subject: Microsoft Settlement  
Microsoft invades my computer making it difficult to use anything but Microsoft. I resent the intrusions and wish there were an alternate platform to use rather than Windows.

Microsoft has limited the options which could have been available to consumers. Thank you for allowing the public to have some input into your deliberations.  
Florence M. Hartgers

**MTC-00023379**

From: David Aufox  
To: Microsoft ATR  
Date: 1/24/02 8:45pm  
Subject: Microsoft Settlement  
To the Department of Justice, As a Graphic/Web designer, I'd like to comment on the Proposed Final Judgment in United States v. Microsoft. Throughout its existence Microsoft has chosen coercion and subversion over invention, originality and innovation. Microsoft has a history of bullying and subterfuge in its efforts to gain market share over rivals like Netscape and Corel/Novell (WordPerfect) who offer competing products. Never before has there been a company that manufactures such sub par products, yet at the same time controls such a stranglehold on the market that a person is unable to find a practical and realistic solution or alternative that avoids using that company's products in the course of daily business.

Microsoft time and time again has gotten away with illegal behavior with nothing more than a slap on the wrists. Even after they have been legally found to be a monopoly, they still claim they are not and even try to use a settlement to gain market share in the one market they do not control, education. I fear that this might not change after the

current legal battles with Microsoft over and done with, the Proposed Final Judgment has many issues, which I feel, are not in the public's best interest. The Proposed Final Judgment does not take into account windows compatible operating systems. It also contains specifications so narrow they are misleading. One example is the Proposed Final Judgment mandates Microsoft must release its secret API's but defines API's so strictly many API's especially more of the important ones are not covered by the definition. Most of all the Proposed Final Judgment does not take into account Microsoft's current and actions and products it is trying to develop for the future.

I feel that if action isn't taken now against Microsoft for the illegal crimes it has committed and been found guilty of, the Department of Justice will find itself fighting the same law suit several years from now on the same issues but a different offending Microsoft product because Proposed Final Judgment didn't not take future growth and products into account while still allowing Microsoft to function as a company.

Please take these and all the other issues concerning the Proposed Final Judgment into account before acting on it. Thank you very much for your time.

-David Aufox

**MTC-00023380**

From: bishopr@plantationcable.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:43pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Bishop  
116 westviewway  
Eatonton, GA 31024

**MTC-00023381**

From: dragoun@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:43pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mike Dragoun  
65657 Kenilworth Rd.  
Lakeville, IN 46536

**MTC-00023382**

From: tlkeplar@cqc.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Loretta Keplar  
2710 Emmet Drive  
Logansport, IN 46947

**MTC-00023383**

From: Mark Tucker  
To: Microsoft ATR  
Date: 1/24/02 8:47pm  
Subject: Microsoft Settlement

I just wanted to write a note expressing my concerns with the proposed settlement of the Microsoft case. In my reading about this settlement from many different news sources I cannot see that this proposal would have any effect at all on the behavior of Microsoft. It does little to nothing to rectify the damage done to the computer marketplace by Microsoft's anticompetitive actions. Unfortunately, it is so weak that it appears to almost endorse their abusive actions.

Mark Tucker  
Consultant  
Clifton Park, NY

**MTC-00023384**

From: mulos@rednecks.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:45pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Solum  
226 So. 5th St. W.m  
Missoula, MT 59801

**MTC-00023385**

From: grannybo@swbell.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:45pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
carolyb stokum  
1421 s quebec  
tulsa, OK 74112

**MTC-00023386**

From: LECBAC@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:48pm

Subject: microsoft settlement

It is time to move on. Microsoft has created tremendous software tools which have standardization and greatly enhance productivity. As a member of the pre boomer generation, I did not have exposure to PCs and software until I had been in the workforce 20 years. It is hard enough going from one application to another without having to remember separate and different ways to do things because of different vendors, or to figure how out to make one software package compatible with another, or

to figure out what computer accessories you need to perform your task.

Microsoft has been found guilty of some incorrect behavior and has reached a settlement with the Dept of Justice. The settlement is very generous. Right or wrong, Microsoft has already paid dearly in many ways, and they've learned a lesson. This settlement should be implemented and the court action closed. Competitors and greedy plaintiffs who see deep pockets they're hoping to pick should not be allowed to do so. Their cases should be thrown out as frivolous and greedy. The courts have ruled, and a settlement has been agreed upon. It is time to get on with it so this case can be closed and companies directly and indirectly involved can focus again on business and competition.

L.E. Carrier

**MTC-00023387**

From: ejayers@pc-intouch.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:46pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Janis A. Ayers  
2405 Queenaire Ln.  
Modesto, CA 95350-1939

**MTC-00023388**

From: calcini@wwnet.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:47pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sandra Alcini  
3827 Lake George Rd.  
Dryden, MI 48428

**MTC-00023389**

From: wolffrc@ismi.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:47pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ron Wolff  
32800 Amrhein  
Livonia, MI 48150

**MTC-00023390**

From: rutharshr@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:47pm

Subject: Microsoft Settlement Ms. Renata B.

Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ruth Sherlock  
140 Sso. Dolliver Spc.#02  
Pismo Beach, CA 93449

**MTC-00023391**

From: mng2mala@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:48pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Marvin Tuomala

15832 Clarendon Street

Westminster, CA 92683-6939

**MTC-00023393**

From: Brian Redding

To: Microsoft ATR

Date: 1/25/02 10:45am

Subject: Microsoft Settlement

To whom it may concern,

I don't believe that the current proposed settlement will prevent Microsoft from continuing to use their illegally gained monopoly position to prevent competition in the personal computer operating system industry. I endorse all of the remedies outlined in Mr. Dan Kegel's open letter in which I have co-signed (located at: <http://www.kegel.com/remedy/letter.html>).

Please review this letter as well as other letters from people in the software and personal computer industry on possible alternative remedies that lowers the entry barrier for additional choices in personal computer operating systems. This can only be accomplished if the Windows APIs are publicly released and licensed royalty free. To ensure the complete set of APIs are released, requiring ports of Microsoft middleware (including Microsoft Office) to open sourced operating systems including emulators like WINE for linux would ensure that Microsoft could not keep important APIs proprietary. This is the only way to lower the entry barrier for competing personal computer operating systems. This would begin to level the playing field after Microsoft has illegally, based on the findings of fact, manipulated the personal computer operating system market in their favor. Thank you for your time.

Brian A. Redding  
Software Engineer  
Champaign, IL

**MTC-00023395**

From: calcini@wwnet.net@inetgw

To: Microsoft ATR

Date: 1/24/02 8:48pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Charles Alcini

3827 Lake George Rd.

Dryden, MI 48428

**MTC-00023396**

From: G4

To: Microsoft ATR

Date: 1/24/02 8:52pm

Subject: Microsoft Settlement

Being soft on Microsoft in this case is equivalent to being soft on Nazi's at Nuremberg. This monopoly must end.

**MTC-00023397**

From: PrevHistSc@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:53pm

Subject: Microsoft Settlement

Sirs,

It is time to let the microsoft settlement go forward. The constant legal action is producing a hardship upon consumers. To penalize an innovative company in this way is grossly unfair.

Archie C. Prevatte

**MTC-00023398**

From: Clifford H. Readout, Jr.

To: Microsoft ATR

Date: 1/24/02 8:53pm

Subject: Decision

Your Honor,

Microsoft's proposed settlement (to provide hardware and software for a market they do not dominate) is simply a proof of its corporate philosophy: misuse every possible avenue to eliminate competition. Find a suitable penalty, one that actually will undo Microsoft's unjust and illegal activities. Make a way for Microsoft to justly compensate its victims, both corporate and individual. Suggest that it buy and give away a few billion dollars worth of Apple hardware and software to market segments Microsoft has dominated and listen to it scream of the injustice! Not wanting merely to complain, allow me to suggest two things:

1. a break-up of Microsoft into two parts, one marketing the Operating System, the other everything else;

2. the purchase and free distribution of Apple computers to non-profit agencies, up to a total expense you determine to be just.

For Justice,

Clifford H. Readout, Jr.

Director

The Foundations Forum

26 Somersville Road  
East Longmeadow, MA 01028  
413-525-2233

**MTC-00023399**

From: Anne Reece

To: Microsoft ATR

Date: 1/24/02 8:54pm

Subject: Microsoft settlement

If the Department of Justice does not force Microsoft to allow free and open competition in the computer and internet arena, where are the people who have home computers supposed to turn for choices in the software they purchase?

Anne Reece

596 Old Mill Rd

Lampe, MO 65681

**MTC-00023400**

From: johnfgeraghty@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:52pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

John Geraghty

2715 Boardwalk #917

Atlantic City, NJ 08401

**MTC-00023401**

From: grammarak@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 8:52pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Johanna Rakhshani  
9142 Pioneer Dr.  
H.B., CA 92646

**MTC-00023402**

From: John  
To: Microsoft ATR  
Date: 1/24/02 8:55pm  
Subject: Microsoft Settlement

Dont let microsoft get away with their business practices. Many people believe that microsoft bought it's influence in the judicial system in the latest settlement. Prove those people wrong and force microsoft to offer refunds to customers who bought computers with its operations system. Some computers were pre loaded with windows and the buyer has to remove it to put alternate enviornments together.

Prevent them from forcing users to load their web browser, media player, and msn.

**MTC-00023403**

From: Paul Martucci  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 8:54pm  
Subject: Microsoft Settlement

The proposed settlement is unfair and serves no justice

**MTC-00023404**

From: Brenda Womack  
To: Microsoft ATR  
Date: 1/24/02 8:56pm  
Subject: Actions of Software Companies Programs

My apologies but not being a lawyer I couldn't totally decipher the language of the settlement but want to know if at any point in time this action and others will prevent software companies from programing the software to make changes to your PC without your knowledge or consent. In the case of Microsoft software for MSN I recently received a complimentary copy of Britannica Encyclopedia along with my tax software. I was not aware that there was loaded a program on there that loaded MSN as my default home page on my computer without my knowledge. When I went to load in the connection to the Internet - which is Microsoft Internet Explorer (loaded by Time Warner when I got my cable connection) I found that the load of the Encyclopedia had change my default page in the software. I have also had web pages that I connected to that once I made a selection I could not change the selection to another choice such as a different sales agent. This happened on going to the web page for Shaklee to look for a local agent. I don't know if the agent caused this or the company but it was very frustrating and took me a while to figure out how to clear it out.

I do feel you did the correct actions here as more competition does lead to more choices and an improvement in the product for everyone. That is not to say that standardization in some items doesn't improve things—such as I wish we had standardized the phone systems as was done in Europe as it is confusing to see 3 and 4 cell towers together because they each have their own system. Thank you for reading this.

Brenda Womack  
Loveland, OH

**MTC-00023405**

From: James Mays  
To: Microsoft ATR  
Date: 1/24/02 8:57pm  
Subject: No Settlement

In regard to the proposed Microsoft settlement:

I believe that any settlement which allows Microsoft to establish itself in a new market under the guise of a "free" donation of software is misguided. Donation of Microsoft software is essentially a Trojan Horse, ultimately forcing the recipients of those donations to either pay up or force losing the utility of the software they receive.

Microsoft's real assets are its intellectual property. To force Microsoft to open the source of some or all of the code to their products, under an open source license, would allow the company to continue to conduct business, but on a level playing field.

-Jim Mays  
Stillman Valley, IL

**MTC-00023406**

From: Ryan Metz  
To: Microsoft ATR  
Date: 1/24/02 8:58pm  
Subject: Microsoft Settlement

To whom it may concern:

I am concerned about the proposed settlement in the Microsoft case. After reviewing all of the different things that the company has done and seeing no changes made in the corporate culture at Microsoft I do not consider the settlement being proposed a solution to the problem. Microsoft has been labeled a monopoly that used illegal means to keep themselves in that situation. They have lied, cheated, and stomped out innovation that might have competed with their products based on the merits of the technologies involved every time it suited them to do so. I am writing this because I was informed that you would take into consideration public reaction over the case due to the Tunney Act. Please consider making it illegal for Microsoft to force computer manufacturers to do whatever Microsoft wants for the sole purpose of stamping out any new competition or innovation. I think one of the main reason that the computer industry is stagnating right now is that Microsoft has locked much of the country into its upgrade cycle (and I'm not talking about the Windows XP licensing scheme) and there isn't any reason for people to go out and buy new tech products.

Respectfully,  
Ryan Metz

**MTC-00023407**

From: (042)(042)(042) Dave Hill  
To: Microsoft ATR  
Date: 1/24/02 8:57pm  
Subject: Microsoft Settlement

Renata B. Hesse Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

I work as an advanced IT standards developer and researcher at a multi-national engineering company. I am, however, writing

as a private citizen. I would like to comment on the proposed settlement of the anti-trust suit against Microsoft.

Microsoft's past behavior, as proven multiple times in court, including in the case at hand, demonstrates its unwillingness to take any corrective action, change its activities, or in any other way comply with legal judgments except as specifically and strongly enforced.

If Microsoft were truly competing in the open market, based on the technical strengths of its products, I would have no problem if the majority of consumers freely chose its systems and tools. My concern is that Microsoft, by becoming a virtual monopoly, and by engaging in anti-competitive practices as a monopoly (the conclusions of the Court in this case) stands opposed to both technical competition and free choice among consumers.

Any settlement outcome from this case which does not provide real, powerful, and punitive checks on Microsoft's anti-competitiveness, or which does not prevent it from engaging in similar behaviors in the future, will be a grave disservice to the industry and to consumers, and serve notice to all corporations that our anti-trust laws can be circumvented as long as you can afford the legal fees. Allowing Microsoft any control over the remedial processes will be a similar disservice.

In terms of specific concerns over the settlement, I would like to include, in its entirety, the petition to be submitted by Dan Kegel, which I have signed, and which can be found at <http://www.kegel.com/remedy/letter.html>, and his more detailed essay at <http://www.kegel.com/remedy/remedy2.html>. Finally, any monetary damages imposed upon Microsoft as a result of the Finding of Fact by the Court ought to be collected as monetary damages, and either added to the general fund of the Federal Government, or else distributed in some fashion to consumers, who have borne the final brunt of Microsoft's actions. Allowing Microsoft to administer the nature or distribution of these damages (e.g., providing free software into markets they do not presently control, or valuating contributed software or hardware based on retail purchase price rather than actual cost) will again provide no punishment to Microsoft, no relief of their past actions, and may actually serve to further enhance Microsoft's monopolistic advantage.

Thank you for your time in reading these comments.

Sincerely,  
David C. Hill  
8149 S. Monaco Circle  
Centennial, CO 80112  
303-740-7054  
dave@hill-kleerup.org

**MTC-00023408**

From: rwcrankshaft@highland.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:54pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roy Guinn  
162 Carl Garrett Rd.  
Lancing, TN 37770

**MTC-00023409**

From: Diamond Don SE  
To: Microsoft ATR  
Date: 1/24/02 8:58pm  
Subject: Settlement of Microsoft case

Hello:

This is one concerned citizen who wishes the Federal Government would quit attacking Microsoft. I do not work for Microsoft, and I do believe that Microsoft has already been subjected to more than enough of weak attacks brought on by losers (Netscape et al). If you will remember, the market slide began as part of the Clinton administration Microsoft witch hunt, so now that those weak minded people are (hopefully) gone we can now let things get back to normal, where success does not equate to a Federal lawsuit.

Proudly we stand and may liberty reign!  
Don Phillippi  
9565 Business Center Drive, Suite G  
Rancho Cucamonga, CA 91730

**MTC-00023410**

From: mary@soulsby2000.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:55pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Sincerely,  
Mary Soulsby  
894 Joseph Club Drive

Mableton, GA 30126-1656

**MTC-00023411**

From: Thomas Horan  
To: Microsoft Settlement  
Date: 1/24/02 8:54pm  
Subject: Microsoft Settlement  
Thomas Horan  
12367 Sparta Ave. NW  
Sparta, MI 49345-9785  
January 24, 2002  
Microsoft Settlement  
U.S. Department of Justice-Antitrust Division

950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Microsoft Settlement:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Thomas Horan

**MTC-00023412**

From: Mark Culverhouse  
To: Microsoft ATR  
Date: 1/24/02 8:42pm  
Subject: Microsoft Settlement  
Dear Department of Justice,

I have a degree in computer science and over twenty years experience in the software engineering profession. It grieves me to see this action by the government against Microsoft. Microsoft's competitors seem to be using politics, the government and the courts to prevent Microsoft from continuing their long record of technical and business successes.

The anti-trust case seems to have no real consumers who say they have been harmed. If the only software available to consumers came from Microsoft's competitors, like Sun and Oracle, then no "normal" human beings would be using computers yet (i.e., only programmers ;-)

I hope this action ends so that we can all get back to innovating, competing and serving our customers first.

Thank you.  
Mark Culverhouse

Spring Green, Wisconsin  
CC:Mark Culverhouse

**MTC-00023413**

From: estebbin@nmu.edu@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Evelyn Stebbins  
311 Harrison St.  
Marquette, MI 49855-3315

**MTC-00023414**

From: Todd Pytel  
To: Microsoft ATR  
Date: 1/24/02 9:00pm  
Subject: Tunney Act comments

I am strongly opposed to the current settlement offered to Microsoft. The Internet is based on a foundation of open standards. Microsoft has repeatedly shown it's willingness to circumvent or modify these standards to prevent meaningful competition and limit consumer choice. The currently offered settlement does nothing to improve this situation. Please consider a settlement that requires, at least, the opening of Microsoft's data file formats and the unbundling of Internet Explorer.

Thank You,  
Todd P. Pytel  
Educator, Chicago Public Schools

**MTC-00023415**

From: Brian Bauer  
To: Microsoft ATR  
Date: 1/24/02 9:01pm  
Subject: Microsoft Settlement  
Gentlemen:

If you won't enforce the findings of the Court, who will? If you won't enforce a meaningful punishment upon a monopoly, to whom can we citizens turn?

The Enron debacle shows what happens when the Executive branch of the government is in the pockets of corporate power. Is the Judicial branch in the pockets of Microsoft?

The proposed settlement is unfair to consumers, and beneficial to MicroSoft.

You \*must\* do better.  
Brian A. Bauer  
42 Linden Ave. #3  
Somerville, MA 02143



babauer@mediaone.net

**MTC-00023416**

From: favazzo@infoave.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:58pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Vincent Favazzo  
308 Resinwood Rd.  
Moncks Corner, SC 29461-3523

**MTC-00023417**

From: Jerre Fischer  
To: Microsoft ATR  
Date: 1/24/02 9:01pm  
Subject: Microsoft

We live in a whole new era and all the old laws that apply to the way business operated than as to how business operates now are outdated and needs to be rewritten! Most laws on the books regulating businesses were passed after the big money people (That controlled oil, railroads, stock market, and the banks) used that money to try and run this country! There were even laws passed to limit the passing of wealth of these people to other members of the family so as to limit the power of the wealthy. Did it work? No! Only the way government controls business! The elective people found ways to skirt around all the laws and created all kinds of ways to keep the wealthy, wealthy!

Now the government is using these outdated laws to regulate the way new era businesses operate! We have advance from the Stone Age though the manufacturing age to the now age of technology! But the people in government are still in the manufacturing age!

All these lawsuits against Microsoft (Using outdated laws) are crazy! Microsoft created a new and better (user-friendly system) for computers that is now being used worldwide and everyone is jumping on a bandwagon suing Microsoft! Yes Microsoft built a better mousetrap (Using terms that people stuck in the manufacturing era understand) and the world came running to Microsoft door. Not with praise and gratitude but with lawsuits!

Tandy was developing Deskmate using Microsoft MS.Dos system, Apple had an operating system for their own computers, and even IBM had their own operating

system. Basically there needed to be a standard for a system that could be handle all across the world and any maker of a computer could install. Microsoft had the vision to develop such software and the return is lawsuits! The Federal Government, State Governments and AOL are all suing Microsoft! WHY? Because Microsoft built a better mousetrap and everyone wants a share of the profits! Now most don't even have any knowledge of why their filing a lawsuit except that the Federal Government is suing Microsoft on outdated laws saying: "Microsoft may be a monopoly and needs to be controlled by the government!" Now I ask you: "How many operating systems are there available for the use of the people and computer manufacturers?" "Than how many computer systems comes preloaded with software compatible with operating systems all over the world? WITH NO EXTRA COST to THE BUYER OF THE COMPUTER! The consumer is getting hundreds of dollars of free software (Furnished and installed) that is compatible in ever nation on this earth!

The lawsuits are not about trying to control (As in the Robber Baron days) a company that is out of control, But to sue to increase revenue for the coffers! The same way states sued to be reimbursed for the cost of providing medical benefits for smokers! Now we all know that 90% of all that money went into the general fund and were used for everything but tobacco related issues! The Lawyers all got rich and the people never saw a penny of the money!

So what is the Government and State's trying to do to Microsoft? Break the company up? Fine them? FOR WHAT? To extort money out of Microsoft for the Lawyers to get rich and to put money in the coffers! After all the lawsuits are settled what well be accomplished? More millionaire lawyers and larger law firms with more dollars to sue more companys?

This nation needs to get off the "SUE MICROSOFT" kick and think of ways to enhance the creativeness of people like Bill Gates and his employees at Microsoft! The Governments and lawyers are always here but they have never done anything to build trust and prosperity. All Governments and lawyers have done is rob the great builders and innovators for their own profit! The question is: "Did Microsoft create a system that disallowed other creative people access?" The answer is NO! At no time did Microsoft deny the use of the system software to anyone. What Microsoft did was design a software product that had just about everything a person would ever need to use a computer! For that the hounds are at the door!

Jerre N. Fischer  
18735 Midland Dr.  
Shawnee, Ks. 66218  
913-631-9242

**MTC-00023418**

From: Michael Cope  
To: Microsoft ATR  
Date: 1/24/02 9:01pm  
Subject: Microsoft Settlement

Microsoft should be held accountable for their actions.

**MTC-00023419**

From: doom@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:03pm  
Subject: Microsoft Settlement

I'm writing to express my distrest that the proposed Microsoft settlement does not appear to actually do anything to punish past behavior, and very little to see that it does not occur in the future.

My own opinion is that Microsoft must be compelled to allow competition with it's products on even ground, and that this means they should be compelled to publish all technical specifications for how their products inter-operate. For example, a competitor cannot at present hope to succeed with a product that competes with Microsoft Word, because they first must reverse engineer the file format that Word documents are encoded in, and then there's no guarantee that Microsoft will not change the format for future versions of MS Word (as they have many times in the past).

Microsoft has repeated maintained it's monopoly by threatening OEMs with reprisals for supporting other companies software. To make reparations for this, they should be compelled to make it easier for companies to compete with them in the future. I hope we can all see through Microsoft's attempts at wrapping itself in the flag on this issue. The future of the United States and the US economy does not depend on amnesty for Microsoft's past abuses: if anything, the opposite may be the case.

Sincerely,  
Joseph M. Brenner

**MTC-00023420**

From: aqasprt@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 8:59pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Cotti  
4055 Hickory Tree Rd.  
Saint Cloud , FL 34772

**MTC-00023421**

From: Paul Norris  
To: 'microsoft.atr(a)usdoj.gov'  
Date: 1/24/02 9:05pm  
Subject: Microsoft Settlement

Microsoft has show that time and time again, money can free you of breaking the law. The continue every day to participate in Monopolistic acts while their lawyers endlessly tie up issues from 5 years ago. Everyday they put more people out of work, and bilk their customers (who really have no choice anymore) for more and more money. Microsoft should be broken up and forced to compete, rather than dictate and bully. MS is the Standard Oil of our time and our economy now runs on computers.

Paul Norris IT Department Technician  
Cunningham Field & Research Service, Inc.  
(386) 677-5644 ext. 251  
paulnorris@cunninghamresearch.com  
PGP <<http://pgp.mit.edu:11371/pks/lookup?op=get&search=0xE7B32864>> public key

**MTC-00023422**

From: Randy Williams  
To: Microsoft ATR  
Date: 1/24/02 9:04pm  
Subject: Comments re: proposed remedies for Microsoft Corporation

To whom it may concern,  
My name is Randy Williams. As a long-time user of numerous computer products and a network engineer by trade, I feel compelled to add my comments to the thousands you've likely received. I've used Microsoft products on the x86 platform for many years now, starting with early versions of their DOS operating system, through the most recent versions of Windows. I am also an avid user of other "alternative" operating systems (Linux, \*BSD and other Unix variants) and platforms (Sparc, VAX, Alpha). I've also used numerous associated software products for network communications, both from Microsoft and other vendors. I feel this lends my views some credence vis a vis the proposed settlement.

It is my opinion that the settlement is riddled with loopholes that prevent the bulk of its pro-competitive measures from ever succeeding. Take for example the concept of "reasonable volume discounts" for OEMs when purchasing Microsoft products (Section III, part B). Essentially, this allows Microsoft to continue their practice of bundling their Office suite, Internet Explorer browser, Media Player et al. for free, or at steep discounts. This shuts out other vendors of similar products from even gaining a shot at OEM bundling, giving Microsoft a de facto monopoly in these areas. This is simply not a penalty. Some vendors that have been obviously wounded by Microsoft in these venues include Corel (makers of WordPerfect), Lotus (makers of office productivity software like 1-2-3 Spreadsheet) and Netscape (makers of the popular web browser).

I also have major concerns regarding section III, part E. As worded, this provides a massive loophole, permitting Microsoft to gain an unfair advantage over their competitors in development and use of existing and future network protocols. Essentially, Microsoft is free to develop proprietary protocols, and not release them to any 3rd party they feel is not using their specifications for direct interoperation with a Windows-based client or server. It also does

not make these specifications freely, or inexpensively, available, allowing Microsoft to charge exorbitant fees, preventing all but the largest corporations to gain access to the specifications. Inevitably, battles will be fought between Microsoft and 3rd party developers over licensing of these protocols, but for every day that the specs are hidden, Microsoft gains a stronger foothold in network operating systems and their management.

In other words, time is money, and by not specifically stipulating that any and all developers can gain access to these protocol specifications for a reasonable, agreed-upon set fee is to Microsoft's distinct advantage. This also quietly allows Microsoft to retain proprietary specifications on document formatting (DOC, XLS, PPT) and audio/video formats (WMV, WMA, ASF). It is these specifications that run the "killer apps" that run on their monopoly operating system. Forcing Microsoft to open these protocols would allow competitors some ability to compete on a level playing field.

As a network engineer, the concepts of open standards are near and dear to me. Protocols that have been openly shared amongst developers gave us the ability to found the Internet as we know it. Free, open software that runs these open protocols has run the Internet (BIND for name resolution, Apache for web serving, Sendmail for email services). If Microsoft is able to continue to grow their hold on network protocols by leveraging their operating system monopoly, I fear it will damage the global Internet irreparably.

I ask that you join the nine states that have disagreed with this settlement proposal, and demand much stronger remedies, both in conduct and financial penalties. Only then will Microsoft feel any pain from their anti-competitive, illegal activities. I thank you for your time.

Regards,  
Randy Williams  
Arlington, MA

**MTC-00023423**

From: Ted Galloway  
To: Microsoft ATR  
Date: 1/24/02 9:08pm  
Subject: Microsoft

I am very much opposed to the Microsoft settlement where they would give computers to schools. Make them pay money and give it to the schools to buy what they want. Don't lock the school in to ourdated computers and old software that the schools will have to upgrade at a premium price from Microsoft. Not only does this help Microsoft but it does great harm to Apple. Apple has a strong market in the schools and Microsoft would take this over.

If this goes through Microsoft will be laughing out-loud at the Justice Department.  
Ted Galloway

**MTC-00023424**

From: JOHN61462@ONEMAIN.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:02pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Poole  
742-225th Ave  
Monmouth, IL 61462

**MTC-00023425**

From: HARLYJON@MSN.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:02pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Sincerely,  
JOHN DEPEO  
29272 N 64TH AVE  
GLENDALE, AZ 85308-6670

**MTC-00023426**

From: geomax@pacbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:01pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Sincerely,  
GEORGE MAXWELL  
214 N. KENNETH ROAD  
BURBANK, CA 91501-1442

**MTC-00023427**

From: Jonathan Pitt  
To: Microsoft ATR  
Date: 1/24/02 9:04pm  
Subject: Microsoft Settlement  
MS is a CROOK!!!  
BREAK THEM UP!!!!

**MTC-00023428**

From: Gateshd@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:01pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Harold Gates  
1443 Antone Ln.  
Lewisville, TX 75077

**MTC-00023429**

From: Gateshd@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:01pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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most dynamic industry the world has ever seen.

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Sincerely,  
Harold Gates  
1443 Antone Ln.  
Lewisville, TX 75077

**MTC-00023430**

From: Matthew Toia  
To: Microsoft ATR  
Date: 1/24/02 9:05pm  
Subject: Microsoft Settlement

I am a concerned American citizen. I feel that the proposed Microsoft settlement is a bad idea and must be revised. I ask that you please consider Dan Kegel's comments.

**MTC-00023431**

From: YAHWEchild@netzero.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:02pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Barbara Carey  
114 N Pasadena Avenue  
Fallbrook, CA 92028-2033

**MTC-00023432**

From: Elmer Weissburg  
To: Microsoft ATR  
Date: 1/24/02 9:05pm  
Subject: Microsoft settlement  
Gentlemen:

Among the most stupid and treasonable actions of the USA has been the unremitting attack on Microsoft, the single most civilized and high intellectual contribution to mankind in human history. These anticapitalistic actions stem from the New Democrats, who are the Old Bolsheviks in disguise. Their KGB leadership is Hillary and her scoundrel husband William Jefferson Blythe Clinton. Exceeded only in its virulence against our republic by propagation of the myth that the cold war is over, the attack on Gates has greatly harmed our economy, our philosophy of individualism, and our wealth, the storehouse of power on earth. We must attack first the terrorism at home before we expend our resources grinding into sand the Afghan rocks and rag-heads.

Once we regain our sanity we can build fusion energy, convert to the metric system, drill on the north slope, and hang traitors.

Truly yours,  
E.S.Weissburg

**MTC-00023433**

From: atlas  
To: Microsoft ATR  
Date: 1/24/02 9:05pm  
Subject: The settlement is a bad idea  
Microsoft needs to be punished, not let off.

**MTC-00023434**

From: Matthew Barr  
To: Microsoft ATR  
Date: 1/24/02 9:06pm  
Subject: Microsoft Settlement

I'd like to express my dissatisfaction w/ the proposed settlement w/ Microsoft. I do not think that it gives any trouble to a company that has consciously ignored the law and coerced the entire market into doing it's will.

I think the proposed settlement will allow microsoft to gain a large foothold in schools, and force out a major competitor in the education market.

I also think that the company should have a stiffer penalty than one billion dollars, with monitoring to ensure that the abuse of power does not continue.

Matthew Barr  
New York  
Matthew Barr  
mailto:mhb8@cornell.edu

**MTC-00023435**

From: Chris Ahlstrom  
To: Microsoft ATR  
Date: 1/24/02 9:07pm

Subject: Microsoft wants to win  
About Bill Gates making "security" Job 1 ... Gates' new "directive" is just the next step in Microsoft's plan to hijack the Internet and charge for every packet. Microsoft is well along on its plans to convince government representatives, beaurecrats, and coporate CIO officers who don't know any better that the "Internet" is insecure (a believe that is reinforced by Microsoft's intentional lack of security and ease of propagating worms and viruses in Windows). Microsoft will now proceed to convince these folks that for the good of the country and in order to make the "Internet" secure, proprietary Microsoft networking protocols should be required. Legislation to mandate this will be lobbied and passed. Just look at the DMCA as an example. The result will be mandatory use of Microsoft proprietary networking protocols which have to be licensed from Microsoft. Microsoft will then have achieved it goal of being able to charge for every packet on the Internet.

Don't be fooled. Trust the software that started the Internet... UNIX software.

Sincerely,  
Chris Ahlstrom  
Hope your day is as good as mine!

**MTC-00023436**

From: Jeffrey Zimmerman  
To: Microsoft ATR  
Date: 1/24/02 9:07pm  
Subject: Microsoft Settlement

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

I am a United States citizen and, as a businessman (small private law practice) an end-user of computer products. I have been using personal computers as a business tool for over 15 years. I am experienced with simple DOS command lines, Windows networking and much in between. I am opposed to any resolution of the Microsoft anti-trust lawsuit that does not break up Microsoft into several disparate companies.

Daily I experience limitations in my computer systems, many of which I can attribute to the lack of viable alternatives to Windows. I have no alternative operating systems which have appropriate applications for my business, so I must use Microsoft products. The too-close relationship between Microsoft's operating systems its the major applications means that I must struggle to make my product fit Microsoft's model when both intelligence and practice dictate otherwise. Most frightening of all is the insistent sense of privacy invasion which comes from the constant demand my Microsoft for ever-more information about me and my practice, matters I am required by law, common sense and decency to maintain as confidential.

I am aware of no amount of monitoring which can "manage" Microsoft to make it less invasive, more creative and more flexible. Only by re-creating the company itself to be on a par with other end-user providers can I find the options that fit my needs and the needs of my clients. Microsoft's surge towards uniformity has not produced a vibrant office environment, it has produced Microsoft's invasive and expensive environment; a diverse, competitive field will be much more likely to produce the quality tools and services.

Thank you.

Jeffrey Neil Zimmerman, Esq.  
Sonoma County, California

#### MTC-00023437

From: revinron@usa.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:03pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ron Gustas  
6672 Duck Pond Ln.  
Sarasota, FL 34240

#### MTC-00023438

From: dickyedwards@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:04pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Edwards  
7305 Paul Calle Dr  
Plano, TX 75025

#### MTC-00023439

From: Ajit  
To: Microsoft ATR  
Date: 1/24/02 9:11pm  
Subject: Microsoft Settlement  
To, Justice Department,

I just can not understand why all these bogus allegations have a place in this volatile time of the world economy. Microsoft for long have worked very sincerely and the developers there put there very best effort to produce products of quality. And as a consumer I will always welcome any innovative work done by anybody. If Microsoft give its loyal customers any product free what's wrong in this. Even now Netscape is available free for download. But still none of is interested to use it and its because of its own demerits.

Simply it can not stand with IE. So I hope AOL to work more on products and spend less time on disturbing others. If AOL have the self-respect and a vision to stand in the market then better concentrate in producing good products, not pull the legs of others.

Microsoft is not going to sue anybody because some people are distributing Linux free and thus affecting Microsoft's window business. The reason behind this is Microsoft believes in itself and had the determination and courage to fight.

So I appeal to AOL not to follow a principle of Taliban to get everything 1000 years back where we will get only a backward society. Let innovation follow its own way and help us for build our future. If AOL can not understand this they may face

a problem in future because anybody's prosperity depends on MERIT not on just support of a court or anybody.

Thanks,  
Ajit

#### MTC-00023440

From: onthehogg@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:04pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jeffrey Smith  
232 Pindell Court  
Lexington, KY 40515

#### MTC-00023441

From: leeman@jadetech.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:05pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lee Cummings  
2908 S Orleans Ave  
West Allis, WI 53227

#### MTC-00023442

From: Nathan Duffy  
To: Microsoft ATR  
Date: 1/24/02 9:09pm  
Subject: Microsoft Anti-Trust Settlement

For the record, let it be known that I am unequivacally opposed to the settlement as it

stands today. Microsoft will not be punished and they will continue to bully and manipulate their allies, while crushing and otherwise playing as dirty as possible with their competitors. The bundling and interoperability concepts strike to the heart of the matter...

If Microsoft wants to make Operating Systems, fine, as long as they do not unduly deny or impede access and functionality of competitors' products to said operating system. Further, said operating system must not be arbitrarily changed to deny other potential competitors from producing compatible and competitive products.

If Microsoft wants to make application software, fine, as long as they do not unduly deny or impede access and functionality of competitors' products to said application's data file structures. Said applications must also retain backwards compatibility with Microsoft's own product, so as to not force upgrading through planned obsolescence. These applications should under no circumstances be required or unfairly enticed by Microsoft to be installed by any vendor, OEM, or reseller, except at their own discretion.

Thank you for your time,

—Nathan Duffy  
Plymouth, MN

#### MTC-00023443

From: Dave Doran-Marshall  
To: Microsoft ATR  
Date: 1/24/02 9:08pm  
Subject: MS antitrust

Please take MS down. This is a company that much of the world looks to as a bully. It's a company that squashes innovation for their own ends. MS and its products foster a "do it like me or not at all" ideal. It's business practices accomplish this by keeping new ideas out of the market, or taking the ideas for their own before anyone else can. It's products do this by squashing things like creativity and free will. To some people, structure and lack of choice mean comfort. To these people, the idea of being controlled is appealing. Whoever is reading this email might be like that. While I respect their way of thinking and right to do so, I am not that way, and MS's business practices hinder me from doing it "my" way. Look at the recent Windows XP. Aside from borrowing the X from Mac OSX (released not long before XP was officially named), XP forces users to use MS products, and renders PCs useless if they don't. When a user tries to install new software, XP runs checks to see if it's "compatible". While this is supposedly intended to create less friction between software and hardware, it also allows MS to put software on the list that it would rather be rid of. For instance, apple's quicktime software, which is for playing media such as movies and music, could be included, thus rendering it useless when someone tries to install it.

And forcing people to use MS products is not good, either. In Windows Media Player (similar to quicktime), MP3 playback is stunted within the program. When a user listens to an mp3 using WMP, it doesn't sound as good as it did with earlier versions, or different programs. However, when the

user creates an audio file using Microsoft's own format, (which is only for windows media player), the song sounds as it should. This makes people put down what they had been using, or could be using, and start using MS's stuff.

In contrast, Apple's Quicktime is the most compatible media player out there. It can play essentially anything, and at the highest quality (can't play WMP files of course). This is why macs are preferred in the music industry. While Apple creates superior software, which is free, MS creates shotty software, which is also free. Seems I'm missing one piece to this puzzle, which is why would anyone put up with microsoft? I will leave that to you, or to someone else. I don't think that people realize just how powerful MS is. I understand that MS holds stock in several large broadcasting networks. Can you say perfect propaganda machine? I am not getting conspiracy theory here, but I think we can agree in the wake of this Enron stuff, that big business should not be allowed to have so much power. How could it ever be that Microsoft would need even more money? Why don't they give up and take the fruit to the bank? How many billions is Gates worth? Well thinking tax and inflation-free, just remember that if you spent a million dollars a year, it would take 1,000 years to spend \$1,000,000,000 (one billion dollars). Thanks for giving us the chance to speak up.

Dave DM

2001 College Grad, Art Major. Now working as a Personal Financial Rep for a major bank.

#### MTC-00023444

From: KarlNKlein@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:08pm  
Subject: Microsoft Settlement

To whom it may concern,

I am writing in opposition to the current antitrust settlement plan envisioned by the Department of Justice against Microsoft Corporation. This is one of the most significant antitrust actions ever undertaken by our government, and after a thorough bench trial and subsequent appeals, the federal government has come to a settlement agreement so weak that countless businesses and 9 states, representing a significant portion of this country's population, have stood in opposition to its many questionable provisions.

One key problem is the settlement's limitation to companies "in business for profit." Open source software has the potential to be a great threat to Microsoft, yet the settlement will not afford such tech community efforts any protection from a company that has, on the facts, been found to be an illegal monopolist. To say that an illegal monopolist's actions only affect other profit businesses currently trying to compete with it, is to ignore the innovation and entrepreneurial spirit that is a foundation of our country and society. Microsoft has violated our antitrust laws in its attempt to market a product for a device that is changing our world. Very few matters are bigger or more important, yet this violation is rewarded with a settlement agreement which appears to actually make future control of the

same market easier! The belief that the DOJ would actually embrace such a "punishment" is incredulous. I urge you to reject the current Settlement Offer and either allow the courts to fashion the proper legal response as they see fit, or for you to develop a realistic settlement plan that addresses this and the other legitimate concerns raised during the public comment period.

Yours,  
Karl

#### MTC-00023445

From: Brandon Bass  
To: Microsoft ATR  
Date: 1/24/02 9:11pm  
Subject: Microsoft Settlement

The proposed Microsoft settlement lacks teeth; it is, in effect, a forfeiture of the principles of the Sherman Act. While I advocate little punishment towards Microsoft—their sustained success is important to the emerging digital future -, it is absolutely imperative that competition be insulated from further anti-competitive practices. I believe it was Justice Oliver Holmes who observed that "antitrust laws protect competition, not competitors." That statement encompasses the danger that Microsoft presents to the U.S. economy and innovation. Through strong-arm and insidious tactics, the company has consistently destroyed any entity that develops a product that might benefit society. The company uses Windows to push Internet Explorer, and Internet Explorer to push MSN, and MSN to push Hotmail, and Hotmail to push .Net... As a consumer, I am afraid of a corporation that spreads both horizontally and vertically by using its currently held market position to crush those who innovate other markets. The longer you let an animal bite you, the harder it is to rein it in when it's grown fierce. In short, I genuinely fear that letting Microsoft escape with little more than a slap on the wrist will not only fail to discourage them from their suspect business activities, but actually encourage them towards more dangerous behaviors that forestall the principles of a capitalist market.

#### MTC-00023446

From: whiteco2k@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:15pm  
Subject: Microsoft Settlement

I am not a Microsoft customer/client. I believe it is time to get off the back of Microsoft and "cease and desist" in this settlement business. Sincerely yours, Linda White

#### MTC-00023446 0001

Ken Klavonic  
8080 Altacrest Drive  
Concord, NC 28027-3301  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001  
To Whom It May Concern:

In accordance with the procedures prescribed in the Tunney Act (Antitrust Procedures and Penalties Act, 15 U.S.C. ? 16), I am writing to express my opposition to the

Proposed Final Judgment (PFJ) in the case of *US et al. vs. Microsoft*. I believe that this settlement is fatally flawed and will not serve justice, nor have the desired effect on the behaviors of Microsoft. Despite the findings of the District court, the Appellate Court, and Judge Jackson's Finding of Fact, the DOJ et al., having effectively won their long-running case against Microsoft, has seen fit to accept a settlement that I feel falls far short of a satisfactory conclusion to the case against Microsoft in three crucial areas: Punitive action for past behavior, corrective action to prevent future abuses, and oversight to ensure compliance with a final order.

First, very little in the PFJ addresses any possible penalty for past actions. The PFJ must serve as more than an edict from the courts to 3Go thou and sin no more(2). It must send a message to Microsoft, and others that would achieve success in the ways that they have, that there is a penalty to be paid for blatant anticompetitive behavior in a free-market economy. While I understand that a structural remedy is quite unlikely, impractical, and probably undesirable in the current environment, I do feel that the behavioral remedies should serve not only to prevent illegal behavior in the future, but also to penalize the illegal behavior that has already occurred. Second, I do not believe that the behavioral remedies laid out in the PFJ, while well-intentioned, go nearly far enough to ensure that Microsoft ends its illegal, anticompetitive practices in the future, nor does it fully prevent new anticompetitive practices. Although time and space do not allow for a point-by-point analysis of the PFJ here, I would like to address a few of the items that strike me as cause for concern:

1. File formats are not addressed by the PFJ. Noted in the Findings of Fact as being a barrier to switching from Windows to a competing operating system, Judge Jackson states that there are considerable costs involved in switching to a competing, non-Intel based platform and that 3It also includes the effort of learning to use the new system, the cost of acquiring a new set of compatible applications, and the work of replacing files and documents that were associated with the old applications(2)(?20). He also notes the 3Positive Network Effect2 that encourages the continuing use of Windows and Windows-based applications because 3The large installed base attracts corporate customers who want to use an operating system that new employees are already likely to know how to use, and it attracts academic consumers who want to use software that will allow them to share files easily with colleagues at other institutions(2). (?39). If files could be easily used within a variety of applications, without regard to vendor, it would serve to reduce this barrier to choice.

It has long been a painful fact of productivity applications that files written in one format, say Microsoft Word, may not necessarily be read correctly in a competing product, StarOffice, for example, nor vice-versa. Although a limited amount of compatibility exists, there are serious shortcomings in that compatibility that prevents the successful use of a competing

product. For instance, tables, layouts and other more advanced document formatting do not often translate correctly between competing products. Because Microsoft Office is the defacto standard in office suites, many competing products attempt to utilize Microsoft's file formats.

However, because Microsoft treats these file formats as proprietary trade secrets, it prevents any potential competitor from gaining the status of a viable replacement for their products. Indeed, as long as Microsoft is allowed to keep these file formats a secret, they have the ability to make fundamental changes to them, rendering the work of a competing product worthless. Competitors could likely find themselves in an endless game of catch-up as Microsoft changes the file formats of their office products. Forcing Microsoft to disclose all the details of the file formats of their various products, including, but not limited to Office, would allow competitors to build competing office suites, and other software that interoperates with Office, and helps to restore the competitive landscape for these products. Unfortunately, the PFJ, in its current form, does nothing to address this issue.

2. Likewise, the closed, proprietary nature of networking protocols within Microsoft's products, while partially addressed, includes a rather large exception in the PFJ (?III.J.1): 3No provision of this Final Judgment shall: Require Microsoft to document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria.2

This exception would allow Microsoft to exclude competing products at will, regardless of the legitimacy of the competing product itself. There are a couple of instances where this already occurs in the industry.

The first involves the Kerberos authentication protocol, developed at MIT and designed to be an open authentication scheme for Unix-based systems. Microsoft adopted the use of Kerberos in their Windows 2000 product, beginning around 1997 during the early development of the Windows 2000 product. However, Microsoft utilized a portion of the protocol in an undocumented fashion, preventing the proper interoperability of competing systems with the Windows 2000 product. For years, Microsoft refused to publish the details to allow this interoperability, despite intense pressure from the industry. They later released this information, but in such a way that expressly forbid the use of the specifications to create interoperable systems, instead limiting the use of that information to peer review of the security of their additions.

The second involves the file-sharing protocols native to Windows, SMB (server message blocks). While a product does exist, named Samba ([www.samba.org](http://www.samba.org) <<http://www.samba.org/>> ), that allows limited

interoperability with Windows by Unix-based systems, the project's efforts are continually hindered by the ongoing refusal by Microsoft to make the protocols public, and by Microsoft's repeated changes to the protocol itself, occasionally preventing interoperability at all.

In both cases, and others, Microsoft could easily and legally continue to block the efforts of its competitors by claiming that the protocols are security-related and therefore disclosure is exempt under the terms of this agreement.

Microsoft should be forced to publish the details of the protocols used on the network by their products to ensure the possibility that competing products can interoperate with Microsoft products. This would not require Microsoft to reveal any trade secrets with regard to the source-code of their products, and again, would serve to restore competition in the industry. Unfortunately, again, the PFJ fails to do this, instead giving Microsoft huge latitude in continuing their behaviors.

3. The PFJ defines APIs and Microsoft Middleware Products far too narrowly. The PFJ defines APIs as 3the interfaces, including any associated callback interfaces, that Microsoft Middleware running on a Windows Operating System Product uses to call upon that Windows Operating System Product in order to obtain any services from that Windows Operating System Product.2 (?VI.A). This definition fails to take into account the various additional APIs that could be used by other applications, even though they don't necessarily qualify as 3Middleware2 products. A good example of this is the Windows Installer APIs—these would not, in the strictest sense of the definition, qualify for disclosure by the PFJ.

Also, the PFJ defines 3Microsoft Middleware Product2 to mean 3the functionality provided by Internet Explorer, Microsoft's Java Virtual Machine, Windows Media Player, Windows Messenger, Outlook Express and their successors in a Windows Operating System Product2 (?VI.K). This definition is far too narrow and raises some important issues because of what's been excluded.

First, although Java has been included, Microsoft's C# language has not, nor have the .NET products been included. This is of concern since Microsoft's own stated strategy minimizes the use of Java related technologies, instead favoring their own technologies (C# and .NET), which, by the strict reading of this definition, are excluded from regulation within the terms of the PFJ.

Second, although Outlook Express is included, its more powerful sibling, Outlook is not. This is troubling, since Outlook is the client of choice within business, and tends to fit the overall definition better than Outlook Express.

Indeed, a glaring omission here is Microsoft Office itself, which as a complete product, serves in the same capacity as many of the other stated

3Microsoft Middleware Products.2

These omissions prevent the PFJ being an effective behavioral remedy by providing very large loopholes with which Microsoft could easily defend their continuing

anticompetitive behaviors for years to come. Many of these kinds of loopholes exist in the PFJ, allowing Microsoft to retain significant control over its relationships with its OEMs, ISVs, IHVs and other partners.

Third, the PFJ fails to define an effective enforcement mechanism under the terms of this settlement. Although the PFJ does define a committee with investigative powers, it does not vest within that committee the power to arrest behaviors that are in violation of the terms of this settlement. Instead, enforcement power is left to the legal system, which is likely not responsive enough to act in a timely fashion to any actions that are contrary to this settlement.

Microsoft has demonstrated its willingness and ability to test the boundaries and resolve of the legal system in prior consent decrees, illustrating, all too clearly, the ineffectiveness of this approach with them. Allowing Microsoft to get away with it again would be a terrible miscarriage of justice.

In summary, I believe that the Proposed Final Judgment is ineffective in addressing Microsoft's past behavior, future behavior, nor the enforcement of the measures contained within it. I maintain the hope that this settlement, as currently written, will be rejected by the court, paving the way for a far more effective set of terms in the conclusion of this case against Microsoft.

MTC-00022446-0005

Thank you for your consideration.  
Sincerely,  
Ken Klavonic  
Concord, NC

**MTC-00023447**

From: kddgil@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:09pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
kenneth donaldson  
4324 sterling rd  
downers grove, IL 60515

**MTC-00023448**

From: Richard Plevin  
To: Microsoft ATR  
Date: 1/24/02 9:13pm  
Subject: Microsoft Settlement  
To whom it may concern:

I am a professional software engineer, with BS/MS in Computer Science and 20 years experience in the field. I have programmed in DOS, Windows, various flavors of UNIX, and other environments.

Microsoft's unfair practices were well known back in the mid-eighties when I was programming in DOS on an 286-class machine.

I have seen several far better technologies come and go in this period, unable to compete with the monopoly. While Microsoft claims that it operates in the public interest, innovating and ushering in new technology, the opposite has been true. They have snuffed out innovators (a.k.a. competitors) using a variety of legal and illegal means. I would estimate that Microsoft's practices have set the software industry back a decade.

That Microsoft is a monopoly, and has used this position in an anti-competitive manner is beyond dispute. It has a long history of doing so.

As long as Microsoft maintains an operating system monopoly, they will continue to stifle innovation and make it extremely difficult for innovators to bring any (even superior) product to market. I was pleased when the company was to be broken up. It still makes sense. I am very disappointed to see the Dept. of Justice backing down.

Sincerely,  
Richard Plevin  
40 E. Orchard Rd  
Dummerston, VT 05301

**MTC-00023449**

From: Paul Young  
To: Microsoft ATR  
Date: 1/24/02 9:14pm  
Subject: Microsoft Settlement

Please, for God's sake, get off Microsoft's back. Bill Gates is an absolute genius and the government should leave him alone to do good for the American people!

Sincerely,  
P Tom Young, Antioch, Ca

**MTC-00023450**

From: Steven McDonald  
To: Microsoft ATR  
Date: 1/24/02 9:12pm  
Subject: MSFT

How much time & \$ do we need to waste on this? They make the best products! If someone makes a better one, where is it?

A satisfied Microsoft customer. Steven McDonald. Get more from the Web. FREE MSN Explorer download : <http://explorer.msn.com>

**MTC-00023451**

From: jrshillinger@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:07pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other

Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
RICKY SHILLINGER  
25810-119th Place S.E.  
Kent, WA 98031-8402

**MTC-00023452**

From: jrshillinger@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:08pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
RICKY SHILLINGER  
25810-119th Place S.E.  
Kent, WA 98031-8402

**MTC-00023453**

From: Mark Woods  
To: Microsoft ATR  
Date: 1/24/02 9:16pm

Subject: Against Microsoft Settlement I think the proposed settlement with Microsoft is a VERY bad idea. How can the DOJ allow a company to trample others and then allow them to "pay the piper" with used computers and their own software. The penalty should not allow them to continue hurting people, make them pay with cash, earmark it for a special fund and allow the administrators to choose how to spend it. They can buy systems from anyone, and equip them with whatever software packages they want. Business need to be afraid of doing wrong. How will they improve their business practices if the penalty is to give away their product after years of selling it for a profit knowing that the consumer will be locked in for years to come. Do the right thing, and HAMMER Microsoft for years of wrongful business practices, don't reward them.

Mark Woods

**MTC-00023454**

From: Daniel Bungert  
 To: Microsoft ATR  
 Date: 1/24/02 9:16pm  
 Subject: Microsoft Settlement  
 Greetings.

I disapprove of the Microsoft Settlement as presently worded.

Thanks.

Daniel Bungert

**MTC-00023455**

From: David White  
 To: Microsoft ATR  
 Date: 1/24/02 9:17pm  
 Subject: Microsoft Settlement

I'm not sure what impact my comments will have. It seems, these days, that compared to large corporations, private citizens have less and less say about how we are governed. Hopefully that isn't the case here.

My impression on the proposed settlement is that it is just another version of the previous government attempt to prevent Microsoft's anti-competitive and illegal business practices. That effort failed and therefore this one is likely to fail as well.

This concerns me greatly. A lot more than Microsoft and the computer industry are at stake here. In the beginning, the United States distinguished itself from the "old countries" in that it provided an environment where everybody was free to participate in the market. Gone were the old trading guilds that established and, with government assistance, enforced monopolies. American citizens could improve their welfare by hard work and intelligence without fear that some jealous competitor would be allowed to deploy unfair business tactics and shut them out.

These days, however, it seems that the legal protections for fair business competition and consumer protection are being dismantled one by one. This seems particularly true for businesses involving new technology. What will happen if Americans no longer believe that they have a voice because high paid lobbyists monopolize their elected representatives?

What will happen if Americans stop attempting to form businesses because of fear of being crushed by multinational monopolies like Microsoft. What will happen if Americans no longer perceive the United States as OUR country??

Aren't these issues important enough to ensure that the Microsoft monopoly issue is resolved properly?

Please reconsider the settlement.

David White

private citizen of the USA

CC:tunney@codeweavers.com@inetgw

**MTC-00023456**

From: Gary Ward  
 To: Microsoft ATR  
 Date: 1/24/02 9:20pm  
 Subject: Microsoft Settlement

To whom it may concern:

I write this email to express my dissatisfaction with the proposed settlement of the Microsoft Antitrust action.

The proposed settlement is rife with problems, poor and overly narrow definitions

and is quite unsatisfactory. The most egregious failings, in my view, are that it allows Microsoft to keep the profits and maintain the market position that were ruled to have been obtained illegally, and that it fails to adequately constrain Microsoft's future behavior in either the terms of the settlement, or in enforcement of those terms. Many others have, and will continue to express their concerns over the terms of this settlement in far more precise detail than I have done here. However, please add my voice to theirs in expressing disdain for this proposal.

Thank you.

Gary Ward

Sunnyvale, CA.

**MTC-00023457**

From: Michael Amster  
 To: Microsoft ATR  
 Date: 1/24/02 9:17pm  
 Subject: Microsoft Settlement

The settlement proposed by the Tunney act leaves Microsoft with an unfair advantage of developing desktop software. They should be required to publish the entire operating system API so that other vendors can create software like Microsoft Office. As it stands, Microsoft has many undocumented features in the operating system that they use for their applications. Since these are not public knowledge, no other company can compete against Microsoft fairly.

-MA

Michael Amster mamster@webeasy.com

Tel: 310.441.1876

Fax: 310.441.1179

**MTC-00023458**

From: JDuncan21@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:14pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jeff Duncan

7174 Clydesdale st

Highland, CA 92346

**MTC-00023459**

From: tlc62545@soltec.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:17pm  
 Subject: Microsoft Settlement

I know that as a consumer of M S products my ideas and thoughts are of no concern to you as shown in the ass kissing you made to M S. But I will feel better for writing on the subject.

1: I can not see were any thing was done to stop the company from doing as it has in the past.

2: Nothing was done to address damage done to consumers in the past.

3: How does this help me now?

**MTC-00023460**

From: Emanuel Prostano  
 To: Microsoft ATR  
 Date: 1/24/02 9:17pm  
 Subject: Microsoft Settlement

Kindly refer to the attachment. Thank you.

**MTC-00023460-0001**

Emanuel and Joyce Prostano 20 NE  
 Plantation Road # 3-306 Stuart, FL 34996-4450

January 24, 2002

Attorney General John Ashcroft  
 950 Pennsylvania Avenue, NW  
 Washington, DC 20530-0001

Dear Mr. Ashcroft:

We are writing to make our public comments in support of the Microsoft antitrust settlement. We are glad to hear that your office is supporting the settlement. Microsoft has been a very beneficial company for America. Microsoft should not be broken up, like AT&T was, or dragged through eighteen years of litigation, like IBM was. That would not be in the public interest of America.

Microsoft is making numerous concessions of its legal rights and business practices in the settlement. Microsoft did not get off easy. It will open up its internal interface codes for its Windows programs and license its other intellectual property on non-discriminatory terms. Microsoft will make it easy for computer builders, software companies and users to take out the software it includes in Windows, like Internet Explorer, Windows Media Player, Windows Messenger, and utilities programs, and replace it with non-Microsoft products. Companies like AOL Time Warner, RealNetworks, and Symantec will benefit from these changes. Assurance of Microsoft's compliance will come from the oversight provided by a government-sponsored technical committee of three software experts, who will also receive and investigate complaints. Taken together, these terms address the issues in the lawsuit, go beyond the issues in the suit, and assist Microsoft's partners and competitors. The settlement will be good for the economy by removing the dark cloud of uncertainty of the lawsuit, and letting the American technology industry concentrate again on making the useful innovations for which it is world-renowned.

Thank you for your continuing support of an end to the lawsuit with the comprehensive settlement. We hope that the federal judge, newly appointed to the case, will approve the settlement.

Sincerely,

Emanuel and Joyce Prostano

**MTC-00023461**

From: RFC-822=wks@primrose.



nezumi.bloomfield-twp.mi.us@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:02pm  
 Subject: Microsoft Settlement

I would like to express my disappointment with the proposed settlement.

Let me preface my comments with the following:

A. I am not sure I am entirely in favor of our current antitrust legislation. I wish to make this predisposition clear, even if it is irrelevant; the laws have been passed, there is clear legal precedent, and until the laws are changed, we must enforce them.

B. I am a computer science professional with over fifteen years of experience in computer science and software development.

C. I have no legal training.

D. I am a US citizen.

Our laws are clear. There is legal precedent. The court has ruled against Microsoft in the Finding of Fact. All that remains is a settlement. Clearly any satisfactory settlement must:

1. Take measures to correct for the illegal anti-competitive practices found in the Finding of Fact.

2. In the absence of (1), and only in the absence of (1), punitive steps are appropriate to the extent that no affective corrective measures can be found.

3. Take steps to provide confidence that Microsoft will be less apt to continue with the same or substantially similar practices in the near future.

The proposed settlement fails on all counts. I see no corrective measures whatsoever. I believe the punitive measures to be inconsequential. And, while preventive measures are clearly the focus of the settlement, I believe the settlement is wholly inadequate in even this one area of focus. The proposed oversight mechanism seems insufficient. More importantly, given earlier actions by Microsoft in the face of legal restrictions (detailed in the Finding of Fact), the proposed enforcement mechanism seems absurd. I believe that (1) is the most important. Note that in the absence of both (1) and (2), there is absolutely no disincentive for Microsoft and other companies with monopoly power to exploit that power in unlawful ways. If it is left to the judicial branch of the Federal government to call a halt to unlawful practice after the fact, without any punishment or corrective action for those unlawful practices, why would any company seeking to maximize profit stop anywhere short of the point where they are forced to halt practices that (unlawfully) exploit that monopoly? There is no incentive for companies to police themselves.

As a computer science professional, I was very aware of the pains that IBM took 2-3 decades ago to avoid the appearance of overstepping the bounds of the law. Clearly IBM acted out of respect for that law and the anticipated consequences of overstepping the law. Microsoft has shown no such respect or anticipation, and I do not see anything in the settlement that will change that. On the contrary, I suspect that this settle will only worsen the situation.

I have tried to keep my comments here general, without getting into specifics. Partly,

this is because I suspect that this email will merely be tallied and that any specific comments will not be absorbed in any rational way, but mostly this is because I find the settlement to be so terribly unsatisfactory that an enumeration of all unsatisfactory points and the reasons for the dissatisfaction would be overly lengthy for this forum (I suspect).

Suffice it to say, as a computer science professional with more than a passing knowledge of the computer industry, software engineering, software development, and Microsoft products, I believe that Microsoft was clearly in violation of the law as read literally and as interpreted by the courts, and that the proposed settlement does very little to address this and if permitted to take affect would signal disregard for the law by the Federal judiciary. I believe that laws should be changed, not disregarded!

Will  
 William K. Sterbenz  
 wks@nezumi.bloomfield-twp.mi.us  
 (at home)

**MTC-00023462**

From: Peter  
 To: microsoft.atr(a)usdoj.gov  
 Date: 1/24/02 9:18pm  
 Subject: Microsoft Settlement  
 "I DON'T AGREE"

**MTC-00023463**

From: riverrat@madisonville.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:15pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Trina Hollander  
 2063 Richland Rd.  
 Calhoun, KY 42327-9634

**MTC-00023464**

From: BFZeolite@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:15pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Elaine Frantz  
 2 Blackgum Lane  
 Savannah, GA 31411

**MTC-00023465**

From: Gary Poster  
 To: Microsoft ATR  
 Date: 1/24/02 9:18pm  
 Subject: Microsoft Settlement  
 To Whom It May Concern:

Although I am a relatively happy Windows user, I am concerned about the proposed Microsoft settlement. They have acted illegally, and should be corrected.

The proposal, as written, contains so many loopholes that I see, as a computer professional, that it would be less a corrective action and more of a legal game. Loopholes include the short-sighted definition of the Windows platform, the weak API documentation requirements, and language that allows Microsoft to continue with anticompetitive practices under new names, like .NET, Xbox, and more.

I am not a Microsoft basher. I am not a letter writer. I believe the government governs best that governs least. I share the government's desire to rest this case.

However, I believe Microsoft has broken a just law, and needs to be corrected, for the sake of righting a wrongdoer and for the sake of upholding our laws. This proposal does not correct, but, perhaps, mildly annoy, at most.

Thank you for your time.  
 Gary Poster  
 170 West End Avenue #5R  
 New York, NY 10023  
 212-362-0343

**MTC-00023466**

From: Cliff O'Neill  
 To: Microsoft ATR  
 Date: 1/24/02 9:18pm  
 Subject: Microsoft Settlement

I vote NO! to the proposed Microsoft Settlement.

I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all

Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.

Cliff O'Neill

e-mail: cliffdvr@mac.com

AOL IM: Clifferino

**MTC-00023467**

From: S. Baker

To: Microsoft ATR

Date: 1/24/02 9:19pm

Subject: Microsoft Settlement

----- Forwarded message -----

I will make my comments brief.

I have 13 years of experience in the software and hardware development industry. I have developed everything from chips, boards and computer systems, to device drivers and applications.

I believe the proposed settlement in the Microsoft Monopoly case is far too generous to a company that has a long history of illegal anticompetitive actions. The settlement, as proposed, will not be an effective deterrent to Microsoft's illegal practices, and will not prevent the company from continuing to stifle innovation in the computer software market by stamping out or buying out any company that manages to compete with it.

It is my further opinion that the anticompetitive actions of Microsoft has held the software industry back from where it could be today without them. Microsoft advertises that they are the great innovators, but close examination shows that nearly everything they bring to market has been developed first by another company. Without a strong remedy that will prevent further monopolistic actions, the computer software industry will fall further behind its potential. Since all industry sectors use this software, their productivity is directly impacted by this. This remedy will effect the entire nation, across all industry sectors, not just the software industry. The penalties for a weak response will be expensive to the entire country.

A stronger remedy than what has been proposed is needed.

Thank You,

Stewart Baker

bakers@erols.com

**MTC-00023468**

From: jcrube@mail.wm.edu@inetgw

To: Microsoft ATR

Date: 1/24/02 9:21pm

Subject: Microsoft Settlement

To Whomever It May Concern,

In regards to the antitrust practices of Microsoft over the last few years, with special emphasis on it's predatory behavior to Netscape Communications and countless other software and computer makers, I feel that the current remedy being discussed is

much to weak a reprimand for Microsoft. Microsoft has repeatedly shown that if it encounters any competitors in its expanding markets, it's initial reaction is to attempt to buy it out and then simply use it's products, or to produce a hastily made, inferior mimic of the competitor's product, and either sell its at a greatly reduced price or simply give it away for free as a bundled feature. This sort of predatory nature is common among monopolies, and Microsoft has stifled competition every chance it has had.

The remedies proposed are much too weak to inhibit Microsoft's desire to abuse it's power. While an actual splitting up of the company is implausible at this point, One prudent solution is to simply dismantle the system by which Microsoft has leveraged it's obscene power in the computer industry. Some have suggested that Microsoft release the source code to it's Windows operating system to the public for any company to use. This "open sourcing" while idealistically honest and in earnest, would not be the best solution, as Microsoft does not get by on the quality of it's operating system, only it's huge installer base. Releasing the code would lead to an abandonment of the Microsoft standard by nearly everyone as they would be able to use their existing programs and infrastructure on some free variant of the source code. some argue that this is the right solution, but the remedy should not be a death sentence for Microsoft, however much most software developers and consumers may wish it to be.

Instead, the more level headed solution is to even the playing field for all developers. What has allowed Microsoft to bundle it's own in house software and cripple the attempts of competitors in developing competing products is it's stringent API licensing. The API's are the protocols which allow a software developer to produce software which can intimately work in sync with the OS, thereby being more compatible and intrusive. It is with these API's that Microsoft bullies companies into unfair agreements, as without them, software developed for the Windows platform cannot run as smoothly as software programmed with the API tools. If any company can have access tot these API's, then Microsoft will not be able to harass software developers into biased contracts, where they enter into a sort of indentured servitude in exchange for the ability to program for Windows with intimate knowledge of how the OS works. This reduces Microsoft's ability to coerce smaller developers in the open market. For comparison, The two other largest OS's, the Mac OS and the various flavors of Unix/Linux whose sizes are significantly smaller than Microsoft's share, have no such restrictions on their development, Apple Computers does not license it's operating systems development tools, they are readily available either online or frot he company. Unix and it's major variant Linux, are completely opened sourced, with their code and appropriate compilers available almost anywhere. On a side note, Linux and it's various flavors are among the MOST stable operating systems out there, mainly due tot he fact that the code is constantly being improved upon by it's millions of users around the world. Where as Microsoft

dismisses it's products" massive security holes as "features", and eventually may get around to patching the problem. Unix programmers are constantly searching for flaws in their systems, if only for the thrill of being the first to produce a viable solution. This may be the best model for large scale business networks to function on, but, that is onyl wishful thinking. In reality, the Monopoly that is Microsoft is too large to dismantle smoothly in one decision, rather it must be gradually morphed into a competitive company which only survives based on the quality of it's products, like everyone else. Microsoft argues it's only large because it got there for being too good, but in the end this argument is meaningless. US Steel also got big through clever business deals, this by no means infers that it should be allowed to stay that way and abuse it's power if we wish to live in anything resembling a market economy.

Thank You for your time,

Jeffrey Rubenstone

**MTC-00023469**

From: Granville Barker

To: Microsoft ATR

Date: 1/24/02 9:22pm

Subject: Please don't accept the Microsoft Settlement as it stands.

To Whom it may concern:

I just wanted to write and say that I think the Microsoft settlement is a bad idea. Them providing any software for free costs them nothing. Please do not accept the settlement as written. I'm in the software business and I'd hate to have a monopoly like Microsoft put me out of business. —

Granville Barker

**MTC-00023470**

From: mcreek@krc.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:18pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Margaret Moorman

216 Lakeway

Kerrville, TX 78028

**MTC-00023471**

From: mwharto1@san.rr.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:18pm

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 BARBARA WHARTON  
 6003 OAKGATE ROW  
 LA JOLLA, CA 92037-0921

**MTC-00023472**

From: Samuel Klatchko  
 To: Microsoft ATR  
 Date: 1/24/02 9:14pm  
 Subject: comments on the Microsoft Settlement

I do not know if my comments are directly applicable to the current anti-trust case, but I still feel I need to weigh in with them. I am a software engineer by profession. At a prior job, I used to develop software for Microsoft Windows. A customer requested a feature in the specific product that I was responsible for. After researching the APIs that Microsoft published, I realized that it was impossible to provide the exact feature that the customer wanted (in order to do so, I would need certain support from the OS that was not available). I proposed an alternative solution that didn't quite do what the customer wanted. I was told not to bother and do not know if we lost the customer over this.

About one year later, I purchased and read the book *Undocumented Windows*. This book documented certain features of the OS that were not documented but were in use by applications written by Microsoft and other large companies. While reading this book, I discovered a function that would have allowed me to implement the exact feature that the customer had wanted. By that time it was too late.

This was my first demonstration of behaviour that Microsoft did to give their own application team an advantage over others. In various interviews, Microsoft officers state that they are successful because they create better products than other companies. That might be true, but in this one case, it was true because they offered features to their own application developers that were not offered to all developers. I don't believe that any behavioural remedy will work. There are so many ways that Microsoft can give themselves an unfair advantage that they will always find away around a behavioural remedy. Please do not accept the current settlement.

R Samuel Klatchko—Principal Software Engineer  
 Brightmail Inc—rsk@brightmail.com

**MTC-00023473**

From: acegunda@yahoo.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:19pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Robert Waligunda  
 46 Catbird Court  
 Lawrenceville, NJ 08648-2045

**MTC-00023474**

From: drdannecker@yahoo.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:19pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Tom Dannecker  
 without prejudice  
 4470 Sunset Blvd. #350  
 Los Angeles, CA 90027

**MTC-00023475**

From: wahoos99@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:19pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Robert Appel  
 536 Levenhall Dr.  
 Fayetteville, NC 28314-2624

**MTC-00023476**

From: tonyb  
 To: Microsoft ATR  
 Date: 1/24/02 9:23pm  
 Subject: Microsoft Settlement

Greetings:

I would like to submit my opinion concerning the final judgment of the Microsoft settlement.

This judgment would only perpetuate the Microsoft monopoly. The only way to insure that there will be competition is to separate Microsoft into two companies, one that would sell an operating system and the other that would sell application software. All API's and file formats need to be made available to the public. This will allow third party software companies to compete without Microsoft having an unfair advantage. With the application software company separate from the operating system company, they would have the freedom to port the applications to other popular operating systems.

Time is of the essence. Every day that Microsoft is not brought to justice is another day that they extend their monopoly.

Thank you for your consideration.

Anthony J. Becker III

**MTC-00023477**

From: joecgroom@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:21pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joe Groom  
26 Sunshine Rd.  
dgewood, NM 87015

**MTC-00023478**

From: judyplusgreg  
To: Microsoft ATR  
Date: 1/24/02 9:24pm  
Subject: Microsoft settlement

Leave Microsoft alone! The US government only knows how to take the hard earned money from producers and give it to non-producers. Microsoft creates wealth instead of destroying wealth as does the government. Without corporations that are profitable there would be no money for the government to take, thus no government workers.

Something to think about.....

Greg Holt  
Orlando, FL

**MTC-00023479**

From: sakerson1@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:23pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Larry C Alford  
500 West 123rd Ave.  
#3236  
Westminster, CO 80234

**MTC-00023480**

From: Nagaraj.Kulkarni@Sun.COM@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:27pm  
Subject: Microsoft Settlement

Dear Sir/Madam,

With due respect, I disagree with the proposed antitrust settlement between DOJ and Microsoft. It is like letting Microsoft go scotfree.

I request for a settlement with restraints compatible with the intent and spirit of the case.

Thanks,  
Nagaraj

PS: Opinions are mine and necessarily that of the company. —

Nagaraj Kulkarni  
SunIT Technology Office—Application  
Design Center  
Sun Ext: 67514 Phone: (650)336-7514 Fax:  
(650)336-0808  
Calendar : [http://cal.central.sun.com/  
?calid=nk119331&security=1](http://cal.central.sun.com/?calid=nk119331&security=1)

**MTC-00023481**

From: BillyWilde@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:26pm  
Subject: RE: Settlement

TO WHOM IT MAY CONCERN.....I believe the settlement that is being offered by Microsoft is a travesty. Microsoft has an monopoly that should have ended just like ATT's monopoly. Microsoft has to much power and it ignores the common people of this counrty. Microsoft is the worst example of coporate greed, excess and selfishness I've ever witnessed. Microsoft does nothing for the average citizen of this country except to fleece their pockets. The government has dropped the ball on this one. If the government had stuck to the original trial verdict the people of this country would have supported the decision. But polfticial and financial interests corrupted the verdict and the governments ability to seem fair and unbias. It has become increasingly apparent to me and others that the system is fixed. That there is little that the ordinary citizen can do to change it. I believe the politicians have corrupted our system and that no matter what we the peope want ( i.e.....look at the election. Gore won the popular vote but instead Bush is president), the Supreme Court has been corrupted.( there's something wrong when one of the judges sons works for Bush). I feel sorry for future generations.  
William C.Glines

CC:microsoftsettlement@  
alexbrubaker.com@inetgw

**MTC-00023482**

From: cburkland@ees.eesc.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:23pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Christopher Burkland  
7440 Hollow Corners Rd.  
Almont, MI 48003

**MTC-00023483**

From: John Gallup  
To: Microsoft ATR  
Date: 1/24/02 9:26pm  
Subject: Microsoft Settlement

I am writing to oppose the Department of Justice's proposed settlement with Microsoft. The settlement remedies are inadequate to restrain Microsoft from extending its monopoly power, and hence against the interest of the public and continued innovation in the information technology sector. Microsoft has shown great ingenuity in subverting past behavioral remedies after being caught in court. In fact, in every case, it has achieved its objective of protecting its monopoly position from competitors, and the competitors have lost out despite the court remedies. Often these competitors had technically superior products. Since structural remedies for restoring competition in Microsoft's many markets seem to no longer be in the cards, behavioral remedies that have some prospect of effectiveness include prohibiting Microsoft's anti-competitive preload agreements with hardware makers, publicly documenting the data file formats of the Office suite, and submitting Microsoft's present and future networking protocols to an independent open standards body.

Without these remedies, Microsoft can easily maintain its operating system monopoly with the preload agreements, its office suite monopoly by preventing competitors from reading from and writing to Microsoft formats reliably, and gradually to monopolize access to the Internet through Microsoft's expanding set of proprietary methods for transacting data, assuring security, and making payments over the Internet. Microsoft's tightening grip on large parts of information technology is not broad speculation—all of these threats to competition and further innovation are well documented by Microsoft's competitors and independent observers. You have a duty to protect the public from this threat.

Sincerely,  
John Luke Gallup, PhD.  
Economist

**MTC-00023484**

From: Fixemers1  
To: Microsoft ATR  
Date: 1/24/02 9:26pm  
Subject: Microsoft Settlement

To Whom It May Concern:

The opinions expressed herein are my opinions and are not influenced by, or the responsibility of, my employer.

I believe that the proposed settlement is too weak and offers too many avenues for Microsoft to not comply with the spirit of the settlement. One of the most important facets of the settlement that provides an insufficient remedy is the proposed opening of Microsoft APIs. As a computer user who happens to be a programmer I have as much right to write a program that accesses an API as any ISV, IHV, IAP, ICP, or OEM. I paid money for my hardware and for the operating system. If my system does not do a job that I wish it to do, I should be able to add the desired functionality. I deserve documentation of all of the APIs on or available for my system. I

believe this is especially true for the operating system, because it is the master program, the program that all others depend upon and interface with.

The format for distribution of the APIs is also insufficient. It should be distributed in industry standard HTML4.0 with PNG or JPEG images. It should also be available, with free registration, for anyone visiting a specified Microsoft development website.

Sincerely,

Jeremy Fixemer  
Software Engineer  
415 S. Elmhurst Rd.  
Mount Prospect, IL 60056  
Definition:

API—Documentation describing the form of a function call, any important algorithms, protocols, structure descriptions, any requirements for calling a function or stateful changes that are caused by calling a function.

APPENDIX:

As a programmer I understand that documenting and making publicly available an API will NOT compromise security. Only forcing the distribution of both encryption keys and the API can compromise security. If someone wants to go to the extent of disassembling a program to obtain an encryption key, then it will not be considerably more difficult to disassemble and reverse engineer an encryption algorithm. Often algorithms for encoding and decoding data are provided with an API, because part of the API requires an encrypted data stream. For this reason, encryption keys, even in Microsoft programs, are hardly ever hardwired into a program.

Also an API will not expose every possible functional interface, only those that present meaningful functionality.

#### MTC-00023485

From: Rob Kahlbaum  
To: Microsoft ATR  
Date: 1/24/02 9:18pm  
Subject: Comments on Microsoft Settlement

Hello, my name is Robert Kahlbaum. I am a student at Eastern Michigan University, and I am about 1 year away from graduating with a Bachelors degree in Computer Science. I have been working in my field for approximately 2 and a half years now, and as I look at my employment options post graduation, my options seem limited. It seems from the research that I have done in my choice of career, I have one option; program under Microsoft Windows. Everywhere I look, companies want MS Windows programmers, or they want you to be familiar with the Windows operating systems.

I have been keeping track of this trial since its conception, and when Microsoft was deemed a monopoly, I felt that I might finally get some options as to how my career will go. Then, the settlement was agreed to, and my hopes were struck down. It seems that the government, and 9 of the states involved with the trial, including my own state, have agreed to a solution that will only further Microsofts monopoly. It also seems that this agreement allows microsoft to continue its monopolistic practices in other venues. My question is, how can a company that has been deemed a monopoly, not be punished as a monopoly?

Because of the current settlement, I will be continuing to learn how to program under Microsoft Windows. I will be helping further their monopoly because I have few choices of where to work, because Microsoft is where the money is. I admit that I can work anywhere that I want, but it seems that if I want to be successful, and make a living, I have only 1 option. I am hoping that the other 9 states can come up with a remedy that will give me, and other soon to be graduating college students like me, a chance to make a broader choice as to where and how I want to make a living.

Thank you for your time,  
Robert Kahlbaum  
Eastern Michigan University Student

#### MTC-00023486

From: John G. Roush  
To: Microsoft ATR  
Date: 1/24/02 9:27pm  
Subject: Comment on Microsoft Settlement

Dear Sir,

I understand that negotiations over the Microsoft antitrust suit are at a critical pass. Please accept my comment as follows:

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

"This is just another method for states to get free money, and a terrible precedent for the future," states the Association Of Concerned Tax Payers, "not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen."

This economically-draining witch-hunt has gone on long enough. The average computer user has actually benefited by Microsoft creativity and productivity. The original settlement sounded fine. Do not force Microsoft to give anything more to Netscape or any other competitor or state governments.

Sincerely,  
John G. Roush  
400 S. Taft Ave.  
Fremont, OH 43420  
419-334-9504

#### MTC-00023487

From: poppe001@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:25pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer

technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lee Poppe  
1036 Carlton Drive  
St. Paul, MN 55126-8129

#### MTC-00023488

From: dillonsnan@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:24pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Emma Jean Smith  
5600 New Hope Rd.  
Sweetwater, TN 37874

#### MTC-00023489

From: Tom Hood  
To: Microsoft ATR  
Date: 1/24/02 9:28pm  
Subject: microsoft

Microsoft is very powerful. Think a bit about Enron. Think a bit about Microsoft. What happens if/when Microsoft fails. What would be the impact to our economy?

All giants stumble. Many giants fall. It could happen. We need more competition to ensure the failure of one giant does not take the rest of us out. The proposed settlement does not help anyone but Microsoft.

Tom Hood  
300 E. Granger #14  
Modesto, CA 95350

#### MTC-00023490

From: pyates@ec.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:26pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC 20530-0001

Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel

going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Paul Yates  
707 Vernon Dr  
Jacksonville, NC 28540

**MTC-00023491**

From: seymour bronstein  
To: Microsoft ATR  
Date: 1/24/02 9:28pm  
Subject: Microsoft Settlement  
SYBRON

As a consumer, a taxpayer, and business owner I strongly object to the continued harassment of Microsoft by the federal government, as well as by the state governments, because of Microsoft's successes. These suits are motivated by greed. The greed and jealousy of their competitors, and the greed of various government for a fast cheap undeserved buck. When will the Governments learn to get off the backs of the most creative, motivated, dedicated, hardworking of its citizens who are the ones who strive to make, and have succeeded in making, this country great?

Seymour Bronstein

**MTC-00023492**

From: Ryan Watson  
To: Microsoft ATR  
Date: 1/24/02 9:29pm  
Subject: Microsoft Settlement

Hello,

I have been involved in the computer industry since 1977, and I can tell you from experience that you could kill Microsoft all together and not significantly hurt the computer industry, there are enough standards out there that people would do just fine. I would also state that Microsoft does indeed have competition, and that if they weren't a monopoly they would have choked by now because they're not particularly careful programmers. They're built on speed.

None of that matters though, because the real issue at hand is whether or not they broke the law, US courts have held that they did. Therefore they do deserve a fitting penalty. I am sure that the proposal you have put forward as the final settlement is going to have no lasting effect on their conduct. I can't say that I have the answer to the problem, but I know for sure that this is not the correct course of action. Please consider your actions carefully, and realize that whatever happens here and now WILL have a significantly lasting effect on the computer industry as a whole. I would also say that virtually anyone who knows economics could tell you that if you have a product that sells for a high price, and one that is free, in any other industry the free item would be virtually dominant. In this case you have several very good free and well written competitive products, that are not able to

make a significant hold in the desktop OS market. Please please please consider carefully what you do.

Ryan

**MTC-00023493**

From: jccarney@wcta.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:26pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
J.C. Carney  
113 1/2 West 3rd Street # 1  
Park Rapids, MN 56470-1572

**MTC-00023494**

From: TweekXX@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:30pm  
Subject: Microsoft Settlement

this is a horrible Idea, i run linux and windows and i think that if they shut down wine, then microsoft will rule the world

**MTC-00023495**

From: PSHSR@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:30pm  
Subject: Microsoft Settlement

I have been a long time user of Microsoft products. I feel that the products are of very good quality, and that I always paid a fair price. Value received has always been exceptionally high. Microsoft has always beat the competition by offering better products. Please don't destroy excellence.

Peter S Hanson  
809 Vauclain Rd  
Bryn Mawr PA 19010

**MTC-00023496**

From: larrya@gconline.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:27pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little

more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Larry Anderson  
103 Merritt St  
South Boston, VA 24592-5017

**MTC-00023497**

From: sfloyd11@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:27pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Scott Floyd  
129 Alcoa Hwy  
Knoxville, TN 37920-5502

**MTC-00023498**

From: bhughes@grasshoppernet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:23pm  
Subject: Microsoft Settlement

I don't believe that the current proposal effectively punishes the anti-competitive actions of Microsoft, nor will it limit their ability to continue similar actions in the future. To effectively punish illegal behavior, the settlement must deprive Microsoft of the advantages of its past illegal actions. Since their Operating System business is the tool with which they have illegally taken advantage of the marketplace; they should, at the very least, lose the leverage of this monopoly. The proposed settlement imposes supposed restrictions that actually favor Microsoft in the marketplace. Codifying the monopoly is not justice, and will do nothing to discourage predatory business practices from this monopoly.

I feel that this proposed settlement is a weak attempt to reach a settlement for the sake of expediency, but does not serve the interests of the marketplace.

Bill Hughes

CC:bhughes@shagbark.wbh.ks.us@inetgw

**MTC-00023499**

From: RAY2001@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:31pm

Subject: Persecution of Microsoft

TIME to stop , or is that Time / Warner AOL , Why not have the Taliban prosecute the US for violating their rights during our recent conflict? Just because they can't compete , Microsoft's competitors have chosen to litigate in order to buy time to build their warchest. Time Warner AOL are engaged in a battle to utilize our courts for their own agenda. Enough is Enough. Settle and let the excellent people at Microsoft continue to create newer, more useful products. It is foolish to continue to punish one of the strongest US companies . We should be proud of the accomplishments of Microsoft. They have set the standard and have continued to up the mark. Don't give the competition free reign to steal their focus. Drop the issue, it has been settled by the consumers who continue to purchase and demand more from Microsoft

**MTC-00023500**

From: Jerry W. Hubbard

To: Microsoft ATR

Date: 1/24/02 9:31pm

Subject: Microsoft settlement

I have believed for a long time that IBM and Microsoft created a new and great market. The early statements by the leaders of both companies shows the extent of growth was unplanned. I am not against Microsoft doing business. I am against illegal business practices.

The settlement should STOP the illegal business practices of Microsoft. The published proposed solution is a PR and marketing win for Microsoft. It does nothing stop the illegal business practices (a finding of the appeals court) of Microsoft.

Please give our country a solution, that will restrain Microsoft from breaking the law. My God give you wisdom.

Jerry W. Hubbard  
<jhubbard@mlc.net>  
6216 Odell  
St. Louis, MO 63139  
314-781-2515

**MTC-00023501**

From: Elizabeth Presler-Marshall

To: Microsoft ATR

Date: 1/24/02 9:31pm

Subject: Microsoft Settlement

I am writing to say that I believe the proposed Microsoft settlement to be completely inadequate. Microsoft has been shown by the court to be in violation of the antitrust laws. The proposed settlement neither corrects for Microsoft's past misdeeds, nor does it provide any credible grounds to believe that it will prevent future misdeeds.

One need only look at the way Microsoft has folded its Passport service into their latest operating system release (Windows XP) to see that Microsoft has no intention of changing their behavior. The personal computer business needs to provide options to consumers if we, the consumers, are to reap the benefits of our free capitalist system.

Please impose a strong structural remedy on Microsoft which will prevent them from becoming the great monopolist of the 21st century. Please uphold the law.

Thank you,  
Martin Presler-Marshall  
6004 Meadow Run Ct  
Chapel Hill, NC 27516

**MTC-00023502**

From: Gene Wunderlin

To: Microsoft ATR

Date: 1/24/02 9:32pm

Subject: Microsoft Settlement

It is my opinion that the proposed settlement is bad idea.

Regards  
Gene Wunderlin

**MTC-00023503**

From: threemoores3@att.net@inetgw

To: Microsoft ATR

Date: 1/24/02 9:32pm

Subject: microsoft settlement

Dear Sir/madam,  
I believe it is time to end this suit and let the people buy the products they wish.  
Sean Moore  
22 agawam north  
Yonkers  
ny 10704

**MTC-00023504**

From: Mike Barrett

To: Microsoft ATR

Date: 1/24/02 9:32pm

Subject: Microsoft Settlement

I wish to exercise the opportunity for public comment afforded by the Tunney Act to voice profound objection to the Proposed Final Judgment in United States v. Microsoft. The Proposed Final Judgment does very little to reduce the perpetuation of anticompetitive behavior by the defendant. In point of fact, the wording of definitions and provisions in the Proposed Final Judgment is so overly narrow and misleading that the defendant will be able to use the Judgement as a tool to leverage still greater dominance in a market they have almost entirely (and illegally) monopolized.

For example, C# misses being defined as Microsoft middleware under definition K. While presented as an evolution of Java by the defendant, C# is being positioned as a Java-killer in the same sense that IE was used to crush Netscape. Recent OS software releases by Microsoft are tellingly absent of Java support. In my attempts to research cross-platform support for C# and .NET programming, I repeatedly bounced off "This page can only be viewed with Microsoft Internet Explorer" messages, an absurd perversion of the open standards upon which internet networking is based. Also evading the narrow definition "K" is MicroSoft.NET, a very ambitious initiative by the defendant to dominate internet network services. It seems not merely likely, but certain that the defendant will leverage its present monopoly position to block competing entry into this nascent (and supremely lucrative) field. It is, after all, outside the scope of the Proposed Judgement as written, except that independent software vendors are specifically prohibited by the Judgement from using released Microsoft APIs in the

development of applications for non-Microsoft operating systems. These are just two of many glaring examples demonstrating that the Proposed Final Judgment does not and will not remedy the behavior of the defendant. It would be contrary to the best interest of the People of The United States if the proposed settlement were to become the Final Judgement in the case.

Sincerely,  
Michael Barrett

**MTC-00023505**

From: Marcia Holston

To: Microsoft ATR

Date: 1/24/02 9:33pm

Subject: Settlement

Settle this case and quit harping on Microsoft. Smarter and Better is not illegal. Marcia Holston, Cocoa Beach, FLGet more from the Web. FREE MSN Explorer download : <http://explorer.msn.com>

**MTC-00023506**

From: FRISCOdANC@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 9:33pm

Subject: Re: Microsoft Settlement

Dear Sir/Madam/Judge:  
I have been told that this e-mail address is for comments regarding the Microsoft settlement. It is my understanding that this e-mail will be read by attorneys at the Department of Justice and the federal judge presiding over this case. I hope that you read this with an open mind. As graduates of law school, each one of you reading this message must understand something about achievement. It was not "luck" or "happenstance" or any such thing that made you an assistant US Attorney or a Federal Judge. You have been rewarded with these prestigious positions as a result of your hard work.

As such, you must know the grave injustice of punishing achievement rather than rewarding it. Imagine if upon receiving the highest grades in your law school class, you were not rewarded with law review honors but instead were kicked out of school. Yet this is how it is proposed that we treat Microsoft.

Even if you did not share your notes with others in the class, even if you did not take the time to explain to those who did not understand concepts that were self-evident to you, in the end you did not achieve your law school grades at anyone's expense. You earned them. The same holds true for Microsoft. It earned its profits.

Please do not punish Microsoft. To the extent that the law was violated, it is the law that is wrong, not Microsoft. Who among us would not have voted the other way in the Dred Scot case, notwithstanding the fact that at the time there was ample precedent regarding the legality of slavery to support the opinion? Please do not make the same mistake again; please do not punish Microsoft.

Very truly yours,  
Edward N. Mazlish  
1409 Sun Valley Way  
Florham Park, NJ 07932

**MTC-00023507**

From: angus72@juno.com@inetgw

To: Microsoft ATR  
 Date: 1/24/02 9:31pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Stephen DeBerry  
 PO Box 186  
 1312 S. Pamplico Hwy.  
 Pamplico, SC 29583-0186

#### MTC-00023508

From: Anthony Venezia  
 To: Microsoft ATR  
 Date: 1/24/02 9:34pm  
 Subject: Microsoft Settlement

I would just like to say that I have read about the proposed settlement, and I am not in favor of it in its current state. Please consider this a vote against the current settlement, as well as a vote to seek a settlement that is more favorable to Microsoft's competitors, yet unfavorable to Microsoft. I hope the irony of using MS Hotmail to send this does not elude you.

Thank you,  
 Tony Venezia  
 tv1013@hotmail.com

#### MTC-00023509

From: pdfnet@fastlynx.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:32pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Paul Fields  
 1170 Cantina Drive  
 St Louis, MO 63141-6041

#### MTC-00023510

From: cgfrinksr@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:32pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Charles Frink  
 12216 N. Teal Drive  
 Fountain Hills, AZ 85268

#### MTC-00023511

From: Tornfamily@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:32pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Betsy Torn  
 2313 29th St.  
 TX 79411-1307

#### MTC-00023512

From: Jerry Whelan  
 To: Microsoft ATR  
 Date: 1/24/02 9:34pm  
 Subject: Microsoft Settlement  
 Dear Sirs,

I am writing to express my disapproval of the proposed DOJ vs Microsoft settlement. I

believe that the settlement terms are not in line with the finding of facts regarding Microsoft abusing its position as a de facto monopoly—in general the punishment contained in the settlement is a far cry from being a deterrent towards future abuses by Microsoft and in some ways actually encourages anti-competitive behavior going forward. One particular issue that I have with the proposed settlement is that it allows Microsoft to leverage its monopoly position to very strongly inhibit the proliferation of Opensource Software.

Opensource Software is a brand new and truly innovative way of thinking about how software should be developed, distributed and used and as such it has a potentially critical role to play in the forward progress of our nation and the world as a whole. Unfortunately, the terms of the settlement allow Microsoft to prohibit the distribution of their software in conjunction with Opensource Software. Microsoft has been known to make the completely specious argument that a third party distributing their for-pay or free software in conjunction with Opensource software somehow weakens Microsoft's intellectual property rights on their own software. Nothing could be further from the truth—it should be immediately obvious to anyone that any such actions by a third party can in no way obligate Microsoft to reduce their intellectual property rights. That would be the equivalent of saying that because a library allows you to borrow a book for free, the publisher of the book is now obligated to give away free copies to anyone who asks for one. Simply ridiculous!

Nevertheless, the proposed settlement allows Microsoft to forbid distribution of their software in any conjunction whatsoever with Opensource software. And, Microsoft is already abusing its monopoly position to do just this exact thing. For example, the license agreement for the Microsoft Windows Media Encoder 7.1 Software Developer's Kit forbids the distribution of any software developed with that kit in any combination with Opensource software. Clearly this forbids a third-party developer from even using the Kit to develop Opensource software—which then just serves to reinforce Microsoft's monopoly position at the cost of the consumer and the independent developer.

The issue of Microsoft's licensing policies stunting Opensource growth and distribution is but one of many problems with the proposed settlement, however I think that it is clearly a key problem that at, an absolute minimum, must be addressed before any settlement becomes final.

Thank you,  
 Jerry Whelan  
 Independent Software Consultant  
 3727 W. Magnolia Blvd, #451  
 Burbank, CA 91505

#### MTC-00023513

From: G Spielmann  
 To: Microsoft ATR  
 Date: 1/24/02 9:36pm  
 Subject: Microsoft Settlement

To whom it may concern, I oppose the current settlement in the Microsoft anti-trust case. I am an IT professional, currently working as assistant site manager for the



local IT arm of a large, American manufacturing company. I deal with Microsoft products and issues concerning those products on a daily basis. My stance against the current settlement revolves around two issues. First, if one tracks the history of Microsoft, they will see that this sort of anti-competitive behavior persists as part of its corporate operation and, one may say, its corporate culture. Microsoft clearly shows little remorse or concern in these matters and I feel cannot be expected to, in good faith, honor any agreement issued to them by the Department of Justice. I feel the proposed settlement is lax and will lead to yet another trial such as this in the near future.

The second concern I have is one that is even now more prevalent—that of security. In my profession, network security is one of the most mission critical objectives to achieve. The most common roadblock to achieving this goal is the lack of security in many of Microsoft's products. In fact, at my place of employment, it is standard practice not to use certain Microsoft products due to their related security issues. In a post September 11th world, network security is going to be even more important for a wider variety of professions and people. If Microsoft is allowed to operate at the current status quo, their seeming lack of security awareness in their products will no doubt create issues for the US and possibly world at large, if it hasn't already. I feel that the current settlement should be excused in favor of a more strict approach to reprimanding this corporation or, if allowed to operate as a monopoly, they should be held far more responsible for security issues in the products they make.

Thank you for your time,  
Sincerely,  
Garett Spillman

#### MTC-00023514

From: Woodkarl@crcwnet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:33pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Karl Reuss  
7530 Icicle Rd  
Leavenworth, WA 98826

#### MTC-00023515

From: hsimkowitz  
To: Microsoft ATR  
Date: 1/24/02 9:35pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

It is my opinion, as a software developer and consumer, that Microsoft is NOT guilty of anti-competitive behavior and that the settlement worked out by the DOJ and the participating states is a good one and should be put into effect. I also feel very strongly that it is only Microsoft's few competitors (AOL, SUN, Oracle) that are causing this whole thing to happen purely for their own gain. None of them has products that are as cost effective for the software developer or consumer as those offered by Microsoft. Lets end this.

Howard Simkowitz

#### MTC-00023516

From: aprice@healthspace.ca@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:38pm  
Subject: Microsoft Settlement  
Your Honor,

Being heavily involved in the computer industry for the last 25 years the MS case is of keen interest to me. I have watched as MS has stifled innovation and crushed competitors using its market presence. I have, in particular, observed as MS has gained massive market share in messaging by leveraging its desktop OS monopoly.

I believe that the proposed settlement will harm the public interests severely, perpetuating MS's monopoly and perhaps strengthening it. I would like to suggest the following simple act as part of the remedy you prescribe:

Force MS to make old versions of Windows open source. This includes all versions up to, and including, Windows 98 SE. Discussion: MS claims that Windows is its "crown jewels" and yet it is making a determined effort to force its clients to upgrade to new, revenue generating, products rather frequently. It habitually claims that it has incorporated massive "innovation" in its new versions. Fine, let the public buy the innovative new features because it wants them, not because it must. Force MS to provide genuine new features if it wants new revenue. I also strongly approve of the suggestions to force MS to license the source code of Office and IE to third parties who wish to migrate them to other OSes.

Thank you for your consideration,  
Respectfully,  
Andrew Price  
C.O.O.  
HealthSpace Integrated Solutions Ltd.  
HealthSpace USA Inc.  
Tel. (604) 860-4224  
<http://www.healthspace.ca>

#### MTC-00023517

From: Mark Berger  
To: Microsoft ATR  
Date: 1/24/02 9:41pm  
Subject: US vs. Microsoft

Dear sirs,

I am a programmer with seven years of experience in the software industry. Up until recently I have been a Microsoft fan and

supporter. I still make my living using Microsoft products and developing solutions based on their operating systems and development tools. As it happens, that is exactly why I am writing to encourage you to seek additional concessions from Microsoft. For the first time in my career as a Visual Basic programmer I have become aware of the treadmill that Microsoft has put under me. In my current project I have hit a bug in Microsoft's ADO library (code library that allows access to databases) that has existed since the inaugural versions of the library three years ago. Here I am, seven versions of that library later with the bug still there and no possibility of it ever being fixed. Why? Because the ADO library is about to go away and be replaced by ADO.Net. The same bug may be there....but to even determine that I will have to upgrade all my development tools and operating system.

Obviously, this fact, in and of itself, is no crime. All software has bugs. This will by my last Microsoft based development project. I write this email using Sylpheed email client on my Slackware linux box. There are other ways of doing development that will avoid these Microsoft problems and I will pursue them.

This particular bug has a long history. The newsgroups are full of comments, complaints and requests for help in dealing with the problems it creates. Microsoft ignores them. This is my real proof of the \*fact\* of a Microsoft monopoly. I have never been a victim of any of the security snafus for which Microsoft products are known. I was not even convinced of their monopoly status during the trial. It is this particular bug that has opened my eyes and made me reevaluate the evidence.

The solution proposed by Microsoft, donating computers and software to schools is one of the most brilliant marketing strategies they have come up with to date. Schools are traditionally Apple users. Microsoft would gain an incredible advantage with this solution. So what is the solution. I still don't know if I can endorse the breakup of the company. As bad as Microsoft has been, I fear the government more. I think the forced breakup of a company is worse than their monopoly.

The perfect solution in my mind is to force Microsoft to publish all of their current code under a modified GPL (Gnu Public License). Microsoft could have special permission to continue to develop this code base independantly, outside of the publishing requirements of the GPL. All other developers would then be able to continue development of the same code base...but they would be limited by the GPL and forced to release their code. Microsoft would be allowed to continue the development of proprietary code....but a single snapshot of that code would be revealed publicly. Developers could fix the bugs and security problems that Microsoft has ignored while Microsoft could continue to create their Dot.Net thing.

Maybe some fine tuning of this idea would be best....maybe release the source code for Windows 2000 and previous. If Windows XP is really that great then Microsoft should have no difficulty maintaining their place in the market.

My two cents. Do not reward them for their actions.

Mark Berger  
m-berger@mediaone.net

**MTC-00023518**

From: allan rees  
To: Microsoft ATR  
Date: 1/24/02 9:40pm  
Subject: Microsoft Settlement  
To whom it may concern,  
I am opposed to the Proposed Final Judgement in United States v. Microsoft.  
Allan Rees  
Salt Lake City, UT  
1/23/2002

**MTC-00023519**

From: Bknes@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:41pm  
Subject: Microsoft Settlement  
NO more litigation against Microsoft. The matter is settled. We are satisfied. We are voters. No more litigation against Microsoft.  
Elizabeth K. Nesbitt and C. Anderson  
Dorton

**MTC-00023520**

From: Arthur Young  
To: Microsoft ATR  
Date: 1/24/02 9:41pm  
Subject: Microsoft AntiTrust Trial Penalty  
In light of the guilty verdict handed down to Microsoft regarding its anticompetitive and predatory practices, I believe that the proposed settlement does not serve the public interest. If a company is convicted of illegally maintaining a monopoly, then a settlement should not allow that company to remain a monopoly. A company convicted of illegally maintaining a monopoly should not be allowed to continue the practices which brought about its conviction. A company convicted of breaking the law should not be trusted blindly to do the right thing. A penalty should penalize the company for its behavior. That penalty should include steps to prevent such behavior from happening again and steps to reimburse those who were adversely affected.

If Microsoft had attained its monopoly as a result of putting out a good product that everyone liked, then they should be rewarded for their work. But Microsoft attained their monopoly through threats and coercion. They have been convicted of illegally maintaining a monopoly. Their penalty should reflect that. I do not believe that the settlement proposed by the U.S. Justice Department does that.

Thank you for your consideration.  
Sincerely,  
Arthur Young

**MTC-00023521**

From: rjstemen@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:39pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ray & Judy Stemen  
2444 Westpoint  
Lancaster, OH 43130

**MTC-00023522**

From: jandewheeler@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:39pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Wheeler  
233 Witherspoon Ln.  
Hot Springs, AR 71913

**MTC-00023523**

From: Kiel Oleson  
To: Microsoft ATR  
Date: 1/24/02 9:42pm  
Subject: Microsoft Settlement

I do not look highly upon an acceptance of a substandard settlement. I am 16 years old and have a lot of time ahead of me, I do not want to live a life in which Microsoft can charge what it wants of its operating systems, and more importantly, and oft overlooked, its office program. I cannot afford \$700 to do school work. This is outrageous. Either give schools another program or get the price of office lowered. That is the one thing I ask.

Thank you,  
Kiel Oleson

**MTC-00023524**

From: Paul S R Chisholm  
To: Microsoft ATR  
Date: 1/24/02 9:42pm  
Subject: proposed Microsoft settlement  
Summary: I don't believe the proposed Microsoft settlement is acceptable in light of

Microsoft's prior actions. It neither punishes Microsoft for having abused it's monopoly position, nor discourages Microsoft from future abuse. (I'm a professional software developer, responsible for a program that runs on both Microsoft and non-Microsoft platforms. My employer would not be considered a competitor of Microsoft; there are some products both produce (not the one I work on), and some that work together. This makes me pretty typical for the industry.)

I believe the conduct restrictions imposed by the settlement on Microsoft are reasonable. I particularly agree with the provisions intended to loosen Microsoft's control over what non-Microsoft products can be offered by PC manufacturers (e.g., allowing the latter to sell dual-boot systems).

I don't think the restrictions will be effective.

o There is neither admission of guilt, nor punishment for past misdeeds. This is the company that steadfastly denies having a monopoly position, or any wrongdoing. There's no reason to believe they have any reason to change their general behavior in the future.

o There is no history that Microsoft would abide by the spirit of the letter. This is the company that re-worded the previous settlement to allow precisely the behavior the Government was trying to prohibit; this is the company that, when ordered to produce an operating system without a bundled browser, produced an inoperative operating system and claimed compliance. To describe their "obedience" as legalistic is an affront to the legal system.

o There is no downside to Microsoft ignoring the settlement. If they fail to settle, they battle in court; if they settle but violate the settlement, they battle in court. The latter course postpones further action by the court. This is the company that has tried to postpone judicial action at every point in the suit. Signing a settlement can be just another way of doing this. There have been many other criticisms of the settlement; I won't repeat them.

I hope my position aids the court in its decision.

—Paul S. R. Chisholm

With grief, with determination, and with hope.

**MTC-00023525**

From: revdbau@qwest.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:39pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David David  
5620 South Amaryllis Pl  
Boise, ID 83716

**MTC-00023526**

From: Clark Venable  
To: Microsoft ATR  
Date: 1/24/02 9:43pm  
Subject: Microsoft Settlement

The proposed settlement does nothing to change Microsoft's behavior. Please reconsider.

Clark Venable

**MTC-00023527**

From: Yosuke Matsumura  
To: Microsoft ATR  
Date: 1/24/02 9:43pm  
To: **Federal Register**

Re: Microsoft Antitrust Trial

I am currently a college freshman attending Cornell University and have been a computer user since fourth grade. Throughout this time, I have been using Apple computers, and I am familiar with the detrimental effects of Microsoft's monopoly in the personal computer business. I fear that the proposed settlement will not be enough to solve the problems brought up by the antitrust trial. To justly penalize Microsoft for the antitrust violations that it has been found accountable for, the settlement must include the following:

An equal, if not separate, development of its key productivity programs (Office, Outlook, and Media Player) for alternative operating systems.

Furthermore, these programs must be sold at the same price as their Windows versions. As an Apple user, I have been forced to use these products, as they have become the de facto standard in the academic and business community. This would not be problematic if not for the fact that the Macintosh versions of these softwares come at a premium price and with fewer features than the Windows counterparts.

For example, Outlook is not available for Apple's new operating system, OS X. Microsoft includes a different program, Entourage, to view email and organize appointments and contacts. However, while Outlook is able to communicate with Microsoft's Exchange Servers, Entourage is not.

Additionally, while OfficeXP for Windows Standard Edition costs \$239 and \$479 for the upgrade and full versions respectively, the Macintosh equivalent, Office v.X costs \$299 and \$499 for the upgrade and full versions respectively. This is for the standard suite for both platforms, which include Word, Excel, PowerPoint, and an email program (Outlook for Windows and Entourage for Macintosh). Furthermore,

Macintosh users are denied the opportunity to buy a "Professional" version like Windows users, that comes with Microsoft Access.

By providing second-rate software to other platforms, Microsoft indirectly supports users to switch to a Windows operating system to gain full compatibility and lower prices on software. Since Microsoft also produces the Windows operating system, a conflict of interest arises. A user moving to from a non-Windows machine to a Windows machine will purchase not only the productivity programs they wish to have, but also the Windows operating system. Promoting such behavior by providing less-capable software to competing operating systems only helps Microsoft's position and provides no incentive for the company to improve its software for other operating systems. This addition to the settlement will ensure that users of other operating systems will be able to work effectively without pressure to use the Windows operating system.

Yosuke Matsumura  
13238 SE 51st Place  
Bellevue, WA 98006  
(425) 401-9213  
Townhouses A09C  
Cornell University  
Ithaca, NY 14853  
(607) 253-2207  
ym63@cornell.edu

**MTC-00023528**

From: karawynn  
To: Microsoft ATR  
Date: 1/24/02 9:40pm  
Subject: Microsoft Settlement

To Whom It May Concern:

Merely requiring Microsoft to stop dictating what OEMs load onto new machines, and similar minor measures as listed in the proposed final judgment, are like locking the barn after the horse has escaped—too little too late. The real problem is now (and has been for some time) that neither OEMs nor end-users have any reasonable alternative to the Windows operating system. From the end-user's perspective, once you've bought your first computer, and invested money in hardware and software for one platform, you're locked in for life. The cost to scrap all of that and reinvest in an all-new hardware and software configuration is so prohibitive that for most people the option might as well not exist.

But if Microsoft were required to fully and publicly release the Windows APIs, it would give competitors a fighting chance to develop an alternative operating system that will work with PC hardware and Windows-compatible software. A full standardization and public release must be mandatory and enforced; there are too many loopholes in the minor disclosures required by the proposed final judgment, and Microsoft has already demonstrated that it can't be trusted to act in good faith.

This is not, incidentally, a categorical anti-Microsoft rant. I live in Seattle; fully half the people I know are either past or current employees of Microsoft, and therefore highly financially dependent upon the company's continued success—and since the aftermath of 9/11 gutted Boeing, our local economy pretty much rises and falls on the fate of Microsoft. But I don't actually believe that a requirement to release Windows APIs would

hurt Microsoft in the long run. Intel hasn't failed just because AMD has emerged as a viable competitor. Both companies are going strong, and the consumer has won out, with rapid development of better processing hardware and falling prices. The Internet and software industries, and their enormous body of consumers, would benefit dramatically by a similar arrangement with regards to Microsoft.

Thanks for your time.  
Karawynn Long  
Seattle, Washington

**MTC-00023529**

From: Joe Schafer  
To: Microsoft ATR  
Date: 1/24/02 9:44pm  
Subject: microsoft settlement

Microsoft has been providing the most user friendly operating system for the last 10 or so years. They are able to provide that service to the consumers due to the fact that they continue to be a predatory company. They feed and prey on smaller companies that aid to the movement of open source Gnu/GPL. I for one have noticed this practice increase in intensity and frequently ever since the linux operating system has gained popularity. Which is poised to steal a good portion of the market share in the next few years. I believe that Microsoft is a monopoly and hope that they get dealt with accordingly, by law.

Thanks.  
Joe Schafer  
cascadehiker@earthlink.net  
EarthLink: It's your Internet.

**MTC-00023530**

From: NE14T@PeoplePC.Com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:41pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gerard Cecchetti  
1279-43rd Avenue  
San Francisco, CA 94122-1212

**MTC-00023531**

From: Cosmo S  
To: Microsoft ATR  
Date: 1/24/02 9:44pm  
Subject: Microsoft Settlement

This has gone far enough and this lawsuit must be settled immediately. Microsoft has done their part and it's times for all others to follow suit. WE all had the same opportunity to become a microsoft company. Just because we failed microsoft shouldn't be put through the ringier.

Sincerely,  
Cosmo Stallone

**MTC-00023532**

From: Paul C. Zimmerman  
To: Microsoft ATR  
Date: 1/24/02 9:45pm  
Subject: Microsoft Settlement  
To Whom It May Concern:

I have serious misgivings with the proposed Microsoft settlements. My discomfort comes from a deep sense that the considered punishments do not adequately fit the crime. A serious re-consideration of a Microsoft breakup, I feel, is necessary.

A breakup of Microsoft would have the following benefits:

1) It would deal the greatest punishment to the executive heads of the company (who most directly orchestrated the company's tactics), and the least punishment to stockholders who are otherwise not culpable in Microsoft's anti-competitive behavior.

2) As opposed to any other proposed remedy, a breakup of Microsoft would be the easiest to implement and enforce, thereby minimizing the long term burden imposed upon taxpayers.

3) Moreso than any other proposed settlement, a breakup of Microsoft would ensure that the company cannot resume its anti-competitive behavior. Breaking Microsoft into three companies—computer operating systems, computer software, and media—would be the fastest, easiest, most directed, and least easily exploitable solution to the problem of Microsoft's anti-competitive behavior, its skewing of the marketplace, the burdens that its market dominance places on consumers, and its willful disregard of prior legal rulings. I urge you to reconsider this remedy.

Sincerely,  
Paul C. Zimmerman  
Computer Support Specialist  
The Dalton School  
New York, NY 10128

**MTC-00023533**

From: Chris Torgerson  
To: Microsoft ATR  
Date: 1/24/02 9:48pm  
Subject: US vs microsoft

Put another vote towards forcing Microsoft to open their Windows source code to the public. Along with a large financial penalty. My career as a Java programmer has been hurt by Microsoft's tactics in the Marketplace.

Chris Torgerson  
phone: (858) 882-8500 ext. 2320  
fax: (858) 882-8501  
Technical Manager  
email: ctorgerson@nm2.com  
New Media Merchants  
www: <http://www.nm2.com>

**MTC-00023534**

From: margaret@nwol.net@inetgw  
To: Microsoft ATR

Date: 1/24/02 9:44pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft.

This has gone on long enough.  
Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Margaret Ross  
P.O. Box 69364  
Odessa, TX 79769-0364

**MTC-00023535**

From: Elliot Jordan  
To: Microsoft ATR  
Date: 1/24/02 9:36pm  
Subject: Microsoft Settlement  
To whom it may concern:

I feel the proposed settlement is not strict enough against Microsoft. What they did was obviously illegal in many ways, and much of it goes unpunished if the current proposal is followed. However, I'm glad the offer by Microsoft contribute to our nation's schools was rejected. That proposal would have only served to boost the company's monopoly by allowing them to take over the education area, which is currently dominated by other operating systems.

I agree with Dan Kegel's proposals found here: <http://www.kegel.com/remedy/letter.html>, and I have co-signed the letter.

Thank you for continuing this case, and I hope Microsoft tastes justice before this case ends.

Elliot Jordan  
elliottjordan@mac.com  
<http://students.luther.edu/jordel01>

**MTC-00023536**

From: John Hughes  
To: Microsoft ATR  
Date: 1/24/02 9:46pm  
Subject: Antitrust and Microsoft

To whom it may concern,  
So far the whole process seems to be at a failure point. Microsoft is getting off relatively free, and is almost assuredly going to be in a stronger than ever position and certainly able to move in and take over more and more markets. How did this happen? I realize that the situation is complex, but Microsoft to too large to be affected my natural selection (or the business world version of it). Could this even have happened if it were a Car/Gasoline maker instead of an Computer Operating System/Application maker? Could the Car/Gas producer have even got to a 95% market ownership? Would the Government have even let it get that far?

Ok, the computer industry really sort of snuck up on the U.S. Government, that said though, please do something to correct the situation. What is so far being pushed through is not the answer...it is certainly not enough.

John Hughes  
455 W 46th St #5A  
New York, New York  
212-262-9237

**MTC-00023537**

From: Artur Niyazov  
To: Microsoft ATR  
Date: 1/24/02 9:46pm  
To Whom It May Concern:

It seems like the proposed settlement for Microsoft antitrust trial is flawed. Because of many different legal loopholes in it, Microsoft will be able to find ways to easily exploit their customers and OEMs to their advantage. A great analysis of flaws in the proposed settlement could be found here: <http://www.kegel.com/remedy/remedy2.html>. Below are my main complains about the settlement:

1) Microsoft's APIs, file formats, and protocols.

The complete documentation for these must be made public and be updated in a timely manner. Closed APIs and file formats are a major barrier to entry, since virtually no company can afford to convert its existing documents into a new format. Currently anyone using Microsoft products is effectively "locked in" to those products because they cannot be easily converted to another format. While some attempts had been made to produce programs and/or libraries that can read and write files in Microsoft's formats, they are only partially compatible and usually fail on complex documents. The main reasons for this are undocumented changes in Microsoft APIs and lack of complete documentation. Anything that can be done to reduce this barrier can only help to create more opportunity in the market.

2) Microsoft's business practices.  
Microsoft must not be allowed to enter into deals with OEMs, ISPs, or other businesses that would create disincentives or prohibit those companies from offering non-Microsoft products or services to their customers. Since the vast majority of the desktop computing world currently uses Microsoft products, OEMs, ISPs, and others must be able to offer those products to consumers. Allowing Microsoft to continue to take advantage of that situation by prohibiting those companies from offering alternatives effectively means allowing Microsoft to continue to hold the industry hostage.

3) Microsoft's attempts to extend their monopoly in new markets\*  
Microsoft attempted (often successfully) to extend their monopoly in several new markets already, using the same monopolistic tactics. Most prominent examples are:

\* Microsoft .NET and MS's plans to force everybody to sign for a MS Passport (which has already been proven to be a very insecure system), and also to sabotage development Sun Microsystems' Java language on Windows platform in favor of their own ".NET" system.

\* Audio/Video market, where Microsoft used their OS monopoly to push products like Windows Media Player and gain unfair advantage over competitors such as Real Player and QuickTime

\* The failed attempt to turn an educational lawsuit into a way to inject their software into yet another market

If these concerns are addressed by the eventual settlement or court ruling, they should remove most of Microsoft's ability to abuse it's monopoly power to the detriment of the industry. I feel that a healthy IT industry should consist of competing products from a variety of companies, all able to interoperate with each other, with no single company able to leverage it's dominance in one area to bolster it's position in another.

Sincerely,  
Arthur Niyazov

**MTC-00023538**

From: woyce@uslink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:45pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Wayne Johnson  
38571 Scenic Hwy.  
Bovey, MN 55709

**MTC-00023539**

From: rmtheisen@worldnet.att.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:44pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Rose & Charles Theisen  
13009 W Sunnyvale Drive  
Nine Mile Falls, WA 99026

**MTC-00023540**

From: JMccul3504@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:47pm  
Subject: (no subject)

For God's sake back off and let the market place decide. We have the job-eating asbestos blob- which the government should have restrained years ago- a veritable slush fund for tort lawyers—and which has caused numerous bankruptcy of many companies, past, present and future. We have the ridiculous and extremely costly dredging of the Hudson River by the government. We have faked lynx hairs by the Federal Parks and Wildlife Agency to shut down huge area of the Western States. We have a lousy accounting system that the Congress refused to correct years ago when it was being urged to do so. It would be refreshing if the Government addressed these problems, along with the hopelessly complex IRS situation, before again harrasing one of the really successful entrepreneurs  
John McCulloch.

**MTC-00023541**

From: huntingbeagles@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:45pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Cosmo Stallone  
804 Cooks Brook Road  
Roscoe, NY 12776-7102

**MTC-00023542**

From: koufi@lvcm.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:45pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Sincerely,  
Peter Koufos  
9101 West Sahara Avenue  
105-153  
Las Vegas, NV 89117

**MTC-00023543**

From: Justin Hilliard  
To: Microsoft ATR  
Date: 1/24/02 9:49pm  
Subject: Microsoft Settlement

Microsoft's proposed settlement is a bad idea. Please do not allow their terms to be accepted. Thank you.

Justin Hilliard

**MTC-00023544**

From: Nelson, Allan  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/24/02 9:44pm  
Subject: microsoft settlement

The current settlement with Microsoft does nothing to further the public interest. The weakest aspect of the settlement is the 3 person group who is to review MS behavior and technology. Historically such entities tend over a relatively short period of time to become captives of the industries they attempt to regulate. Further no three humans are capable of giving the kind of detailed oversight that would be needed to thoroughly vet the masses of code that MS has released in products over the years.

The settlement also does nothing to punish MS for the monopoly behavior that the company was found guilty of. Indeed with the consent given to the settlement to MS embrace and extend tactics coupled with the massive cash reserves of the company mean that MS can engage in a flurry of acquisitions that will further extend their monopoly. They can acquire companies on the cutting edge of web services standards development and take those standards private. With relatively few changes they can effectively make an emerging public standard a proprietary one. Leaked internal documents already have articulated this strategy on MS's part. To inhibit this kind of behavior, the company should be fined at least half of the cash reserve they have accumulated because their conviction as a monopolist taints the profits that the company has received since the release of Windows 3.0.

The courts should also vacate all existing agreements that allow MS any advantage in terms of getting their OS loaded on a PC. Further MS should be prohibited from making any such agreement in the future.

Finally only some kind of disclosure that prevents MS from arbitrarily changing libraries and their interfaces is needed to prevent MS from capitalizing on the inherent advantage that application developers have if they work for the company that produces the Operating System.

Allan Nelson  
Cooper Industries  
Oracle DBA  
713.209.8624

**MTC-00023545**

From: dglt@quixnet.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:47pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Hogan  
8105 Lister Street  
Philadelphia, PA 19152

**MTC-00023546**

From: Hari Nair  
To: Microsoft ATR  
Date: 1/24/02 9:50pm  
Subject: Comment on anti-trust settlement

Dear Sirs,

I am deeply concerned with the proposed settlement the government has offered to end the anti-trust case with Microsoft. As no doubt many other letters have pointed out, the settlement does nothing to prevent further monopoly abuses by Microsoft.

This is dangerous because Microsoft, having an entrenched monopoly on desktop computer operating systems, is now extending that monopoly to other areas, with the pocket PC, the Xbox, and their Windows Media format.

The internet was founded on open standards beyond the control of any one organization. I am worried that Microsoft will hijack the internet as its new cash cow if they continue to operate as they have in the past.

If I may suggest a remedy, I would hope the government would begin to encourage the use of non-Microsoft products in its own agencies. Imposing behavioral restrictions on Microsoft isn't likely to accomplish anything, as they have shown little regard such remedies in the past. The government is a powerful driver of the market, and can level the playing field much more easily in a

constructive way by choosing competing products which can do the job as well.

Thank you for your attention.

Regards,  
Hari Nair

**MTC-00023547**

From: JPH  
To: Microsoft ATR  
Date: 1/24/02 9:51pm  
Subject: Microsoft Settlement

I think the governments handling of this case is bureaucratic, appeasing to Microsoft (not punishing) and downright pathetic. The U.S. Government and Microsoft deserve each other if this "lighthearted" settlement is given the Go-ahead. No wonder nothing gets done right, the government itself runs just like a Windows operating system!

**MTC-00023548**

From: clemson—J@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:48pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Clemson  
20920 Nectar  
Lakewood, CA 90715

**MTC-00023549**

From: Bill Menner  
To: Microsoft ATR  
Date: 1/24/02 9:52pm  
Subject: Microsoft Settlement  
CC: tormist@ag.state.ia.us@inetgw

**MTC-00023549 0001**

January 24, 2002  
Hon. Colleen Kollar-Kotelly  
U.S. District Court, District of Columbia  
c/o Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Judge Kollar-Kotally:

The proposed settlement between the Department of Justice and Microsoft in U.S. v. Microsoft falls far short of what is needed to put an end Microsoft's pattern of predatory practices.

This deal does not adequately protect competition and innovation in this vital sector of our economy, does not go far

enough to address consumer choice, and fails to meet the standards for a remedy set in the unanimous ruling against Microsoft by the Court of Appeals for the District of Columbia. Its enforcement provisions are vague and unenforceable. The five-year time frame of the proposed settlement is much too short to deal with the antitrust abuses of a company that has maintained and expanded its monopoly power through fear and intimidation.

Microsoft's liability under the antitrust laws is no longer open for debate. Microsoft has been found liable before the District Court, lost its appeal to the United States Court of Appeals for the District of Columbia in a 7-0 decision, saw its petition for rehearing in the appellate court denied, and had its appeal to the Supreme Court turned down. The courts have decided that Microsoft possesses monopoly power and has used that power unlawfully to protect its monopoly.

The next step is to find a remedy that meets the appellate court's standard to "terminate the monopoly, deny to Microsoft the fruits of its past statutory violations, and prevent any future anticompetitive activity." This proposed settlement fails to do so.

**The Deal Fails to Meet the Appellate Court's Remedy Standards**

This proposed settlement clearly fails to meet the standards clearly laid out by the appellate court. In fact, the weak settlement between Microsoft and the Department of Justice ignores key aspects of the Court of Appeals ruling against Microsoft. Here are several examples of where this weak settlement falls short:

1) The settlement does not address key Microsoft practices found to be MTC-00023549-0002 illegal by the appellate court, such as the finding that Microsoft's practice of bolting applications to Windows through the practice of "commingling code" was a violation of antitrust law. This was considered by many to be among the most significant violations of the law, but the settlement does not mention it.

2) The settlement abandons the principle that fueled consumer criticism and which gave rise to this antitrust case in 1998: Microsoft's decision to bind—or "bolt"—Internet Explorer to the Windows operating system in order to crush its browser competitor Netscape. This settlement gives Microsoft "sole discretion" to unilaterally determine that other products or services which don't have anything to do with operating a computer are nevertheless part of a "Windows Operating System product." This creates a new exemption from parts of antitrust law for Microsoft and would leave Microsoft free to bolt financial services, cable television, or the Internet itself into Windows.

3) The deal fails to terminate the Microsoft monopoly, and instead guarantees Microsoft's monopoly will survive and be allowed to expand into new markets.

4) The flawed settlement empowers Microsoft to retaliate against would-be competitors and to take the intellectual property of competitors doing business with Microsoft.

5) The proposed settlement permits Microsoft to define many key terms, which

is unprecedented in any law enforcement proceeding.

#### Loopholes Undermine Strong-Sounding Provisions

The proposed settlement shows that it contains far too many strong-sounding provisions that are riddled with loopholes. Here are several examples:

The agreement requires Microsoft to share certain technical information with other companies in order for non-Microsoft software to work as intended. However, Microsoft is under no obligation to share information if that disclosure would harm the company's security or software licensing. Who gets to decide whether such harm might occur? Microsoft.

The settlement says that Microsoft "shall not enter into any agreement" to pay a software vendor not to develop or distribute software that would compete with Microsoft's products. However, another provision permits those payments and deals when they are "reasonably necessary." The ultimate arbiter of when these deals would be "reasonably necessary?" Microsoft.

The settlement does nothing to deal with the effects on consumers and businesses of technologies such as Microsoft's Passport. Passport has been the subject of numerous privacy and security complaints by national consumer organizations. However, corporations and governments that place a high value MTC-00023549-0003 on system security will be unable to benefit from competitive security technologies, even if those technologies are superior to Microsoft's. Why? Microsoft controls their choices through its monopolies and dominant market share, and still is able to dictate what technologies it will include.

#### Enforcement

The weak enforcement provisions in this proposed deal leave Microsoft free to do practically whatever it wants.

A three-person technical committee will be appointed, which Microsoft appointing one member, the Department of Justice appointing another, and the two sides agreeing on the third. This means that Microsoft gets to appoint half of the members of the group watching over its actions.

The committee is supposed to identify violations of the agreement. But even if the committee finds violations, the work of that committee cannot be admitted into court in any enforcement proceeding. This is like allowing a football referee to throw as many penalty flags as he likes for flagrant violations on the field, but prohibiting him from marching off any penalties.

Finally, Microsoft must comply with the lenient restrictions in the agreement for only five years. This is not long enough for a company found guilty of violating antitrust law.

The Proposed Settlement fails to Adequately Address Consumer Needs The settlement does not go far enough to provide greater consumer choice, and leaves Microsoft in a position that it can continue to charge whatever it wants for its products.

As a recent Chicago Tribune story said: "If you believe that what's good for Microsoft Corp. is good for consumers, the proposed settlement of the software giant's three-year

federal antitrust battle is cause for celebration. If you believe that consumers would benefit more if Microsoft could no longer use its Windows monopoly as a springboard into new markets, you stand to be sorely disappointed."

In addition, consumer groups have opposed the settlement. Mark Cooper, director of research for the Consumer Federation of America, said: "Wall Street's view is that Microsoft's business model doesn't change. If that's the case, we will continue to be afflicted with the same anti-competitive behavior."

The Microsoft Monopoly Should not be Exempt from Antitrust Laws Enforcing federal antitrust laws against monopolies is not new or novel. Antitrust law has protected free markets and enhanced consumer welfare in this country for more than a century. The Microsoft case does not represent a novel application of the law, but is the kind of standard antitrust enforcement action necessary to insure vigorous competition in all sectors of today's economy.

These same standards have been applied to monopolies in the past. We do not have one oil company determining how much we pay for gasoline, but instead we have suppliers such as Exxon, Mobil, Amoco and Chevron competing with each other. These companies were all part of the Standard Oil monopoly, which was dissolved because Standard Oil was found to have violated the antitrust laws.

Less than 20 years ago, the nation essentially had one telephone company—AT&T. After the government sued AT&T for violating the antitrust laws, the company was broken up, and competition was introduced in the long distance business. Since competition was introduced into that market, real prices have declined more than 70 percent, and there has been more innovation in the past two decades than in most of the preceding century. Settlement is Based on Flawed Economic Assumption, and Sets a Bad Precedent Some defenders of the proposed settlement between Microsoft and the DOJ have adopted the view that settling this case could somehow revive the slowing U.S. economy. Their motives are good, but their reasoning is flawed. What economic theory holds that protecting monopolies is better for stimulating the economy that promoting competition?

#### Conclusion

The end result is that this proposed settlement allows Microsoft to preserve and reinforce its monopoly, while also freeing Microsoft to use anticompetitive tactics to spread its dominance into other markets. After more than 11 years of litigation and investigation against Microsoft, surely we can—and we must—do much better than this flawed proposed settlement between the company and the Department of Justice.

Thank you for your time.

Regards,  
William J. Menner  
Grinnell, Iowa

#### MTC-00023550

From: m cp  
To: Microsoft ATR  
Date: 1/24/02 9:53pm  
Subject: Microsoft

The proposed settlement cannot work. Why do they have the chance to be anti-competitive, dump crap equipment and software on our children and schools at an inflated valuation, and come out smelling like roses? If I was found guilty by the you, I seriously doubt I could say my old 2-button mouse was worth more than a laugh towards a settlement. It is your DUTY to be consistent. You need to ask yourself if you would treat an individual defendant the same way you would treat a corporation.

#### MTC-00023551

From: jdiu47@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:51pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joan Domrow  
5024 Hemlock Ln.  
Ft. Wayne, IN 46815-5004

#### MTC-00023552

From: michael collins  
To: Microsoft ATR  
Date: 1/24/02 9:54pm  
Subject: Microsoft Settlement

To whom it may concern;  
I truly believe Microsoft is a detriment to the software industry and to fair competition. I'm too busy to review all the public documents on the subject, therefore I must trust the US court system with this case. Please do what no other organization can do and break up this monopoly.

thank you  
michael collins  
San Francisco CA.

#### MTC-00023553

From: Clay Lenhart  
To: Microsoft ATR  
Date: 1/24/02 9:54pm  
Subject: Settlement  
Illegal actions should be punished.  
Microsoft should not go unpunished.  
Clay Lenhart

#### MTC-00023554

From: Photozen  
To: Microsoft ATR  
Date: 1/24/02 9:57pm  
Subject: Microsoft Settlement The settlement is really bad.

**MTC-00023555**

From: aschuler@mc2k.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:53pm  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Martha Schuler  
 12 Aldridge Ln  
 Bella Vista, AR 72714

**MTC-00023556**

From: Scott L. Fields  
 To: Microsoft ATR  
 Date: 1/24/02 10:10pm  
 Subject: Microsoft Settlement

**MTC-00023556 0001**

I have been in Information Services for all of my professional career. I started in computer hardware maintenance in the 80's and progressed to being a Systems Architect today.

As such, I have a historical view of Microsoft, their business practices, and their attitude toward anyone that isn't them (including the government). As such, I have established a few points-of-view regarding them.

1. Microsoft dislikes any technology they do not directly control, and either will be that technology outright, or will do anything in their power destroy it. Cases in point:

- a. Stack
- b. OpenGL
- c. Netscape Communicator
- d. Any OS other than their own on the same hardware platform

2. Microsoft feels above the law. Whenever Microsoft has been charged with breaking the law, they have a history of litigating it to the point that the charging party gives in (settlement or buyout), or the outcome of such a lawsuit is irrelevant (Netscape).

3. Whenever threatened in the public, they often hide behind the defense that punishing them would hurt "innovation". The truth is that Microsoft has done VERY little that could be considered innovation. In fact, Microsoft actively stifles innovation. Again, refer to my first point. Practically every technology Microsoft pushes existed BEFORE Microsoft implemented them.

Examples:  
 Source Vendor Product Microsoft Implementation

Apple Macintosh Windows  
 Apple Quicktime Media Player  
 Netscape Communicator Internet Explorer  
 IBM Plug And Play (AIX) Plug And Play  
 AOL Instant Messenger MSN Instant Messenger

What is laughable about the above is that Microsoft sounded off about AOL being a monopoly with Instant Messenger. I found that very hypocritical, and typical of how they operate.

So, if Microsoft does NOT innovate, then how come they are the largest software company in the world today? Simple, they have consistently

**MTC-00023557**

From: cerdon@eaznet.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 9:56pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Donna Orbegoso  
 8286 S. Navajo Dr.  
 Safford, AZ 85546

**MTC-00023558**

From: Mark Kirby  
 To: Microsoft ATR  
 Date: 1/24/02 9:59pm  
 Subject: Microsoft Settlement

Dear Sir or Madam:  
 Microsoft is continuing to abuse their monopoly in desktop operating systems to compete in other software markets. If this is allowed to continue, consumers and competitors will be further harmed. The settlement offered by DOJ is not strong enough to contain Microsoft's illegal behavior, and should be reconsidered.

I have personally observed cases where Microsoft has discounted the price of their desktop operating systems, on the condition that a corporate customer replace competitive server products. These server products include electronic mail, electronic commerce, database and internet servers.

Microsoft is also actively integrating these same services into the desktop and server operating systems.

Any remedy which does not create a competitive environment in operating system—is doomed to fail. Therefore, please consider remedies which either:

1. Force Microsoft to license their software "code" to potential competitors.

2. Force Microsoft to "publish" (to a limited, controlled audience) their software "code" for the purpose of identifying links between the operating systems and applications.

3. Force Microsoft to divest either the applications or operating systems business.

Thank you.

**MTC-00023559**

From: jeff chasick  
 To: Microsoft ATR  
 Date: 1/24/02 9:59pm  
 Subject: Re U.S. v. Microsoft case

**MTC-00023559-0001**

"it is my responsibility oversee the deployment of new technologies to our company. My position gives me ample freedom to implement whatever software or hardware I see necessary to keep the company network running smoothly and to satisfy user requests. Unfortunately, though my position may give me that freedom, the current software economy cannot.

"I would dearly love to replace all Microsoft technology in my office with Open Source software, and if the software economy give me as much freedom as my job did, I would do just that. However, the most defeating problem is what Microsoft chooses to keep secret—it's network protocols, the layout of it's Office files, and the precise technology needed to migrate from their email server.... I am asking the court to force Microsoft to publish these protocols in detail.

"I am also urging to court to act on future technologies as well. Microsoft is now planning to add vast pieces of the Internet to it's web of interdependencies. With it's initiative .Net, whole portions of the web would be cut off from non-Microsoft technologies. We have seen a glimpse of the monopolist's vision of the future with the UK and MSN portal, designed by Microsoft and accessible only with Microsoft technology...."

"Because the most successful competitors in recent years in product markets in which Microsoft holds a true or de facto monopoly (eg. personal computer operating systems, Internet browsers, and office productivity software) have arisen from the open source software community, I believe it is of extreme importance that any settlement protect and enhance this community's ability to produce products that provide end-users with viable choices.

"In my reading of the proposed settlement, such protection is not provided. On the contrary, the settlement will serve to allow Microsoft to continue to hinder the open source software community's efforts.

"The proposed settlement speaks of disclosure of APIs and licensing of intellectual property. I fear that any information disclosed by Microsoft will only be licensed to vendors or developers under conditions of a non-disclosure agreement, thus preventing the implementation of such protocols in an open source project or product. Another issue I have with the proposed settlement is the restrictions that are placed on the entities with which Microsoft must share their API's. In the



explanations I have seen of the proposed settlement these entities are restricted to 'commercial' ventures, implying for-profit status. This is simply wrong and way too restrictive. I believe that to be truly effective the parties with whom Microsoft should share their API's and the like should be broadly defined, maybe something like 'any party or entity that could potentially benefit from such information'. In other words this information should essentially be in the public domain."

"This settlement, if implemented as proposed, will serve to entrench Microsoft's monopolies further, by allowing it to exclude the open source software community from any future technologies and APIs it develops. As this community is currently one of Microsoft's most serious competitors, it seems unbelievable that the proposed settlement will aid Microsoft in eliminating this 'threat' to their monopolies.

"As an example of the current 'problem' of Microsoft's monopoly in the OS and office productivity software markets, I point to the ubiquitous '.doc' file. This one proprietary file format I believe is one of the cornerstones of Microsoft's OS/productivity suite monopoly. Many people I know in the academic and business communities regularly purchase updated versions of Microsoft Windows and Microsoft Office for the sole reason that their correspondents send them .doc files as e-mail attachments. The options for importing these files into 3rd party applications are many; however, having personally tried a large number of such programs, both free and commercial, I can safely say that many work well some of the time, none work well all of the time. The continuing cycle of forced upgrades to maintain compatibility with correspondents lies at the heart of Microsoft's monopoly. "As a solution to this kind of problem, I believe that Microsoft should be compelled to disclose the specifications of the file formats used by its products to anyone who sends or receives files in such formats and requests the information.

"Left unsolved, this problem is bound to be more severe in the future. It has been widely reported recently that Microsoft is considering moving to a yearly licensing-fee system for its OS and Office software. In this case, files created with licensed software and saved in proprietary formats may be permanently unavailable to the creator or owner of the data in the file if a user or company chooses to terminate its license. I may own the copyright of the work I create, but that is of little value if the only copy of the work in existence is one saved in a format to which I do not have access.

"Of course the .doc file format is not the only proprietary file format Microsoft products use, and the arguments above apply equally well to other products and file formats. The .doc format is likely the most important however, because text-based documents appear to be the most commonly shared and transmitted.

"A second cornerstone of Microsoft's monopoly is the fact that many computer manufacturers will not sell computer hardware without a Microsoft OS. I understand that the proposed settlement will

prevent Microsoft from entering into exclusive arrangements with vendors, but I believe that stronger protections are required.

"If Microsoft's agreements with computer vendors forced the vendor to disclose to the computer purchaser the price of the Microsoft products included, it would help consumers choose products and vendors that were appropriate to their needs. As an example, I point to Dell which will, as far as I can tell, not sell a computer without a Microsoft OS and office productivity suite. If purchasers knew that without these products they could save some number of dollars, that now often amounts to a sizable percentage of the computer package purchase price, they could apply pressure to the vendor to provide alternative (likely less expensive) products. Microsoft has stated concerns that selling computers without operating systems equates to software piracy. This assertion is absurd, and has become irrelevant with Microsoft's newest release of Windows XP, which requires license activation.

"Having consumers and end-users with more information is clearly in the public interest. All of what is suggested here concerns supplying information that enables computer users to make informed decisions, and to access their own work on their own computer.

"I personally think that is probably a little radical, but then I see demo copies of Microsoft's XP operating system on all the workbenches of my local post offices and I do wonder what is going on here. I do not see any other vendors product demos available there. This seems to indicate implicit approval of Microsoft products and no other by a government entity? Thus I am perplexed at the current 'penalties' being 'imposed' on Microsoft.

They seem to be more of an encouragement for Microsoft to continue in the same ways it has been and those are the very same ones that brought this issue to the DOJ in the first place. If these are implemented as currently stated then fair business practices, innovation and competition are DEAD in the computer field.

"The Court declares Microsoft operating system products 'criminally compromised intellectual property'. This is a special state of copyright protection vacancy, under which Microsoft operating system products lose their patent and copyright protections exactly five years after their release dates.

"First off, it has one essential characteristic of anything that will be effective upon Microsoft, simplicity. They feed on loopholes. There are none in the above. There's nothing they can do about the Fed not protecting the copyrights their existence depends upon.

"There is nothing for them to cooperate with. "This doesn't require any cooperation or good faith from Microsoft, which is also crucial. (They may actually favor this remedy, however.) "It does actually partially break their monopoly. The AOLs and Oracles and Rick Hohensees of the world can produce thier own alternatives to Windows, based on older versions of Windows. (I personally have to be very well paid to look at a Windows desktop, but distastes vary. I use Linux.) "The focus is on the software

others are dependant on, operating systems. This leaves Microsoft untouched as to application products such as Office.

.comment: Your Voice Another Approach  
Dennis E. Powell

From Florida a careful dissection of Microsoft's attempts to maintain its monopoly and to create new ones:

"I am a Software Developer who has worked in the industry for almost 30 years. I have used many Microsoft products, and have enjoyed the increasing abilities of software systems developed by Microsoft. I also enjoy using other operating systems, but as a software developer, I have to follow market trends to keep myself fed—regardless of the market trends. "However, it is apparent that Microsoft has attempted to maintain a monopoly on the Internet Web Browser market to any casual software user. It is more apparent to a software developer who work within Microsoft operating systems. The technical aspects involved in the operating system itself, specifically, development with the Microsoft Foundation Classes and use of ".Net" technology marries the software developer (happily or unhappily so) to Internet Explorer, and the operating system.

"Furthermore, specific training programs such as MCSE (Microsoft Certified Software Engineer) and MCSO (Microsoft Certified Solution Developer) are geared towards maintaining the Internet Browser market by way of gearing Microsoft Certified individuals (who pay for courses and tests!) to use only Microsoft Products. Operating Systems. Software. Software Development. In an Internet enabled world, these are the tools for maintaining a monopoly on the Internet Browser Market.

"One could argue that nobody else has attempted these things on the level that Microsoft Inc. has. Yet that is my point. Nobody should. Freedom of Choice.

"The newer versions of Windows have the Internet technologies wrapped in them. This IS an obvious attempt to maintain a monopoly on the Internet Browser market. They may be able to prove that they did not do it 'on purpose', but they have done it. If I run over a man with my car, and I broke a traffic law while doing so, the offense is manslaughter. It I planned to do it (premeditated), it's Murder 1. The fact remains that a man would be dead.

"Odds are that when this is read, it will be read on a Windows NT 4.0 machine. Why? Because the U.S. Government has certified Windows NT 4.0 as a secure operating system. Furthermore, this mail message will probably be read through another one of Microsoft's applications. "The U.S. Government, for lack of any other 'secure' operating system, has gone with the highest bidder. Neil Armstrong quipped about going to the moon on everything built by the lowest bidder, and here the United States states that we'll go with the ONLY software manufacturer that creates an operating system. This seems counterintuitive. Freedom of Choice. If you need more proof than the software that the reader of this document is using, and my ability to predict that, I'm at a loss.

"These two points highlight the fact that the average American consumer is paying

more than once for the same software—first as consumers, then as taxpayers. When banks charge twice for ATM withdrawals, we cringe and say that it may be legal, but it is obviously immoral. Given, the hardware manufacturer is hiding the price of the operating system on new computer systems, the fact remains the same.

“This is a sticky situation, but legal recourse in the interest of the people of the United States (and the rest of the world!) should contain the following items:

“(1) Microsoft products—or products of any software manufacturer—must be sold as separate items by computer vendors. Users can then make a CONSCIOUS choice. Other software manufacturers then also have a chance to compete. Installation of the USER SELECTED software can remain free.

“(2) Any Microsoft networking protocols must be published in full and approved by an independent network protocol body. This would prevent Microsoft from seizing de facto control of the Internet.

“(3) The specifications of Microsoft’s past, present and future document and network formats must be made public, so that documents created in Microsoft applications may be read by programs from other makers, on Microsoft’s AND other operating systems. This is in addition to opening the Windows Application Program Interface (‘windows API’, the set of ‘hooks’ that allow other parties to write applications for Windows operating systems), which is already part of the proposed settlement.

“(4) The level Microsoft is certified by the Software Engineering Institute must be made public to the consumer, as well as insight into their development process for Operating Systems. SEI level 3 is required by the United States Government for software companies that supply software to it (or that was coming in 1999). This certification was created to protect the government from software manufacturers that had no software development process. This same certification should protect the average consumer, AND insight into the Software Development Process for creation of their operating systems would give software manufacturer’s a chance to keep up with Microsoft.

“(5) Device Driver information for new operating systems MUST be made public prior to the release of the operating system by a minimum of 6 months. This is VERY important when dealing with future web enabled embedded devices. This is also very important to the average consumer—they get a better product!

“This judgment is not only of import to the United States, where it is a national issue. It is in fact an INTERNATIONAL issue, since the monopoly itself extends to all corners of the world. Judgment in this case MUST be fair to the consumer, because future cases along these lines will look toward this precedent. And, in future, it may not be as domestic an issue.

“Furthermore, if Microsoft Inc. were a foreign company, this would be seen as a security issue. It should be seen this way despite the fact that Microsoft is a domestic software manufacturer for the SAME reasons. “Please realize that the implications in an Internet based society reach further than the

next few years. They affect society ad infinitum.”

“In summary, I believe the proposed settlement is seriously lacking, and will, if implemented as proposed, aid Microsoft in its efforts to hinder its most viable competitors. Any successful settlement must protect the rights of computer users to choose the products they desire to access their data.”

#### MTC-00023560

From: jpersel@home.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John M. Persel  
507 Oakview Dr.  
Toms River, NJ 08753

#### MTC-00023561

From: root@solarflow.dyndns.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:58pm  
Subject: Microsoft trial

There are some things I can say, but to keep this short since you must receive a lot of email, please don’t just let Microsoft get away like this, it’s a very important matter and it extends well beyond the computing world.

#### MTC-00023562

From: jduncan@seidata.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James R. Duncan  
338 Crestwood Dr.  
Madison, IN 47250

#### MTC-00023563

From: Rev. Dr. Andrew Hermetz, D. D., H.M./S.H.

To: Microsoft ATR  
Date: 1/24/02 9:59pm  
Subject: Microsoft Settlement

What can I say that hasn’t already been said?

In our Constitutional Republic and its capitalist underpinnings, there are clearly defined rules for many situations, circumstances. Adaptable, flexible, and founded on logic, these standards for self-governance allow us to determine when a fellow citizen has stepped outside of prescribed boundaries...and “We the People” have found Microsoft to be guilty.

For nearly two decades, it had been an open secret among people inside the computer industry that, from its humble beginnings as a subcontractor for IBM’s original Personal Computer to the World’s Largest Software Co. with a 90% lock on every computer sold on the face of the Earth, Microsoft used any means at their disposal to achieve their goals. Industry insider testimony at the trial demonstrated this repeatedly. What to do next?

Surely no punishment doled out to Microsoft should be so narrow as to serve as a loophole for future violations; nor should it be so broad as to be unenforceable. One thing for sure is that no penalty should be without some form of future oversight to prevent abuse after the eye of investigators has been turned to some other matter. An effort to build and maintain a level playing field will have to utilize some method(s) for opening up some of the doors kept closed through Microsoft standard operating procedures.

I urge my duly elected public officials to take \*real\* action in administrating the penalty phase of this case.

Andrew Hermetz  
Dayton, Ohio  
Independent Research Engineer  
Humanadyne  
ahermetz@onebox.com

#### MTC-00023564

From: balanes.teresa@ssd.loral.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:56pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those

supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Teresa Balanesi  
37051 S. Chrisman Rd.  
Tracy, CA 95377

**MTC-00023565**

From: nesservco@home.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:57pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lynn Nordeen  
2Windy Hill Lane Laguna Hills, CA 92653-6077

**MTC-00023566**

From: Dave  
To: Microsoft ATR  
Date: 1/24/02 10:01pm  
Subject: Microsoft Settlement

Hey All,

I wanted to let y'all know that I think the Proposed Settlement is a bad idea. I am not convinced that the Settlement Proposal as it exists goes far enough to restrict Microsoft's anticompetitive practices. At very least, Microsoft needs to publish all of its APIs so that applications can be developed with the intent to port to windows and non-windows operating systems without licensing restrictions.

Thanks,  
Dave Cotton  
friend@vortex4.net

**MTC-00023567**

From: csmith@stoneboro.  
uucp.cirr.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:00pm  
Subject: Microsoft Settlement

I am appalled at how Microsoft is being turned loose to repeat its antitrust violations. Breaking MS up into an Apps half and an OS half would at least have addressed the problem. The proposed settlement, especially

if implemented by MS in the way they historically do "comply" with such orders, will do almost nothing to keep them from using their OS monopoly to gain a monopoly in any software they want to. It falls woefully short of the minimum needed.

Chris Smith  
1408 Stoneboro  
Richardson TX 75082

**MTC-00023568**

From: udochef@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:57pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Udo Walter  
76481 Bob Levy Rd. #1  
Talisheek, LA 70464

**MTC-00023569**

From: Ray Morro  
To: Microsoft ATR  
Date: 1/24/02 10:02pm  
Subject: Microsoft Settlement

To Whom It May Concern:

I am writing to register my objection to the proposed Microsoft settlement. I do not believe the current proposed settlement serves the interests of promoting competition or remedying the impact on the American consumer, nor does it fully redress the actions committed by Microsoft in the past or inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Furthermore, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still

benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

Finally, I believe the settlement should include requirements for Microsoft to provide open access to interfaces between its products, and to provide an unbundled version of Windows (no Internet Explorer, no Windows Media Player, etc.). These actions are needed to afford competitive products, including open source alternatives, with an environment in which they can compete on a level playing field with a competitor which controls the incumbent desktop operating system technology. Without true, timely and open access to interoperability information, the barriers of entry for alternative commercial and open source products will be too high to overcome the leverage held through its desktop operating system monopoly. To truly avoid a recurrence of past practices, an oversight committee of some sort is truly needed. Your attention to this matter is greatly appreciated.

Sincerely,  
Raymond Morro  
Telecommunications Engineer  
Lucent Technologies  
Wayne, New Jersey

**MTC-00023570**

From: omcquain@neumedia.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 9:59pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Okey McQuain  
227 Evergreen Drive  
Elkins, WV 26241-3007

**MTC-00023571**

From: Scott L. Fields  
To: Microsoft ATR  
Date: 1/24/02 10:06pm  
Subject: Microsoft Settlement

Scott L. Fields  
4220 River Birch  
Fort Worth, TX 76137  
Phone: 817-847-7889

**MTC-00023572**

From: Mary Irvin  
To: Microsoft ATR  
Date: 1/24/02 10:03pm  
Subject: Microsoft Settlement To whom it may concern:

I believe that this matter has been litigated long enough. The Government, Microsoft, and a number of states have determined that the Settlement is acceptable and I don't think it is in the public interest for the attorneys general of a few states to drag this out any longer. The public will ultimately pay for this litigation—past, present, and future—and we have paid enough.

Stop it now and let everybody get on with their business.

Robert A. Irvin, Taxpayer

**MTC-00023573**

From: lbparker@attbi.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:01pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Larry Parker  
8134 Vomic Road  
Dublin, CA 94568-1442

**MTC-00023574**

From: leybie@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:01pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lee Bonney  
1764 S. Holland St  
Lakewood, CO 80232

**MTC-00023575**

From: Frank E. Friedman

To: Microsoft ATR

Date: 1/24/02 10:50pm

Subject: Microsoft Settlement

To Whom It May Concern,

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices. Microsoft has been declared guilty of past wrongs, and must now be held accountable in some measure.

In previous antitrust cases, companies such as the phone company and Standard oil were broken into pieces (many pieces) in order to restore competition. Granted, after each breakup, the economy declined a bit. However, competition was restored and the economy came back stronger than before. With competition restored, employment will rise and innovation will be stronger than it has in the past decade.

I say that the DOJ and US government should be putting a stop to Microsoft's monopoly. Breaking up the company is one way to restore a level playing field (or competition). Other methods to level the playing field would be to force them to release their file formats, source code, protocols, API's or something similar. (However, even that may not be enough). But the current settlement simply shows that the government no longer has the power to enforce the laws that control our capitalist country. Microsoft will continue to do what it has done in the past knowing that they can get away with it.

Thank you for your time,  
Frank E. Friedman  
Frank E. Friedman  
fritz68@timmie.dhs.org

I do not feel obliged to believe that the same God who has endowed us with sense, reason, and intellects has intended us to forgo their use.—Galileo

**MTC-00023576**

From: Robert Pulaski

To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 9:59pm

Subject: Microsoft Settlement

Robert Pulaski  
190 Harper Loop  
Grants Pass, OR 97527-5338  
January 24, 2002

Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over,

companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Robert Pulaski

**MTC-00023577**

From: Doug.Reed@infonet.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:02pm

Subject: Corruption in the Courts

To whom it may concern,

I am no lawyer, but I am a United States Citizen, and as such, I find the Microsoft settlement disturbing. From my view the only possible explanation is corruption on the part of Judge Coleen Kollar-Kotelly. She has effectively eliminated any impediment to an absolute monopoly by Microsoft Corporation, and done irreparable harm to the antitrust laws in the United States. In the future, any monopolist can use these proceedings as precedent to completely ignore US Antitrust law. I not only urge that the Justice Department review this case, but that Judge Coleen Kollar-Kotelly be investigated for her obvious complicity with Microsoft.

Regards,  
Doug Reed  
Redondo Beach  
California

**MTC-00023578**

From: DMFBuggydriver@AOL.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 10:03pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dennis Franklin

RT.#3, 4113 Bennett Ave.  
Billings, MT 59105

**MTC-00023579**

From: rjjenkel@gjct.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:03pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Robert L. & Joyce Jenkel  
587 E. Conestoga Circle  
Grand Junction, CO 81504-7004

**MTC-00023580**

From: jim2@bellatlantic.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:02pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

James Mullins  
329 Riverside Drive  
Logan, WV 25601-4033

**MTC-00023581**

From: Sharon Stone  
To: Microsoft ATR  
Date: 1/24/02 10:06pm  
Subject: microsoft settlement case

I believe Microsoft used its enormous size and its dominance in the operating system market to essentially eliminate its competition in the browser market.

They have done the same thing in many other areas of software development. How can new business start up if they don't have a fighting chance against Microsoft. He has all the money and power to wipe out any new business that may appear.

The monopolistic, anti-competitive practice will continue to grow with the growth of MSN, the Passport service, Windows XP.

I disagree with the settlement proposed by the Dept of Justice, it does nothing to stop these practices by Microsoft.

Yours sincerely,  
Lucille Khornak.

**MTC-00023582**

From: Tom Kazunas  
To: microsoft.atr(a)usdoj.gov  
Date: 1/24/02 10:05pm  
Subject: Microsoft antitrust

The proposed Department of Justice/Microsoft settlement is NOT a sufficient remedy for Microsoft's monopolistic business practices. A United States federal appeals court has determined that Microsoft is guilty of numerous antitrust law violations, yet Microsoft blatantly continues those same practices. I sincerely hope you will reward Microsoft's scorn with an appropriately severe penalty.

Thank you  
Tom Kazunas  
Madison, WI

**MTC-00023583**

From: Chris Dennin  
To: Microsoft ATR  
Date: 1/24/02 10:07pm  
Subject: Microsoft Settlement

Dear Sirs,

I writing this note in response to the Microsoft Settlement. I feel Microsoft should be punished for their strong arm tactics over the past several years and punished severely. However I do not think it should be crippling and here is my 2 part proposal.

Part 1: Microsoft should be required to make their existing software code available to everyone much in the same way Linux does.

Part 2: Whatever the dollar figure Microsoft is to be fined. The courts should multiply it by 5 and allow them to pay it off over 20 years, much the same way the Tobacco Settlement was designed. The fine should be paid only in CASH only. Not software or hardware and should be paid directly to the States to do with as they please.

Regards,  
Christopher G. Dennin  
8701 Shore Road  
Brooklyn N.Y. 11209

**MTC-00023584**

From: smokeyblu@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:04pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Charles N Culp  
501 Kennard ave  
Edgewood, MD 21040

**MTC-00023587**

From: Jim Bauer  
To: Microsoft ATR  
Date: 1/24/02 10:08pm  
Subject: Microsoft Settlement

I am witting to say that I am strongly against the proposed Microsoft settlement. The only effect it will have on Microsoft's business practices is to \*increase\* their Monopoly hold on much of the computer industries. It fails to really address many key areas including the need to have only open (documented and freely available) protocols and file formats.

The sole purpose of the government is to protect the rights of the \*people\*. IT is clear that no one was thinking of the people when this settlement was drafted. —

Jim Bauer, jfbauer@home.com  
Elkridge MD, US

**MTC-00023588**

From: Lana Taylor  
To: Microsoft ATR  
Date: 1/24/02 10:08pm  
Subject: Dear Attorney General Ashcroft,  
please have the department back away from

Dear Attorney General Ashcroft, please have the department back away from the Microsoft case. The first go-round of the case against them began the downward spiral of our economy in March of 2000—this will not enhance our prospects for recovery. The case is needless and flies in the face of free enterprise!

Please take care of yourself and get some well-needed—earned rest, you have bigger fish to fry in regards to ensuring our nation's safety. I know you inherited a lot of this from you-know-who's administration, but let's keep on with the truly important things, preservation of life and security issues.

I am so proud to know you and to have supported you and Janet in your campaigns for office. I hope your family is all doing well and that Jimmy is getting more delightful with each passing day. I missed your Christmas card this year with an update, too!

Warmest regards,  
Lana R. Taylor  
1318 E. 152nd Terrace  
Olathe, KS 66062-6707  
913 764-6646

**MTC-00023589**

From: bhutson@swbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:05pm

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Bill Hutson  
 406 Lincoln  
 Deer Park, TX 77536-6250

#### MTC-00023590

From: Howard C Woodard  
 To: Microsoft ATR  
 Date: 1/24/02 10:08pm  
 Subject: Microsoft Settlement

In response to the public comment period to the proposed Microsoft settlement. I would like to voice my opinion.

I think enough of taxpayer resources have been expended on this case. It should be settled at once to allow the resources to be used on other legal needs.

I never agreed with the charges and effort. I see it setting a dangerous legal precedent.

Companies who cannot compete with an innovative organization will come to the government and use taxpayer resources to help them do what they were unable to do in the market place.

The market will always solve these problems in the long run and should be left to do so.

If you review the history of anti-trust cases almost every case cured a problem that no longer existed because the market had moved on to newer technology.

Settle the case and allow Microsoft to provide the products that the public demands.

Sincerely,  
 Howard C. Woodard, CCP, CCNA, CCAI  
 Associate Professor of Information Systems  
 & Communications

#### MTC-00023592

From: Gordie Freedman  
 To: Microsoft ATR  
 Date: 1/24/02 10:10pm  
 Subject: Microsoft Settlement

I am writing under the Tunney Act concerning the proposed Microsoft Settlement (United States v. Microsoft Corp., Civil No. 98-1232).

I believe the settlement is unfair, as it will not serve to end Microsoft's unlawful conduct, and does not adequately penalize Microsoft for its unlawful conduct. I have co-signed a petition which details my

position in greater detail, and am writing this to officially note my opinion as allowed by the Tunney Act.

Thank you very much,  
 Gordon Freedman

#### MTC-00023593

From: Kyle Lussier  
 To: Microsoft ATR  
 Date: 1/24/02 10:10pm  
 Subject: Microsoft Settlement

The Microsoft anti-trust case is about one thing alone. It is about a company, that has become so dominant as to be able to deprive others, including competing software companies, of our right to the freedom to compete. Microsoft has absolutely done that, and they continue to do it. This fight is a fight for our freedom to build the software that we want to build. Microsoft will never allow us to build software well, that competes with anything they offer.

I ask of the judge, please \*DO NOT\* support the Bush settlement. The only people saying it will fix the problems is Ashcroft, Bush, and Bill Gates. All of which have financially benefited from Microsoft. America's entrepreneurs are being deprived of our freedom to compete.

That is what this case is all about. I have read that Rupert Murdoch is scared of Microsoft's control and that makes me even more scared. The \*only\* hope is at your feet judge. Please throw down the politically and financially motivated Bush/Ashcroft settlement and return to America's entrepreneurs, our right and the freedom to compete with Microsoft.

As it stands now, they control who competes, and they are making decisions that deprive of us of our rights to compete.

This case is a lot simpler than it would seem.

Kyle Lussier  
 AutoNOC LLC  
 770 222-0991 x15  
 770 222-0998

#### MTC-00023594

From: smith.house@sbcglobal.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:12pm  
 Subject: Microsoft Settlement

I have read over the text regarding this issue, and many commentaries. I am completely against the settlement as proposed, and my opinions follow:

1. When I buy a new computer, I want a choice of OS. Since Microsoft began coercing OEM's to \*only\* install Microsoft products, there has sadly been little choice of OS. A few IBM computers with OS/2 were available once, and now one or two are available with Linux, but that is about it. One has to search far and wide to find any kind of pre-installed choice on a new machine. If I am going to buy a new machine and replace the Microsoft product [with FreeBSD, at this point], I don't want to have to pay the extra price for the Microsoft License I will not use, and I don't want Microsoft getting any of my hard-earned money. That is what choice is about—deciding who will get my money.

2. The specifications of Microsoft's present and future document file formats must be made public, so that documents created in

Microsoft applications may be read by programs from other vendor's programs [whether it be word processor, spreadsheet or database], in addition to the APIs, already part of the settlement.

3. Any Microsoft networking protocols must be published in full and \*approved\* by an independent network protocol body before they can be implemented. This would prevent Microsoft from seizing de facto control of the Internet, and maybe even prevent some of the glaring security flaws in their software [mail programs and server OS's alike].

I'm not anti-Microsoft. I just want to make sure that there is fair competition. Customer satisfaction resulting from experience with a number of different OS's should be the standard by which the "best" OS is determined, not the marketing arm of Microsoft.

As it stands, IBM's OS/2 Warp 4.0 is \*still\* an entirely better product for desktop computing than anything Microsoft has yet to unveil. IBM just couldn't conceive of stooping to their level to market their software.

In the end, capitalism, to work effectively, requires competition. This settlement doesn't allow that.

J. Marshall Smith  
 St. Louis, MO  
 System Administrator  
 Amateur Radio Callsign N0OCT

#### MTC-00023595

From: sparksphoto@juno.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:09pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 William McDermott  
 790 Birch St  
 J.C., OR 97448

#### MTC-00023596

From: PLR595@AOL.COM@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:09pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Phillip Reynolds  
25844 May Street  
Edwardsburg, MI 49112-9149

**MTC-00023597**

From: normdn  
To: Microsoft ATR  
Date: 1/24/02 10:13pm  
Subject: Microsoft Settlement

I would like to log my opinion re the importance of the DOJ coming to a quick and fair settlement. The courts earlier offer I thought was a fair and generous one and was disappointed to see that the judge overseeing did not agree. It is time for the DOJ and the other states that did not go along with the initial settlement to bring this to a speedy recovery. I was especially disappointed to see that my own state of Iowa did not join in the earlier settlement offer and decided to continue to spend my tax payer on continued litigation. The only benefactors of this continues to be the lawyers. I was also disappointed to see that AOL has now joined to try to get an additional piece of the pie. Netscape did not gain market share because they were trying to milk the consumer for additional revenue for a service that a competitor was able to offer for free. Getting out smarted should not be the basis of litigation in the open marketplace. It is only hurting consumers such as myself and the free enterprise system if companies such as Microsoft are forced to continue to battle and sacrifice vital research and development dollars to defend themselves. AOL appears now to try want to salvage their overpayment (billions) for Netscape by taking advantage of the DOJ's incapacity to accept a valid legal settlement agreement with continued interference and indecision. Its time to move on and let the free marketplace and the consumer decide who are winners and who are losers. And its time for the DOJ to do the same and turn their energies to more important pressing national security issues. Thanks for the opportunity to voice my opinion.

Respectfully,  
Norman D Nieuwenhuis  
Orange City, IA

**MTC-00023598**

From: Sebastian Mindling  
To: Microsoft ATR  
Date: 1/24/02 10:13pm  
Subject: Microsoft Settlement

The proposed Microsoft settlement is a really bad idea. It does little in quite a few areas to restrict Microsoft from engaging in anti-competitive business practices, and specifically in sections III.D. and E. It severely restricts any non-Microsoft implementations of the Windows APIs. This is a key failure, given that some of Microsoft's strongest competition comes from open source projects like Linux and WINE.

Thank you,  
Sebastian Mindling  
Lithocraft Inc.

**MTC-00023599**

From: Daethe@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:14pm  
Subject: Microsoft Settlement

For what MS has done, they deserve far more punishment than they are receiving in this settlement. It also appears to me that these conditions will do little to prevent similar behavior in the future. There is also the troubling matter of MS's unwillingness to cooperate with external parties to provide adequate security for its products. Given their ubiquity, this is a public health and national security concern. These settlement conditions are simply too favorable to MS, and too weak to provide protection to non-MS entities.

**MTC-00023600**

From: shillmann  
To: Microsoft ATR  
Date: 1/24/02 10:15pm  
Subject: Public Comment

Your Honor,  
I have watched the personal computer industry mature for 17 years. During that time I have seen Microsoft steal, copy, or otherwise take some of the best ideas and products of smaller firms and talented individuals, disguise them as a Microsoft innovation and bundle it with their Windows operating system, effectively snuffing the life out of smaller, less powerful companies and individuals. If they can not steal the idea, they buy it and let it die on the vine. If you agree to this settlement, computer innovation will be what Mr. Gates says it should be. This industry is too vital to the future of the world economy to let it be controlled by one man or one company.

I urge you to reject this settlement offer. Do not let Microsoft, an illegal monopoly, get away with a slap on the wrist. They have abused their power in the market place and achieved their dominant position in the industry by violating the law. They were found guilty and should be effectively punished. The punishment should open the doors to competition which will inevitably stimulate the flow of new ideas in this country and others. Competition is critical to today's information economy and I believe will ultimately force Microsoft to become a better software company. Please do not let the political motivations of the Bush justice department override the sound judgement of the trial judge who seemed to have an understanding, at a fundamental level, of the importance of a strong remedy in this critical case.

I would like to see at least two Microsoft divisions; operating system and applications.

Outside application developers should have the same access to operating system interfaces as the Microsoft application company. This plan is of course not original with me but gets to the heart of the matter. I do my computing on the Macintosh platform as it remains one of the last havens of forward thinking in the industry. Unfortunately, even Apple Computer is threatened continuously with extinction by the monopolist in Seattle who continue to copy Apple ideas to this day.

Thank you for your time.  
Scott J. Hillmann, MD

**MTC-00023601**

From: Roger Townsend  
To: Microsoft ATR  
Date: 1/24/02 10:15pm  
Subject: Microsoft settlement

Dear Mr. Ashcroft,  
I think the Justice Department should drop all action against Microsoft and let the company get back to normal operations. Penalizing Microsoft for being a World leader in technology and providing this country with balancing exports to offset our dreadful trade deficits is sending the wrong message. It just isn't the American way to punish success.

Sincerely,  
Roger G. Townsend  
1471 West Genesee Rd.  
Baldwinsville, NY 13027-9665

**MTC-00023602**

From: ritesavd@cfw.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:12pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tony Wright  
104 Southfork Drive  
Waynesboro, VA 22980-9363

**MTC-00023603**

From: Stephen D. Williams  
To: Microsoft ATR  
Date: 1/24/02 10:16pm  
Subject: Microsoft Settlement

As a software engineer with over 19 years of experience who is also a consultant to the government, businessman, and consumer, I would like to comment on the Proposed Final Judgment <<http://www.usdoj.gov/atr/>

cases/ms-settle.htm> in United States v. Microsoft.

Language in the agreement:

Specific complaints:

Definitions that indicate that only commercial products are covered completely excludes open source "products", projects, cooperatives, or even use by individuals. Open source projects are often the only viable alternatives to many Microsoft products that have reached effective monopoly status in the commercial marketplace. In addition to the basic operating system, this includes all kinds of middleware, office software, many communications components, project scheduling, closed authentication systems, and undocumented protocols, apis, and file formats. OEMs, hardware vendors, large users, ISVs, and ISPs should be held at arms length and not be coerced with regard to any potentially competitive product, bundle, interface, etc.

Enforcement is extremely weak and based on past Microsoft disregard for even federal gov. agreements, this agreement has no teeth to accomplish anything. Microsoft will stall and buy its way out of any attempted action on this plan with resources that are a miniscule fraction of the benefit it drives from past, present, and future illegal monopoly maintenance and collusion.

General comments:

The computing industry, contrary to the simplistic views of non-technical consumers saturated with Microsoft marketing, has been severely held back by the lack of competition in many areas caused by the Microsoft monopoly and Microsofts repeated and pervasive illegal efforts. My estimate has been that we are 10 years behind where we would have been had there been an open operating system, office product, development environment, etc. Progress made in the last five years on GNU/Linux and other software projects seems to bear this out. Unless anti-competitive actions are terminated with extreme measures, the economy and progress in technology and society will continue to suffer greatly.

It is telling that the Only attempts that even go beyond planning in many application areas are open source projects where Microsoft can't buy the company or product out of existence, or otherwise prevent a viable market. The barriers to entry are gigantic in any commercial space where Microsoft has been able to extend and tie to the existing monopoly pool, beginning with the operating system and office software. Microsoft will continue to thwart the spirit of antitrust/Sherman Act law and therefore constitutes a threat to the proper function of American commercial activity. Without competition and with an ever increasing breadth of product, there is potentially no end to the number of industries, products, services, and everyday actions that Microsoft may control, benefit from, and essentially to tax as a sovereign entity.

sdw —

Stephen D. Williams  
Former Consultant to AOL (1995–1998)  
High Performance Technology, Inc.—  
Senior Technical Director  
Concinnous Consulting, Inc.—President  
and Senior Consultant

43392 Wayside Circle  
Ashburn, VA 20147–4622  
703–724–0118 703–371–9362 Mobile

**MTC–00023604**

From: Thomas Keefe  
To: Microsoft ATR  
Date: 1/24/02 10:15pm  
Subject: settlement

Please settle this case..I believe it is harmful to every citizen that companies choose to litigate rather than to compete. I do not believe the public has been harmed because Microsoft has consistently developed a better product. Remember the way people waited in line for hours to be able to get the latest product???

Nobody made them be there. They were excited because it was a Microsoft product. I also feel that the stock market has gone into a free fall with every threat (by lawsuit) of a competitor. I think the very real fear here is if the Justice Department can disrupt Microsoft in the way that it has what chance would a smaller start up have if they became competitive?? This lawsuit has had a damaging effect on the whole country and it's values. I do not understand how if AOL was willing to pay BILLIONS OF DOLLARS FOR NETSCAPE how they were hurt financially. AOL has not done anything to enhance Netscape since they purchased it...How is that Microsofts fault???

Thank You , Ann & Tom Keefe

**MTC–00023605**

From: Roy Bixler  
To: Microsoft ATR  
Date: 1/24/02 10:17pm  
Subject: Microsoft Settlement

Roy Bixler  
1312 E. 53rd St.  
Apt. 211  
Chicago, IL 60615  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530–0001

As a systems administrator and programmer, I have followed the Microsoft anti-trust case with great interest and would now like to comment on the Proposed Final Judgement. While the Judgement's goal of "prompt, certain and effective relief" is an admirable one, I fear that the proposal, if approved, would fall short of bringing effective relief. Particularly, release of Windows interoperability information to independent developers is a step in the right direction, but the Judgement's provisions do not go far enough. The problem of Microsoft's monopoly will continue unless their ability to impose proprietary standards is curtailed.

Open Source Software such as the Linux operating system and the KDE desktop have been mentioned in the trial as potential competitors to Microsoft, but there is no provision in the Judgement explicitly allowing Open Source developers access to interoperability information. Right now, Open Source desktops are a niche in the market and, for example, if the developers of Open Source desktops had access to information on Word document file formats,

the opportunity for market gains would increase. But, since the Word document format is secret and only Microsoft software can be fully compatible, businesses are stuck with requiring Microsoft software for internal and external collaboration.

Another example is the Kerberos Authentication Protocol. This was originally an open standard developed at Massachusetts Institute of Technology. Eventually Microsoft adopted it for Windows 2000 authentication. However, there is a secret authorisation field in Microsoft's implementation and, as a result, only a Windows server can authenticate Windows clients. Microsoft does not yet possess monopoly power in the server market, but this proprietary pollution of an open standard is an attempt to attain a server operating systems monopoly by leveraging their overwhelming market share in client operating systems. Requiring Microsoft to disclose interoperability information to open source software developers would allow savvy Chief Technology Officers to better manage their dependencies on Microsoft, an already dominant vendor.

It is my hope that access of Microsoft interoperability information to open source developers can create a more competitive market in PC operating systems and maintain a level playing field in competition for the market in server operating systems. Such access would not impinge Microsoft's ability to "innovate", but it curtails their ability to stifle competition.

Respectfully,  
Roy Bixler  
rcb@bix.org  
24 January 2002

**MTC–00023606**

From: Helga Walter  
To: Microsoft ATR  
Date: 1/24/02 10:17pm  
Subject: Microsoft agreement  
Attorney General John Ashcroft  
US Department of Justice, 950  
Pennsylvania Avenue, NW Washington, DC  
20530–0001

Dear Mr.. Ashcroft:

I am happy to hear that Microsoft and the government have reached an agreement. I think Microsoft has conducted itself appropriately as a corporate citizen throughout this entire ordeal, and think what they have agreed to do is fair for all.

If I understand it correctly, Microsoft has agreed to establish a "Technical Committee" that will monitor Microsoft's compliance with the settlement and assist with dispute resolution, as well as agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, for the sake of wrapping up the suit, and has granted computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows. Mr.. Ashcroft, this settlement shows the kind of company Microsoft has always been and that is a company that cares not only about sales, but also about the consumer's needs and abilities to have access to its innovative product. I support this settlement, and hope it will be approved at the end of this comment period.



Sincerely,  
Helga Walter

**MTC-00023607**

From: rmkidd@flare.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:14pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Kidd  
1090 Yale Farm Rd.  
Romulus, NY 14541

**MTC-00023608**

From: Randy Campbell  
To: Microsoft ATR  
Date: 1/24/02 10:19pm  
Subject: Microsoft Settlement

I wish to comment on the proposed settlement with Microsoft Corporation. I am a software engineer, working for a large corporation. Although Microsoft/Intel (or Wintel) platforms are not my most common development target, I have done some work in that area. Although Microsoft has some fine products for software development, I have also experienced the pain and annoyance of dealing with Microsoft "extensions" or alterations to industry standard interfaces, chiefly POSIX, HTML, and the DCE RPC API in my experience. Microsoft clearly implements these changes to make software developed for their platform incompatible with software developed on other development platforms \*that follow the same standards\*. I see nothing in the Proposed Final Judgement that would prohibit this practice.

Further, I note that Section III.A.2 of the PFJ fails to prohibit Microsoft from retaliating against OEMs who might choose to ship some systems with a competing OS and NO Microsoft OS. In other words, as I read it, Microsoft is only forced to allow coexistence of other OSes with theirs. This seems to drastically subvert the purposes of the suit.

I believe there are probably other flaws and loopholes in the proposed agreement, but I don't have time to comment on all of them.

Please take the above problems into consideration and alter the settlement.

Thank you,  
Randall B. Campbell

**MTC-00023609**

From: Mike (038) Amy Coutinho  
To: Microsoft ATR  
Date: 1/24/02 10:15pm  
Subject: Microsoft Settlement

Hello,  
I am very displeased with the proposed settlement between Microsoft and the United States Department of Justice. If the settlement were to go through as it stands now, there would be no benefit to the consumer. The settlement is a bad idea.

Microsoft has played unfairly in the computer industry, hiding their API's, making secret deals, purchasing companies to decimate markets and in general not playing well with others. Please make Microsoft pay for what they have done.

I have never met a person who was excited to shell out \$400 for office, nor have I met anyone who can say they "love" all the great features of windows.

mike coutinho  
614-475-1677 —

**MTC-00023610**

From: Neal  
To: Microsoft ATR  
Date: 1/24/02 10:19pm  
Subject: Microsoft Settlement

My Name is Neal R. Haslam.  
I wish to have my comments included among those who do not agree with the Microsoft settlement. I have done a great deal of reading on both sides of the issue and personally feel that We, the American People, will not be best served by the settlement as it stands.

I believe that a portion of our freedoms are at risk. I believe the settlement will allow Microsoft to continue its current practices without consequence. I believe We are exposing Our collective selves to a psuedo-governance by a corporate monopoly.

We all know that societal computer networking, internetworking for the purpose of exchanging and storing personal and financial data, is increasing rapidly. It is becoming the means by which our banking, education, entertainment and even health care will be recorded and tracked. Standardization of those records is mandatory, but allowing a single corporate entity, who holds its own pecuniary interests paramount, to set those standards is contrary to the American way or life.

Please do not let that happen. America is willing to wait to have the issue thoroughly evaluated and solutions properly developed. Let's do it right.

Neal R. Haslam  
500 Bayview Terrace  
McAdoo, PA 182387

**MTC-00023611**

From: FRANKSADLO@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:21pm  
Subject: MICROSOFT SETTLEMENT

I HAVE WATCHED THIS FROM THE START. MR. GATES & COMPANY HAVE DONE NOTHING BUT STEAL OTHER PEOPLE'S WORK AND MAKE A HUGE FORTUNE OUT OF IT WHILE WREAKING HAVOC ON THE CONSUMERS. THEIR DOS SYSTEM WAS NOT THE BEST SO WHAT

DID THEY DO ? THEY DROVE DIGITAL RESEARCH OUT OF BUSINESS AND THE OWNER COMMITTED SUICIDE (OR SO I HEAR). THEY TRASHED NETSCAPE WHEN IT WAS FAR BETTER THAN EXPLORER, DUE TO THEIR BUNDLING AND THEY WITH HELD THE SOURCE CODES FROM IBM FOR W95 UNTIL THE DAY IT WAS RELEASED WHICH COST IBM \$24 MILLION DOLLARS. THE BIG SECURITY HOLE THAT WAS FOUND IN XP APPLIES TO ALL THEIR INTERNET EXPLORER PACKAGES (I FOUND THIS OUT BECAUSE I USE W98, NT, APPLE OS-X AND OS-9) AND ALL THE FIXES WERE RELEASED THE SAME DAY. THE DAY MICROSOFT LOST THE SUIT I BOUGHT AN APPLE IMAC. I HAVE NEVER BEEN HAPPIER WITH ANY COMPUTER (EXCEPT PROBABLY THE FIRST ONE I BOUGHT IN 1987) AND SINCE MAC OS-X HAS BEEN RELEASED THIS IS A DREAM. AFTER LOOKING AT OS-X AND WINDOWS NT I FOUND OUT THAT NT IS ALSO A RIP OFF OF UNIX. THANK MR. GATES FOR CREATING ANOTHER COMPLETE DISASTER OUT OF A GOOD OPERATING SYSTEM. NOW I HEARD THAT M/S WANTS TO SETTLE ANOTHER SUIT BY GIVING A BILLION DOLLARS WORTH OF THEIR OPERATING SYSTEM RUNNING ON REFURBISHED COMPUTERS TO SCHOOLS BUT THE LICENSE IS ONLY GOOD FOR FIVE YEARS (THIS WAS REJECTED BY THE COURT, THANK GOD). MR. GATES WANTS A DIGITAL WORLD BUT WITH ALL THE FEES AND ROYALTIES IN HIS POCKET. THIS PREDATORY MONOPOLY MUST BE STOPPED AND THE ONLY ONES WHO CAN DO IT IS THE FEDS.

THANKS FOR YOUR TIME- FRANK  
SADLO

**MTC-00023612**

From: corky  
To: Microsoft ATR  
Date: 1/24/02 10:21pm  
Subject: Microsoft Settlement

Dear DOJ  
I do not come from your country. But I feel the way you have caved into Microsoft, effects me and indeed everybody that has to put up with Microsoft's blatant and deliberate quest to quell free choice and to keep its monopoly of a huge section of the IT market.

Your department is known around the world as one of the leaders in protecting the rights of the individual. Your settlement with Microsoft is a mockery of those ideals. The people you clam to protect are now powerless and frustrated. The awful truth is staring them in the face. The DOJ can be bought like any politician or police man. There is nobody left to protect them.

Liam

**MTC-00023613**

From: Bill Treadway  
To: Microsoft ATR  
Date: 1/24/02 10:23pm  
Subject: Microsoft Settlement

Microsoft and Mr. Gates have laid waste to hundreds of companies, partners and competitors in the world of personal computers. It is true that they are better business men than most of their victims.

Unfortunately they have also been shown to be liars and law breakers. Those of us who use computers to make our living (as opposed to those of us who make our living off of computer users) pay daily for the lack of choice and the half assed implementations that we HAVE to use. We have to use them because Microsoft has been able, through illegal and unethical means to amass such a huge position of control of the market place.

I'm sure that the damage they have done to computer users, shareholders of other companies and the economy in general can never be repaired but you can keep it from getting worse. If you simply make them sit in a corner, or (even worse allow this giveaway of hardware and software instead of money) to be their punishment they will simply smirk at your ignorance and continue in their foul and arrogant fashion. You have the power to put a stop to this and inject some variety and competition into this market again . . . don't blow it.

Bill Treadway  
The Treadway Realty Group  
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281-639-4444 Office  
281-265-0117 Fax  
Bill@TreadwayRealtyGroup.com  
www.treadwayrealtygroup.com

#### MTC-00023614

From: Grant Shackelford  
To: Microsoft ATR  
Date: 1/24/02 10:22pm  
Subject: Microsoft Antitrust Suit

I am an individual that makes a living from computers and computer networks. As such, I have worked around computers, operating systems, and the Internet for over 10 years. I have tried to keep up with the Microsoft antitrust suit over the last several years and I must say I was very optimistic about how the suit was going until recently. Microsoft, in typical fashion, showed their arrogance by trying to buy public opinion, fabricate evidence, and in general avoid the issues and lie about their monopoly practices. After the issues with Judge Jackson and his public comments, it seems as if Microsoft is going to get away with exercising their monopoly power because the Justice department wants to avoid a long drawn out legal process. At this point, it seems that the Justice Department is seeking the path of least resistance and intends to give Microsoft a figurative slap on the wrist and make them promise to be good. In my opinion, this would be tragic. The US Government itself has had assets and information put at risk because of the insecurity and unreliability of Microsoft products. For this and their monopolistic practices, they need to be levied with real punitive action that will have a permanent positive effect on the behavior of this software monopoly. To merely levy fines and extract hollow promises to try to do better from Microsoft is the wrong approach to take. Microsoft needs to either be reorganized or forced to open up their APIs and potentially their source code to foster some competition. They should also be required to void all of the

exclusive agreements with computer companies regarding what operating systems and software can be placed on their systems. Microsoft already controls the desktop, the default start page for most people, most of the desktop operating system, and many of the applications used by most people. Would the US Government sole source this many components of any critical infrastructure from the same supplier?

Grant Shackelford  
Louisville, KY

#### MTC-00023615

From: dhoffma2@isd.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:19pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dean Hoffman  
12908 Hennen Rd  
Burnsville, MN 55337

#### MTC-00023616

From: Anne Reuter  
To: Microsoft ATR  
Date: 1/24/02 10:23pm  
Subject: microsoft settlement

I am writing to you to express my concern about the Microsoft settlement. Over the years, Microsoft has become a monopoly that dominates the technological world we live in at work as well as at home. It is apparent that Microsoft is a part of our daily lives as we send e-mails, compose letters via word processing, develop databases, prepare spreadsheets, etc? It seems we have no choice but to use Microsoft! This monopoly in turn has created shortfalls: poor quality software as well as lack of customer support. A company such as Microsoft does not prevail because they have a product worthy of public support but because they have violated anti-trust laws and have eradicated and/or removed any competition that challenges their market share.

Because of the lack of competition, Microsoft has dominated our lives in the past decade. How can we say we have a free, open and competitive market, if we continue to allow one company to monopolize the technology market. I trust that the United States government will do the "right thing" by imposing an adequate sanction on

Microsoft for anti-trust violations as well as insure that Microsoft no longer has an edge over the competition. Otherwise the time spent by the Department of Justice as well as the taxpayers money will have been a waste and it will be business as usual. What message do we send to our youth and children if business continues as usual? I believe we are sending the message the if you are a powerful company such as Microsoft you can circumvent the law.

Thank you for affording me the opportunity to voice my concerns.  
A. Reuter

#### MTC-00023617

From: Dave Dahl  
To: Microsoft ATR  
Date: 1/24/02 10:24pm  
Subject: You guys are missing the boat!

Hello,  
Please don't miss this point . . . Microsoft's monopoly extends back to 1996 when they killed all competition in the word processor market by introducing "MSWord for Windows" at \$99. At the time, Wordperfect dominated and Microsoft's calculated cut-throat \$99 new price point for Word basically killed the \$400 Wordperfect. Microsoft survived that price point because revenue from the OS division funded this monopolistic move. It's also common knowledge that Microsoft did not share Windows technology with Wordperfect at that time which let them gain timing advantages.

THE PROBLEM IS NOW IN 2002, with Wordperfect and others removed, Microsoft raised the price up to \$375 list price for Word. What happened to the \$99 word processor? All competition was eliminated by this tactic. They killed many companies by outliving them at that price, then raised the price after they were gone. THERE IS NO MORE CLEAR MONOPOLY MOVE THAN THAT! ALL CONSUMERS ARE HURT BY THIS ACTION. \$99 WAS THE PRICE THEN, NOW IT IS \$375. Why. Extra features as they claim? No way. They eliminated the competition. HELP US PLEASE!!!!!! Break them up. HELP US!

Dave Dahl

#### MTC-00023618

From: Don Schaper  
To: Microsoft ATR  
Date: 1/24/02 10:24pm  
Subject: Microsoft Settlement

Please do not enact this settlement without some real, court-mandated & court-supervised, enforcement mechanisms.

Don Schaper  
4411 Blaisdell Ave So  
Minneapolis MN 55409  
612-871-7287

#### MTC-00023619

From: Nora Rousso (038) Jonathan Jackel  
To: Microsoft ATR  
Date: 1/24/02 10:25pm

Subject: I respectfully disagree with the decision to settle the government's case against Microsoft. You may  
I respectfully disagree with the decision to settle the government's case against Microsoft. You may notice that this email was sent via Microsoft Outlook. Until @home

crashed, I was a loyal Netscape user for email and internet browsing. After the system went down, I was virtually forced to adopt Internet Explorer and Outlook for browsing and e-mail, because A T T would support users with those programs but not Netscape. I deeply resent that choice has been taken away from me, and the settlement you propose will do nothing to deter Microsoft's heavy handed tactics and market domination.

Thank you.

Very truly yours,

Nora Rousso

CC:tunney@codeweavers.com@inetgw

**MTC-00023620**

From: Jambon1064@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:22pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you. Sincerely,

James Van Hare  
Apartment 105

3300 Woodstone Drive East  
Kalamazoo, MI 49008-2548

**MTC-00023621**

From: CAROMACY@AOL.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 10:22pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

CAROLYN MACY

10620 sw 27th Ave., A-120  
OCALA, FL 34476

**MTC-00023622**

From: CAROMACY@AOL.COM@inetgw

To: Microsoft ATR

Date: 1/24/02 10:22pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

CAROLYN MACY

10620 sw 27th Ave., A-120  
OCALA, FL 34476

**MTC-00023623**

From: Kyle Lussier

To: Microsoft ATR

Date: 1/24/02 10:25pm

Subject: Microsoft Settlement

This whole case can be summed up in one simple sentence:

Microsoft and Bush are depriving us of our right to compete. That is why the \*government\* (if there are any non-corrupt members of it left) \*NEED\* to do something about it. Microsoft (and now Bush by cutting a deal with Microsoft) are depriving us of our right to compete.

It's that simple.

Kyle Lussier

AutoNOC LLC

**MTC-00023624**

From: Larry Hammer

To: Microsoft ATR

Date: 1/24/02 10:22pm

Subject: Microsoft Settlement

Renata B. Hesse Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

I do not support the proposed resolution as presently proposed by the DOJ.

I would like to voice my concern of how the Proposed Judgement ( settlement as proposed by the DOJ ) fails to address or redress the fact that Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

As a consumer I feel that I have been forced to purchase and run Microsoft Operating Systems in order to support and run productivity software or other software applications produce by Microsoft or other vendors. Those applications receiving Microsoft support or approval seem to

survive where as those that do not are buried in the marketplace as a result of this , rather than consumer choice.

I would like to add my voice to support the nine states who do not agree with the DOJ settlement with Microsoft. I would like to see greater selection and competition in the market place. If the DOJ sttlement is accepted then competition would be eliminated and Microsoft left as the sole software/operating system company.

Larry Hammer

104 Astrid Court

Williamsburg, VA 23188

**MTC-00023625**

From: Jim Rose

To: Microsoft ATR

Date: 1/24/02 10:31pm

Subject: "Microsoft Settlement"

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than welfare for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

This economically-draining witch-hunt has gone on long enough.

www.rocknroserranch.com /JLR

**MTC-00023626**

From: Bob Johnson

To: Microsoft ATR

Date: 1/24/02 10:28pm

Subject: Microsoft Settlement

Dear Department of Justice,

I am appalled at your decision not to split up Microsoft as originally planned. Microsoft is a predatory behemoth that is stifling competition and intruding perniciously into everyone's life. I beg you to reconsider the states' solution. Microsoft is clearly a monopoly. Not to see this and address it in a more punitive way is to be guilty of colluding with a company that has way too much power. I had counted on you to do the right thing and you disappointed me. You have reduced my choices. Already my ISP will accept only one browser, Internet Explorer. Your settlement underscores my belief that the federal government knows little about what's best for its citizenry and even less about what is best for the entrepreneurial spirit of American business.

Disappointed, Victimized, and Afraid,

R. Fulton Johnson

**MTC-00023627**

From: RobertLD@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:26pm

Subject: Microsoft Settlement

I think the settlement is more than fair. It ought to be stopped now with no more litigation, and Microsoft should be left alone. Enough is enough.

Robert.L.Dunn.

**MTC-00023628**

From: Erik Michaels-Ober

To: Microsoft ATR  
 Date: 1/24/02 10:26pm  
 Subject: The Microsoft Settlement

I find the settlement in the case of U.S. v. Microsoft unacceptable for the following reasons:

(1) It will not change the fact that most all desktop computers are distributed with Microsoft's Windows operating system. This has to do with contracts between Microsoft and computer hardware vendors to include the Windows operating system on all new computers sold. This leads to an increased cost to the end user who might be satisfied with a free alternative to Windows but does not know that such alternatives exist.

(2) It allows Microsoft to keep their advanced programming interface (API) secret, preventing software makers from utilizing the internal features of the Windows operating system.

(3) It allows Microsoft to keep their file formats (specifically the file formats of Office applications) secret, preventing other pieces of software from interacting with these applications in the same way that they interact with each other or other Microsoft software.

(4) It allows Microsoft to keep its source, the underlying code of its software, secret. This presents a security concern because this software is used within the government. It is hypocritical for the government to be using software made by a company that it is prosecuting as an illegal trust. If you look at why the government uses Microsoft software you may find why the general public gets forced into using it. The ruling should include a recommendation that all government computers be switched to secure software with available source code.

(5) Financial punishment of Microsoft is insufficiently small. This company has become one of the largest in America through illegal business practices. They have stolen from the American public and the economy (by stifling real innovation) and deserve to suffer.

Sincerely,  
 Erik Michaels-Ober

**MTC-00023629**

From: Fred (038) Bev Hartline  
 To: Microsoft ATR  
 Date: 1/24/02 10:27pm  
 Subject: comment on Microsoft settlement

Dear DOJ:  
 Please include these comments in the public comments on the Microsoft antitrust settlement.

I have been a computer user, computer professional, and educator since before the beginning of the microcomputer revolution. During the first few years following the birth of IBM's "PC", Microsoft played an important and beneficial role in the blossoming of the computer revolution. Unfortunately for the past decade or so, Microsoft's role has been DETRIMENTAL to the growth and development of free trade and innovation in the computer and software industries. Microsoft has worked actively to cripple and suppress promising innovations and technologies that might jeopardize its role as the "owner" of the software & operating systems markets.

This anti-competitive behavior has prevented the development of software standards that would allow machines from different platforms to work seamlessly together. Indeed Microsoft has worked hard to derail any such efforts and corrupt cross platform standards in such a way that it is extremely difficult to use non Microsoft products with Microsoft-installed machines.

My sense is that the only possibly effective way to deal with this monopolistic juggernaut would be to separate software-applications and operating-system components into separately run (and owned) companies. This remedy would give MS-Applications Co. incentive to develop products that work well on all platforms. AND MS-Operating-Systems Co. would have an incentive to make a stable reliable OS that works well with applications from all other software companies.

Any agreement which bolsters the market share of Microsoft applications and operating systems does not address the problem. Diversity and competition are ESSENTIAL in any health market. The computer systems market is NOT competitive, and NOT HEALTHY. There is very little diversity & competition in office and business software, and in desktop and laptop operating systems. Because of this, although computational power and digital storage capacity each has risen more than a thousand-fold in the past 25 years, our "office applications" provide only a few additional features and capabilities. The lack of competition has allowed Microsoft to force mediocre, inefficient, insecure products on every owner of Intel compatible computers—I myself have had to PAY FOR Microsoft system software to be discarded immediately so I could use the machine with a non Microsoft OS. Microsoft has THAT MUCH power over the machine manufacturers.

We, the Public, depend on the DOJ to defend the public interest in this and every matter of corporate misbehavior. You have NOT provided a reasonable resolution of Microsoft's monopolistic anticompetitive behavior. PLEASE reconsider your actions and reopen the consideration of remedies in this case. The US public deserves a more favorable settlement.

Thank you for reconsidering.  
 Sincerely  
 Frederick F. Hartline  
 13213 Red Drive  
 Lemont IL 60439

**MTC-00023630**

From: Dan Andrews  
 To: Microsoft ATR  
 Date: 1/24/02 10:27pm  
 Subject: Public Comment Period for United States vs. Microsoft

As a computer technician for the USAF prior to retirement, I have followed the DOJ/Microsoft situation since its very inception. Now that I am retired and building computers as a hobby, I still find myself following this lengthy period of legal litigation. To what end will companies like Sun, Netscape, AOL and Yahoo go in order to achieve what they consider a "final justice"?

The process of "using" the government in order to stifle competition is within itself not

only an abuse of legal authority, but an abuse of the American legal system itself. When we were children and had the problem of having to face the bully in our neighborhood, didn't we run home to get our "big brother" to stand up for us? The same applies here with the Plaintiffs in this case. Some 20 years ago Mr. Gates had the foresight to see and understand the critical importance of the personal computer in the average work and home environment, and now for the past few years nothing has been done to reward that foresight, comprehension and understanding of how important the computer industry would become. Not only in the business industry market, but the home market as well.

Instead, the companies fighting Microsoft have "in my humble opinion" done nothing but criticize and ridicule Microsoft and Mr. Gates in the courts and in the media. When in fact, if it had not been for Microsoft "grabbing the bull by the horns" and establishing a "standard" in the computer world with its "operating system, we would not have such things as the home computer or the internet. None of the popular programs we use today would be able to interface with one another in order to function. Somewhere there has to be a common bond and Microsoft established that bond long ago with its operating system. Intel was in there at the beginning but decided to pull out of the manufacture of an operating system. That was a business decision that they made at the time given the facts and circumstances of the time. Now, here it is 20 or so years later, and I don't hear or read about Intel complaining about Microsoft at all. When are the Plaintiffs going to learn that they must live by the decisions that they make whether or not it is a "good" decision?

The reason being is because of the standard that Microsoft was able to establish from the very beginning. Instead of the legal fight to end a "monopoly" controlled by Microsoft, it would be a fight in the sense that none of the software that we use and enjoy today would be compatible with each other. An analogy would be your automobile. If you buy a Chevy automobile, you can replace the Delco radio originally installed at the factory with another brand (most often made in Japan), but the automobile itself remains Chevy. You can change the tires, but it is still a Chevy. The same applies in this situation with Microsoft. There has to be a root standard in the computer software industry to allow for compatibility among other software programs. Microsoft established that standard a long time ago. It's called "foresight" for those of you that don't know or understand.

To make a long story short, I agree with the DOJ/Microsoft settlement in its entirety. I also believe that a final end should come to this legal wrangling by advising the aforementioned Plaintiffs that if it had not been for Microsoft, they would not be in the business they are in now. It is my belief that the legal actions brought by the Plaintiffs in this case (Netscape, Yahoo, AOL, Time-Warner, etc, et-al..) only brought this situation upon the computer world out of jealousy and greed of the market share that Microsoft holds.

My only regret is that I did not purchase any shares of stock in Microsoft when it first

went public. Here is a question for you. Do "ANY" of the Plaintiffs in this case own "ANY" shares of Microsoft? And if so, why? Would you purchase stock in a company that you thought had been cheating the rest of the world?

Simply put, it is a situation of "who thought of it first". And Microsoft (Bill Gates) did just that, he thought of it first. And if Microsoft and Mr. Gates are such the criminals as depicted, then why would Bill Gates and Microsoft forego the millions of dollars that it has in support of Apple Computer? Apple Computer has a completely different operating system than Microsoft, yet I don't hear Apple Computer complaining either.

Daniel R. Andrews  
1320 Ronald Ave.  
Fortuna, CA. 95540-3800

**MTC-00023631**

From: Joshua Wolf  
To: Microsoft ATR  
Date: 1/24/02 10:29pm  
Subject: Microsoft Settlement  
To Whom It May Concern,

I am writing to you to express my concern that you are erring in your proposed settlement in the Microsoft anti-trust suit. I am a computer professional and have watched Microsoft run unrestrained over the industry, which I feel is much the worse for it.

The most important issue (among many), I feel, is access to Microsoft's proprietary API's. They have continually shown dishonest dealings, discriminately providing and denying access to key components to companies based on their economic relationship with Microsoft, and denying some parts to non-MS developers altogether. To help create a level playing field, Microsoft MUST be forced to openly publish the complete Windows API in a process that subjects them to governmental review. Thank you for taking the time to read this. I hope that we, the people, can come to a mutually beneficial settlement with Microsoft.

Regards,  
Joshua Wolf  
Brooklyn, NY

**MTC-00023632**

From: lewill103@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of

innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Larry Williams  
103 Hickory St.  
Van, TX 75790-3895

**MTC-00023633**

From: khunter@coffey.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Koleta Hunter  
644 Pineview Pl  
Casper, WY 82609

**MTC-00023634**

From: dickviburg@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:26pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Burgess  
2028 Oahu Dr.  
Holiday, FL 34691

**MTC-00023635**

From: Joejensen@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:30pm  
Subject: Micros—t Anti Trust case Addressed

to: microsoft.atr@usdoj.gov

Please consider this public comment on the matter of DOJ vs Micros—t: I frankly do not see the reason everytime I have needed to purchase a computer, I have had to pay for a copy of Windows.

Normally when one purchases software, it can be re-used everytime a new computer computer is purchased. For example, I have upgraded my computers 7 times, and each time I was able to re-install software. But with Windows and their monopoly power, I have had to purchase Windows and pay for it on every upgrade. PLEASE DO NOT LOSE SIGHT OF THIS MAJOR RIP OFF. More.... Microsoft has behaved outside the law and has shown no remorse. It behaves in a very arrogant and threatening way towards all who challenge it, including our government. It is not a good corporate citizen, and its policies have prevented healthy competition, which would enhance productivity. Rather they hold a knife over many corporations, who have mistakenly invested in its products and now these companies are being forced to pay annually. Micros—t truly is anti American, and it seeks the empower itself globally ... possibly as part of an empire of other corporations that secretly intend to control countries and governments. Micros—t is a major reason for a huge drag on productivity, as its software is designed to break down spurring spending on IT support and ongoing fees to Micros—t. IT IS TIME TO PUT AN END TO THIS ONGOING CASE THAT IS ABUSING THE JUSTICE SYSTEM.

PUNISHMENT SHOULD BE SWIFT AND SEVERE> THE CRIMINAL MONOPOLY MUST RELEASE 80% OF ITS ASSETS TO BE PAID TO EVERY OWNER OF A WINDOWS C OMPUTER OR TO THE SOCIAL SECURITY SYSTEM. FURTHERMORE, IT MUST BE PROHIBITED FROM ADVERTISING IN MAGAZINES (THAT BECOME BEHOLDEN TO THE CRIMINAL FOR FEAR OF LOSING AD REVENUES) AND ALSO BE PROHIBITED FROM OWNING OR HAVING ANY FINANCIAL INTEREST IN MEDIA CORPORATIONS THAT CONTROL THE NEWS. FURTHERMORE IT MUST MAKE ALL OF ITS SOFTWARE COMPATIBLE WITH ALL COMPETING OPERATING SYSTEMS AND NOT BE ALLOWED TO ENTER INTO ANY SECRET CONTRACTS THAT PLACE ANY RESTRICTIONS ON MANUFACTURERS. ANY OWNER OF ANY WINDOWS OPERATING SYSTEM MUST RECEIVE UPGRADES FOR THE PRICE OF SHIPPING AND HANDLING... AND IF ANY PERSON PREVIOUSLY PURCHASED WINDOWS OPERATING SYSTEM SOFTWARE ANY FUTURE COMPUTER PURCHASE SHOULD NOT INCLUDE ANY CHARGE FOR WINDOWS (THE CUSTOMER SHOULD RECEIVE A REBATE FROM THE COMPUTER MANUFACTURER AND MICROS—T SHOULD BE DEBITED AND NOT RECEIVE ANY ROYALTIES OR FEES FOR THAT PARTICULAR COMPUTER>

Thank you for your time and attention.

**MTC-00023636**

From: Philip Cuff  
To: Microsoft ATR  
Date: 1/24/02 10:29pm

Subject: Microsoft Settlement

Dear Sirs and Mesdames:

I've been told that eloquence in commenting on this issue is not as important as numbers, so I finally feel qualified to respond. I do not believe the current proposed settlement benefits the American public. Why? I am a user of an alternative, non-Microsoft operating system. I use a non-Microsoft browser to navigate the World Wide Web. More and more, I find myself unable to conduct even the simplest of transactions on the Web unless I have a Microsoft operating system and browser. Even the occasional government website does not cooperate with my system. Microsoft made it very clear years ago that they intended to "de-commoditize" the standard protocols that comprise communications on the Web, and they are currently proceeding in that direction entirely unchecked. Some sort of intervention by the U.S. Government to interrupt this proprietization of the Internet was my last hope, and I feel I have been let down by your proposed settlement. Microsoft is a repeat offender, and what you've proposed is less than an unsupervised probation. There is no equivalent crime that I can think of that I might commit as an individual where I could ever hope to get off this lightly.

Thank you for your time.  
Philip K. Cuff

**MTC-00023638**

From: Joe Palen  
To: Microsoft ATR  
Date: 1/24/02 10:31pm  
Subject: Microsoft antitrust case

I would appreciate DOJ assessing a strategic perspective of the Microsoft antitrust case.

In the late 1800s, the expansion of the railroads was a major industry responsible for the country's economic development. At first, the railroads were allowed, even encouraged, to grow into new areas and develop new markets. Standardization on a common railroad gage provided interoperability of equipment throughout the country, fostering economic development. As the industry expanded and matured, eventually monopolistic tendencies caused the railroads to act more as inhibitor than a benefactor of the entrepreneurial spirit that is the lifeblood of our country. The monopoly was broken into smaller entities, permitting open market competition. This allowed first the roadway and then the airline sectors of the transportation system to flourish, and now we have open competition between these sectors providing the best of all worlds with regard to transportation efficiency.

By the late 1990s, it was apparent that personal computers were ushering the country into the information age, opening up many new markets and opportunities. Market dominance of by one company aided the interoperability that enhanced this market development. However, now that market dominance has again allowed unfair and/or illegal product development practices to strangle competitors and stifle innovation—providing a net disbenefit to society. This happened much quicker than with the railroads, but the implications are no less profound.

You now have the flexibility to drive your car to work or take a plane to a meeting. You are not constrained to rail or any other singular transportation platform. This benefits society, allowing different platforms to optimize for different markets and different functions.

Will your children be constrained to what is allowable from one and only one information processing platform, provided by one company with one mindset, simply because their forefathers didn't have the insight to restrict a monolith's monopolistic practices and allow open competition to flourish again?

Open competition inspires the innovation that has allowed America to be the shining light of the world's economy. Please consider the strategic implications and precedence of this case—for you, your kids, and this country.

**MTC-00023639**

From: LILA410@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:30pm  
Subject: opinion

I think nothing is perfect in life but having had Microsoft around for the last 20 years has made life simpler for everyone. If some other people are trying to cut into their market fine. The only way they can be successful is to take down the competition which is really not the way markets work. Businesses are getting bigger all over. Do these people want to take down AOL for their market dominance? No, they are part of them.

Lila Murphy  
96 Rhode Island Ave  
Newport, R. I. 02840

**MTC-00023640**

From: Spirit of Aloha  
To: Microsoft ATR  
Date: 1/24/02 10:31pm  
Subject: Microsoft Settlement

Edwin F. Lesperance  
47-649 Ahuimanu Road  
Kaneohe, HI 96744-5435  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice,  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I think it is evident that Microsoft has done more for the personal computer user than any other software company. Any other company could have made positive attempts to accomplish what Microsoft has, but did not. Quite frankly, I think it's because others lack the innovation and drive that Microsoft has—and not that Microsoft made attempts to prevent their efforts. I completely support Microsoft in this antitrust suit and I don't believe they have ripped off the consumer in any way. In fact, Microsoft has given as much back to the community as they have received.

I have been a Microsoft user for years and I find that their products are of the highest quality at the best price. I think that the case needs to come to an end in an effort to restore productivity in the IT industry and create an element of stability for Microsoft, its employees and the economy. Ending this lawsuit will give Microsoft the opportunity to

rededicate all its focus on doing what they do best—creating the best products available to the computer user today! I appreciate this period of public comment and trust that my comments and those of others will help your office see, beyond a shadow of a doubt, what is in the best interest of the public.

Sincerely,  
Edwin Lesperance

**MTC-00023641**

From: MARLEINED@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:31pm  
Subject: Microsoft Settlement

I think the settlement is more than fair and it's time to get off Microsofts back and stop anymore litigation. Meantime maybe someone should look into AOL/Time Warner.

Marleine Dunn.

**MTC-00023642**

From: planeseller@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:30pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ROBERT STEUBER  
12816 LOMA RICA DRIVE  
GRASS VALLEY, CA 95945

**MTC-00023643**

From: Kenneth L. McCall  
To: Microsoft ATR  
Date: 1/24/02 10:33pm  
Subject: Microsoft Settlement

I have been personally affected by Microsoft's monopolistic practices. For example I was required to buy Windows with a computer system, even though I bought the system to run OS/2 which included yet another Windows license. I do not believe that the proposed settlement is an effective remedy. From the statement of Senator Patrick Leahy: "Our courts have developed a test for determining the effectiveness of a remedy in a Sherman Act case: The remedy must end the anticompetitive practices, it must deprive the wrongdoer of the fruits of the wrongdoing, and it must ensure that the illegality does not recur." I see nothing in the settlements that deprives Microsoft of their billions of dollars of illegally gotten gains. I think that the settlement is much too weak

to end the anticompetitive practices. And based on Microsoft's past behavior I see no sign that the illegality will not recur.

An example of how it may recur is in the definition of Windows Operating System Product. One of the main points to the trial was Microsoft's attempt to prove that Internet Explorer was a part of the operating system. Microsoft even went so far as to fake demonstrations to prove the point. This settlement relieves them of that inconvenience in the future: Paragraph VI. U. ".....The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion." This sounds disturbingly like: "When I use a word," Humpty Dumpty said, in a rather scornful tone, "it means just what I choose it to mean—neither more nor less." Lewis Carrol Through the Looking Glass.

One feature lacking in the proposed settlement that would help restore competition to the software industry is the release to the public, not just Microsoft approved ISVs, of complete definitions of file formats and communications protocols.

Kenneth L. McCall  
110 Woodland Rd.  
Pittsford, NY 14534-1138

#### MTC-00023644

From: planeseller@hotmail.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:30pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against

Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ROBERT STEUBER  
12816 LOMA RICA DRIVE  
GRASS VALLEY, CA 95945

#### MTC-00023645

From: Sanbop@aol.com@inetgw

To: Microsoft ATR

Date: 1/24/02 10:30pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the

fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sandra Shea  
11754 Mountainwood Lane  
Jacksonville, FL 32258

#### MTC-00023645-0001

4382 Cornell Way  
Livermore, CA 94550  
January 24, 2002  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200

Washington, DC 20530-0001

Dear Ms. Hesse:

Thank you for the opportunity to comment on the proposed final judgement to resolve the United States' civil antitrust case against Microsoft. I work as a computer programmer at the Lawrence Livermore National Laboratory, and have observed the development of personal computing over the last 25-30 years. I am 52 years old. With my wife, I own 177 shares of Microsoft corporation. I have followed this trial in the trade press with interest since its inception, and have read the Complaint, Stipulation ..., and Competitive Impact Statement.

The general bias I bring to my letter is that the proposed settlement is nowhere near an adequate remedy for the wrongs visited upon consumers and the computing industry by the defendant. Others such as James Barksdale (Netscape) and Matthew Szulik (Redhat) have spoken before Congress recently, with eloquence and at greater length. I agree with their points, so will restrict my comments to two areas:

1. Any settlement must include some simple and inescapable punishment designed to redress a sensible fraction of the actual damages, and to deter this and any future defendants. I believe such punishment should meet three criteria:

a. It is not predicated upon nor subject to negotiation by the defendant;

b. It has simple terms, with no loopholes that may boomerang—"free" software, services, in-kind payments, or reduced license fees do not qualify;

c. It is proportional to the damage and substantial enough to cause serious reflection on the part of this company's leadership.

I favor a cash fine, as a lump sum up front and an annual fraction of gross revenue for a period of some years. This is the form of punishment most likely to engage the stockholders of the company in its reform. Microsoft has been reported to have approximately \$35 billion dollars in cash reserves at this time. Any lump sum fine for which the defendant could simply write a check seems inadequate to me.

2. One prominently reported alternative proposed by the nine state attorneys general who declined to support the Proposed Settlement was a requirement that the defendant should port the Office suite to Linux. This is surely well-intended. However, I offer the following contrary viewpoint:

a. Such a requirement is unlikely to succeed. Speaking as a software developer and manager myself, there are many ways to meet formal requirements of this project and still torpedo its effect.

b. If it did succeed, it would only increase the dominance of the product. This is an anti-trust action, after all.

#### MTC-00023745-0002

c. It would in either case disrupt the current open source marketplace, and surely destroy the several small but promising alternatives such as StarOffice, Abiword, and others.

The defendant's relationship to open source may be something like B'r'er Rabbit's to the briarpatch. I believe it might be better to enjoin Microsoft from entering that market than to require it. A simpler solution is to require the defendant to publish the file formats of the Office suite, past and present, in enough detail to allow robust interoperable alternatives to be developed by third parties. If this might compromise intellectual property rights of the defendant, those must be balanced against the collective rights of all persons who have authored documents currently stored in the proprietary Office format. This case offers the opportunity to set a precedent regarding our expectation that any proprietary file format—the railroad gauges of our century—will become to some degree open after it reaches a certain prevalence of use in society. In my opinion, the public interest ultimately will require this outcome.

Yours very truly,  
Lee E. Busby  
busby1@llnl.gov

#### MTC-00023646

From: juanku@starpower.net@inetgw

To: Microsoft ATR

Date: 1/24/02 10:31pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,



Juan Alfaro  
2200 Columbia Pike #1204  
Arlington, VA 22204-4421

**MTC-00023647**

From: DIANNE STEELE  
To: Microsoft ATR  
Date: 1/24/02 10:35pm  
Subject: Microsoft Settlement

I think the government should leave Microsoft alone. Bill Gates has created a very successful business and products which have benefited the consumer. Don't penalize ambition, hard work, and success.

**MTC-00023648**

From: Elaine Gelfand  
To: Microsoft ATR  
Date: 1/24/02 10:36pm  
Subject: Microsoft Settlement

Please register my support of Microsoft's position.

Thank you,  
Elaine Gelfand  
23870 Kellar Rd  
Rainier OR 97048

**MTC-00023649**

From: Kristine Sawyer  
To: Microsoft ATR  
Date: 1/24/02 10:36pm  
Subject: Microsoft Settlement

The proposed Microsoft settlement is a bad idea and does not adequately address or correct the antitrust violations for which Microsoft has been convicted. Please do not sign or accept this settlement.

Thank you,  
Kristine Sawyer

**MTC-00023650**

From: keybdwiz@mtco.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:34pm  
Subject: Ref: Microsoft

Dear Sirs:

If it were not for microsoft, we would not have made a comfortable living for the past 10 years. The fact that the Windows operating system became the universal standard for which all software could and would be written, made personal computers valuable. Because personal computers had standards and a wide selection of software written for their exclusive use, they were priced at a reasonable cost. When a consumer is faced with too many decisions to make regarding a purchase, many will defer the decision. Microsoft made personal computers an easy-to-purchase product. If there had been several operating systems as well as the wide variety of CPUs, consumer's might have been so bewildered that their purchases would have been postponed as they did in other electronic products. We have been in electronics since 1955 and have seen this happen to other products, the most memorable being video tape recorders, four channel stereo and citizen's band two-way radios. The major complaint we have with Microsoft is the back-door agreements they make with software companies to force consumers to use Internet Explorer or other Microsoft products. I am personally offended when Microsoft forces me to install Internet Explorer in order to use some other product.

I hope your settlement corrects this injury to the marketplace.

Sincerely,  
Loris von Brethorst  
Tri-Von Enterprises  
107 S. Celina Street  
Roanoke, IL 61561  
309-923-3531

**MTC-00023651**

From: walrus@naughty.monkey.org@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:36pm  
Subject: Microsoft Settlement

To whom it may concern,  
As a US Citizen, computer user, and software developer, I am opposed to the proposed settlement. Microsoft was found guilty of anticompetitive, predatory practices, yet it has continued to operate as before. The proposed settlement does not penalize Microsoft for its past behaviour nor does it provide a framework to prevent Microsoft from further abusing its position as a monopoly.

Michael Shiplett  
1693 Reserve Ct  
Ann Arbor MI 48103

**MTC-00023652**

From: Mark Stock  
To: Microsoft ATR  
Date: 1/24/02 10:37pm  
Subject: Microsoft Settlement

I believe that the proposed settlement is too soft on Microsoft, and a bad idea. I stand as a co-signer to Dan Kegel's comments, available at: <http://www.kegel.com/remedy/letter.html>

Thank you for all of your effort in this matter.

Mark Stock  
PhD Student, University of Michigan  
mstock@umich.edu

**MTC-00023653**

From: Jim Hofmann  
To: Microsoft ATR  
Date: 1/24/02 10:37pm  
Subject: Microsoft Settlement

/To Whom It May Concern:/

/I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future./ The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions. / /Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not

justice, not for the victims of their abuses and not for the American people in general./ /While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded./

Sincerely,  
James Hofmann  
Naperville, IL

**MTC-00023654**

From: butlerdesign@qwest.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:34pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ronja Butler  
8124 Rocklyn Drive  
Urbandale, IA 50322

**MTC-00023656**

From: keithsnyder@bigfoot.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:35pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Keith Snyder  
205 W. South Ave.  
Houghton, MI 49931

**MTC-00023657**

From: bgfmody@yahoo.com@inetgw



To: Microsoft ATR  
Date: 1/24/02 10:35pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Geri Modesty  
120 Elmwood Ln/  
Clarkson, KY 42726

**MTC-00023658**

From: jcapp@apollo.kp.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:38pm  
Subject: Microsoft Settlement  
US DOJ,

I think the proposed settlement is a bad idea. Microsoft will continue to bend every statute to it's interest and seek ways to utilize it's monopoly to the disadvantage of any competing product.

Please break them up.  
Jim Capp  
Harrisburg, PA  
CEO, Anteil, Inc.  
www.anteil.com

**MTC-00023659**

From: Norman Aragoness  
To: Microsoft ATR  
Date: 1/24/02 10:38pm  
Subject: Microsoft Settlement  
Hello.

I am opposed to tentative settlement of the United States vs. Microsoft antitrust lawsuit. In the end, Microsoft keeps its monopoly, and destroys any innovation and advances which may have helped the computer industry.

Norman Aragoness, from Phoenix, Arizona.

**MTC-00023660**

From: J1935WASPM@AOL.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:36pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other

Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jim Kenfield  
36740 View Ridge Drive  
Elizabeth, CO 80107-8555

**MTC-00023661**

From: fislam@atbi.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:39pm  
Subject: Microsoft Settlement  
Hello,

Thank you for giving me the opportunity for voicing my concerns regarding this settlement. This is a bad idea. Microsoft is a rouge company and has abused it's power countless time in the past. Is has absolutely no respect for the law unless it is for it's own gain. It is a ruthless company that will do anything to get it's way. We need to punish the guilty, not reward them. Proud to be a citizen of this great country! Thanks.

Faisal Islam  
2116 Rose Hill Road  
Carrollton TX 75007

**MTC-00023662**

From: Tony Stirk-Iron Horse  
To: Microsoft ATR  
Date: 1/24/02 10:43pm  
Subject: Microsoft settlement

Once again, to those of us in the industry, we see the USDOJ "losing" what we view as a slam dunk case against a flagrant violator of the law. Microsoft beat you once before even when they had a motto that "DOS ain't done until Lotus won't run." Their bundling agreements and licensing agreements are clearly anticompetitive. Their current actions show that they don't fear repeating their actions. While antitrust law may not allow for penalties that the industry would see as reasonable, perhaps RICO or some other law would. And, with the power of UCITA and the DMCA, the software industry's sway with lawmakers, and these wins in court, we in the industry expect stronger software companies to use their marketing and legal powers to the detriment of customers, consultants, and analysts. The decision to bargain with Microsoft after even a pitiful win has many of us questioning why the government would pursue Microsoft for so little gain. We have lost confidence in the USDOJ to protect us from the people who run the Microsoft's of the world.

Tony Stirk, President, CCNA, CCDA, Vinca  
Certified Engineer, Citrix  
Certified Administrator  
Iron Horse  
8328A Traftord Lane  
Springfield, VA 22152-1638  
(800) 991-IRON (4766) Sales  
(703) 866-6413 fax: (703) 866-6418  
Internet mail: tstirk@ih-online.com  
World Wide Web: www.ih-online.com

**MTC-00023663**

From: Aapo Puskala  
To: Microsoft ATR  
Date: 1/24/02 10:44pm  
Subject: Microsoft Settlement  
i disagree with the microsoft settlement

**MTC-00023664**

From: John H McCord  
To: Microsoft ATR  
Date: 1/24/02 10:45pm  
Subject: Microsoft Settlement

I am opposed to the Proposed Final Judgement (PFJ) as it is currently written. The PFJ is too narrowly constructed and targets last year's items. It is all too easy for Microsoft to side step the restrictions by introducing new products (or just renaming old ones). Rather than In my opinion, Microsoft has committed significant antitrust violations as supported by the findings of fact. For the PFJ to have any meaning it must make such future activities impossible. Microsoft should be prohibited from taking any actions against OEMs period. They should be enjoined from all special licensing arrangements and should be required to sell to any purchaser on equal terms.

OEMs should be permitted to substitute any portion of the operating system and change the presentation format (i.e. change icons, replace icons with competing products) without restriction. No components of the Windows operating system now or in the future should be excluded. New developments, such as .NET, should be treated the same as existing features and components, such as java, Windows Media Player, etc.

Anyone should be able to substitute these without fear of retributions from Microsoft.

These restrictions should apply to all present and future Microsoft Operating systems on any platform and hardware—not just the limited list in the current PFJ.

There should be a technical monitoring board to ensure compliance without forcing an injured party to seek retribution through the legal system. Microsoft should be liable to penalties even if no one steps forward to complain.

**MTC-00023665**

From: JCMaaps@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:45pm  
Subject: Microsoft comment

Hello, I wish to add my voice to those asking for a serious remedy for Microsoft's monopoly.

There is nothing to be gained by having the entire digital world owned and run by one company. As long as computers and similar types of applications can readily understand each other, they do not need to be made by one company. I work with the graphics program Freehand, by the Macromedia company. I create files on my Macintosh at home and have no trouble opening and working with them further on a Gateway PC at my office. Microsoft is already an operating system and office suite monopoly. If they take control of the internet, and education market, we will be in even more danger from rampant virus attacks, as well as the financial danger of simply having no choice but to pay whatever they ask.

Thank you for the opportunity to comment,  
Jeffery C. Mathison  
Spring Mills, PA

**MTC-00023666**

From: Roscoe Jackson  
To: Microsoft ATR  
Date: 1/24/02 10:46pm  
Subject: Microsoft Settlement

First, I believe that DOJ was wrong in prosecuting Microsoft. In essence, doing the work that it's competitors couldn't accomplish. But I believe that the settlement is in the best interest of the public and Microsoft and should be followed without interference from AOL, other competitors and/or state governments.

**MTC-00023667**

From: bonisl@cobweb.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:43pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Sandra Boni 1110 Main Street  
Burgettstown, PA 15021

**MTC-00023668**

From: XLCH883@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:47pm  
Subject: Microsoft Settlement

This letter is to express my extreme disapproval of the proposed settlement between Microsoft and the US. I can only hope that the Department of Justice can follow through with its initial findings and implement an effective, permanent judgement, rather than this obvious facade.

**MTC-00023669**

From: Richard Einhorn  
To: Microsoft ATR  
Date: 1/24/02 10:47pm  
Subject: Microsoft Settlement

The microsoft settlement is a bad idea. If I have more time I will write again with details as to why I think so.

**MTC-00023670**

From: Janice Ochoa  
To: Microsoft ATR  
Date: 1/24/02 10:48pm  
Subject: Microsoft Settlement  
Gentlemen,

Isn't it about time to stop this raping of Microsoft by those other large corporations who seek only to get money for their lawyers and their boards of directors from Microsoft Corp.? . If people are so ignorant they don't know how to avoid using the Microsoft net browser, then they have no business trying to operate a computer...surely the directors of Netscape, Oracle and the other perpetrators of this idiocy are smarter than that! This has gone on far too long. The idea that somehow there is an illegal "monopoly" is patently ludicrous. These companies just found a good way to harass their major competitor without having to spend a dime of their own money...just hang it on the taxpayers of America instead, right???

It's time to get off Microsoft's back (and an apology wouldn't hurt!)

Janice & Frank Ochoa  
Duvall, WA

**MTC-00023671**

From: lnjcambria@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:46pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Louise Wilson  
898 Ardath Dr  
Cambria, CA 93428

**MTC-00023672**

From: Guy Stewart  
To: Microsoft ATR  
Date: 1/24/02 10:50pm  
Subject: Microsoft Settlement

**MTC-00023672-0001**

20740 Northeast 30th Place  
Aventura, FL 33180  
January 24, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

I hope that this settlement, reached between the Justice Department and Microsoft in November, will mean that an end to this settlement after three long years. We all need to see an end to this case and let both Microsoft and the Government move on to more important matters.

This case needs to be settled and Microsoft knows it. That's why they have said they are willing to offer so many terms in order to reach an acceptable settlement. I mean, giving your trade secrets to your competition while at the same time configuring your product to work better with theirs is something that wouldn't be expected of any other company. Microsoft has gone above and beyond what was expected of them and that should be respected.

IF MERGEFIELD PARA2 But clever people like me who talk loudly in restaurants, see this as a deliberate ambiguity. A plea for justice in a mechanized society.<>

I ask that you all finalize this settlement as soon as possible so that Microsoft can get back to the business of innovating new products and keeping this country in the forefront of the IT industry.

IF MERGEFIELD PARA4 Ecce homo ergo elk. La Fontaine knew his sister, and knew her bloody well.<>

IF MERGEFIELD PARA5 But is suspense, as Hitchcock states, in the box. No, there isn't room, the ambiguity's put on weight.<>

Sincerely,  
Guy Stewart  
00023672-0002

**MTC-00023673**

From: jlpotter@bww.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:47pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse,  
Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jackie Potter  
118 Riverview Dr.  
Leland, NC 28451

**MTC-00023675**

From: Jon Briccetti  
To: Microsoft ATR  
Date: 1/24/02 10:53pm  
Subject: Microsoft Settlement  
JB Stationery I think the proposed settlement is bad idea

**MTC-00023676**

From: Dave DiGiovanni  
To: Microsoft ATR  
Date: 1/24/02 10:52pm  
Subject: Comments AGAINST Microsoft Settlement

**MTC-00023676-0001**

Dear sirs,

I am the Information Systems Manager of a medium sized business. I feel that the Microsoft settlement does not do enough to stop Monopolistic practices. I also feel Microsoft has new practices that should be scrutinized and stopped. Not enough is being done to Change Microsoft's behavior in the business world.

Make them Split OS and Applications.

Make them Publish and distribute API Calls to it's application group on a fair basis with other companies and individuals.

Make them accountable for Security holes.

Make it possible for OEMs to bundle other software like Netscape or AOL.

Make it possible for me to buy a PC with LINUX without the OEM paying Microsoft for a Non-existent license

I believe:

Microsoft kills innovation in the industry as many companies are afraid to take risks knowing the Microsoft will either copy or steal good ideas and kill what could be profitable markets segments.

Microsoft continues to thumb it's nose at existing standards in order to promote their proprietary standards. This has hurt progress in many areas of the Industry. It has also decreased Internet security in general.

1. As a IS manager I feel that not enough is being done to stop Microsoft's abuse of their monopoly nor stop future abusive practices.

Nothing stops Microsoft from picking any market segment in the software industry and taking it over.

They first roll it into the operating system or Office Package for Free—driving competitors out of Business.

Later they increase the price of the OS or Office Package. These costs have increased out of proportion in the last few years.

2. As a one time Software Developer I know that I can never compete against Microsoft when the following happens:

They control the API Calls that all software requires in order to function.

They do not use the same API calls that they publish for developers to use. They use secret faster ones.

If you use these Secret API calls and are singled out by them they will be changed and your Software will not work with the next iteration of their operating system. Theirs will!

If they like your company you will be given advance notice of these changes and your software might work.

If you are competing with them you will not be given advance notice of API call changes until the release of the new OS, long after everyone else has finished development.

3. When Users are reluctant to upgrade because of the costs involved.

Microsoft Links the software license to the hardware. This makes the software get obsolescent as fast as the hardware 2 year VS 5 year cycle. You are not now allowed to transfer licences between machines if you bought from a major Hardware OEM.

Switching to software leases. You can no longer own the software. Now Microsoft wants corporations to pay yearly for software with only a promise of free upgrades but no

guarantee they will supply them or that they should be needed?

**MTC-00023676-0002**

of 2  
01/29/2002 2:59  
file:///c:/win/temp/tmp.v  
Dave DiGiovanni  
Manager Information Services  
EIMAC, Div of CPI  
San Carlos, CA. 94070  
Phone: 650-594-4037

**MTC-00023676-0003**

01/29/2002 2:59

**MTC-00023677**

From: Alan Amesbury  
To: Microsoft ATR  
Date: 1/24/02 10:54pm  
Subject: Microsoft Settlement

There are many aspects of this proposed settlement that bother me. The judgment is putatively in answer to Microsoft (MS) being declared an illegal monopoly. It's my understanding that one of the remedies when dealing with a monopoly is to remedy the problem of others being able to enter the market controlled by the monopoly, yet this proposed settlement doesn't seem to address that. I'm sure this has already been pointed out to you repeatedly, so I'll get to my point.

As a practitioner of computer security for one of the country's largest banks, the mention of security-related items tends to pique my interest the most. In particular, this part of the proposed settlement stood out to me:

No provision of this Final Judgment shall:

1. Require Microsoft to document, disclose or license to third parties: (a) portions of APIs... or layers of Communications Protocols the disclosure of which would compromise the security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria; or (b) any API, interface or other information related to any Microsoft product if lawfully directed not to do so by a governmental agency of competent jurisdiction.

2. Prevent Microsoft from conditioning any license... related to anti-piracy systems... or third party intellectual property protection mechanisms of any Microsoft product to any person or entity on the requirement that the licensee: (a) has no history of software counterfeiting or piracy or willful violation of intellectual property rights, (b) has a reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product, (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, (d) agrees to submit, at its own expense, any computer program using such APIs, Documentation or Communication Protocols to third-party verification, approved by Microsoft, to test for and ensure verification and compliance with Microsoft specifications..... As I see it, this section attempts to protect certain security-related functions which, in theory, is a laudable goal. However, it also seems to be

a serious loophole. System security is not something that can be trivially separated from the whole, and to attempt to separate it clouds the issue. Consider: if MS develops a communication protocol that is used for authentication (a security function) and file sharing (an information-sharing function), does this settlement give MS the option of not sharing that information?

Consider the Samba project. Samba is a freely available software package that implements MS Windows file sharing on a variety of platforms. It's fast and portable, and reportedly does Windows file sharing better than Windows in some circumstances. Most of Samba's development is done, not by a corporation, but as a hobby by people in their spare time. Because MS didn't disclose its file sharing protocol, Samba was largely developed through reverse-engineering MS protocols. Because file sharing usually requires some sort of access controls (many times you want to limit who has access to which files), you have to have some sort of user authentication and validation capability built into the software that provides file sharing services. Authentication is clearly a security function. If MS is able to restrict disclosure of security-related protocols, doesn't this hamper the development of competing products that have to rely on MS security protocols in order to interact with MS products?

As for item 2, who decides whether someone has a "reasonable business need" for a security-related API or protocol? Again, the people who developed Samba are a loose-knit group of volunteers. Would volunteers have a "reasonable business need" to obtain access to these protocols under the settlement? It's highly unlikely that MS would determine that they have need, and such volunteers would almost certainly lack the legal resources needed to force MS to turn that information over.

In conclusion, I strongly urge you to \*NOT\* attempt to separate security factors in the settlement. Security is an integral part of any well-designed API or protocol, and exempting security-related APIs and protocols will very likely provide MS with a loophole that will allow them to perpetuate their monopoly. Thank you very much for your attention to this matter. —

Alan Amesbury  
security@unregistered.org

**MTC-00023678**

From: Owen  
To: Microsoft ATR  
Date: 1/24/02 10:53pm  
Subject: Microsoft Settlement  
Dear Sirs

I urge our govt to end the Microsoft witch hunt, that was begun by the most corrupt Justice dept in history (of this country anyway). This is unjust and will discourage innovation and enterprise. As Rush Limbaugh pointed out "Bill Clinton spent more \$ going after Bill Gates than he did going after Osama Bin Laden". Now is a good time to stop.

In one century we went from teaching Latin and Greek in high school to offering remedial English in college

Owen dococ@surferz.net

**MTC-00023679**

From: PADIHAM@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:54pm  
 Subject: Re: DOJ wants to hear from you on MS settlement

Let's have an end to this legal and government wrangling in the courts, and let Microsoft and its competitors compete in the business environment instead of draining national and private resources, in what will, in the end, amount to nothing more than an effective toss of the coin decision. Business is the business of America! Government agencies, cool it!!!!!!

Wilfred Webb.  
 San Mateo, California.

**MTC-00023680**

From: Beundrare?—  
 To: Microsoft ATR  
 Date: 1/24/02 10:54pm  
 Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. /Matti Palmstr?m

**MTC-00023681**

From: kharris@geeksnet.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:51pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Ken Harris  
 2831 Springflower Dr  
 Wilson, NC 27896-6923

**MTC-00023682**

From: Andrew MacGinitie  
 To: Microsoft ATR  
 Date: 1/24/02 10:55pm  
 Subject: Microsoft Settlement

Dear Justice Department official:

I am writing to express my disapproval of the proposed settlement between the Department of Justice and Microsoft. It fails to provide sufficient punishment for Microsoft's egregious illegal practices, and it will not be effective in curtailing Microsoft's abuse of its monopoly power in the future. As a software engineer who has made a career of developing applications for personal computers for the past 15 years, I believe the opinion I express here is a well-informed one.

Respectfully,

Andrew MacGinitie  
 98 Mallory Rd.  
 Roxbury CT 06783

**MTC-00023683**

From: elson@mpinet.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:53pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Elson Elson  
 637 Macy Ave  
 Lake Helen, FL 32744-3417

**MTC-00023684**

From: Dan Girellini  
 To: Microsoft ATR  
 Date: 1/24/02 10:55pm  
 Subject: Microsoft Settlement

To Whom it May Concern,

In accordance with the Tunney Act, I would like to present my comments on the Proposed Final Judgment in the United States' civil antitrust case against Microsoft.

I must strongly assert that I do not feel the the proposed settlement is restrictive enough in its actions against Microsoft. It leaves many areas and issues unaddressed while containing several loopholes for Microsoft to circumvent the restrictions it does impose.

To begin with, the definitions the settlement bases its terms on are defined more narrowly than they are used in common language and practice and therefore allow to avoid the restrictions they impose. The settlement still allows much anticompetitive behavior on Microsoft's part against OEMs that ship competing Operating Systems. The definition of Windows does not, in fact, include all of the relevant versions of Windows that Microsoft produces now or may produce in the future.

It doesn't prohibit the restrictive licensing terms that Microsoft issues to prevent use of Open Source software and operating systems. These are just a few of the many problems I see with the proposed settlement. In general I don't feel the settlement will present any significant discouragement of Microsoft's fiercely anticompetitive practices. It should be revised and rewritten to address the concerns I cite above before its acceptance is considered.

Sincerely,  
 Dan Girellini

Software Engineer  
 28 Juliet St.  
 New Brunswick, NJ 08901

**MTC-00023685**

From: Thomas Ward  
 To: Microsoft ATR  
 Date: 1/24/02 10:57pm  
 Subject: Microsoft Settlement

Break them up. Only honest, and just thing to do.

**MTC-00023686**

From: John and Heidi Van Patten  
 To: Microsoft ATR  
 Date: 1/24/02 10:57pm  
 Subject: Microsoft Settlement

The settlement is wrong.

**MTC-00023687**

From: minshimron@webtv.net@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:55pm

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Ronald Shimono  
 601 12th Ave. NW  
 #F3  
 Issaquah, WA 98027-2669

**MTC-00023688**

From: KarenLane@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 10:54pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Karen Pennebaker  
HC 78 Box A22  
Troy, WV 26443-9710

**MTC-00023689**

From: Joshua Keith  
To: Microsoft ATR  
Date: 1/24/02 10:58pm  
Subject: Microsoft Settlement  
To who it may concern,

The proposed settlement agreements are a very bad idea. These will allow Microsoft to continue its current practices and further use its strong arm techniques.

Thank you,  
Joshua Keith

**MTC-00023690**

From: Aryeh Selekmán  
To: Microsoft ATR  
Date: 1/24/02 10:58pm  
Subject: Microsoft Settlement

I would like to express my feelings that the proposed Microsoft settlement is a terrible idea. Microsoft has been found guilty, and this settlement does little to punish Microsoft or prevent further violations.

-Aryeh Selekmán  
aselekma@umich.edu

**MTC-00023691**

From: phroper1@swbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:55pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Paul Roper  
1127 Haltown Dr.  
San Antonio, TX 78213-2022

**MTC-00023692**

From: ajv8@netzero.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:55pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Al Vickers  
424 Northern Trail  
Leander, TX 78641

**MTC-00023693**

From: dale wick  
To: Microsoft ATR  
Date: 1/24/02 10:59pm  
Subject: MICROSOFT SETTLEMENT

ATTORNEY GENERAL JOHN  
ASHCROFT

US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my opinion concerning the antitrust suit against Microsoft. I support the settlement and all litigation needs to end. This lawsuit has taken three years and has cost me and the rest of us (tax payers) billions of dollars. I believe that Microsoft has agreed to terms that are fair and reasonable; let's get this thing behind us and Microsoft.

It is my view that the law suit against Microsoft was not in the best interest of the public and was groundless anyway. Its time to get the federal government out of the Microsoft bashing business and to agree to the terms that Microsoft has already agreed to.

Dale L. Wick  
17913 117th St. SE  
Snohomish, WA 98290-6306

**MTC-00023694**

From: ldefend@azstarnet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:56pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Len Defendorf  
8050 E. 8th St.  
Tucson, AZ 85710-2420

**MTC-00023695**

From: jdiscip@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:56pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph Discipio  
109  
30th Street  
La Grange Park, IL 60526-1015

**MTC-00023696**

From: Joseph J Hansen  
To: Microsoft ATR  
Date: 1/24/02 10:59pm  
Subject: Microsoft Settlement  
January 24, 2002

The proposed settlement is a bad idea! We believe Microsoft should be broken up as originally proposed by Judge Jackson, and should be made to compensate Netscape and other companies that have been harmed by its illegal and anticompetitive actions.

Joe Hansen, President, Lexington Strategic Associates

Joseph J. Hansen  
Lexington Strategic Associates  
221 Follen Road  
Lexington, MA 02421-5802, U.S.A.  
<http://www.LexSA.com>  
tel (781) 863 5003  
fax (781) 862 8845  
jhansen@LexSA.com

**MTC-00023697**

From: TRW077@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 10:58pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Walter Talley  
920 43 Ave NE  
St.Petersburg, FL 33703

**MTC-00023698**

From: FRANKEROUSE  
To: Microsoft ATR  
Date: 1/24/02 11:00pm  
Subject: MICROSOFT SETTLEMENT

GENTLEMEN;  
I AM WRITING TO ENCOURAGE YOU TO FINALIZE THE SETTLEMENT WITH MICROSOFT.

AS THE ECONOMY CONTINUES TO FALTER, THE LAST THING WE NEED IS FURTHER LITIGATION WITH MICROSOFT AS SOME OF THE STATES AND AOL WOULD GREEDILY LIKE TO SEE.

I HAVE USED MICROSOFT PRODUCTS FOR YEARS AND DO NOT FEEL THE LEAST BIT DAMAGED. IN FACT, I FEEL DAMAGED BY THE RESULTS OF THE LITIGATION PRESSED BY THE CLINTON ADMINISTRATION ON BEHALF OF THE MICROSOFT COMPETITORS. I WAS A SMALL BUSINESS OWNER FOR 25 YEARS AND NO ONE EVER PROTECTED ME FROM COMPETITION. ACCORDINGLY, I FEEL THE MICROSOFT LITIGATION WAS INITIATED BY POOR COMPETITORS WHO GOT THEIR LEGISLATORS TO FIGHT THEIR BATTLES FOR THEM. THAT IS NOT FAIR TO MICROSOFT OR THE PUBLIC.

PLEASE SETTLE THE MATTER WITHOUT FURTHER DELAY OR LITIGATION.

FRANK ROUSE  
YAKIMA, WA

**MTC-00023699**

From: Matt Taggart  
To: Microsoft ATR  
Date: 1/24/02 11:00pm  
Subject: Microsoft Settlement

I am against the currently proposed settlement in United States v. Microsoft. While this proposal begins to address some of Microsoft's illegal practices it does not "terminate the illegal monopoly" and amounts to little more than a slap on the wrist. If this settlement becomes final I have no doubt that Microsoft will continue their current illegal practices because it will still be "worth it" if this is the type of punishment they will receive.

Please reconsider this settlement.

Thank you,  
Matt Taggart  
matt@lackof.org

**MTC-00023700**

From: Steve Sherry  
To: Microsoft ATR

Date: 1/24/02 11:00pm

Subject: Accountability would be good

Being a network administrator, I have to deal with various software vendors and systems. The one thing that always stands out about Microsoft is that I hear from the company for two reasons; the first is the various security updates that always need to be applied to our system due to the result of sloppy coding. When Windows 98 was released, it was released with a huge number of known bugs in the code, if a manufacturing company released a substandard and potentially damaging system they would be taken to court to be held accountable for the damages that their indifference caused. Why should a software manufacturer be any different?

The second time that I hear from Microsoft, and this is quite regular, are phone calls concerning Marketing information or Licensing information. Never have I received a phone call asking me on what improvements that I would like to see implemented, and I would like to think that my experience as a Network Admin could be a useful tool to a company that is trying to improve their product. Being Cisco Certified, I deal with Cisco quite a bit also, and they are constantly asking for input. The major difference that myself and my fellow technicians discuss is that we wished Microsoft products worked as well as Cisco products, but the difference between the two seems to be that Cisco does one thing, but does it well, while Microsoft tries to do everything and as a result does nothing well. The best example that I can think of to demonstrate this point is that if you try to use anyones software, they usually ask you to agree with a licensing agreement. If you go to the Windows update, they ask you many times to agree to their terms. I think that Microsoft would be better off if they put as much effort into troubleshooting, testing, and releasing code that worked as they do into making sure that people are paying for it.

One last note, Microsoft's latest OS, Windows XP, is supposed to be the pinnacle of it's Windows NT and Windows 9X OS's, yet the only real improvements that have been made is some more customization of the desktop and a faster boot time. The security is awful, and all the benchmarking tests that have been performed indicate that there is almost no improvement in system performance over Windows 2000. To me, it seems as if the only aim of the Windows XP OS is to allow Microsoft the ability to cut down on pirating, but this has been done at the expense of the usability of the system since the security breaches are so bad and the fixes cause the systems to become unstable. hardly a day goes by when I do not read another story about how XP seems to cause more problems and downtime (expenses) while Microsoft continually claims that piracy costs the economy billions of dollars a year. How much money has the XP OS cost the American economy already because of bad coding by a company that only wishes to control the market.

Stephen Sherry

**MTC-00023701**

From: Brian Poole

To: Microsoft ATR

Date: 1/24/02 11:03pm

Subject: Microsoft Settlement

I'd just like to chime in with my opinion on the proposed settlement on the Microsoft Antitrust case.

My opinion is that the case is being resolved with far too light of penalties, probably in no small part due to Microsoft being able to drag the case along as it pleases and leaving the government with what may seem like the best, and certainly easiest thing to do; settling with an agreement that doesn't truly prevent Microsoft from continuing in its actions.

The loopholes and exceptions are numerous in the proposed settlement as many, many papers have been written on and I can only hope that the government considers this and decides to draft another revision on the settlement before simply accepting what Microsoft offers.

Thank you,  
Brian Poole  
Systems Administrator  
CERIAS, Purdue University

**MTC-00023702**

From: J.C. Allen  
To: Microsoft ATR  
Date: 1/24/02 11:02pm  
Subject: Microsoft Settlement  
[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

**MTC-00023702\_0001**

To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001  
Subject: Microsoft Settlement  
To Judge Kollar-Kotelly and whom it may concern,

My name is J. C. Allen. I reside in Hampton, Virginia. I am a citizen by birth of the United States.

It should not be necessary to relate this information via email. However, Microsoft Corporation ("Microsoft") has, in the past, falsified support for its position as market leader and its monopolistic, predatory practices. It is imperative that the U.S. Department of Justice (USDOJ) carefully scrutinize the responses it receives regarding the antitrust complaint filed against Microsoft and the proposed Final Judgment, because of these past actions on the part of Microsoft. Some of the email the USDOJ receives may in fact have been manufactured by Microsoft to intentionally deceive the USDOJ. Microsoft has resorted to such impromptu "lobbying" in the past in order to create the perception that the public supports Microsoft's actions in the nation's marketplace. I have no desire to read, in a few months, about a similar deception with regard to the proposed Final Judgment ("Proposed Final Judgment"). It is my opinion that Microsoft will use every tactic possible to convince the USDOJ that the public believes the Proposed Final Judgment is fair. I am the public, and I do not believe it is fair. I can assure you that I am not alone.

The following URL details the efforts of Microsoft to influence Utah Attorney General Mark Shurtleff using these tactics: <http://seattletimes.nwsources.com/html/nationworld/134332634—microlob23.html> A portion of the above article (which was originally published by the Los Angeles Times) is quoted below: "Letters purportedly written by at least two dead people landed on the desk of Utah Attorney General Mark Shurtleff earlier this year, imploring him to go easy on Microsoft for its conduct as a monopoly. The pleas, along with more than 100 others from Utah residents, are part of a carefully orchestrated nationwide campaign by the software giant... Microsoft sought to create the impression of a surging grass-roots movement, aimed largely at the attorneys general of some of the 18 states that have joined the Justice Department in suing Microsoft. The Microsoft campaign goes to great lengths to create an impression that the letters are spontaneous expressions from ordinary people. Letters sent in the last month are on personalized stationery using different wording, color and typefaces, details that distinguish Microsoft's efforts from lobbying tactics that go on in politics every day." I would like to begin with a quote by former Judge, Stanley Sporkin:

"Simply telling a defendant to go forth and sin no more does little or nothing to address the unfair advantage it has already gained..." I would also like to list some of those companies that have unfairly suffered because of Microsoft's illegal monopoly and predatory marketing practices. Following the company name and separated by a colon is the name of the product that Microsoft intentionally sabotaged, copied, or stolen outright. Following the product name and separated from the competing company's name by a semicolon is the name of the product Microsoft developed to integrate the functions of these competing applications into Microsoft operating systems. Note that many of these competing applications are no longer being actively developed because these companies, which depended on revenues from sales, are no longer in business. A few others continue to market new releases, but their user base has dramatically declined:

1. Digital Research, Inc. (then Novell, now Caldera): DR DOS; MS-DOS 5.0 and Windows 3.1, which were intentionally designed by Microsoft to alter the base upon which applications were written for Microsoft operating systems, so that applications written for Microsoft operating systems would be incompatible with DR DOS. The announcement that Windows 3.1 would not be compatible with DR DOS resulted in sales of that product dwindling to practically nothing in months.

2. Real Networks: Real Player; Microsoft Windows Media Player, which has almost completely supplanted Real Player as the de facto internet standard streaming media application. Windows Media Player is bundled with Microsoft operating systems, and is available as a free download for Microsoft operating system users.

3. Netscape Corp. (now America Online/Time Warner): Netscape Navigator; Internet Explorer, which has effectively supplanted

Netscape Navigator as the browser of choice among most internet users. In 1995 the vast majority of internet users used Netscape Navigator to access the internet. Internet Explorer is bundled with Microsoft operating systems.

#### MTC-00023702—0003

4. Apple Computers: Apple's Graphical User Interface ("GUI"); although Apple borrowed heavily from XWindows for UNIX, Microsoft's first attempt to produce a true GUI operating system featured an almost exact replica of Apple's desktop, right down to the trash can, which Microsoft renamed "Recycle Bin". Apple's GUI became the basis for the present look and feel of Microsoft operating systems.

5. Corel: WordPerfect; Microsoft Office (Microsoft Word). Also: Quattro Pro; Microsoft Office (Microsoft Excel). Both Microsoft Office and Microsoft Word, separately, are frequently bundled with new installations of Microsoft operating systems.

6. Quarterdeck Corp. (now owned by Symantec): QEMM; EMM386.\*, a memory manager that enabled DOS-based programs to access more than 640K of memory. EMM386.\* (et al.) are necessary components of Microsoft operating systems that run in real and protected mode.

7. STAC Electronics: hard drive compression scheme; Microsoft DoubleSpace. DoubleSpace is a disk utility that is included with Microsoft operating systems.

8. Go Corp.: pen-based computing; Microsoft incorporated the code into its operating systems so that they would be able to recognize the device.

9. IBM: Lotus 1-2-3; Microsoft Office (Microsoft Excel). Also: OS/2; Windows 95. Microsoft refused to provide technical details necessary for third-party developers to develop applications for both Windows 95 and OS/2 to IBM, resulting in a net migration of users away from that operating system as the number of available applications fell. Microsoft Office is frequently bundled with new installations of Microsoft operating systems.

10. Sun Corp.: Java, Sun Java Virtual Machine ("JVM"); Microsoft J++, J#, C#, ".NET". Microsoft's non-standard implementation of Java (J++, J#) forced Sun to sue to prevent Microsoft from designing proprietary extensions to the language that were only functional on Microsoft operating systems. Microsoft lost and in retribution announced it would no longer support Sun's JVM in order to force a migration away from the use of Java and to force implementation of Microsoft's ".NET" initiative.

In addition, Microsoft has incorporated new features into its newest operating system to further extend its monopoly and sabotage applications in markets which it intends to dominate, for example: Roxio EasyCD Creator (Microsoft bundled the software required to "burn" CDs into its newest operating system, Windows XP); Adobe Photoshop, et al. (Microsoft PictureIt! is marketed to directly compete with these applications, using a proprietary file format which non-Microsoft middleware cannot support because PictureIt!, by default, stores images in the

proprietary file format, and Microsoft has not released details of the file format to third-party developers); Norton Personal Firewall, et al. (Microsoft bundled a limited firewall into Windows XP).

In short, Microsoft has demonstrated time and time again that it is not an innovator, but that it is a ruthless integrator—buying, copying or stealing other companies' innovations and intellectual property outright, and bundling applications which utilize these innovations with its operating system in order to drive its competitors out of business. Fear of the pending Final Judgment has not caused Microsoft to cease this abusive practice. In fact, the newest components of Microsoft Windows XP (e.g., CD burning software) were developed well after the anti-trust action against Microsoft was initiated.

It is my contention that the Proposed Final Judgment will not "provide a prompt, certain and effective remedy for consumers by imposing injunctive relief to halt continuance and prevent recurrence of the violations of the Sherman Act by Microsoft that were upheld by the Court of Appeals and restore competitive conditions to the market." I believe that the Proposed Final Judgment does "little or nothing to address the unfair advantage [Microsoft] has already gained".

I have no special skills or training which qualify me to comment in detail on the Proposed Final Judgment against Microsoft. I am neither a lawyer, nor an employee of any of the companies which directly compete with, or depend on, Microsoft software. However, I use Microsoft software daily in my work and at home, and it is my belief that the opinions of those who actually use Microsoft products in their daily lives should weigh heavily in any deliberation. We are, after all, the ones who stand to gain or lose the most by any Final Judgment, and we stand to lose a great deal if the Proposed Final Judgment is adopted. My objections to the settlement offered by the United States Federal Government are as follows:

1. A. The internet was developed using open, non-proprietary standards.

B. Microsoft has extended, and is extending, its monopoly by developing proprietary standards which unfairly exclude rivals from developing applications which are fully functional on computers running Microsoft operating systems. C. Microsoft will profit from this exclusion. D. Microsoft should not be allowed to profit in the future from unfairly excluding competitors in the past.

Repeatedly, the court has stated that Microsoft integrated its Web browser into Windows in a non-removable way. However, at the time this claim was made, very early in the anti-trust action against Microsoft, it was a deception. It is possible to remove Internet Explorer ("IE") from Windows 98. This has been demonstrably proven: <http://www.cnn.com/TECH/computing/9903/O9/removeie.idg/>

In fact, an application was developed to remove IE from Windows 98 called "98lite": <http://www.98lite.net/>

I am not ignorant of the fact that this would eliminate some of the features offered by the

integration of Windows 98 and Internet Explorer. However, it would eliminate many of the vulnerabilities which have plagued Microsoft software from the time Microsoft incorporated IE as a component of the Windows operating system and offer enhanced security to the user. Yet requiring Microsoft to enable the end user of Windows to completely remove IE, and therefore eliminate direct access to the operating system (which IE, as a component of the operating system, was designed to allow), is not a condition of the Proposed Final Settlement.

At the time the integration of IE into Windows 98 was first undertaken by Microsoft, the anti-trust action against Microsoft had not yet begun. However, shortly thereafter Microsoft desperately needed a legal defense against the argument that it illegally bundled its Web browser with its operating system to crush rival Netscape. The bundling of IE with Windows 98 allowed Microsoft to establish market dominance and become the de facto standard Web browser. By demonstrating that Windows 98, with IE removed, was incapable of functioning as designed, Microsoft "proved" that IE was a "necessary" component of Windows 98. However, this claim is clearly ludicrous, and has not been completely remedied by the Proposed Final Settlement.

My principle objection is that the USDOJ appears, by way of the language of the Proposed Final Settlement and Competitive Impact Statement, to have accepted Microsoft's claim that IE "cannot" be removed from Windows. I simply refuse to believe that the company that integrated its Web browser with its operating system cannot un-integrate it.

It is my contention that Microsoft's future corporate strategy revolves around the development of a method of delivering digital content and services ("DCS") securely to a computer user, and that, as a business, it is aware of how profitable this will be. Part of this effort is the integration of Digital Rights Management ("DRM") and other schema (encryption, licensing, authentication, etc.) into daily use of the computer through the Windows Explorer shell, and therefore through IE. Any DRM scheme (et al.) proposed by Microsoft will therefore be very lucrative for Microsoft, and for Microsoft's partners, by requiring any user of Microsoft's software to pay a per-use Microsoft "tax" to access DCS via the internet, and by requiring any developer to license this technology from Microsoft.

It is also my contention that the integration of IE with Windows was purposefully undertaken by Microsoft to crush Netscape and establish market dominance before the internet had grown to the point that the technologies for the secure delivery of DCS were necessary, i.e., before there was a market for such technologies. I tip my hat to Microsoft's business acumen. However the internet has grown to the point that no one company can be allowed to stand between the public and the information it offers, freely, to all. With the vast majority of computer users using Microsoft operating systems, this guarantees that internet access is contingent on satisfying whatever conditions Microsoft chooses to impose.

It is my contention that DRM or other schema involved in the delivery of DCS over the internet cannot be proprietary, and that the seeming acceptance, on the part of the USDOJ, of the integration of IE with Windows has given Microsoft an unfair advantage by allowing Microsoft to utilize the leverage gained by establishing its web browser as the dominant web browser to secure, future profits, which will allow Microsoft to unfairly extend its monopoly into new computer technologies.

The Proposed Final Judgment does nothing to remedy this, but instead allows Microsoft to profit from actions which would be prohibited under the terms of the Proposed Final Judgment. I propose that the Proposed Final Judgment "level the playing field" by requiring, for example, that language or provisions such as Section III.E of the Proposed Final Judgment be stricken in toto:

"Section III.E ... exempts from these licensing requirements certain very limited and specific portions or layers of Communications Protocols which would, if disclosed, compromise the system security provided by Microsoft anti-piracy, anti-virus, software licensing, digital rights management, encryption and authentication features."

It is my contention that the only relief for Microsoft's past abuse is to force Microsoft to openly and publicly disclose all features exempted by the Proposed Final Judgment, to allow no exceptions to the rule of public disclosure, and to require that this occur immediately, i.e., before the one year deadline for disclosure of Microsoft's application programming interfaces ("APIs"). This would allow the development of competing applications immediately. Companies which have unfairly suffered because of Microsoft's status as a monopoly will be able to offer competing applications much sooner than they would have under the proposed schedule. It would have the added benefit of allowing interested third parties to examine Microsoft's proposed DRM, licensing, authentication, et al. to ensure that security is not sacrificed for "features".

2. A. Microsoft's has repeatedly demonstrated that, as a corporation, it does not place a great emphasis on security. B. This has placed an unfair burden on American businesses and individual consumers to secure Microsoft software. C. Microsoft's corporate values are a direct result of the integration of Microsoft "operating systems" and "applications" development under one corporate umbrella. D. The ease with which Microsoft application developers utilize features exclusive to Microsoft operating systems contributes to a corporate climate which is organizationally incapable of responding to security vulnerabilities which exploit those features. E. The only remedy for this situation is to divide the corporation into two separate halves—one to develop the operating system and the other to develop applications to be run by the operating system—and to require that any APIs necessary to properly integrate an application with the operating system be disclosed to competitors in accordance with the provisions of the Proposed Final Judgment.

I am aware that Microsoft's founder, Bill Gates, recently made a pronouncement concerning computer and information security, in which he stated that security must become Microsoft's top priority. As for me, this is too little, too late. I believe the recent memorandum from Bill Gates is part of Microsoft's strategy to create a safe harbor and shelter large portions of its code base from the disclosure terms of the Proposed Final Judgment—if every API has something to do with "security", none of them are required to be disclosed. This must not be allowed to occur, and if the language of the Proposed Final Judgment is allowed to stand, Microsoft's status as a monopoly will not even be challenged.

The results of Microsoft's "lip service" to security have been widely publicized. Computer worms and viruses written to exploit known weaknesses in Microsoft software have, in the past year, cost American businesses that depend on that software billions of dollars, and been a terrible inconvenience for thousands of computer users who lost data, personal or professional, to malicious code. I have personally invested in anti-virus software and a firewall to prevent worms and viruses that exploit known weaknesses in Microsoft software from affecting me. This may be Microsoft's idea of "driving software development" or the "upgrade cycle", but it is not mine.

The ubiquity of Microsoft software is, in large part, responsible for the cost of cleaning up after such outbreaks and patching vulnerabilities caused by "features" that would have been exposed by a thorough code audit, if security had ever been Microsoft's priority. For example, Outlook Express ("OE"), by default, previews a message it MTC-00023702-0008 receives if the "preview pane" is turned on, and parses any executable script it encounters. This allows a received message, without any further interaction from the user, simply on the basis of being received by that user via OE, to execute malicious code on that user's computer.

Who, at Microsoft, was responsible for making the decision to incorporate this "feature" into OE? Why was it not reviewed and why was it not decided that its inclusion would make OE too vulnerable to attack?

Microsoft, as a corporation, is not capable of developing a truly secure application. The current code base is simply too large for even forty thousand employees to accurately and completely review. It is therefore my contention that Microsoft should be broken into two (or more) separate companies, one to develop Microsoft operating systems, and one to develop applications for Microsoft operating systems. Under the disclosure terms of the Proposed Final Judgment and 1. above, any Final Judgment should require Microsoft to disclose the APIs necessary to properly integrate an application with the operating system in accordance with the provisions of the Proposed Final Judgment. Requiring Microsoft to disclose any APIs necessary for its applications developers to write applications that seamlessly integrate with Microsoft operating systems would guarantee that although Microsoft might gain



market share from new APIs which take advantage of integration with the operating system, any competing application developer would be free to use those APIs to enhance their own software in a unique way. Though Microsoft might profit temporarily from the use of exclusive Microsoft APIs, it would not be able to retain a monopoly through obscurity; Microsoft would be forced to truly compete by developing applications which best serve the needs of their users.

3. A. Microsoft has undertaken the development of tools (J++, J#, C# and ".NET") which seek to supplant established programming languages or internet protocols (C++, Java, etc.), and which offer limited, or non-existent, functionality on computers not running Microsoft operating systems or IE. B. These tools directly subvert the open, non-proprietary standards which the internet was developed around. C. Allowing Microsoft to further dilute these standards will increase the cost America's consumers must pay to access DCS via the internet.

It is my contention that Microsoft has undertaken this action to further extend its illegal monopoly, and dominate future internet technologies. The Proposed Final Judgment does not completely remedy this. What has already been proposed, ensuring that Microsoft is no longer allowed to punish Original Equipment Manufacturers ("OEMs") who choose to include competing technologies in their hardware or software products, does limit Microsoft's monopoly somewhat. However, it does not completely address the issue because software developers will always be at Microsoft's mercy when developing applications for Microsoft platforms via the application barrier to entry. This issue is also addressed, in part, by requiring the disclosure of Microsoft's APIs, which I have already commented on above.

I again assert that Microsoft should not profit from behavior that would have been illegal if the terms of the Proposed Final Judgment had been in force. By requiring the immediate disclosure of all APIs, DRM and other schema, immediately and without exception, competing applications may be developed using established programming languages or internet protocols which provide as much functionality as applications developed using proprietary Microsoft programming languages or internet protocols. This would deny Microsoft the opportunity to further entrench itself as a DCS provider by excluding its rivals with proprietary technologies which only provide full functionality on computers running Microsoft's operating systems or IE, with which Microsoft's proprietary programming languages or internet protocols can be fully integrated.

The loss of revenue due to sales of J#, C# and .NET development tools, instruction manuals, books, peripherals, etc. will be a punishment that truly fits the crime. By trying to encompass and control access to the internet, Microsoft will ensure that future internet technologies offer truly universal access. This will benefit consumers by offering more choices, not less, and by keeping the internet free of the control of pervasive corporate interests which threaten

it. DCS will remain inexpensive, in that consumers will not have to pay a hefty "tax" to Microsoft (or any of its partners) simply to access DCS via the internet. The internet was built with the tax dollars of America's consumers, and should be managed by the government in concert with the global community, corporations, and citizens the world over, on behalf of all humanity. Microsoft must not be allowed to control access to the internet, or relegate consumers to a "second-class internet" simply because they are not Microsoft customers. This concludes my comments. Thank you for your consideration.

J. C. Allen

**MTC-00023703**

From: Chris McGraw  
To: Microsoft ATR  
Date: 1/24/02 11:03pm  
Subject: Microsoft Settlement

I believe the only viable settlement is none at all. Microsoft has had its share of second chances and it's time they be punished for their crimes as any other company would surely be. Their repeated monopolistic activities and poor product making has lowered the standards of not only Americans, but the world as well. Don't let them bully the world into their mediocre ways. Chris McGraw

So the next time you're at work and thinking that the best thing about the operating system you're using is FreeCell, consider asking your boss for a Mac. If he refuses, consider getting belligerent and making thinly-veiled threats of violence. What's the worst that could happen— you could get fired? Big deal; they made you use Windows anyway...

**MTC-00023704**

From: Dark Mage  
To: Microsoft ATR  
Date: 1/24/02 11:04pm  
Subject: Comment on U.S. v. Microsoft

To quote John Stuart Mill, "The only freedom which deserves the name is that of pursuing our own good, in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it." I am a conservative, but unlike many of the famous conservatives out there, I fully believe that the only proper settlement in this case is to break up Microsoft. For I am also a network administrator in a mixed Novell/Linux/Windows2k environment and have to face the hardships of this monopoly everyday. When I see Novell struggling to keep their head above water when their network operating system is far superior to that of Microsoft. But they are losing ground anyway, partially because of Microsoft's amazing marketing machine, but mostly because of Microsoft using strengths in other areas to push their operating system. The Exchange/Outlook combination for mail and calendar delivery has a very slick interface that users like. It has tons of functionality bugs, and many security holes, but it's pretty, and users (and CEOs) demand to run it. And that's fine. That's market pressure. Unfortunately, you must run Windows as a desktop OS, and Windows as a server OS, in order to do it. Same with MS SQL Server 7.

A fine product on its own, except that it is not as scalable as Oracle, BECAUSE it has to run on Windows NT, which isn't as scalable as the Unices and NetWare that Oracle runs on. So people buy more NT and 2000 servers to run it.

And this is the problem. They have a very weak operating system that can't compete on its own, so they use their influence in other markets to gain monopolistic market share that they otherwise couldn't get. The only solution to this is to split them in two. The applications and the operating systems. The result of this would be products such as MS SQL Server for Solaris. MS Office for Linux. And an operating system that would work out its bugs and fix its security holes to survive rather than relying on the crutch of the applications to stay number one.

It is my personal opinion that this is Mr. Gates' ego at work. Windows is his pet project. It's how he got his name. And he knows that Windows would struggle in such an environment, so he resists a split being ordered. Never mind that the application division would grow by leaps and bounds, released from the shackles of only developing for Windows. Never mind that true competition would return to the marketplace the likes of which haven't been seen since Microsoft sabotaged Apple in the first place by stealing their Macintosh interface from them (although they stole it from Xerox, they asked Xerox nicely first). His baby, Windows, would be hurt in the short term, and he can't let that happen. Unfortunately, this course of action will hurt everyone else in the long term, and that is what the Department of Justice originally set out to do. Hopefully they'll find the stomach to return to this course of action and do what's right, not what they think is the most politically popular because of a change in the White House staffing.

Sincerely,  
Jason L. Snowden  
darkmage@speakeasy.org

**MTC-00023705**

From: tonic@cox-internet.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:01pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Toni Crawford

915 E. 2nd St.  
Moutain Home, AR 72653

**MTC-00023706**

From: KHurlb8641@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:03pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Karin Hurlburt  
3814 Goldstein Lane  
Louisville, KY 40272-2906

**MTC-00023707**

From: Price  
To: Microsoft ATR  
Date: 1/24/02 11:09pm  
Subject: Microsoft

To whom it my concern  
Please do something about Microsoft. If you knew what I know about computers you would act right away.

Regards  
Price Sicard

**MTC-00023708**

From: C Zehner  
To: Microsoft ATR  
Date: 1/24/02 11:08pm  
Subject: Competition

Greetings,  
It should be competition that makes microsoft penalized, not the court. Time will come when someone will come up with a better mouse trap.....

Charlie Zehner  
Monterey, Indiana

**MTC-00023709**

From: crawfordmomc@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:05pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Pauline Crawford  
32178 Hwy 87  
California, MO 65018-3251

**MTC-00023710**

From: drkgable@pacbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:04pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gregory Lane  
2667 Alosta Street  
San Diego, CA 92154-4202

**MTC-00023711**

From: Kevin Taylor  
To: Microsoft ATR  
Date: 1/24/02 10:23pm  
Subject: Microsoft and the affect on education

As a consumer and computer professional, I have a great deal of first-hand experience in the affects of the Microsoft monopoly on the lives of Americans and want to share them with you along with my comments.

A recent, and most disturbing episode that is \*directly\* relevent to the remedy offered by Microsoft and accepted by the DOJ. My wife, a student at the University of Texas at Dallas, is currently in an environment very much like one that this settlement would create all over the United States. An environment where Microsoft products are very close to free (\$18 for MS Office, compared to \$600+ for consumers, for example) because of an "agreement" between UT and Microsoft.

In this environment, my wife had to take a mandatory course for anyone graduating with a business (or business-related) degree. This course says nothing about Microsoft products, quite the contrary really—it says you will learn about basic computer

functions, as well as word processing, spreadsheets, etc. In the first meeting of this class, the professor said the words that students all over this country will be hearing if this remedy is put in place:

"I will only accept documents in Microsoft Office XP format, you can pick it up down at the bookstore for \$18" The problem doesn't stop there. The actual course material that this institute of higher learning is using reads more like a Microsoft commercial than an impartial introduction to computers that "well-rounded" people should received in college. The course materials are all done in Microsoft proprietary formats, and include a slide sporting the picture of Bill Gates, claiming him to be "the most influential man in computers". In this same courseware, there is a slide talking about operating systems. \*Every\* shipping operating system from microsoft is listed, and over 20 operating systems (just that \*I\* know of) that are Microsoft compeditors are not.

These students are the policy- and decision-makers of the future, and everyone one of them from UT will \*only\* know about Microsoft technologies, and being ignorant of alternatives will push these solutions in the business world of the future. Not because it is "innovative", not because it is even the "best" solution—but because they don't know about anything else. They have been indoctrinated by school mandate, and that is the end of the story.

The most likely, and most frightening, possibility to emerge from the proposed settlement is that this problem will not be limited to the University of Texas, but to every University in this country. What would make it worse is that it would no longer be school mandated indoctrination, but government mandated.

Just imagine if those overseeing the anti-trust hearings for AT&T had simply said—"Your punishment is to make long-distance service cheaper for families with children", or worse yet, "you must give out free extra lines to families with children". Today, we would all have AT&T service, and I'm quite sure it wouldn't be 7 cents/minute.

I urge you to consider real behavioral remedy, if it is going to be taken. Make them open up their file formats, so that compeditors can interoperate and compete for market share. Make them pay money, not software (which really costs them nothing at all). (As Microsoft has proven with the University of Texas, they are making these deals for near-free software with schools without being forced to—and not because it's charity, but because it's good business for the future. To really give competition a chance, make them pay the damages (as money, not software) to a non-profit foundation that can be used to help software projects that compete with Microsoft to give equal access to markets. If Microsoft will give software to schools, then this fund could be used to help offset the costs of smaller compeditors to do the same. Students, and all Americans, should have choice, and if breaking up Microsoft is not the solution, we must make sure that Microsoft cannot use its size and cash reserves to prevent others from having access to student and consumer mindshare as well.

In conclusion, I urge you to consider a remedy that will insure a future that is full of opportunity for all. The worst thing to come of this would be to find ourselves in this same monopolized environment in 10 years, but with one key difference—\*no\* competing companies left to choose from.

Kevin Taylor  
Innovative Linux Solutions  
kevin@innovativelinux.com  
Phone: (972) 437-0343  
Fax: (972) 422-8678  
Cell: (214) 763-9507  
280 E. FM 544  
Suite 104-113  
Murphy, TX 75094-4021  
CC:dennispowell@earthlink.net@inetgw

**MTC-00023712**

From: JoenAnne5@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:09pm  
Subject: Microsoft Settlement.

Judge Kollar-Kotally:

I have recently read a brief concerning the proposed settlement of the Antitrust violations committed by Microsoft and I believe they do nothing to punish or prevent Microsoft from continuing to violate the laws of our country. As a user of the computer I believe that all companies participating in that business should be able to play on a level field. Microsoft has over the past 5 to 7 years prevented the computer field from being anything but level. I strongly request that the present Proposed Final Judgment (PF) be evaluated and changed to a meaningful finding of a company that has truly been found guilty of severe antitrust violations.

Respectfully  
Joseph L. Parrillo  
1679 Capri Way  
Charlottesville, VA  
22911

CC:microsoftsettlement@  
yahoo.com@inetgw

**MTC-00023713**

From: root@stdml3.u-aizu.ac.jp@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:10pm  
Subject: Freedom please

Please give us all freedom from MS monopoly, that is duty bound to serve itself interest and thereby served is corrupt and knows no political philosophy.

Carl Vilbrandt, MFA, Associate Professor  
University of Aizu—Computer Arts  
Lab

Tsuruga, Ikki-machi, Aizu-Wakamatsu  
City, Fukushima, 965-8580 JAPAN  
phone 81-242-37-2792 / fax 81-242-37-  
2772 / email vilb@u-aizu.ac.jp

**MTC-00023714**

From: hank  
To: Microsoft ATR  
Date: 1/24/02 11:12pm  
Subject: Microsoft Settlement

I think the proposed settlement is not a wise one. I think that returning the choice of what software to use—by giving money—to the recipients would be appropriate. Giving more Microsoft products away increases Microsoft's dominance.

I have been using personal computers since before the Microsoft company was formed and before the first IBM PC was available, using dBase and WordStar first on a CompuPro computer operating using CP/M and CP/M-86, and later on an original IBM PC operating under CP/M, DR-DOS and finally the Concurrent DOS operating systems.

Hank Roberts  
1529 Beverly Place  
Berkeley Ca 94706

**MTC-00023715**

From: Andrew Vinton  
To: Microsoft ATR  
Date: 1/24/02 11:12pm  
Subject: Microsoft Settlement

Dear Sirs,

I am software developer, as well as a user of commercial software. I firmly believe that we all benefit from free and fair competition in the software market place.

Over many years, I have watched Microsoft use their near monopoly in the computer operating system market to drive competitors into obscurity or out of business. They have used predatory pricing tactics.

They have coerced computer vendors to prevent them from installing competing software on computers that the vendors are offering for sale. The best known examples are their dealings with competitors to Microsoft Word and Internet Explorer. Their recent attempts to steal the market for Java from Sun Microsystems and others are not well known to the general public, but no less ruthless.

When I heard that the Justice Department was suing Microsoft, I hoped that something would be done to curb Microsoft's behavior and restore a little balance to the market place. What I am hearing about the proposed settlement indicates to me that in the short term very little will be done, and that in the long term, Microsoft will be largely trusted to monitor it's own compliance with the few restrictions that are imposed. The company's consistent history of ruthlessness tells me that any such monitoring will be worthless.

Microsoft has worked very hard to negotiate a settlement that will not hurt them in any way. I fear that they have succeeded. This distresses me because I am convinced that they will conclude that there is no reason for them not to continue their misbehavior.

Sincerely,  
Andy Vinton  
vinton@acm.org

**MTC-00023716**

From: bmoss3@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:09pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little

more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Moss  
32 NE 29th Street  
Fort Lauderdale, FL 33334-1043

**MTC-00023717**

From: L Vogtmann  
To: Microsoft ATR  
Date: 1/24/02 11:13pm  
Subject: Microsoft Settlement

I do NOT agree with the settlement. I am a cosignor of Dan Kegel's comments.

<http://www.kegel.com/remedy/letter.html>  
Lyle D. Vogtmann

**MTC-00023718**

From: b-terry@comcast.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:11pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brent Brent  
725 Lambert Drive  
Nashville, TN 37220

**MTC-00023719**

From: joyousone46@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:14pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joy Ann Roberts  
1656 Westminster Drive  
Apt. 8  
Green Bay, WI 54302-5740

**MTC-00023720**

From: mac123@syclone.net@inetgw

To: Microsoft ATR

Date: 1/24/02 11:17pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
stan mcdonald  
97 admiral point circle  
dawsonville, GA 30534

**MTC-00023721**

From: Bill Bremer

To: Microsoft ATR

Date: 1/24/02 11:18pm

Subject: Re: U.S. v. Microsoft: Settlement Information

I see the proposed "settlement" which Microsoft has offered as no settlement at all... and does nothing to stop Microsoft from continuing the ruthless practices which brought them to the attention of the Federal Courts in the first place.

I honestly can't believe the Microsoft co. actually thinks this is a fair settlement of their case... or if so, then only fair for Microsoft... In no way does their offer to put old computers, using only their products, recompense the software developers they shafted, or the public, whose access to these alternative products they have tried to deny...

I think that if Microsoft's proposal of a billion dollars was to be considered at all, then the only fair thing for the public, would be to have a cash only deal, no strings attached, to the school- systems chosen to participate in the proposed settlement. Then the school systems themselves could choose which computer systems and which software

they would prefer to actually use, instead of having no choice in the matter at all. Giving "no choice" seems to be the "Microsoft Way", after all. I believe that Microsoft sees this as another way for them to weasel their way into the pockets of the American public. This time through the children in some of the poorest schools in our country...

Schools, which given a "Choice", might very well not wish to be using the products foisted upon them, by a company whose tarnished reputation is not exactly what they would be wishing to present to their classes every day.

I believe this is just a very transparent attempt by Microsoft to gain market share in one of the few remaining areas in which it doesn't already dominate. As long as Microsoft is the one who is to set the rules on how the proposed settlement money is doled out, then there will never be a "fair" conclusion to this case. Secondly,

I see no way that the proposed settlement makes any amends to the software developers and other companies which were harmed by their overly aggressive and unlawful business practices.

If fair was fair, then these are some of the ones who should be making suggestions as to what steps should be taken to make sure that this company is not allowed to continue the practices which brought them to the attention of the courts in the first place...

Finally... I don't believe that a defendant found guilty, should be the one turned to, when it comes time to suggest either a penalty or a remedy.

Thank you...  
Bill Bremer  
Benson, NC

**MTC-00023722**

From: Trust Me

To: Microsoft ATR

Date: 1/24/02 11:19pm

Subject: Microsoft Settlement

To: Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington, DC 20530-0001

[Reprinted with permission of the original author: Brian Koppe, Buffalo Grove, IL]

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. It is my understanding that the purpose of the Proposed Final Judgement should be to reduce, as much as possible, the Applications Barrier to Entry. In other words, make the market more open to competition from other products. After reading the Proposed Final Judgement and multiple essays on its problems and benefits, I have noticed many things that I take issue with. However, I'd like to focus on one in particular. This problem is in the issue of Microsoft End User License Agreements (EULA).

It has been shown that Microsoft creates EULA's that place anticompetitive restrictions on the user, and that Microsoft has intentionally created incompatibilities to keep users from using Windows applications on compatible operating systems that are not Windows. One example of this is in the license agreement for the Microsoft software,

NewsAlert—offered by MSNBC. In that license it says, "MSNBC Interactive grants you the right to install and use copies of the SOFTWARE PRODUCT on your computers running validly licensed copies of the operating system for which the SOFTWARE PRODUCT was designed [e.g., Microsoft Windows(r) 95; Microsoft Windows NT(r), Microsoft Windows 3.x, Macintosh, etc.]. ..."

Users of competing operating systems, such as Linux, which are capable of running some Windows applications are not legally capable, under this restrictive license, to use this program. One suggestion as to how restrictive licenses such as this should be forced to be changed is for the excerpt above to be re-written as follows:

"MSNBC Interactive grants you the right to install and use copies of the SOFTWARE PRODUCT on your computers running validly licensed copies of Microsoft Windows or compatible operating system."

In the past, it has been shown that Microsoft places technical barriers on competition as well. The 1996 Caldera v. Microsoft case shows how Microsoft added code to its product so that, when run on a competing operating system (DR-DOS in this case), it would give the user an error. As I'm sure you can easily look up, the judge ruled that "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft."

Unfortunately, with the Proposed Final Judgement as it stands, there is no language to prohibit these restrictive licenses nor is there language to prohibit future intentional incompatibilities. Therefore, in its current state, the Proposed Final Judgement assists Microsoft in continuing these actions and does not succeed in opening the Applications Barrier to Entry.

In closing, I would like to add my support for Dan Keigel's essay, "On the Proposed Final Judgement in United States v. Microsoft," located at <http://www.keigel.com/remedy/remedy2.html>, which is the source of the facts I have included in this letter. I would also like to add my support for his suggested amendments to the Proposed Final Judgement, which are described near the end of his essay, and to the alternate settlement proposed by some of the plaintiff states and located on the website for the National Association of Attorneys General at <http://www.naag.org/features/microsoft/ms-remedy-filing.pdf>.

Sincerely,  
AJ Sacco, Palatine, IL

**MTC-00023723**

From: Jesse Stence

To: Microsoft ATR

Date: 1/24/02 11:19pm

Subject: Microsoft Settlement

Dear Sir:

Please settle this suite soon, as Microsoft has bent over backwards to try to settle. It appears that a lot of companies want a bit of Microsoft. Is there any mercy left in the court system?

Sincerely,  
Jesse Stence

**MTC-00023724**

From: Brian Bliss

To: Microsoft  
 ATR,jaquelyn@attbi.com@inetgw  
 Date: 1/24/02 11:20pm  
 Subject: Another example of Microsoft's behavior

Here is just one example of Microsoft's anti-competitive conduction that may have been overlooked:

Somewhere in the 1997-1998 time frame, Netscape Communicator was distributed online as a single downloadable file of approximately 13 Mb. At the same time, Internet Explorer limited the size of files that it could download to just under that, so that you could not use Internet Explorer to download the latest version of Communicator. Instead, one had to download an older version of Communicator and install it, then use it to download the latest version.

This "trap" frustrated a friend of mine enough that, after purchasing a new computer, he switched to using Internet Explorer (which was, of course, pre-installed on the new computer), when he preferred to continue using Communicator. The Internet Explorer file size limit was so close to the size of the file distributed by Netscape that I do not believe it was a coincidence.

I do not believe that Microsoft can be trusted to to comply with the spirit of any court order which limits its anticompetitive conduct. Even if the loopholes in the current remedy were closed so that Microsoft does not have control over the content that computer manufacturers add to Windows, it does not (nor can it) prevent Microsoft from producing software whose behavior makes it inconvenient to use a competitor's products. If Windows were distributed under an open source license, however, the anti-competitive tweaks that Microsoft adds to its software could be quickly located and removed.

Brian Bliss  
 42638 Isle Royal  
 Fremont, CA 94538  
 brianbliss@attbi.com  
 jaquelyn@attbi.com

#### MTC-00023725

From: John Athayde  
 To: Microsoft ATR  
 Date: 1/24/02 11:27pm  
 Subject: Microsoft Settlement

To whom it may concern—

The settlement that you all are proposing does not solve many of the issues that tax payer money has been funding the fight against and in fact will allow the company to return to its anti-competitive practices as of the next generation of its OS (and variants thereof).

Because of the way that you have defined "Windows Operating System Product," any issue of the Win32 based operating system branded as Microsoft Windows that is not—Windows 2000 Professional—Windows XP Home

—Windows XP Professional is not party to this agreement and therefore cannot be held under the regulations it implies.

Simple language such as "including but not limited to" or "including all future products developed as" etc.

This is already an issue in the example of Windows XP Tablet PC Edition. Since that is neither Windows XP Home nor Windows XP

Professional, it would appear to be exempt from this ruling. Since this is the DOJ's settlement, contra proferendum would work against the US Government and allow Microsoft leeway, since the Government failed to properly define this item. Same issue exists with "Windows CE".

There are many things like this throughout the settlement, which does little to quench the key problem: The method Microsoft employs is total domination of the market. If they can't innovate it, buy it. If they can't buy it, copy it and market the hell out of it until the competition succumbs. The DOJ should push for Microsoft to open up its APIs, prohibit the Microsoft ability to retaliate against OEMs that ship computers without a Microsoft OS (section III A 2), and afford smaller OEMs, outside the top 20, the same rights of disclosure (Section III B) if they offer competing products.

I use Microsoft products. I'm typing in a Microsoft program right now. The DOJ needs to represent the rights of the majority of the citizens of the United States in providing fair competition and other open standards that Microsoft has repeatedly shown it cannot or will not provide on its own accord.

Thank you for your time.

John Athayde  
 General Partner  
 Meticulous Design Group  
 Washington, DC  
 contact:  
 202.285.3544  
 jmpa@meticulous.com  
 http://www.meticulous.com/

#### MTC-00023726

From: Karl Randolph  
 To: Microsoft ATR  
 Date: 1/24/02 11:23pm  
 Subject: Not a good settlement  
 Karl W. Randolph.  
 44 Edinburgh Street  
 San Francisco, CA 94112  
 kwrandolph@email.com  
 Renata Hesse, Trial Attorney  
 Suite 1200, Antitrust Division, Department of Justice  
 601 D Street NW, Washington, DC 20530  
 microsoft.ATR@usdoj.gov  
 Re: Microsoft settlement

Dear Attorney Hesse: In the 1800s, railroads would charge high rates on lines where they had no competition, so that they could use the revenues to subsidize lines where they had competition. If that competition was smaller, particularly when that line was its main revenue producing asset, this tactic often was able to ruin that competition. This was what the anti-trust laws were originally written to address.

Fast forward to the 1990s. Instead of physical tracks, we have software categories. There is the operating system category, word processing category, the spreadsheet category, several other categories and a new one in the 1990s, the web browser category.

The people at Microsoft pretty much ignored the web browser market other than to produce Internet Explorer and charge market rates for it. That is, until the head of Netscape, Mr. Andreessen, publicly admitted that the Netscape web browser was the same as a front end for a windowing operating

system. He speculated that he could develop his web browser into an operating system.

Windows is an operating system. It is the software category that Microsoft considers its most valuable asset. It is the asset that Microsoft uses to leverage its other software assets to give them greater market share, and to charge higher prices. Microsoft also uses the availability of its other software products to help it sell Windows. It is that synergy that Microsoft uses to consolidate, maintain and expand its monopolies.

Microsoft reacted as a classic nineteenth century trust. Whereas Internet Explorer was only a minor revenue source for Microsoft, its competition from Netscape was Netscape's main revenue source. By giving Internet Explorer away for free, Microsoft was able to impoverish Netscape to prevent it from producing a competing operating system. This is just one example of Microsoft maintaining its monopolies. This is the example that is the basis for the guilty verdict in the anti-trust suit.

What is the proper sentencing as befitting this illegality? As per two paragraphs above, Microsoft uses a synergy between its operating system software and its applications software to consolidate, maintain and expand its monopolies. Therefore, it is logical that an effective way to prevent Microsoft from continuing its illegal actions is to break it up into two companies: the operating system company selling Windows with Internet Explorer, since it is finally integrated into Windows; and the applications software company. I still think that would be the best response.

The proposed settlement announced by the Justice Department does nothing to address the continuing actions by Microsoft to maintain its monopolies. As such, it is an affront to the American people.

The proposed settlement is bad for the American consumers. By maintaining its monopolies, Microsoft is denying American consumers the best software that could be made.

The proposed settlement is bad for business. There are whole regions in the software world that are virtual wastelands, with Microsoft software leaving no real competition. It is known in investment circles that it is very difficult to impossible to raise investment capital to develop products to compete with Microsoft software because Microsoft's predatory tactics will make it difficult to recover the development costs.

The proposed settlement is bad for the country. In a time that we are at war against terrorism, the quality of Microsoft's software, both its operating system software and its applications software, are a liability in this war. Because of the software bugs and design failings, it makes the American economy open to cyber attack and other mischief.

The proposed settlement is bad because it not only does not address Microsoft's efforts to maintain its monopolies, but it actually helps Microsoft increase its monopoly position.

In conclusion, the proposed settlement ought to be rejected to get an effective answer to Microsoft's illegal actions that resulted in the guilty verdict in the anti-trust trial.

Yours,  
Karl W. Randolph.

**MTC-00023727**

From: WIDGEON212@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:23pm  
Subject: microsoft settlement

Again I implore you to settle the suit against the most innovative company anywhere in the world. Please don't stifle initiative and progressive creativity.

Paul smith

**MTC-00023728**

From: Mic Westcoat  
To: Microsoft ATR  
Date: 1/24/02 11:25pm  
Subject: Microsoft Settlement

I am opposed to the current Proposed Final Judgment (PJF) and believe that it is not in the public interest because I feel it is not adequate enough to remedy Microsoft's anticompetitive practices. One area that I feel the PJF is inadequate in its efforts to erode the Applications Barrier to Entry.

To remedy that, Microsoft should be required to standardize and publish all of its APIs to more freely enable competing operating systems and products (such as the Linux middleware know as WINE) to directly run software written for Windows. It should be ensured that Microsoft is powerless to hinder such products, whether by changing its APIs, or by any other means. I feel the successful completion of such products is essential to breaking Microsoft's monopoly and ensuring a more competitive field of operating systems.

An amended PJF should do everything it can to insure that such middleware projects have whatever information and cooperation they need from Microsoft in order to succeed. I feel the current PJF will not accomplish this.

I would also like to state that I am endorsing Dan Kegel's Open Letter, which is available at <http://www.kegel.com/remedy/letter.html>

Sincerely,  
Michael T. Westcoat

**MTC-00023729**

From: lareb58@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:23pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Roger K. Anderson  
7400 Glen Leaf Dr. #193  
Shreveport, LA 71129

**MTC-00023730**

From: jmhenshaw@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:24pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jan Henshaw  
6009 SE Heike St.  
Hillsboro, OR 97123-8296

**MTC-00023731**

From: gam777@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:23pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Glen Moore 407 E. State St. Apt. A  
Fremont, OH 43420

**MTC-00023732**

From: revdww@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:24pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Flower  
3619 N Del Lu Dr  
Springfield, MO 65803

**MTC-00023733**

From: bdmahle@usachoice.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:23pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Brad Mahle  
RD#4  
Box 137C  
Brookville, PA 15825

**MTC-00023734**

From: Ron—Williams4@excite.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:24pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

The governments of many states as well as the US government are becoming destructive to this society. They go after businesses like the tobacco companies, gun manufacturers, and companies like Microsoft. It is high time for the Microsoft suit to end. It is far from being a monopoly. As an example I do not use their operating system, yet I choose to use their Internet Explore.

If Netscape wishes to sue Microsoft over some issue that is one thing, but if the government gets involved that is quite another matter all together.

Please stop the lawsuit.  
Sincerely,  
Ron Williams  
4206 Gertrude St.  
Simi Valley, CA 93063-2928

**MTC-00023735**

From: Alex  
To: Microsoft ATR  
Date: 1/24/02 11:27pm  
Subject: Microsoft Settlement

To Whom It May Concern,  
I am opposed to the proposed settlement in the Microsoft antitrust trial. The predatory behavior and laws that Microsoft have broken are in no way reflected in the proposal. A much stronger remedy must be enacted which keeps the best interest of the citizens of the US in mind. A decision which favors the right for linux and open source projects/products to innovate, as well as Microsoft competitors, is necessary. Microsoft is not in need of leniency, they are one of the most powerful corporations in history, literally controlling the entire computer landscape. They must NOT be treated with kid gloves, but kept in check, especially considering all of their past predatory actions. If we do not act strongly and swiftly, I fear that the innovation of computation as a tool for humanity will be significantly hampered.

Sincerely,  
Alexander Schwarm, Ph.D.  
9303 La Puente Dr.  
Austin, TX 78749

**MTC-00023736**

From: critser@pacific.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:24pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Danny Critser  
5070 Willow Avenue  
Kelseyville, CA 95451

**MTC-00023737**

From: Michelle Ingram  
To: Microsoft ATR  
Date: 1/24/02 11:29pm  
Subject: Microsoft Settlement

I don't agree with the proposed settlement.

**MTC-00023738**

From: LOroake@aol.com@inetgw  
To: Microsoft ATR

Date: 1/24/02 11:31pm  
Subject: Microsoft Settlement

Once again I wish to express how I feel about the importance of settling the Microsoft case. I am disappointed that AOL Time Warner has filed a suit against Microsoft. Maybe it is time for the government to look at AOL. Isn't it time that the government not be deterred by companies that I feel are taking advantage and jumping on the proverbial bandwagon for their own self interest? I might add that it is unfair, unjust and self-serving. Please settle this case and stop the obvious motives to prolong the settlement.

**MTC-00023739**

From: R. Knox  
To: Microsoft ATR  
Date: 1/24/02 11:53pm  
Subject: Microsoft Settlement

I feel that the proposed settlement is lacking in very important ways. One desirable goal is to allow vendors to create an environment in UNIX style operating systems which allow windows applications to run outside the Microsoft controlled environment. The proposed settlement does nothing to implement this.

The Proposed solution restricts information released to be used "for the sole purpose of interoperating with a Windows Operating System Product". This prohibits innovators from using Microsoft technical specification information for the purpose of writing UNIX or Linux based systems that run Windows programs. You are locking windows programs into the Microsoft owned environment—making stronger their monopoly. Richard Knox

**MTC-00023740**

From: Matt Kuhns  
To: Microsoft ATR  
Date: 1/24/02 11:32pm  
Subject: Microsoft Settlement  
January 24, 2002

I am writing to express my comments on the proposed Final Judgment in the Microsoft antitrust case, and to urge you to reject the current settlement terms.

After years of blatant misconduct by Microsoft, followed by years of legal battles, Microsoft was officially found guilty of abusing monopoly power. With that unambiguous judgment in hand, there should be no question of whether or not Microsoft's misdeeds will continue. Yet the proposed settlement leaves the door wide open for Microsoft to continue abusing its unbroken monopoly power. Essentially the "solution" offered for Microsoft's violations of the law is that they promise to follow rules which restrict them from breaking the law. In the face of Microsoft's repeatedly-proven indifference to laws and regulations, the idea that this settlement will have any impact on them is insulting.

I don't believe anyone is fooling themselves in regards to the proposed settlement, either. The terms have been roundly criticized by media observers too great in number to dismiss as a biased minority. Nine states' Attorneys General, after investing great effort to bring Microsoft to justice, have declared the settlement's terms unacceptable and chosen to fight on.

I find it unlikely that you really have any more enthusiasm for this settlement than they do. There is, I realize, considerable political pressure to let Microsoft off the hook. But that's all the more reason why their power needs to be broken.

After all the arguments surrounding this settlement, the fact remains that Microsoft is guilty of consistent, illegal abuse of monopoly power. The sole effective solution for abuse of monopoly power is to end the monopoly. Break up Microsoft.

A Microsoft break-up will free the market from Microsoft's heavy hand, and restore natural competition. Ultimately everyone will benefit; businesses, customers, investors and even Microsoft itself. Please, do the right thing and abandon the proposed settlement in favor of a real solution.

Sincerely,  
Matt Kuhns  
mjk@edgeofspace.net

**MTC-00023741**

From: bgraham@chartermi.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:31pm

Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Bonnie Graham  
5783 N. 6th St.  
Kalamazoo, MI 49009

**MTC-00023742**

From: Jake Phuoc Trong Ha  
To: Microsoft ATR  
Date: 1/24/02 11:33pm  
Subject: Microsoft Settlement

Please don't break Microsoft, they are best what they have been doing to offer customers the best OS ever made!! Thanks

**MTC-00023743**

From: Edan Lev-Ari  
To: Microsoft ATR  
Date: 1/24/02 11:34pm  
Subject: Microsoft settlement

Dear Sir/Madam:

I am strongly opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the currently proposed settlement does not fully address the actions committed by Microsoft in the past, or stop their ability to commit similar actions(crimes) in the future. I do not believe that the current proposal adequately protects or compensates

those injured by Microsoft's anti-competitive behavior. Hundreds, perhaps thousands, of small and large companies have ceased to exist over the years because of Microsoft's exploitation of their monopolies on operating systems and office applications. Microsoft's monopoly has done incalculable damage to the technology industry.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively stop Microsoft from abusing its current monopoly position in the operating system market. This is especially important because the seriousness of Microsoft's past transgressions. If Microsoft is not stopped now, their monopoly will only grow more oppressive.

Most importantly, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their past abuses (many in violation of previous consent decree's). They prohibit only the future repetition of those past abuses. This, I think, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts and not been punished. That is not justice, not for the victims of their abuses and not for the American people.

I have been using computers daily since the mid-eighties, when my parents brought home a Macintosh Plus. I have seen the death and withering of all commercial, consumer directed, non Microsoft computing platforms (Amiga, Atari ST, Macintosh). Much of this has been the results of Microsoft exploiting their dominant market position by bundling software together and by exploiting closed file formats and protocols.

Microsoft has adopted a policy of "embrace and extend." Microsoft will embrace an open standard. Then, Microsoft will "extend" the standard. Each time Microsoft does this; they split the market between the open standard and the Microsoft standard. All people working with the open standard must then rewrite their software/hardware to support with Microsoft's extended standard since Microsoft is %90+ of the operating system market. Microsoft tries to split virtually every open standard into two incompatible versions; a proprietary Microsoft version and an open version. Microsoft then exploits the standards chaos they created to lock competitors.

While the Court's desire that a settlement is reached is well-intentioned, it is plain wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is many times compounded.

Sincerely,

Edan Lev-Ari <elevar1@pride.hofstra.edu>

**MTC-00023744**

From: John Andrews  
To: Microsoft ATR  
Date: 1/24/02 11:35pm  
Subject: Microsoft Settlement

As a computer support professional who works for a specialized software company, I have seen victims of Microsoft's monopoly

that are normally not reported on in the mainstream media: their customers. Because of Microsoft's operating system and Office software monopolies, the only software available for my customers' unique needs requires Microsoft products. Other companies offer comparable software, but it too runs on Microsoft. With no real competition, Microsoft's products have become low quality, and the American economy suffers because of it. I have witnessed numerous small insurance agencies that have been either unable to operate effectively or at all, due to failures of Microsoft software, and from infections from computer viruses—most of which are caused by security lapses in Microsoft's software. —

John Andrews  
john@aattic.inav.net http://aattic.inav.net

**MTC-00023745**

From: Lee Busby  
To: Microsoft ATR  
Date: 1/24/02 11:35pm  
Subject: Microsoft Settlement.

Sirs:

I attach a PDF file containing my letter regarding the proposed microsoft settlement, and will fax a signed copy shortly.

Thank you—

Lee Busby  
CC:busby1@lnl.gov@inetgw

**MTC-00023746**

From: InjunJim14@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:33pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Guinane  
1060 E. Broadmor Dr.  
Tempe, AZ 85282

**MTC-00023747**

From: mel49092@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:33pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer

icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Elmer LeLeux  
4909 Dolphin Street  
New Iberia, LA 70560

**MTC-00023748**

From: steve hanlon  
To: Microsoft ATR  
Date: 1/24/02 11:36pm  
Subject: Microsoft Settlement

The United States should not accept the proposed settlement with Microsoft. I feel this is a very bad idea and Microsoft should be given a just punishment for their crimes. A quick settlement does nothing to prevent this type of business practice from occurring in the future. The DOJ exists to protect the interests of the public, not the corporations.

Steven Hanlon  
US Citizen  
(address and SSN available upon request)

**MTC-00023749**

From: Head of the Council of Wizards  
To: Microsoft ATR  
Date: 1/24/02 11:37pm  
Subject: Concerning the microsoft antitrust case.

First, let me make it clear that I'm a capitalist in pursuit of the all-allusive dollar. I have been in the computer industry for approaching 20 years, and was on the Internet 15 years before it became the Information Super Hi-way.

Now, I'm worried about my industry. Innovation has been squashed many times over the last 13 years. DRDOS was disabled, OS-2 discarded, Netscape was crushed, among many others. I'm afraid if something isn't done to stop Microsoft, innovation in our industry will be outlawed. Microsoft has done a good job of promoting themselves over there competitors. To good a job. They were allowed to build an operating system that dominated the industry, then they wrote the major applications used by that operating system to lock out other operating systems, even if they were more efficient and more powerful. This eliminated DR DOS, OS2 and several others. I've worked in and around ISP's for 10 years, and 5 years ago, when they decided to start doing there own network, they came into ISP's, and used the same tactics in the ISP world. The one I've particularly hated has been there embrace and extend methodology. This has effected my job many times.

They have been given chances before. They've been slapped on the hand by the courts many times. Even now, they are having there own people flood online polls, etc to improve how they rate against there competitors. I'm willing to bet that sending



you email has been done by most everyone in the company. They've also been caught forging letters to politicians. You might want to check and make sure all the email you receive is from people that are still alive. My letter is digitally signed, and NOT forged.

You may contact me to verify this is the letter I've sent. Thank you for your time.

Richard Hart  
1298 Columbine Drive  
Castle Rock, CO 80104  
303 660-0784

**MTC-00023750**

From: steve@wt6.usdoj.gov@inetgw

To: Microsoft ATR

Date: 1/24/02 11:38pm

Subject: I protest the Microsoft Settlement.

I have followed the Microsoft anti-trust case and read the proposed settlement—and I have to say that I am deeply horrified. Why is the DOJ letting a proven illegal monopoly off the hook?

We have seen MS extend its tentacles in subtle yet devastating ways. They claim that there is viable competition and yet have the power to sweep that away at a stroke at any time.

To pick just one of hundreds of events, consider the recent news that Microsoft purchased dozens of patent rights relating to 3D graphics from Silicon Graphics Inc. At first sight, this is no big deal—but those of us who try to use 3D graphics in a non-Microsoft Operating System can see this as a way to wipe out their competition at a stroke.

There is a pre-existing 3D graphics standard ('OpenGL') that was created by Silicon Graphics—and which is covered by many of the patents that Microsoft now own. Microsoft hate OpenGL because it's a portable, universal standard. Instead of embracing a universal standard, they methodically set out to create a deliberately (and unnecessarily) incompatible competitor.

The support for OpenGL under Microsoft OS's has eroded steadily. Now they have the power to completely eradicate it—not just on their own platform—but on everyone else's too.

If that happens then Linux and MacOS will no longer have the ability to render 3D images. Period. There will then be no possibility of computer games on any other OS. No domestic computer users will even consider a platform that cannot run 3D games and Linux and MacOS will be sunk.

The OpenSource community could design a new 3D graphics interface from scratch—but persuading the hardware vendors such as nVidia and ATI to support it is truly an impossibility. nVidia in particular cannot afford to upset Microsoft because such a large fraction of their revenue is coming from another one of Microsoft's tentacles—the X-Box video game system.

This is but one example—I could list dozens of others. The point is that if MS had a monopoly in just one narrow area, a small, dedicated group could try to compete against it—but when they spread tentacles into MANY areas, the synergy that this generates for them can make it literally impossible to get competition started. Splitting the company in two parts was a GOOD solution. I am disgusted that this is now off the table

in favor of this watered down, ineffectual sell-out.

Steve Baker  
Mail: <sjbaker1@airmail.net>  
WorkMail: <sjbaker@link.com>  
URLs : http://www.sjbaker.org

**MTC-00023751**

From: Marty Criswell

To: Microsoft ATR

Date: 1/24/02 11:38pm

Subject: Microsoft Settlement

My name is Marty Criswell 730 Allen rd Lot 170 Manhattan, KS 66502 and I wanted to give my view on how Microsoft should be disciplined for violating antitrust laws. The easiest solution I believe would to require Microsoft to open the source code for the operating system. Microsoft would be able to keep the source for the other products but would no longer be able to prohibit other software developers from producing better programs.

**MTC-00023752**

From: luckie@sonnet.com@inetgw

To: Microsoft ATR

Date: 1/24/02 11:35pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Chris & John Luckie  
21680 Fortuna Mine Road  
Sonora, CA 95370

**MTC-00023753**

From: spicermc@uffdaonline.net@inetgw

To: Microsoft ATR

Date: 1/24/02 11:35pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse: Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all

sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Marlene Spicer & Family  
805 South 17th Street  
Grand Forks, ND 58201-4240

**MTC-00023754**

From: msw151@wt6.usdoj.gov@inetgw

To: Microsoft ATR

Date: 1/24/02 11:38pm

Subject: Comments on proposed Microsoft settlement

Dear Sirs,

I don't like the proposed settlement with Microsoft. Rather than addressing Microsoft's anticompetitive behavior, I believe it actually helps them to further strengthen their monopoly by gaining a bigger foothold in the public schools.

I would like to see a settlement that will make it easier for software companies to compete with Microsoft so that consumers such as myself can enjoy tangible benefits, such as improvements in security, better interoperability with other software, or simply lower prices. My belief is that requiring Microsoft to publish detailed specifications of file formats, communication protocols, and programming interfaces would allow software companies to write interoperable software which would then result in meaningful, realistic, long-term competition in the personal computer software industry.

Thank you for allowing me to email my comments.

Mike Wright  
1050 Meadowlark Dr.  
Enon, OH 45323

**MTC-00023755**

From: jtucker852@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/24/02 11:36pm

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Tucker  
11420 Eucalyptus Hills Dr.  
Lakeside, CA 92040-1211

**MTC-00023756**

From: S. Olsen

To: Microsoft ATR

Date: 1/24/02 11:40pm  
 Subject: Microsoft Settlement  
 Gentlemen,

The proposed settlement in the Microsoft Anti-trust case does nothing to address the basic issue of illegal business practices that Microsoft has engaged in. Any settlement needs to deal directly with these illegal business practices to prevent any reoccurrence in the future.

It is necessary to have an open and freely operating computer industry. Microsoft has been a bottleneck throttling down the creativity and innovation that has been a characteristic until Microsoft decided that all innovation should come from them.

The current settlement is a travesty and should not be implemented.

**MTC-00023757**

From: mwalkjord@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/24/02 11:36pm  
 Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Marilyn Jordan  
 3214 Washington Rd.  
 West Palm Beach, FL 33405

**MTC-00023758**

From: Zachary McCord  
 To: Microsoft ATR  
 Date: 1/24/02 11:41pm  
 Subject:

Insufficient Microsoft antitrust action  
 I am deeply concerned about the limited effects of the antitrust action against Microsoft Corporation. I believe the current PFJ leaves a number of loopholes that Microsoft Corporation may be able to use to reduce the effects of the PFJ

\*The PFJ's definition of "middleware" includes Outlook Express, but fails to include the more powerful Outlook application and Microsoft Office itself, despite the fact that Office contains applications that fit the definition of middleware. The PFJ also allows Microsoft to negate the effects of the sections pertaining to middleware by changing version numbers, and would not cover new versions of Microsoft software. It also does refer to Microsoft java, but does not refer to Microsoft.net and C#, both of which are intended by Microsoft to replace the aforementioned Microsoft Java application.

\*The PFJ's definition of API is too narrow to include certain key Microsoft APIs such as Windows installation APIs.

\*The PFJ's definition of "Windows" does not include Windows 2000 (as opposed to Windows 2000 Professional), Windows XP Tablet PC Edition and Windows CE. Many applications need little or no alteration to be used in other Microsoft platforms.

\*The PFJ gives no real means of enforcement.

\*The PFJ requires vendors of competing middleware to meet "reasonable technical requirements" seven months before new releases of Windows, yet it does not require Microsoft to disclose those requirements in advance. This allows Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

Zachary McCord, Student

**MTC-00023759**

From: rick  
 To: Microsoft ATR  
 Date: 1/24/02 11:41pm  
 Subject: Netscape vs Explorer

This latest suit by AOL against Microsoft over the Netscape browser, (that they bought knowing full well that it was an inferior browser), is invalid. The DOJ should see this for what it really is, Netscape represents about %10 of browser usage. This is the state of things simply because it is an inferior product compared to Explorer. It does not support XML or web services, it does not follow the W3 consortium standards for the DOM (document object model), does not handle stylesheets properly, does not support Iframes, etc. The list of problems with Netscape is endless and that is why they lost market share. Microsoft simply built a better product. It would be like Ford suing Toyota because the Escort lost market share to the Corolla, that market share was lost because Corollas are better cars than Escorts.

Lets let the web publishing industry get back to normal, browsers are NOT about technology they are about the electronic equivalent of paper and ink, and Microsoft is ahead because they worked harder, faster and smarter at giving consumers a great Internet experience. If Netscape is so great then why is AOL itself still shipping an "embedded" version of Microsoft Explorer as their "AOL" browser. They are not even using their OWN product in their OWN user interface, but instead chose Microsoft.

go figure,  
 Richard Hansen

**MTC-00023760**

From: GARY A MODUN  
 To: Microsoft ATR  
 Date: 1/24/02 11:40pm  
 Subject: Settlement of Microsoft Suit

Dear Attorney Gen. Ashcroft:

I have followed the Government's case against Microsoft over the past few years and I am writing to ask you to please grant your approval to the pending agreement so that we can all move on with much, much more important matters like keeping secure our rights, liberty, and basic freedoms from this unprecedented onslaught of terrorist activity. Please, Sir, there are much more pressing and

urgent matters confronting the nation than to expend precious public resources and time continuing to take action against a U.S. corporation that has done much to enhance the lives of individuals and business in general. It is past time for all parties to agree to a just compromise and move on. I am looking forward to your approval of this settlement that is fair, just, and beneficial for all parties involved.

Thank you,

Mr. Attorney General, for your time and consideration.

Sincerely Yours,

Gary A. Modun

Olympia, Wash.

CC:fin@mobilizationoffice.com@inetgw

**MTC-00023761**

From: Richard Becker  
 To: Microsoft ATR  
 Date: 1/24/02 11:41pm  
 Subject: Please consider the future

Dear Sirs:

I've worked in the technology industry for over 10 years, and am president of MATRIX Information Systems Inc. I've seen the rise of Microsoft, and witnessed their business practices and find it amazing that such practices are condoned by the American justice system. If the proposed settlement is accepted, Microsoft would have gotten away with a mere slap on the wrist (if that), and would essentially have complete authority to continue doing what it has been doing, maybe even going beyond those limits. I see a very tough time for any competition, and likely a rough ride for the open source movement and any technical inovators.

Interesting how Microsoft even now is extending it's monopoly to the "family room" with the X-Box, and using .NET in an attempt to take over the Internet. I don't have a problem with a company being successful, but I do have a problem with the business practices of Microsoft, and especially their technology. Their technology is closed, lacks security and lags behind others, but continues to thrive because of lack of choice for the consumer. I guess a marketing campaign of Fear, Uncertainty and Deceit, really does work.

Here is one case where the justice system could make a real difference to the average person, by giving them choice, competition and quality, in other words "breaking up MS". I doubt whether they would have a chance if they had to face real competition, and were not allowed to continue their illegal activities.

I guess this is a test case to see if Microsoft managed to put a little "weight" on the scales of justice in their favour. I'm sure this is likely the case, just too bad we like to talk about freedom, and independance, and justice, but really it is just talk. When the opportunity presents itself to put our princibles before our corporations, we always choose our corporations (that's the American way).

Thanks,

Richard J. Becker

**MTC-00023762**

From: Jay Dahl  
 To: Microsoft ATR

Date: 1/24/02 11:42pm  
Subject: More on Microsoft

Hello,

Could you PLEASE put an end to this madness?? AOL is now suing Microsoft. Give me a break... I like Netscape. I like Internet Explorer... Let ME choose which I want. I do NOT want the court system determining which is better, which is more honest, which is more whatever. I WANT TO CHOOSE. Please end the suit and let the American Public decide with their "dollar votes"

Respectfully,  
James K. Dahl  
3815 South Kalispell Street  
Aurora, CO 80013-2703  
voice: 303.693.9869  
fax: 303.617.0308  
email: jdahl@pipeline.com

**MTC-00023763**

From: LK Oon  
To: Microsoft ATR  
Date: 1/25/02 12:32am  
Subject: Microsoft Settlement  
The settlement is a BAD idea!

**MTC-00023764**

From: peaceb53@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:41pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
barb peace  
845 n hasmer hill rd  
osgood, IN 47037-9396

**MTC-00023765**

From: richard (038) dianna sanders  
To: Microsoft ATR  
Date: 1/24/02 11:46pm  
Subject: Microsoft settlement

AOL and the government need to get out of the courts in regard to these technical issues. The reason I use the MS browser is that it is better than Netscape. I had Netscape, provided to me free by my isp and I changed because I did not like it as well as the MS browser. Since I did not pay for either one how was AOL hurt? If AOL has its way we all would be held hostage to them. AOL is much more anti consumer than anyone I know. I cannot IM with my brother because he has to use AOL. AOL blocks his access to me and my access to him. Get lost AOL. you

are in second place because you are not as good.

Get out of the way, and out of court, US government, and let the marketplace decide who is best.

**MTC-00023766**

From: Steve Curtin  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/24/02 11:42pm  
Subject: Microsoft Settlement  
Steve Curtin  
7047 W Lamplighter St  
Boise, ID 83703  
January 24, 2002

Microsoft Settlement U.S. Department of Justice,  
Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Steve Curtin

**MTC-00023767**

From: Pkshadow  
To: Microsoft ATR  
Date: 1/24/02 11:47pm  
Subject: Microsoft Settlement

The settlement is wrong. It is a simple answer that all the public knows. This settlement benefits MS and not the public.

**MTC-00023768**

From: James Wall  
To: Microsoft ATR  
Date: 1/24/02 11:47pm  
Subject: Microsoft Settlement

To whom it may concern  
I oppose the proposed settlement with Microsoft. A major reason for this is the lack of a quick and efficient means to enforce this agreement. Microsoft is well known for its persistent use of any tactic, legal and illegal, to avoid and circumvent any agreement that they feel prevents them from achieving goal they have. This creates a situation where the

Guardian of the Public Good is muzzled and gagged. —

James Wall  
rtb.ink@mindspring.com

**MTC-00023769**

From: Derek Dohler  
To: Microsoft ATR  
Date: 1/24/02 11:47pm  
Subject: Microsoft Settlement

None of the arguments that I might make regarding this settlement are likely to be ones which have not been heard before. So I will be brief, and simply state that I feel very strongly that Microsoft must be dealt with in a manner appropriate to its actions. It has acted illegally, and it must now pay the consequences. A breakup would be an ideal solution. Although I realize that a breakup is unlikely, Microsoft MUST not get away with a "slap on the wrist", or it will prove that anyone with enough money can defy even the government.

Thank you for your time.  
Derek Dohler  
Concerned Citizen

**MTC-00023770**

From: Bob Techentin  
To: Microsoft ATR  
Date: 1/24/02 11:47pm  
Subject: Microsoft Settlement

I would like to submit an opinion for your consideration during the Tunney Act public comment phase of the Microsoft Anti-Trust trial settlement.

While there are many flaws the the recommended remedies, I am particularly concerned because they appear to be insufficient to prevent Microsoft from continuing to use technical details to support anti-competitive practices. The definitions of terms such as "API", which Microsoft is required to disclose, is vague enough that they would not necessarily have to disclose all important APIs to competing software vendors. Microsoft could also continue its long history of changing APIs without suitable notice or documentation, effectively redering third-party software non-functional.

Overall, as one of the public that is supposed to be protected from the monopolistic practices of Microsoft, I am not satisfied that my interests will be protected by this agreement.

Sincerely,  
Robert W. Techentin  
1846 36th Ave. SE  
Rochester, MN 55904

**MTC-00023771**

From: Scott Boland  
To: Microsoft ATR  
Date: 1/24/02 11:47pm  
Subject: The Microsoft Settlement

As I write these comments on a MicroSoft OS, using MicroSoft's mail client, sending it most likely to a MicroSoft Server. All I can think is how our Justice Department has failed us.

I have been a professional in the computer field my entire career. I have grown up with the machines that preceeded the PC of today. There used to be TV commercials where different makers would hype ease of use, competitive price, or peerless features. Today we get flying people and feel good music.

Competition for the OS in the PC market is currently dead, and the agreement I have seen sees fit to bury the corpse out of sight where it won't stink things up. The biggest profitable competitor today for market share is the older copies of Microsoft's OS.

The miserly places the market is —not— controlled by Microsoft are in the embedded markets, graphics houses, schools, and utility servers. The agreement, as structured, would further the control of Microsoft into these arenas without returning any notable benefit to the public at large. The wording is such that the competitor in the utility and embedded market, Linux, would no longer be allowed even an attempt at interoperation. The schools, a traditional stronghold of Apple, would be assigned equipment requiring Microsoft contracts from this time forth. The graphic houses, already feeling pressure to conform to the MicroSoft PC, may find the company declaring software makers "dubious" and therefore remove the little cross platform software still made by the Seattle giant. Only those companies willing to pay MicroSoft in exclusive and secret contracts will be allowed to view holy writ on how to interface with these systems.

A monopolist who abuses his abilities in the marketplace must not be given greater control over their product, but less. Microsoft should not be the one who chooses who will be allowed to see their documentation for purposes of compatibility. Microsoft must not be the one deciding who is a 'valid' competitor. Microsoft should not be allowed secrecy and unknowable agreements tying OEMs and contractors to their aprons. The only way to spur more competition is to give others advantages to overcome the inertia being built up by the one company.

To that end, I would suggest making all contracts made by Microsoft be visible to the general public after one year's time. I would suggest that sales of the OS and Applications be based on fixed prices to all users, be they OEM, retail, or school to prevent further market manipulation. Due to the destruction of the browser competitor, the current Microsoft browser code should have all interfaces and API's released to the general public that was damaged by the removal of competition. At the furthest end of the spectrum, should they not abide by the court, they should lose the protections of copyright over the materials they have already released to increase the level of competition from the only real alternative, the previously sold copies of Microsoft software!

I am forced to work with and for the companies cooperating reluctantly with Microsoft every day. Currently I am now laid off due in part to my multi-platform skills no longer being needed by the majority of industries. Corporations are not ethical. They do not restrict themselves unless forced to. Every previous agreement with this company has been subverted. It is a travesty of justice to reward them with the settlement currently on the table.

—Charles Scott Boland

—BA Computer Science, System Administrator and Software Development QA

**MTC-00023772**

From: Daniel Gowans

To: Microsoft ATR

Date: 1/24/02 11:48pm

Subject: Microsoft Settlement

Name: Daniel R. Gowans, Fort Collins, Colorado; Design Engineer, Agilent Technologies

**MTC-00023773**

From: David Clark

To: Microsoft ATR

Date: 1/24/02 11:48pm

Subject: Microsoft Settlement

I am writing this to express my dissatisfaction with the proposed Final Judgement against Microsoft. The most disturbing parts of the proposed Final Judgement are as follows:

1) Microsoft can refuse to release critical information to open software projects on the sole basis that they do not meet Microsoft's definition of a viable business. The closest thing to competition Microsoft has are several open source projects/groups such as Apache, SAMBA, and Linux, yet these groups can be denied access to the API's. In other words, those who can do the most good for consumers with the API's will be denied access to them.

2) There are no provisions for financial penalties in the proposed Final Judgement.

3) Too much hinges on the definition of "Microsoft Middleware." Microsoft has a tendency to make middleware part of their OS, thus making it OS software, not middleware. I believe that Microsoft will accelerate their tendency to move software into the core OS so that they will not be subject to the stipulations of the Proposed Final Judgement.

4) There are insufficient guards against Microsoft eliminating competition in newer markets such as Media Players and handheld devices. Competition is still alive and well in these markets and the DOJ needs to stop Microsoft's predatory practices before these new markets suffer the same fate as the consumer OS and browser markets.

David Clark

**MTC-00023774**

From: Troy Arnold

To: Microsoft ATR

Date: 1/24/02 11:48pm

Subject: Microsoft Settlement

Time is running out to comment on this case, so I'll be quick rather than eloquent. In short, though, the proposed settlement: Does not punish Microsoft enough for their innovation-stifling practices; does not guarantee in strong enough language that competitors will be allowed to compete on an even a somewhat level field; does not spell out in serious and clear terms penalties for further Microsoft violations.

It is important that the spirit of any judgement be enforced with teeth. Microsoft has in the past shown the willingness and ability to use their tremendous resources to find and exploit any available loophole. In particular, I'm concerned that section III:E, the licensing of network protocols, be enforced in a way realistic and useful to competitors. I use Linux, my girlfriend uses Windows. The Samba Project allows us to share files and collaborate in our work. It's been my experience that Samba file servers

can run on cheaper hardware and with more reliability than, say Windows NT or 2000. If the network protocols are sufficiently obfuscated by Microsoft, then businesses and individuals will be \*forced\* to use a MS operating system to interoperate with other Windows users. On a related note, MS uses the spectre of software patents to steer developers away from the creation of competing products. After all, what's the use of writing something useful if a core protocol can later be patented? Force Microsoft to come clean with their patent intentions (no more indefinite threats) so that developers can get back to work.

I'm currently shopping for a new notebook computer. It is difficult to find a quality, brand name machine without Microsoft windows preinstalled, often with a slew of Windows applications. As a Linux user, I do not wish to pay for a bevy of software for which I have no use.

III. A. 2. of the Proposed Final Judgment is a step in the right direction, but should be amended to read: (see "c") 2. shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System, or "(c) includes a non-Microsoft Operating System but no Windows Operating System Product;"

Finally, in judge in 1996 Caldera v. Microsoft found that "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft." In my opinion, DR-DOS was superior in several ways to MS-DOS yet was not allowed to compete. Years of such violations, and toothless penalties allow Microsoft to continue to laugh at fair practice and gouge the personal user and business alike. They have some terrific software, but so do many others and it \*must\* be allowed to flourish.

Thank you for your effort and time on this case.

-troy

**MTC-00023775**

From: cdbh

To: Microsoft ATR

Date: 1/24/02 11:47pm

Subject: Microsoft Settlement

I am writing to let you know that I believe the government should settle with Microsoft as quickly as possible. Microsoft has exercised extreme diligence in preserving the compatibility of its older products while introducing newer products. This has saved consumers countless, countless dollars and headaches. Although Microsoft gains from this through maintaining its customer base, it is such a great service to the public that Microsoft should be rewarded rather than punished. Also, it is BAD for the stock market, the public and the US economy at large to have Microsoft's stock continually take a beating. Microsoft's enemies see that Microsoft is vulnerable and they leap into the fray. Enough is enough! Put a halt to all the attacks and the nonsense. Settle with Microsoft as quickly as possible. Let the country move on!!

**MTC-00023776**

From: Cherry Sowder

To: Microsoft ATR  
Date: 1/24/02 11:51pm  
Subject: Microsoft Settlement

Break that evil monopoly up their past performance up to and including their behavior in court only proves that they can not be trusted to act in the best interests of the consumer.

**MTC-00023777**

From: bleak  
To: Microsoft ATR  
Date: 1/24/02 11:53pm  
Subject: microsoft settlement

Another AOL suit? Will this ever end. It is time to get the MSFT settlement done and get the company out of court. My retirement is tied to the MSFT shares I purchased over the years, not the federal government, and I need MSFT to be free to pursue its software business. The settlement benefits all parties. How is the gvt. protecting me from MSFT? I still haven't figured that one out. Anyway I hope my little plea won't go unnoticed. Let the settlement proceed.

Bob Bleakley,  
Tarpon Springs, Fl.

**MTC-00023778**

From: Daniel Gowans  
To: Microsoft ATR  
Date: 1/24/02 11:52pm  
Subject: Microsoft Settlement

I am opposed to the proposed settlement in United States vs. Microsoft. I feel that it is premature and doesn't deal with the problem Microsoft is causing in the software market. Their monopolistic activities are being allowed to continue on many levels including API secrecy and undisclosed standards.

Daniel Gowans  
Fort Collins, Colorado

**MTC-00023779**

From: Mckkevatsa@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:53pm  
Subject: Microsoft Settlement

This may be my second e-mail on this topic, but, if so, I did not realize that the Tunny Act allowed public comment which might actually be read by Judge Kollar-Kotelly. I would like the Judge to know that I am strongly opposed to the proposed settlement. An unelected administration has joined with a vicious monopolist to anoint a new tyranny. The "pre-load" agreements, which require a percentage of Microsoft operating systems to be installed on new computers, seems to me to be a per-se violation of the anti-trust law. The destruction of Netscape by predatory pricing (giving away Internet Explorer) and restricting access to distribution channels is an historic and remarkable example of the exercise of monopoly power. These, in my opinion, are the two most egregious examples, but I am sure there are hundreds more. In my own case, I believe I have been harmed by being forced to purchase inferior software at inflated prices and to purchase and use inferior computers at similarly inflated prices. Software which I had invested time and effort to learn was sabotaged by Microsoft, I refer specifically to WordPerfect. The inferiority of Microsoft

software is dramatically demonstrated by the numerous "virusus" which impair the operation of the internet. As another personal example, I acquired a "Certified Microsoft Professional" certificate for "Windows NT in the enterprise", which turned out to be a pile of complete schlock. After a great deal of time and effort, and expense of over \$2,000, I was taught very little about computer networking, but there was a great deal of Microsoft promotional material. After I learned more about computer networks (no thanks to Microsoft), I really felt cheated. Only a very powerful and completely arrogant, manipulative, and ruthless monopoly could pull off the crap that Microsoft has gotten away with. In short, Microsoft is, in my opinion, a criminal enterprise that deserves to have the book thrown at them. Instead, I consider the prospect of the judicially created administration in alliance with a judicially sanctioned corporate lord of computing. I respectfully request that the court reject the settlement, prevent a continuation of this destructive monopoly, and impose strict penalties on Microsoft.

Sincerely,  
Kevin McCormick

**MTC-00023780**

From: Jerry (038) Ginger Bateman  
To: Microsoft ATR  
Date: 1/24/02 11:56pm  
Subject: Microsoft settlement.

Sirs,  
It would be good for country and technology in general to settle this and get it behind us. I think that Microsoft has suffered enough, and we do not need another Enron collapse to do more damage to our country and its economy.

Gerald Bateman,  
3816 16th ST.,  
Lewiston, Idaho 83501

**MTC-00023781**

From: Anthony Marola  
To: Microsoft ATR  
Date: 1/24/02 11:56pm  
Subject: Microsoft Settlement

My major problem with the settlement as it stands, is the lack of any significant enforcement mechanism. I think most people that have followed this case definitely feel that MS made anti-competitive practices part of their business plan, yet will they stop this in the absence of any true sanctions against them?

**MTC-00023782**

From: Ed Lancki  
To: Microsoft ATR  
Date: 1/24/02 11:56pm  
Subject: Freedom or Microsoft?

For over a decade, Saddam Hussein has manipulated the people of Iraq for his benefit. He has systematically snuffed out any traces of opposition, and persistently pushes against the legal limits placed on him by the civilized world. But little by little, he is winning. Today it can be said that the Iraqi people are little more than slaves to Saddam.

During that same decade, Microsoft has been skillfully manipulating the information industry for its benefit. Microsoft has systematically snuffed out any traces of

competition, and persistently pushes against the limits placed on it by the laws of our country. But little by little, Microsoft is winning, and some day it will control how we do almost everything. We will be little more than Microsoft's slaves.

Any people who refuse to resist such tyrannies deserve their fate.  
Ed Lancki

**MTC-00023783**

From: jim Parker1@mindspring.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:55pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Parker  
5313 Angelina Avenue  
Carmichael, CA 95608-3603

**MTC-00023784**

From: John Richeson  
To: Microsoft ATR  
Date: 1/24/02 11:58pm  
Subject: Microsoft settlement

I am a small business owner in Tampa, FL. I urge you to quit wasting the taxpayers money by dragging out the Microsoft case any further! The attorneys seem to once again be the profiteers here. I also strongly disagree with AOL's suit against Microsoft. It is simply unjustified. Anyone who has been using computers for any length of time knows that AOL has bullied itself in the area of dominating Instant Messaging. They are just being overly mean and aggressive as usual. They, as a company, have not helped consumers but have hindered them.

Microsoft, on the other hand, has contributed much to our society and world in the form of dozens and dozens of innovative products which have helped consumers the world over. Do not destroy this great American company which is an example of innovation and the American spirit. Please stay out of our lives and leave Microsoft alone. Let us decide which products we like and do not like. Netscape was lousy compared to IE. Simple as that. Netscape lost the competition and are sore losers. Thank God Microsoft improved the browsing experience and gave it to us for free. How can this be bad? Only the government can find evil in something that is free and easy to use. If you destroy Microsoft (which appears to be your goal)

you will be destroying part of the heart of this great country. And it will cost us consumers billions in the future.

John Richeson  
President  
Bay Area Window Cleaning, Inc.

**MTC-00023785**

From: www.bonvidax2@aol@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:55pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Nathanson  
5310 Oak Park Ave.  
Encino, CA 91316-2626

**MTC-00023786**

From: Abhishek Agarwal  
To: Microsoft ATR  
Date: 1/24/02 11:58pm  
Subject: The Microsoft Settlement is more than fair!

Dear Sir/Madam,

This email is in support for the fairness of the Microsoft settlement with the DOJ in the anti-trust case. I strongly feel that Microsoft, in the interests of putting all this litigation behind, has actually agreed to some points which it needn't have agreed to, thus saving the company as well as the state huge legal expenses (which can be better spent, I am sure, in development efforts). In spite of that, the remaining 9 states and some of Microsoft's competitors are hell bent on trying to hamper the company's working and strangle its efforts to innovate.

In my humble opinion, these troubled times call for a boost to the companies that are willing to take risk and innovate (as Microsoft has amply demonstrated with its awesome .Net push). Its Windows XP release late last year may be the single biggest reason for the economy coming out of its slump. The least it should be allowed to do is continue to help the economy as it has been doing.

Sincerely,  
Abhishek

**MTC-00023787**

From: Diesel  
To: Microsoft ATR  
Date: 1/24/02 11:59pm  
Subject: Microsoft Settlement  
To whom it may concern,

Microsoft has gotten to the position it now enjoys through a little luck, massively copying other people's or companies ideas, and/or outright buying them. The proposed settlement will do nothing to break the stranglehold Microsoft has on the operating system market, nor will it allow other companies to compete fairly.

**MTC-00023788**

From: trigg@swbell.net@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:55pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
T. Trigg Luper  
9915 Kleppel Rd.  
Tomball, TX 77375-3201

**MTC-00023789**

From: drbob  
To: Microsoft ATR  
Date: 1/24/02 11:58pm  
Subject: Microsoft  
Dear Microsoft

I have been using your products for the past several years, ever since I got a computer. I will admit that I did use Netscape at first mainly because my son had it in the computer when he gave it to me. I now use only and have been using only Outlook express and Internet Explorer. I am well pleased. I have found that by using Microsoft I find that other software works best, Thank you for an excellent product, I am new with computers, and being 72 yrs old I find your products fit the bill and easily learned.

In my own opinion this court battle going on is wrong. It seems to me that by allowing suits of this nature it will surely curtail others from coming forward with new technology for fear of finding them selves in court

All the best and may God continue to Bless you and your company.

Bob Thompson  
drbob@pacific.net mailto:drbob@pacific.net  
"No man's life, liberty or property are safe while the Congress is in session"

**MTC-00023790**

From: Evan Flink  
To: Microsoft ATR  
Date: 1/24/02 11:59pm  
Subject: Microsoft Settlement

To Whom it May Concern,

I have followed the Microsoft case for some time hoping to see redress of the wrongs this company has done since the days when their informal corporate slogan was "Our job's not done 'til Lotus won't run". The current PFJ is so weak as to make a mockery of the Federal Justice System. Do not allow Political democracy has been overthrown by corporate tyranny. Serve the public trust & revise the PFJ to make it a potent weapon in the arsenal of anti-trust law.

Sincerely,  
Evan Flink  
Santa Rosa, CA

**MTC-00023791**

From: admiralus@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:56pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
c scarmas  
834 stevens st  
lowell, MA 01851

**MTC-00023792**

From: Josep L. Guallar-Esteve  
To: Microsoft ATR  
Date: 1/25/02 12:01am  
Subject: Microsoft Settlement

To whom it might concern,

I'm an Information Technologies Engineer, with more than 6 years of experience in IT, now working as a Test Engineer in a Quality Assurance team. I think that the proposed settlement in the Microsoft Antitrust Case is a bad idea. Please reconsider your position.

I have co-signed and I endorse the open letter that Mr. Dan Keigel has posted on the Internet here:

<http://www.keigel.com/remedy/letter.html>

Mr. Keigel points it nicely:

According to the Court of Appeals ruling, "a remedies decree in an antitrust case must seek to "unfetter a market from anticompetitive conduct", to "terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future" (section V.D., p. 99).

The current proposed settlement, does not seek to unfetter nothing. It is incapable of terminating illegal monopoly practices. It

does not deny Microsoft Corp. the fruits of its statutory violation. And it does not ensure that Microsoft Corp. will end its current illegal practices. For example, some ways that could enforce Microsoft Corp. to end its illegal monopolistic practices would be:

—Make open and public the documentation that specifies Microsoft Corp.'s file formats, like MS-Word, MS-Excel... Make open and public the specifications of actual and future file formats (when available). This will serve to open the market to competing products. The consumer will have a selection.

—Disclose MS-Windows API that will make possible for competing products to use programs designed for MS-Windows. This way, "MS-Windows compatible" Operating Systems could be presented as a real choice to the consumer. —Mandate Microsoft Corp. to do not discriminate (in their licenses or wherever) against competing technologies or products. For example, nowadays, their "licenses" forbid to use MS-Windows components in conjunction with Microsoft Corp.'s technology competitors. Yes, with their licenses, you cannot use MS-Windows Media without MS-Windows, when it is technically possible to do so using the emulator "WINE" under Linux (quoting their license: "you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux)").

Well, there's more and in more depth at Mr. Kegel's website.

Yours sincerely,  
Josep L. Guallar-Estevé  
Chapel Hill, NC 24514  
QA Test Engineer,  
IT Professional, Member of IEEE—  
Computer Society  
CC:jlguallar@computer.org@inetgw

#### MTC-00023793

From: marstan@lanset.com@inetgw  
To: Microsoft ATR  
Date: 1/24/02 11:58pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Marian Kroll  
5581 Lantern Grove Lane  
Roseville, CA 95747

#### MTC-00023794

From: me  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 12:03am  
Subject: Microsoft Settlement  
Ladies and Gentlemen,

According to everything that I have read on this subject for the past few years and the terms of the settlement reached between the Justice Department and Microsoft it is my beleive that the case should be settled now.

The rest of the states that do not want to settle should stop playing games with tax payers money. Supposing that Microsoft really over charged me for a product, (which considering how good these products are, I seriously doubt that they did) a couple of dollars of refund is not going to make a difference in my life or anyone elses for that matter. The expense in tax payers money in a long drawn out case will probably offset any benefit.

"The people" are really the ones being hurt by this case. I believe that this case has precipitated a series of down turns in the high tech sector fueled by fear of how badly is the government going to hurt Microsoft. This has had a cascading effect in a other sectors of the market. Many 401k, and retirement funds, that had Microsoft in their investment portfolios have been seriously hurt by this case. Now, many people who were going to retire at 65 years of age can't, or they will have to do it on much less money.

Sincerely, I like many other people never thought that this case was really about protecting the people but about protecting a few companies who could not or would not compete.

Thank you,  
Juan C. Torres

#### MTC-00023795

From: Omernas@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:02am  
Subject: Microsoft Settlement  
Dear Sir:

I am quite annoyed about the Microsoft case. I am a senior citizen who is learning computer language daily and greatly admire innovation and progress. It would not be plausible for Microsoft to surrender their codes. That is the same as asking KFC to disclose their recipes. I feel Microsoft is on a fast train of entrepreneurial and innovative ideas for the public good at a reasonable price. There are some who cannot measure up to the fast train so they are crying "foul." This is not fair to hamper progress. If you can't stay on the train, get off and follow!!! It is time to get off of Microsoft's back and wallet. Please leave this wonderful company alone.

Sincerely,  
Virginia Fodi,  
St. Augustine, Fl.  
CC:msfin@microsoft.com@inetgw

#### MTC-00023796

From: Peter Whinnery  
To: Microsoft ATR

Date: 1/24/02 11:58pm  
Subject: Microsoft Settlement

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the decades because of Microsoft's business practices.

Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of it's competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Thank you for your time.  
Peter Whinnery  
Lansdowne, PA

#### MTC-00023797

From: Robert Bickart  
To: Microsoft ATR  
Date: 1/25/02 12:02am  
Subject: Microsoft Settlement

We are hoping the Microsoft case can be settled quickly. We are concerned that the settlement will include changes in Microsoft software that will make PC's more difficult to use. It appears to us that many of the remedies proposed by Microsoft's competitors would do just that.

Robert & Mary Bickart  
Haines City, FL

#### MTC-00023798

From: bbn@eoni.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:00am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Billie Nelson

717 Mt. Adams Ave.  
Boardman., OR 97818-9720

**MTC-00023800**

From: dick allan  
To: Microsoft ATR  
Date: 1/25/02 12:04am  
Subject: Microsoft Settlement

Come on you guys, this one from MS doesn't cut it either. Since when does the criminal get to call the remedy?

**MTC-00023802**

From: msw151@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:05am  
Subject: Microsoft Settlement

Dear Sirs,

I don't like the proposed settlement with Microsoft. Rather than addressing Microsoft's anti competitive behavior, I believe it actually helps them to further strengthen their monopoly by gaining a bigger foothold in the public schools.

I would like to see a settlement that will make it easier for software companies to compete with Microsoft so that consumers such as myself can enjoy tangible benefits, such as improvements in security, better inter operability with other software, or simply lower prices.

My belief is that requiring Microsoft to publish detailed specifications of file formats, communication protocols, and programming interfaces would allow software companies to write inter operable software which would then result in meaningful, realistic, long term competition in the personal computer software industry.

Thank you for allowing me to email my comments.

Mike Wright  
1050 Meadowlark Dr.  
Enon, OH 45323

**MTC-00023803**

From: David A. Hasan  
To: Microsoft ATR  
Date: 1/24/02 11:59pm  
Subject: U.S. v. Microsoft

This is a comment pertaining to proposed settlement of the U.S. v. Microsoft antitrust case.

The proposed settlement now before the court falls far short of providing the kinds of remedies that are needed (1) to punish the anti-competitive practices of which Microsoft has been found guilty and (2) to discourage future anti-competitive behavior by the company. Indeed, the settlement as proposed gives Microsoft a green light to proceed in the future as it has in the past. This is particularly dangerous for the health and viability of our technology-driven nation in which individual innovation has been shown to fuel progress. The future health of our economy is at stake. A decision to settle the case would lead to dominance by Microsoft in increasingly many areas of computing and related fields, driving out competition and stifling innovation.

We need strongly drawn structural or behavior remedies which have substance. The proposed settlement provides neither. I strongly urge you to reject it.

David A. Hasan  
davidhasan@yahoo.com

4701 Monterey Oaks Blvd., #1114  
Austin, TX 78749

**MTC-00023804**

From: Lance Smith  
To: Microsoft ATR  
Date: 1/25/02 12:12am  
Subject: Microsoft Settlement

Please do not let Microsoft get away with unfair business practices.....I want a choice!!!

Lance Smith  
115 Shepard Way  
Newnan, GA 30265  
(770) 310-4042

**MTC-00023805**

From: Jerry Rowe  
To: Microsoft ATR  
Date: 1/24/02 11:56pm  
Subject: Microsoft Settlement

Dear Sir,

I am concerned that the Microsoft settlement rendered will be too mild to be a remedy at all. I firmly believe that the federal government has the right to regulate Microsoft under the Constitution since they do business outside the state of Washington.

I have personally been affected by Microsoft's monopoly since the days of DOS. At one time I attempted to purchase a computer with "DRDdos 6.0", a competing version of an operating system. However the computer manufacturer admitted to me that they could not provide it because Microsoft would force them out of business if they sold just a single copy of DRDdos with a computer instead of Microsoft's MSDOS.

And it continues today, such that Microsoft makes it nearly impossible for the average person to purchase a computer without Microsoft software. I fear that without severe restraint, Microsoft will infiltrate its monopoly throughout the US economy and become impossible to restrain, and the quality and price will become disadvantageous to the user.

I work in the computer support industry full time as a server and workstation support expert, and have much experience in these matters. I just read a very good article by Judge Bork, and feel he covers the subject well when he said:

[<http://www.linuxplanet.com/linuxplanet/opinions/4020/1/>]

"The end game, of course, is as the end game always is in such situations: unhindered, Microsoft would, its monopoly not just established but enshrined, begin to get rid of its own people, and reduce the utility of its products, and charge more for them, because what other choice would we have? The monopolist, absent competition, has no reason to strive for excellence. Oops, innovation."

"Again, Microsoft moving on the Internet has the potential of locking us out. The only reason they haven't done this yet is that their products are so shoddy and insecure that they've failed—the company has overreached. It is unlikely to make the same mistake next time."

"All that is at stake is our freedom, in a real, down-to-earth, palpable sense of the word. Which is something that has meaning to all of us, none more than to those of a conservative bent, who did after all in their

strict constructionist way go to so much trouble, lose so much treasure, and shed so much of their own blood in the course of inventing the idea of individual freedom 225 years ago."

Thanks for your attention to these matters.  
Jerry L. Rowe  
Marion, Indiana.  
jerryrowe@usa.net

**MTC-00023806**

From: David Olegar  
To: Microsoft ATR  
Date: 1/25/02 12:08am  
Subject: Microsoft

Restore competition to the software industry. Break up Microsoft.

**MTC-00023807**

From: Richard Bargiel  
To: Microsoft ATR  
Date: 1/25/02 12:09am  
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions. Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Ryszard Bargiel

**MTC-00023808**

From: mrcaution@mac.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:09am  
Subject: Microsoft Settlement

The proposed settlement is bad idea!!!

Thank you for your time.  
Jansen

**MTC-00023809**

From: UncleCal  
To: Microsoft ATR  
Date: 1/25/02 12:10am  
Subject: Microsoft Settlement

I was told this email box is dedicated to soliciting the public's opinion on the settlement for the Microsoft Anti-Trust



lawsuit. If that is true, I would like to offer this:

If Microsoft is guilty of using monopolistic practices to promote their products and their OS, they should be required to develop their product suite (including development languages) on three alternate platforms (OS's) for the next ten years. If this mailbox is for some other purpose, please excuse the interruption.

David Meixner  
Armada, Michigan

**MTC-00023810**

From: Peter Rinehart  
To: Microsoft ATR  
Date: 1/25/02 12:10am  
Subject: my comment on the Microsoft Antitrust case

To: Renata B. Hesse Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001

Dear Sirs,

I wish to provide my opinions on the current Microsoft antitrust case. Let me begin by saying that I am also a co-signer of Dan Kegel's e-mail, and that I agree wholeheartedly with the points he raises in it. I would like to add that it is imperative that the settlement to this case be thorough and binding enough to prevent Microsoft from expanding their already extensive monopoly on personal computer operating systems to other aspects of computing. Microsoft's products have proven, time and again, to be insecure and a popular target for various attacks. The company does not see this as a problem for their software engineers, however, but for their public relations department. They have not shown any significant interest in improving their software in order to prevent problems, rather, they are only interested in stopping problems after they affect enough users.

How could the personal computer market come to be dominated by one poor product being procured by an apathetic company? Because the natural market forces were prevented from correcting this problem. Microsoft enjoys the monopoly it has only because it has constantly sought to protect its business by any means necessary, most of which have proven to be unfair and anticompetitive. I believe that if companies and individual users had a truly fair choice in which operating system to use, Windows would not have nearly the market share it does now. I realize that creating a level playing field at this point is all but impossible; Windows is here and so many people use it that it will be here for a long time, despite its many flaws. However, now is the time to act to ensure that this situation does not get worse. As Dan Kegel states, the current proposed settlement does a poor job of preventing Microsoft from continuing to engage in anticompetitive behavior in the near future, and therefore should be revised or replaced with something more appropriate.

Thank you for your time.

Sincerely,  
Peter Rinehart

**MTC-00023811**

From: csaunders@

databytesoftware.com@inetgw

To: Microsoft ATR

Date: 1/25/02 12:11am

Subject: my personal view on the ms vs doj case

Dear Sir / Madam

On the face of it, it would appear that my view on this matter is irrelevant; I am after all a British citizen living in New Zealand, half-a-world away from your great nation.

However your decision in the matter of the Microsoft will affect my life deeply. I am a senior IT professional, working with Microsoft products daily. In short my very living will be affected by your decision. The world, and I await with baited breath what impact this will have on our lives.

It is under such circumstances that I offer my humble opinion:

My summarisation is this, that it would appear to be a decision of the issue of "freedom", how much "freedom" should a corporation be allowed vs. the freedom of the public to enjoy goods and services at a competitive price. In fact it would appear that the entire issue is summed in the above fashion. Most people today believe that "I can do whatever I like, pursuing what ever goals I determine to be to my best interest, SO LONG as I respect the rights of others and do not impinge on their right to do the same." It is that above view, which I find utterly abhorrent. I propose that the belief that your great forefathers held such a view is a lie, and a dangerous lie designed to steal your freedom from right underneath you. If this issue (and all the similar arguments like it) are decided based on the merits of who has "which freedoms to do what", then the end result will be incorrect and self-serving, no matter how noble your aims. If entities such as governments, businesses, organisations and ultimately people, really believe that they have a "right" to follow their own desires, without hurting others, they will, given enough time, destroy everything around themselves.

Like a horrible Midas curse, it is not possible to gain your own goals without affecting others. The pursuit of self, at all costs is disgusting. The dangerous lie that it is possible to peruse self, without impinging on others is a falsehood. No man is an island, all decisions involve costs. Any decision based on the "faintly" held notion that it is permissible to pursue your own goals as "long as you don't hurt others" will produce a result that is a real evil in itself.

I urge you to consider your forefather's real aims and goals in promoting liberty, not one of "SELF" but rather "OTHERS FIRST". If you are proud of your heritage you will put others first, and demand of both the plaintiff and the defendant that they show how they are putting "OTHERS FIRST".

The result will be a judgement based on the activities of both parties, designed to show whether self-interest or others-interest was the goal. It is obvious then that by upholding the freedoms of both parties, both will suffer equally. If both parties are forced to place the other party first, the result will be a correct settlement, designed to uphold the other's rights. If the "people" are willing to allow Microsoft the right to "practice business", then Microsoft must allow the

"people" the right to make their own livings. (I imagine the issue of forcing OEM vendors to pre-install windows will be shown for the foul business practice it is, self-serving and abhorrent.)

Self-first always results in loss of freedom, never the promotion of freedom. It is your own forefathers whom taught their children to follow the ways of the man that first promoted the idea of "Others First", en-masse to the public. He was Jesus. Parents often paraphrase his teachings like this "Treat others as you would have them treat you." He actually said, ?Love the Lord your God with all your heart, all your mind and all your soul. And love others as yourself.?

May the Lord grant you the wisdom of Solomon as you consider such a weighty decision.

Thank you for allowing me the opportunity to speak.

Kind regards,  
Colin Saunders  
PO Box 98817  
South Auckland Mail Centre  
New Zealand  
csaunders@databytesoftware.com  
CC:pohj@ihug.co.nz@inetgw

**MTC-00023812**

From: Guy Sewell  
To: Microsoft ATR  
Date: 1/25/02 12:10am  
Subject: Microsoft Settlement

Dear Sirs,

I would like to express my dismay at the proposed Microsoft settlement. I am particularly concerned over the lack of recognition by the DOJ as to the importance of not-for-profit organizations to the future of IT, and to the discrimination against not-for-profit organizations in the proposed settlement.

Also, I have yet to hear a compelling argument as to why the MS breakup remedy was not chosen. The company was found guilty of being an illegal monopoly. The company has a obscene profit margin with no significant competition in either the OS market or the office suite market, how can this not be detrimental to consumers or competitors? It has a greater % of total market than AT&T or Standard Oil did. Diversity is a desirable trait in ecosystems, in societies, and in commerce. Break up Microsoft and make the the units compete in a free and level market place.

Guy W. Sewell, Ph.D.

President

Sewell Environmental Associates, LLC

**MTC-00023813**

From: John Holstein  
To: Microsoft ATR  
Date: 1/25/02 12:19am  
Subject: Microsoft Settlement

The proposed settlement with Microsoft is an extremely bad idea. Microsoft has ridden rough-shod over the Computer and Computer Software Industry for too long.

Out of the hundreds of complaints I could complain about concerning Microsoft, from their inability to provide a secure OS, out of the box, to their lack of effort in patching existing software for known bugs, the basis of my "problem" with the way they do things

is their effort to set and/or change existing standards. These standard practices (RFC's "Request for Comments") that computer professionals go by when installing, administrating and developing new software are the basis for our everyday lives. Microsoft has the audacity to try and change these standards to suit their needs, at any given time, seemingly without regard to their customers "computer well being".

Microsoft will continue to pull the wool over the eyes of people that don't know any better. We need to help protect the end users that don't have the ability to understand the "behind the scenes" actions that take place. I know, I understand, and I am not a fan of what Microsoft has done to the industry. Allowing it to continue will only hinder future developments.

John Holstein,  
Cotse Helpdesk/Support

**MTC-00023814**

From: shockey@pacbell.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:15am  
Subject: Microsoft Settlement

I am just plain amazed that our system condones the predatory practices of companies like Microsoft, what a tangled web we weave.

bill shockey

**MTC-00023815**

From: Frank Fox  
To: Microsoft ATR  
Date: 1/25/02 12:16am  
Subject: The Microsoft monopoly.

Microsoft is a monopoly.

At almost any time Microsoft can push its choice on any of its large customers such as Dell or Gateway, and strong-arm hardware suppliers like Intel, or give away free software until competition is eliminated. These items have been demonstrated in the find of facts. How to control or limit such power is the question. There are three choices, break up, financial penalty, and auditing of business practices.

Break Up. The Windows operating system is worthless without the Office Suite (Microsoft Word, Excel, and PowerPoint). MICROSOFT successfully used the threat of taking away the Office software against Apple Corporation. Splitting the business along these units makes some sense, but what forces the Office division to start writing for other OS's. Since Windows already has the biggest share, satisfying that customer alone is good enough. Just look at video games, many are Windows only products because they have the market share and why spend the money to develop for another much smaller audience. The Office Suite needs to be ported and supported to multiple OS's to prevent the Windows strangle hold.

Decision: Don't break up the company. Instead require the Office Suite to be equally support on the Macintosh OS (easy enough since it already is) and moved also to Linux (this would drive them crazy).

Financial Penalty. How much money would you have to charge MICROSOFT to get them to care? We are taking cash here not software or hardware give aways. And if you set the fee based on an independent analysis

of the damages caused to other businesses and consumers, how long would it be tied up in court?

Decision: Good idea but years of legal battles and huge lawyer fees. Still for a big enough fine I could live with this. Let AOL battle this one out. If they win other plaintiffs will come forward.

Audit Business Practices.

1. Standard fees for everyone. Not to say that higher quantities won't give discounts but no side deals to favor one customer over another. They are a monopoly; any side deals are just to force other companies to comply.

2. No free or drastically reduced software, without a business plan to recover the costs that doesn't include elimination of competition and dominance of market sector, i.e., the free software has to turn a profit before taking away significant market share from competitors.

3. Relinquish control of desktop. The choice of visible icons and button are to be configurable by distributors. If Dell wants to have an icon that launches their web site using Netscape, then MICROSOFT can't say no, or penalize Dell in any way. Sure MICROSOFT owns the rights to the OS but the desktop display belongs to the customer.

4. No breaking a competitors software by providing insufficient or incorrect information to software developers. E.g., MICROSOFT releases a OS upgrade and company B's software that worked fine under the old OS, and MICROSOFT did not release the info to the public that would have allowed company B to release a patch in time.

If you really want to break the Microsoft monopoly, some combination of all these should be used until Apple, Linux, OS2, Be, operating system can come forward with enough market share to resist MICROSOFT deep pockets. -

Frank Fox

**MTC-00023816**

From: millse@sangikyo.co.jp@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:16am  
Subject: Microsoft Settlement

Dear Sir or Ma'am

I am writing to tell you that I feel the microsoft settlement has been very poorly decided. It does not appear that this settlement would at all effect the current state of Microsoft's business practices.

Emerson Mills

**MTC-00023817**

From: dlm63785477@netscape.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:13am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those

supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
D.Landis Murphy  
147 Suburban Terrace  
Stratford, NJ 08084-1413

**MTC-00023818**

From: Russell Nelson  
To: Microsoft ATR  
Date: 1/25/02 12:16am  
Subject: Microsoft Settlement

Hi. I object to the proposed settlement because it allows Microsoft to retain proprietary file formats. These form a barrier to entry for competing applications—one reason why Microsoft has been able to sustain its monopoly. Please make sure that Microsoft must document its file formats!

-russ nelson

<http://russnelson.com>

The problem with do-gooders

Crynwr sells support for free software PGPok and governments is that they 521 Pleasant Valley Rd. +1 315 268 1925 voice always think the government Potsdam, NY 13676-3213 +1 315 268 9201 FAX will choose as they would.

**MTC-00023819**

From: Andy Colligan  
To: Microsoft ATR  
Date: 1/25/02 12:17am  
Subject: Microsoft Settlement

Dear Sir or Madam,

The proponents of an anti-trust suit should have but one goal: The limitation or reduction of a trust. Cementing a trust's hold on a market is the antithesis of that goal.

Please do not allow this settlement to become a travesty of justice and freedom. Please do not expand Microsoft's monopoly though this settlement.

Speaking as someone who has watched the Internet grow, explode, and begin to mature, I would like to be able to see it become a place that allows freedom of expression and choice. Speaking as someone who has seen what computers are truly capable of, I implore you to allow the same freedoms onto the desktop. Customers should be allowed to choose how they want to interact with their computer. Currently, Microsoft does not allow that choice. If they have any say in the matter, they never will. However, you do have the power to change how Microsoft does business. I ask you to exercise that power. You may find this message to be silly, but the outcome of this case is anything but.

Andy Colligan  
Email: gtg410b@prism.gatech.edu

**MTC-00023820**

From: dlm63785477@netscape.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:15am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Murphy  
147 Suburban Terrace  
Stratford, NJ 08084-1413

**MTC-00023821**

From: John Slomka  
To: Microsoft ATR  
Date: 1/25/02 12:31am  
Subject: Microsoft Settlement

Upon reviewing the proposed Microsoft Settlement, I find it to be overly optimistic and highly inadequate. It is based entirely on Microsoft willingly complying not only with the letter of the settlement, but the spirit of resolution. In the past this company has ignored attempts by the government to curtail its monopolistic abuses and will in all likelihood continue to do so. Even if Microsoft did comply with the letter of the settlement, such compliance would only be a smoke screen for devising ways to manipulate the technology to leverage their monopoly power in ways not specifically covered in the agreement, if not altering the technology in ways to render the settlement unenforceable or irrelevant.

This settlement does nothing to discourage Microsoft from further anticompetitive and monopolistic practices, but merely states that the current abuses of monopoly power be discontinued or at least altered. It does not weaken Microsoft's operating system monopoly, nor does it provide any true barrier to future abuses of that monopoly.

Sincerely,  
John Slomka

**MTC-00023822**

From: dlm63785477@netscape.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:16am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible

precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Tricia Murphy  
147 Suburban Terrace  
Stratford, NJ 08084-1413

**MTC-00023823**

From: ChloeCKM@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:19am  
Subject: microsoft settlement  
please , in the public interest, proceed with the settlement that is so badly needed for the U.S. economy and in the interest of the public that is surely weary of continued competitiveness. please , let us get back to sanity. thank  
you  
sincerely  
Chloe murdock  
chloeckm@Aol.com

**MTC-00023824**

From: jimavis@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:16am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Cook  
1530 Sharon Drive  
Yuba City , CA 95993

**MTC-00023825**

From: csm  
To: Microsoft ATR  
Date: 1/25/02 12:20am  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

As someone who uses Microsoft products as part of his job, and who also uses products at home that compete with Microsoft products, I would like to offer the following comments and suggestions regarding the "proposed final judgment in United States v. Microsoft". In general the settlement described in the "proposed final judgment"

tries to prevent the anti-competitive behaviors that Microsoft has used in the area of (what the settlement calls) "Middleware Products" intended for user interaction with the Internet. I feel it focuses a little too narrowly on "Internet-centric" programs such as browsers and E-mail agents. In fact, there are probably lost opportunities here for correcting anti-competitive behaviors in the areas of operating systems, software development tools and what is euphemistically called "office productivity" software (such as Microsoft's Office suite of programs). While these types of programs may seem more distant from the Internet than web browsers, etc., in point of fact almost all of them are also being upgraded to interoperate with Internet APIs and remote services. I wish this had been examined in more detail.

However, taking the proposed settlement as written, there are several changes in wording that I believe would expand the scope of what is being required where it is overly narrow.

In particular, under Section III.A.2 (hardware licensing):

2. shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System;

should be amended to:

2. shipping a Personal Computer with one or more bootable non-Microsoft Operating System(s) either instead of or in addition to any Windows Operating System Product; to ensure that not only can Microsoft not retaliate against a computer hardware vendor who ships a Personal Computer that dual boots Windows and some non-Microsoft Operating System, but also that it cannot retaliate against a vendor who ships a separate line of Personal Computers without Windows at all, in addition to also shipping Personal Computers that do have Windows installed. This is particularly important to growth of the (Open Source) Linux Operating System as an option for businesses.

In section III.D, in addition to "the APIs and related Documentation that are used by Microsoft Middleware to interoperate with a Windows Operating System Product", the internal formats of disk files created by Microsoft products need to be cited as a necessary part of the "related Documentation", particularly for the Microsoft Office products. Microsoft Office is a pillar of the current desktop monopoly. It is reasonable to ask that "flat" files produced by Word, Excel and other components of the Microsoft Office suite have their internal layout and format fully documented so that non-Microsoft products can interoperate with them with full knowledge of any planned changes from one version of Microsoft Office to the next. This is important because these files are routinely exchanged via E-mail and other methods of information exchange over the Internet (for instance, many company Personnel departments now require resumes and job applications to be E-mailed in Microsoft Word format). The exceptions to this would be the database file formats of Microsoft Access (one part of the Microsoft Office suite) and Microsoft SQL Server (a

separate product), which should rightfully remain proprietary knowledge.

Section III.J.1 needs to be tightened to provide outside verification that any denial of disclosure because it "would compromise the security of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria" is justified by the facts of the matter.

Also III.J.2 appears to provide a loophole for allowing Microsoft to refuse information to Open Source developers, since it has already disparaged the "authenticity and viability of" the Open Source model of doing business. This loophole must be closed, since Open Source software is one of the few surviving competitors that Microsoft products face currently.

Definition VI.K.1 should include Microsoft Office among the list of "Microsoft Middleware Products", again because it is so routinely used in document exchange across the Internet.

Thank you,  
Paul Connelly  
P.O. Box 290  
Oakham, MA 01068-0290  
(US Citizen)  
CC:connelly@darco.org@inetgw

**MTC-00023826**

From: TBV001@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:19am  
Subject: Microsoft Settlement

Enough! This suit must end. Microsoft supposedly harmed consumers, well, I'm a consumer and I've not been harmed. This suit is little more than "welfare" for Microsofts' competitors and another method for states to get free money. This economically-driven witch hunt has gone on long enough. End it.

Sincerely,  
Elise Tompkins  
Sammamish, WA

**MTC-00023827**

From: Scott Snider  
To: Microsoft ATR  
Date: 1/25/02 12:21am  
Subject: Microsoft Settlement

Your Honor,  
I am a big believer in the free market system and do not believe that Microsoft is at fault in there business practices. My children and I have leaned a lot about computers thanks to Microsoft and all there helps and free software from them. In fact thanks to the openness of Microsoft my children have leaned HTML, Java and mpeg design for web pages. Am I one sided maybe I have been with Microsoft in away on computers since the days of DOS.

I believe that any negative judgment against Microsoft is more something I would see in a communist country.

Scott Snider  
9082 Via Vista Dr  
Buena Park, CA 90620

**MTC-00023828**

From: MightyPete  
To: Microsoft ATR  
Date: 1/25/02 12:20am

Subject: Microsoft Settlement

On the very day that this "Deal" was released to the public Microsoft blocked all none Microsoft browser from entering the MSN.com web site saying that they where not compliant and that a upgrade to Internet Explorer was necessary to view the web pages. Well a check of compliance to the standard revealed that fully more than 80% of MSN.com pages where not compliant and that browsers that spoofed the servers into thinking that they where Internet Explorer could surf the MSN.com web site without any problems. This happened on the very same day this deal was announced. Are we learning anything here?

This deal is just plain bad for consumers. Microsoft has learn nothing and they continue to abuse there monopoly ever chance they get. Enough is enough. Enforce the law ! They broke it and continue to break it, now why are not being held accountable? Putting Internet Explorer on Linux is not a option.

Sincerely  
G Conner

**MTC-00023829**

From: dnp607(a)pacbell.net  
To: Microsoft ATR  
Date: 1/25/02 12:22am  
Subject: Microsoft Settlement

I am writing under the Tunney Act concerning the proposed Microsoft Settlement (United States v. Microsoft Corp., Civil No. 98-1232). I believe the settlement is unfair, as it will not serve to end Microsoft's unlawful conduct, and does not adequately penalize Microsoft for it's unlawful conduct. I have co-signed a petition which details my position in greater detail, and am writing this to officially note my opinion as allowed by the Tunney Act.

Thank you very much,  
Dan Pelnik

**MTC-00023830**

From: R (038) C  
To: Microsoft ATR  
Date: 1/25/02 12:22am  
Subject: Microsoft Settlement

The proposed anti-trust settlement with microsoft is laughable. We might as well change USA to MSUSA,. Apparently, someone has jumped into bed with this partner and is promoting this willing mate to a climax of a lifetime. Please don't make the taxpaying bystander watch and pay for this liaison! This settlement is not acceptable.

**MTC-00023831**

From: Carlos Santellanes  
To: Microsoft ATR  
Date: 1/25/02 12:24am  
Subject: Microsoft settlement

The proposed settlement is INSULTING to the word justice. Nothing is going to change with such a settlement, REAL punishment must be done this time or else the WHOLE computer industry will suffer.

**MTC-00023832**

From: Scott Neugroschl  
To: Microsoft ATR  
Date: 1/25/02 12:25am  
Subject: Microsoft Settlement  
Renata B. Hesse

Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

To whom it may concern,

I am submitting this under the Tunney Act, to comment on the Revised Proposed Final Judgement (RPFJ) in the case of U.S. v. Microsoft. I am a software engineer with 18 years of professional experience, and over 25 years of computer experience. My belief is that the RPFJ does not fully address the harm caused by Microsoft. Many people, including the Honorable Robert Bork share this belief (see <http://www.linuxplanet.com/linuxplanet/opinions/4020/1>).

In this letter, I would like to give my overall impressions, and then address a few specific points within the RPFJ.

First, Microsoft was found guilty of violating the Sherman Antitrust Act. As I understand it, the US Circuit Court of Appeals upheld the guilty verdict; they merely threw out Judge Jackson's remedies. The Findings of Fact still stand. Why, then, is the DOJ essentially conceding this case? Do all convicted criminals get to negotiate their own punishment for violating the law?

Second, there are no punitive provisions. Microsoft profited from its illegal activities. Where is the punishment for the violation of the law? Why should they be allowed to retain the "fruit of the poisonous tree"? To use lay terms, the RPFJ reads almost as if Microsoft were saying "We did nothing wrong, and we won't do it again." In addition, Microsoft has shown that mere procedural remedies are insufficient, as shown by its actions in the light of the 1994 consent decree.

Now I would like to discuss some specific provisions of the RPFJ. Section III.I.5 requires any ISV, IHP, IAP, ICP, or OEM (third party) that receives information on Microsoft APIs and protocols to license back to Microsoft any IP that they create based upon those APIs and protocols.

At first glance, this appears reasonable. However, Microsoft has a history of taking such third party information and abusing it, to extend their hegemony. See Stac Electronics v. Microsoft for an example.

Section III.J.2 allows Microsoft to deny licenses to the APIs and protocols to any person or entity that does not have a "reasonable business need for the API, Documentation or Communications Protocol for a planned or shipping product" (III.J.2.(b)), or does not meet "reasonable objective standards established by Microsoft for certifying the authenticity and viability of its business" (III.J.2.(c)).

First of all, students, who are obviously not businesses, and do not have "planned or shipping product", develop many Open Source projects. Second, the requirement that Microsoft certify the business model of its licensees is open to abuse, given Microsoft's official positions on Open Source software as a business model. See Craig Mundie's comments at <http://www.microsoft.com/presspass/exec/craig/05-03sharedsource.asp>, and Jim Allchin's comments, as reported by C\Net at <http://news.com.com/2100-1001-252681.html>.

Section III.J.2.(d) contains yet another onerous provision. It requires any licensee to agree to "submit, at its own expense, any computer program using such APIs, Documentation, or Communication to third-party verification, approved by Microsoft, to test for and ensure verification and compliance with Microsoft specifications."

Again, as stated above, many developers are not businesses, and do not have the financial resources to pay for such testing.

In summary, I believe the RPFJ is fatally flawed. I have provided some general comments and three specific comments detailing my reasons for so believing. I urge the Court to reject this settlement. Thank you for your time and consideration.

Sincerely,  
 Scott A. Neugroschl  
 23949 Archwood Street  
 West Hills, CA 91307  
 cc:Nini Redway (CA Attorney General's Office)  
 CC:Nini.Redway@doj.ca.gov@inetgw

**MTC-00023833**

From: Philip Utley  
 To: Microsoft ATR  
 Date: 1/25/02 12:25am Re: Anti-competitive collusion between Microsoft and Corel Corporation

Please find a remedy for the current anti-competitive collusion between Microsoft and Corel Corporation, an activity which appears to have eliminated serious competition and given Microsoft a virtual monopoly in the Apple Macintosh word processing market.

Early this year Microsoft invested US \$135 million in shares of financially troubled Ottawa based Corel, a graphics software company that had purchased the cross-platform word processing company WordPerfect half a decade before. Microsoft sold the shares in February 2001 after the US Department of Justice and Ontario Securities Commission announced an investigation of the event. Microsoft may seem only to have lost \$70 million on the deal because of stock price deterioration—but in fact it gained Corel as a business ally. Corel announced immediately it would no longer produce its graphics and WordPerfect software for Linux, the competing open-source operating system. Corel agreed to make its products compatible with .NET, Microsoft's business software line acquired through purchase of Great Plains.

It had been rumored in 2000 that balance-sheet problems would force Corel to sell its WordPerfect software to large companies like Adobe or IBM, which had the management skills and capital for a potential restoration of WordPerfect to its position as the most widely purchased word processing program—one which functioned on both Microsoft and Apple computers. Corel now continues to upgrade WordPerfect for Windows—still the best word processing software, but now purchased much less frequently than Microsoft's klunky Word. That is because businessmen can still remember the early years when Windows was replacing DOS as the most popular PC operating system: Microsoft withheld enough information about source codes to keep WordPerfect programmers from easily developing their Windows version.

WordPerfect lost market share because it was slow to develop a good Windows version that did not crash regularly. But within a couple years WordPerfect for both platforms was again the best: now relatively crash-proof and as user-friendly as ever, with, for example, superior table, macro, "Reveal Codes" and outlining functions.

In April 2001, Corel announced that it would make no effort to develop WordPerfect for OS X, Apple's new Unix-based operating system. Corel could have converted the old WordPerfect 3.5e for Macintosh OS 8 and 9, still the best word processing software for the Mac. It could also have done something even easier: "porting" its already developed WordPerfect for Unix-based Linux to Unix-based OS X. It could have made money by licensing development rights. The ostensible reason: Corel did not think there was a market for a Mac WordPerfect program. Corel had no way of knowing this because it had not advertised, upgraded or supported WordPerfect 3.5e for about six years. It had ignored communications from users imploring it to develop the program. In the year or two prior to April 2001, it had provided the program as a free internet download, but now it withdrew the download from the internet and pressured other sites to withdraw the software to which it still held the copyright.

In the same April announcement, Corel said it was developing graphics software for OS X. I am not an expert on graphics, but have read that many consider its graphics software mediocre in comparison with the extremely sophisticated products of companies like Adobe. Apparently it rapidly gained graphics market share because it was quick to develop a working Windows version of its program when Windows was replacing DOS.

That leaves AppleWorks and Nisus as two good but rudimentary Mac word processing programs that are still developed, supported and available for OS X.

Microsoft Word is the third—now the only sophisticated Mac word processor with ongoing upgrades and support. And it is the only one that is "cross-platform"—with easy conversion of documents between Mac and Windows versions.

Thus Microsoft's new-found friendship with Corel allows the killing of WordPerfect competition in the Macintosh market as well as the Linux market.

What of the Windows market? That is where Microsoft cannot afford to look like a monopolist. John D. Rockefeller liked having one or two small competitors so that he could claim that Standard Oil was not a monopoly. And Microsoft has been arguing throughout the antitrust case that Netscape's continued existence proves Microsoft does not monopolize internet applications on Windows.

If there are to be serious conduct remedies in the current case against Microsoft, one should be designed to assure the preservation of WordPerfect as cross-platform software.

Philip Utley Ph.D.  
 203 W. 81st St. #2E  
 New York NY 10024

1. Originally a private company, WordPerfect was sold to Novell, which sold it to Corel.

2. Information I use in this article is culled in large part from <<http://www.r8ix.com/lists.html>>. It is a Mac WP e-mail users' group and it has a digest of the e-mails over the years. There are some internet articles on the events of February-April 2001 at <<http://www.newsfactor.com/perl/story/7520.html>>, <<http://www.security-informer.com/english/crd—corel—440464.html>>, <<http://www.aaxnet.com/news/M010224.html>> and <<http://maccentral.macworld.com/news/0102/14.feds.shtml>>. CC:Microsoft.Settlement@concentric.net@inetgw

**MTC-00023834**

From: Robert W. Means  
 To: Microsoft ATR  
 Date: 1/25/02 12:26am  
 Subject: Comments on the settlement between DOJ and Microsoft  
 Dear Judge,

It seems to me that AOL, SUN, Oracle and several states are making a mockery of the legal system by opposing the settlement and pursuing frivolous lawsuits driven by personal animosities or political considerations, not economic crimes. You should recognize this fact, articulate it publicly and try to settle this case before it stretches on into the next century.

Robert W. Means

**MTC-00023835**

From: THIESENTO@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 12:27am  
 Subject: Microsoft Settlement  
 Gentlemen:

As a retired teacher I've been following the case and especially the proposed settlement with great interest. Schools need materials, equipment and software to provide our students with modern tools to meet present goals. Apple computers were wonderful in the 1980s but they are not practical when 95% of the business world uses the Windows platform. Time is essential and the proposed settlement will allow the schools to provide students with the tools they need now. We can't wait another twenty years to have this case debated and delayed by additional lawsuits.

I urge you to continue with the original offer so that the next generation of students will not be another twenty years late.

Sincerely,  
 Tom Thiesen  
 8940 Libby Road NE  
 Olympia, WA 98506

**MTC-00023836**

From: Bob Horvath  
 To: Microsoft ATR  
 Date: 1/25/02 12:27am  
 Subject: Microsoft Anti-trust settlement

I have read the settlement agreement, and find no remedy for Microsoft in that it has finally been acknowledged as a monopoly. In fact, it appears to me that it give Microsoft the green light to continue their practices. As specific as it is, they will bend their software and call it something else, so that it no longer sounds like that which is described. Witness the calling of Internet Explorer a part of the operating system. I have been in software for 18 years, and calling a browser a part of the

operating system has no technical merit. It shows that those making the legal decisions do not understand the technology. Walk into any Best Buy, or other electronic store, and see how many items are being offered for \$400 less if you sign up for MSN (Microsoft's Internet service). This must have cost them a fortune. What are they trying to buy? They don't need any more software market share. They are trying to buy Internet and make it impossible for others to play on an even playing field. Their .NET strategy is another example.

Please consider that there is a whole world of software out there beyond what comes with the Microsoft shrinkwrap on it. Competition is good, especially in software where things can change so rapidly. Please understand that Microsoft is a bully in the software marketplace and needs to be controlled.

**MTC-00023837**

From: Bill Vlahos  
To: Microsoft ATR  
Date: 1/25/02 12:28am  
Subject: Microsoft Monopoly

I believe that Microsoft has clearly and unlawfully abused its monopoly for many years and am dismayed that the "remedies" discussed so far are neither appropriate nor will be effective in either punishing or changing Microsoft's behavior.

Assuming that Microsoft is guilty, which has been proven and re-affirmed in court, then not only should their behavior change but they should be punished. There are numerous products and companies which no longer exist because Microsoft eliminated them. Let me suggest a solution that would not only meet the goals of the anti-trust case, be relatively easily achieved, but actually would effect a change.

1. Make the file formats for Word, Excel, and Powerpoint open so that other companies can make competitive products which would transparently interoperate with Microsoft's products.

2. Prohibit the Government (U.S. and States) from purchasing any Microsoft products for a period of time based on how long Microsoft abused their monopoly. This would punish Microsoft for past abuses while at the same time provide a waiting market for competing products.

These remedies would certainly hurt Microsoft which is appropriate. They also would stimulate competition which would be good for consumers.

Bill Vlahos  
bvlahos@gte.net

**MTC-00023838**

From: Tobias DiPasquale  
To: Microsoft ATR  
Date: 1/25/02 12:28am  
Subject: Microsoft to make the next EKG machine

From FCNN (Fake CNN), 01/24/2002:  
"In a surprise announcement today, Microsoft Corp. announced that it would shortly be entering the health-care software market, specifically, it would write software to run EKG machines initially (called Microsoft HeartBuddy), and then expand to other critical systems. The specifications on

the machines are not known, but Microsoft claims that EKG machines running Microsoft HeartBuddy software would experience "previously undreamed-of" performance, such as 40% uptime and only 120 known security holes upon shipping of the product. There specifications were agreed upon when they discovered that the average human body can withstand missing up to 5 heartbeats and not be seriously injured. Quoting Microsoft CEO Steve Ballmer:

"We figured that as long as it stayed up for most of an 8 hour shift in a day, it didn't need to do much more than that. I mean, really, who's gonna notice if it crashes a couple times?"

Microsoft was unable to explain how their product would be beneficial, given that current EKG technology allows for 100% uptime in almost all cases, and costs significantly less than HeartBuddy.

Microsoft plans to charge around \$100,000 to \$150,000 per unit, with upgrades mandatory every three months. The upgrades will cost around \$75,000 apiece, and will be cryptographically signed by a special digital signature known only to Microsoft, giving competitors no chance to reclaim lost market share in this field. Microsoft also plans to seamlessly integrate it's Office software into HeartBuddy, giving the doctor the ability to write and print death certificates right on the EKG itself.

In the past, Microsoft's security measures have been cracked fairly easily. In one such instance, Windows XP's much lauded copyright protection scheme was broken within hours of the XP launch party, but Microsoft sees this as a fluke, and not worth comment. Jack Valenti of the RIAA, however, had this to say:

"We're paying Microsoft quite a bit of money to keep our material secure, and they can't get it done! They can't even keep their own servers secure!" (he is referring to the two times Microsoft's network was cracked by outside hackers, one defacing the Hotmail email service, and the other stealing the source code to Windows itself)"

Many others are also skeptical about Microsoft's move to enter this market, saying that their software is not reliable enough and has too many security holes, citing the IE 6.0 remote take-over vulnerability, or the literally hundreds of email viruses Microsoft Outlook makes possible, or the many holes in Microsoft's IIS web server. But Microsoft soothes these nay-sayers by stating that anyone who makes statements against Microsoft will have it's product copied by Microsoft and given away free in the next version of Windows."

This is a spoof of a real news article, but if you allow Microsoft to continue it's monopoly, this kind of thing is not far off. It will have no reason to provide quality, competitive products and services, since it will have government approval to squash it's competition and charge outrageous prices for substandard goods. Don't allow the Standard Oil of the 21st century to beat us: rule in the interest of the people.

Sentence Microsoft to a three-way breakup: one company to handle IE, one to handle Office, and one to handle Windows itself. I know you will do the right thing. Thank you.

A Hopeful American,  
Tobias DiPasquale  
toby@ece.villanova.edu

**MTC-00023839**

From: chris wolske  
To: Microsoft ATR  
Date: 1/25/02 12:31am  
Subject: Microsoft Settlement

Department of Justice Representative,  
I would like to respond to the Proposed Final Judgement to U.S. v. Microsoft. There are many aspects of this ruling which I find disturbing, including the following:

In section III (Prohibited Conduct), section A.2. reads:

[A.2] "shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System; or"

- this interpretation ignores systems shipped without a Microsoft operating system, including computers that ship with only Linux or other Free (FSF) software with Windows compatability software included. An alternative may read as follows:

"shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System, or (c) includes a non-Microsoft Operating System but no Windows Operating System Product; or ..."

Section VI (Definitions), section U, defines the following:

"Windows Operating System Product" means the software code (as opposed to source code) distributed commercially by Microsoft for use with Personal Computers as Windows 2000 Professional, Windows XP Home, Windows XP Professional, and successors to the foregoing, including the Personal Computer versions of the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion. - this focuses narrowly on the a subset of the operating systems offered by Microsoft and may be better represented by:

"Windows Operating System Product" means any software or firmware code distributed commercially by Microsoft that is capable of executing any subset of the Win32 APIs, including without exclusion Windows 2000 Professional, Windows XP Home, Windows XP Professional, Windows XP Tablet PC Edition, Windows CE, PocketPC 2002, and successors to the foregoing, including the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc.

Thank you for your time.

Kind regards,  
Christopher Wolske

**MTC-00023840**

From: Dawney  
To: Microsoft ATR  
Date: 1/25/02 12:34am  
Subject: Microsoft Settlement  
Antitrust Division

U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001  
January 24, 2002

Dear U.S. Department of Justice:  
As a member of the public, I would like to add my comments on the Microsoft Settlement.

If I understand correctly, under the Tunney Act I may submit comments regarding the Microsoft Settlement documentation. In order to accurately convey my opinion, I must first clarify that I respectfully but strongly disagree that Microsoft has had or does have a monopoly in the web browser industry.

Our local news reported recently that our only local telephone utility provider is planning to share our personal information, including to whom we call and how long we stay on the phone line.

Needless to say, the customers are not happy about this and are trying to get an opt-out option. But if we can't, and it is legal for the company to share our private information against our will, then we have no alternative but to continue using this utility company or to discontinue the use of our local phone service because there is no other option. THAT is a monopoly.

I am easily able to obtain and use Netscape or Internet Explorer or AOL if I so choose. These three web browsers are easy to find and affordable if not free. Microsoft has developed a successful operating system (and application software) that has revolutionized (actually introduced) the public to the ever-increasing benefits of personal computer use. It was not long ago that the market of computer users was a minute group limited to the isolation and dullness of DOS. The creation of Windows has given wings to the minds of developers and end users. Microsoft has cultivated its Windows operating system with improvements such as Internet Explorer that are a benefit to the consumer.

My perspective is that of great appreciation for successful development and true competition. Microsoft has no more channels of opportunity than any other company as far as marketing and distribution, unless they've created their own, which is productive innovation. If Microsoft is successful in distributing knowledge about its products and creating accessibility, it is commendable and a plus for consumers.

I've read that it would be too expensive for Netscape to develop its own competing operating system. Too expensive for whom? Netscape? Consumers? If having a unique operating system is a desire of Netscape in the development of its product, then it ought to gather investors, developers, etc., to enable itself to achieve these developmental goals. Isn't that what most companies have to do? Microsoft successfully built and developed its concepts and products, relationships and consumer trust from ground up. They didn't try to jump on the coat tails of a larger company. Too expensive for consumers? If my limited knowledge of competition serves me correctly, then by Netscape building their own code, products and relationships, it would actually facilitate true competition and even reduce prices (for consumers).

With that said, out of respect for the authority of the Department of Justice to pass judgment on whether or not it feels the Sherman Act has been violated, I acknowledge the decisions that have led to the Microsoft Settlement. While I do not agree with much of the settlement language, it takes two sides to reach an agreement. With two sides agreeing to a set of terms and to be bound by the settlement, I agree that a swift close to this matter would be of benefit both financially and mentally to the public.

I have been wanting to write this letter for over several weeks but have felt so strongly on some parts of this case, that I wanted to make sure and re-read the available public documents, then write with a clear mind and "cool jets" so to speak. My main concern when reading the complaints and settlement information is that of wanting reasonable justice and closure. I have been concerned foreseeing that Microsoft's competition would not honor the authority of the DOJ nor the binding settlement language; but rather, they would continue to pursue litigation after litigation. And as of January 23, 2002, unfortunately this foresight seems to be correct in reading that AOL is again suing Microsoft.

I believe that it is in the best interest of the public and our economy to strictly and completely enforce all terms of the settlement, and then ensure that Microsoft's competition is not allowed to make a mockery of the system by misinterpreting their role (if any) in the agreement. This kind of abuse would be a waste of money and time (which would stifle would-be creative developments for consumers). I also believe it would be detrimental to consumer confidence.

The decisions have been made. Let the DOJ and Microsoft carry out their parts of the agreement. Let the competing companies build their products to the best of their available resources (as with all businesses). Then let the consumers be free to choose their products and services.

Thank you greatly for your time.  
Dawn Reagan  
1765 Tullis Dr.  
Coeur d'Alene, Idaho 83815  
(208) 665-2317  
dawnrey@toontakes.com

**MTC-00023841**

From: CGDOWD@AOL.COM@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:31am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Christine Dowd  
1835 Portola Road  
WOODSIDE, CA 94062

**MTC-00023842**

From: l.moore@att.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:32am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
LaDon Moore  
103 Ridge CT  
Centerville, GA 31028

**MTC-00023843**

From: kf6snf@pacbell.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:33am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Clayton Ford  
2942 Mallorca Ln  
Davis, CA 95616

**MTC-00023844**

From: jay\_talsma@hotmail.com@inetgw



To: Microsoft ATR  
Date: 1/25/02 12:34am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Jay Talsma

534 Del Vista Dr.

Bloomington, IL 61704-7654

**MTC-00023845**

From: nathaniel  
To: Microsoft ATR  
Date: 1/25/02 12:39am  
Subject: Microsoft Settlement

Dear sir/miss,

I am writing to express my opinion that the proposed settlement with Microsoft Corporation is not yet satisfactory. Microsoft has and continues to display a willingness to do whatever it takes, undehand or otherwise, to utterly extinguish all competition. While the sole ethic of a successful comapny is indeed to make profit, and while having not one competitor would certainly enable Microsoft to achieve this goal, it is most certainly -not- ethical with concern for a free marketplace based on satisfying the consumer through business competition.

Thank you.

Sincerely,

Nathaniel Heinrichs

Nathaniel Heinrichs

nheinrichs@isskk.co.jp

Security Engineer

nheinric@umich.edu

Internet Security Systems KK

TEL: +03-5475-6451

Managed Security Services Division

CEL: 090-6479-6295

**MTC-00023846**

From: Jonathan D. Nolen  
To: Microsoft ATR  
Date: 1/25/02 12:39am  
Subject: Microsoft Settlement

I strongly disapprove of the proposed final judgment in the Microsoft Case. As written, it fails to achieve any meaningful benefit for the software-using public. It is insufficient to curb Microsoft's use of predatory and anti-competitive tactics, which have been working against the public good for two decades. Likewise, it fails to redress the damage that Microsoft has done to the software industry and the computer-using

public at large during their reign as monopolists.

Please see Dan Kegel's (<http://www.kegel.com/remedy/letter.html>) comments for further detail on the shortcomings of the proposed settlement.

Sincerely,

Jonathan D. Nolen

Jonathan D. Nolen

Santa Barbara, CA

mail: nolen@rhodesalummi.org

**MTC-00023847**

From: MARK836@HOTMAIL.COM@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

MARK HARTWELL

7337 TRADE ST #1155

SAN DIEGO, CA 92121

**MTC-00023848**

From: Ben Lachman  
To: Microsoft ATR  
Date: 1/25/02 12:40am  
Subject: Microsoft Settlement

The settlement as it stands does nothing to change the way microsoft will act in the future. much greater action should be taken.

Ben Lachman

Athens, Ohio

lachman@boochee.com

blachman@mac.com

(740)592-6430

**MTC-00023849**

From: cjgill1@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Carol Gillenwater

13250-5th-Ave -SW

Seattle, WA 98146-3201

**MTC-00023850**

From: chrise@SPRI.Levels.  
UniSA.Edu.Au@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:09am  
Subject: A right to use

It is difficult describe how I fell about the antitrust case against microsoft. I am unsure at this time how this email will be received. I am a 30 year old Information Technology and Telecommunications engineer working in South Australia, I have been involved with computers and computing since I was 15 years old, so I have 30 years experience dealing with computing issues and operating system.

I am unsure if the American judicial system is allowed to consider opinions from out side of the USA. However, when you talk about the computer industry and partially Microsoft any anti-trust suit is not just important to Americans it has far reaching effects all around the world.

Software defies conventional trade boundaries, a new piece of software can be all over the world in a matter of weeks and be used by billions of computer businesses and home users in this time. What Microsoft has accomplished in it's time as the major operating system is develop the computer platform to a stage where anyone in the world can use it and use it effectively.

But it has done this at a cost. The first PC I acquired was an Amstrad 286 at the time windows was not even an OS and DOS was king. Thousands of companies produced word processing programs land other utilities and the consumer was able to talk with their wallets. If a piece of software was no good then they migrated to another and never used that software again.

This is the way it was in the beginning. The free market at it's best. Mac had a market dominance, it's OS and windows type platform was the easiest for all users to use. A large number of users used the mac platform instead of the PC as the PC OS was difficult to use. Then along came windows.

Windows was produced to compete against the Mac OS which made Mac's one of the most sold computer systems there was. Windows copied a lot of the Mac features and low an behold a Graphical user interface was available for the IBM PC. Real competition began in the PC market.

The combination of the IBM PC and the Microsoft windows product won out over the Mac. Not because it was the better of the two systems they were both pretty much the same it's just the IBM PC's were cheaper then Macs and thus market forces won the day.

Microsoft became the main OS of today. This wasn't a problem as Windows used DOS



as the basis for its OS and all the DOS software companies could easily port their packages to the windows format.

But microsoft wanted more, recognizing their clear advantage due to there financial, market and marketing dominance they started to develop the peripheral programs, borrowing ideas from these other companies and going with the market trend.

The Microsoft OS today could no longer strictly be called an OS. The operating system of a computer controls the interface between the human and the computer components and allows programs to talk and control these components in a managed manner.

Microsoft dose this and so it in a reasonable manner. But it a lot includes programs which load automatically without the user asking. And as things like word programs, net surfing programs, picture editing programs are freely available why go out and by the other superior programs as well the ones we have may not be the best but they will do. By allowing microsoft to continue to add programs to there OS that do not have anything to do with the OS you perpetuate the destruction of superior software and operations during our time. Microsoft is holding the world in a computing stasis, by not allowing the best program to be presented to the consumer, developments are lost and our pool of knowledge shrinks.

At this time microsoft has dominance of the world computer market. They control 99% of the worlds computers. Their software has proven time and time again that it is not the best, but it is adequate and why by the better stuff if the stuff I have works.

I have had several programs that I love to use of the years become useless because microsoft change small parts of it's code to make it more difficult for other programs to run under windows. Microsoft at the issuing of a new OS can decided that the world has to change to suit it's vision. In actual fact when you think about it Microsoft has more power then the US government and the US court systems.

Microsoft can make changes that effect the world in radical and dramatic ways. They can broaden or shrink the differences between the haves and the have not. This gives them a massive amount of power and ultimate power corrupts.

The microsoft solution is a difficult one and I do not envy you. The split up of microsoft will be a blow to the company no doubt. But, I believe they said that there development divisions (those that produce office and Internet Explorer) would not be able to work as efficiently as they do now when they are connected to the OS side of things.

This is definitely true ! However, isn't this what all other companies have to put up with. Microsoft limited access to their software interfaces to external companies. Meaning that the internal software development teams have an unfair advantage when it comes to developing software as they can use the full set of microsoft OS tools, while other companies can only deal with half the OS tools or less.

If you can do nothing else you should at least include in the settlement that MS must

release the full Software and interface specs to the MS Windows OS to allow others to compete on a more level playing field.

Yours  
Chris Evans

**MTC-00023854**

From: smcnally\_bayoucity@yahoo.com@inetgw

To: Microsoft ATR

Date: 1/25/02 12:37am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sheryl McNally  
14130 Highcroft Drive  
Houston, TX 77077-1441

**MTC-00023856**

From: baileypayne@prodigy.net@inetgw

To: Microsoft ATR

Date: 1/25/02 12:36am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jean Payne  
501 Fairway Trail  
Springfield, TN 37172-4013

**MTC-00023857**

From: BIOLABTECO@aol.com@inetgw

To: Microsoft ATR

Date: 1/25/02 12:42am

Subject: AOL LAWSUIT AGAINST MICROSOFT

Sir:

I think in my opinion AOL should now spend time to enhance and innovate their system rather than spending time in the courtroom. It is just the right thing to do. Time to move on AOL you are hurting the economy of the United States of America.

**MTC-00023858**

From: efortain@netscape.net@inetgw

To: Microsoft ATR

Date: 1/25/02 12:46am

Subject: Microsoft Settlement

For over a year I used Netscape Navigator. Eventually, I decided to try other browsers—Internet Explorer and Opera—because I was becoming frustrated with Navigator's lack of features. I was much happier with Explorer's flexibility and features, so I removed Navigator.

All three programs were free to the public, but one offered more and satisfied me more than the other. I also bought a Ford Bronco several years ago. I was not satisfied with the stereo that came "bundled" with it, so I shopped around and bought a better stereo to replace it. The stereo was much more costly and troublesome to replace than Internet Explorer is to replace. Cars come bundled with stereos and tires and I can buy different tires and stereos for my car, just as a computer can come with Windows, Mac OSX, Linux, etc., but I am still free to choose whatever web browser or other software I prefer with the operating system of my choice.

Please don't take away our rights or responsibility to choose and decide for ourselves what products we will use.

Politicians harm consumers when they give unfair advantage to producers who cannot compete with companies that create better products. Allowing politicians to interfere with the marketplace and consumer choice is an uncompetitive and unconstitutional practice.

Sincerely,  
Eugene Fortain  
5707 Los Alamos Ct.  
Santa Rosa, CA 95409 —

**MTC-00023859**

From: Bob Boothby

To: Microsoft ATR

Date: 1/25/02 12:46am

Subject: Microsoft Settlement

January 24, 2002

Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue,  
NW Washington, DC 20530

Dear Mr. Ashcroft:

Is further litigation on the Microsoft antitrust case going to get us out of this recession? I don't think so! I was hopeful when Microsoft and the Department of Justice reached a settlement back in November, but now it looks to me like we are in for another round of fruitless litigation. We have nine state Attorney Generals playing politics and AOL is back in court with an old complaint that was proven to be unfounded in the current DOJ lawsuit.

I, Robert, am a Software Engineer. I worked for RCA Computer Systems Division in the 1960s and Hewlett-Packard from the early

1970s to the present. From personal experience I can tell you that the Netscape browser lost its dominant position because it was defect-ridden and its performance was miserable. The Netscape browser still has a near monopoly on UNIX workstations and AOL Time Warner & Sun Microsystems still deliver a defect-ridden browser with miserable performance to that market.

Microsoft has agreed not to go after computer companies who ship software that competes with anything in its operating system.

Microsoft has also agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that run on software that competes with Windows.

What else is expected of Microsoft? Let's move on. Let's put an end to the litigation!

Sincerely,  
signed: Iku Boothby  
Iku Boothby  
signed: Robert Boothby  
Robert Boothby

**MTC-00023860**

From: brick@icehouse.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:45am  
Subject: Microsoft Settlement

If anyone there didn't catch this, this pretty well sums it up. This is an excerpt of an interview, (Acceptance of the proposed settlement in U.S. v. Microsoft would clear the road for the company to extend its monopoly to most if not all aspects of computing, says Judge Robert H. Bork. "I don't think it does anything to Microsoft," said Bork in an interview with Linux Planet. "I think it just lets them continue as they were before.") The internet link to the article is: <http://www.linuxplanet.com/linuxplanet/opinions/4020/1/>

Thanks again, hope your listening.  
Jeff Roberts  
Spokane, WA.

**MTC-00023861**

From: David Lawler  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/25/02 12:42am  
Subject: Microsoft Settlement  
David Lawler  
333 E Ontario #4412b  
Chicago, IL 60611  
January 25, 2002  
Microsoft Settlement U.S. Department of Justice,

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better

products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
David Lawler

**MTC-00023862**

From: hfaron@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:44am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Helen Farson  
917 N. Louise St.  
Apt. 402  
Glendale, CA 91207-2164

**MTC-00023863**

From: Pari Haridim  
To: Microsoft ATR  
Date: 1/25/02 12:51am  
Subject: Microsoft Settlement

To whom it may concern,

I would like to express my complete disagreement with the case that has been brought against Microsoft. I and many other Americans made the decision to voluntarily trade with Microsoft. They did not initiate force against others to make people buy their products. The only thing that Microsoft did was become successful by pleasing consumers like me.

This is the United States of America, a country that is supposed to allow her citizens to pursue "life, liberty, and the pursuit of happiness." As an American citizen, I am willing to defend my country so long as there is something to fight for—freedom and protection of individual rights (including property rights). Without this, America is no different than her enemies.

Sincerely,

Pari Haridim  
Urbana, Illinois

**MTC-00023864**

From: bettyj@surfside.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Betty Johnson  
9102 Hyde Park Drive  
Huntington Beach, CA 92646-2327

**MTC-00023865**

From: matern@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:46am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
H. R. Matern  
POB 1669  
Ft Defiance, AZ 86504-1669

**MTC-00023866**

From: jjgreen@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Green  
2125 Elanita Dr  
San Pedro, CA 90732-4433

**MTC-00023867**

From: Bradley Greger  
To: Microsoft ATR  
Date: 1/25/02 12:38am  
Subject: Microsoft Settlement  
the proposed settlement is bad idea

**MTC-00023868**

From: julienorma@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:50am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Norma Holmes  
5500-21 Lennox Avenue  
Bakersfield, CA 93309-1571

**MTC-00023870**

From: Paul Staley  
To: Microsoft ATR  
Date: 1/25/02 12:55am  
Subject: Microsoft Settlement  
Dear Sirs and Madams:

I believe the Microsoft settlement is a nothing more than a license for Microsoft to continue its monopolistic practices to the detriment of genuine competition and consumer choice. The language of the settlement is so vague and ambiguous that MS will have little trouble evading enforcement of its own "alleged" breaches.

Particularly troubling is MS's offer to resolve by donating millions of dollars in

software to educational institutions, by which action it would erode one of the few markets in which Apple still has a significant, but dwindling, market share. In addition to immediately pushing Apple further into the background, MS would own the next generation of users who, as a result of MS's enticements, will have sucked at the teat of MS during their early years.

I cannot protest too loudly that MS's monopolistic practices must be reined in. Thank you for listening.

Sincerely,  
Paul Staley  
Attorney at Law

**MTC-00023871**

From: Jason A. Van Cleave  
To: Microsoft ATR  
Date: 1/25/02 1:52am  
Subject: Microsoft Settlement  
Judge Colleen Kollar-Kotelly,

I do not support the new proposed settlement in the Microsoft case. As most of us have known all along, Microsoft has been acting unfairly and to the detriment of competition and—more importantly—innovation in the software industry. They should be penalized for this, and penalized in a way that will actually make them think twice about their actions. But I stoutly believe more direct steps should also be taken to prevent similarly unfair and dishonest practices in the future, for Microsoft and any other company. I believe Microsoft should be split between the OS department and those of their other large software applications, which should definitely include I.E. Let me repeat that. Internet Explorer, along with Office and the rest of Microsoft's desktop applications, should be managed separately from Windows operating systems development. It is clear to me, as a software engineer, that this would solve a great many problems with Microsoft and prevent further unjust injury to competing software vendors.

Thank you,  
Jason Van Cleave

**MTC-00023872**

From: LloydHarkey@AOL.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:53am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Lloyd Harkey  
210 Beacon Hill Drive  
Longview, WA 98632

**MTC-00023873**

From: Haydn Huntley  
To: Microsoft ATR  
Date: 1/25/02 12:56am  
Subject: Re: US vs. Microsoft  
Dear Judge,

I'm not sure what more to say than that if Microsoft is not punished in a manner commensurate with the seriousness of its crimes, then it will almost certainly commit more crimes—to the public's detriment.

I am a professional software engineer with a MS in CS and over 20 years of experience on almost every kind of microcomputer and operating system, and I'm not surprised that Microsoft was repeatedly found guilty in this case, and that they also lost on appeal. That they are guilty beyond any reasonable doubt has been amply demonstrated, and I was also especially irritated by some of their deceptions (such as claiming that the browser is integral to the OS, when it is as integral as your car's radio, or when they submitted a video taped demonstration which had been doctored!). Such actions indicate their contempt for justice and the judicial system.

Not only that, but during the last year they have continued their efforts to maintain and extend their monopoly, for example by prohibiting users from using other browsers on their websites and by removing Java from Windows XP. They certainly don't seem to behave in a reformed manner!

What should we do with such a pernicious offender?

We must punish them in such a way that it will teach them and cause them to behave differently in the future.

I've heard that during the last few years, while they were doing their illegal activities, that they have saved up some 36 billion dollars. Perhaps a large substantial fine would be a good remedy, and use it to pay off the national debt. Mightn't that be good for society as a whole?

Also, forcing them to publish all of their file formats for their office products, forcing them to unbundle Internet Explorer from Windows, and to place the source code for Windows into the public domain would also be good. If these remedies were used, then Microsoft would not have profited from their illegal behavior, and they would not be able to profit in the future from it either. Isn't this a reasonable remedy?

Anything less will simply reward them and allow, or even cause, them to continue! Doesn't our society as a whole deserve just reparations in this case?

—Haydn  
Haydn Huntley  
huntley@ArtSelect.com  
voice: 641-472-1495 x133  
<http://www.artselect.com> Custom Framed  
Art at a 40-50% Savings!

**MTC-00023874**

From: John E Pillow  
To: Microsoft ATR  
Date: 1/25/02 12:56am  
Subject: Microsoft Settlement

I think the settlement is not good. It lets Microsoft continue to control the marketplace.

Thanks  
John E Pillow

**MTC-00023875**

From: Darrow Wendoloski  
To: Microsoft ATR  
Date: 1/25/02 1:01am  
Subject: Microsoft settlement

As a US citizen currently living and working overseas, I am appalled at the laxity of the proposed judgement against Microsoft. I work in academia, in the biological and biomedical sciences. Traditionally these disciplines have used Apple operating systems; however Microsoft's stranglehold on the US and world programming market means that software developers cannot afford not to be a Microsoft shop. In turn, this means that new software (eg DNA sequencing programs) is developed only for MS/IBM clones, with the net effect that if researchers want to use these new programs they have to fork over exorbitant sums of money to replace their entire departmental software systems, plus the perfectly functional software they already have. And no university department has that kind of money.

Microsoft's conduct with respect to buying out competitors and destroying their product is odious in the extreme, and the practice of "bundling" their browser Internet Explorer with Windows operating system software in such a way as to render competing browsers unstable is deceitful and reprehensible. Their attitude to the open-source community (Linux, BSD etc) is nothing short of paranoid.

The USA has long prided itself on being a nation where anyone, if they work hard enough, could make themselves a millionaire or even become President. The despicable anti-competitive practices engaged in by Microsoft make a mockery of the Great American Dream. Many thanks for the time you've taken to read this,

Darrow Wendoloski  
Department of Microbiology  
University of Melbourne  
Ph. +61-3-8344-5711  
Fax +61-3-9347-1540

**MTC-00023876**

From: Shay Logan  
To: Microsoft ATR  
Date: 1/25/02 1:01am  
Subject: Against Settlement

I think the settle is not much a punishment to Microsoft.

**MTC-00023877**

From: Bill Rodgers  
To: Microsoft ATR  
Date: 1/25/02 1:07am  
Subject: Microsoft Settlement

I find the behaviour of AOL appalling. It seems that AOL are more intent to be seen as a successful court litigator than as a company that would provide quality software to the public. They can't compete with expertise and quality products so they seem to want to "knock" the industry standard down to their own level. This will do nothing for the advancement of technology and the

benefits that can have to consumers. It is time AOL were given a clear message that they either start to get their software development act together and contribute to the development of users computing experience or they get out of the game.

Bill Rodgers  
Newcastle, Australia

**MTC-00023878**

From: gani delos santos  
To: Microsoft ATR  
Date: 1/25/02 1:07am  
Subject: Microsoft Settlement  
proposed settlement is bad idea

**MTC-00023879**

From: chill@central.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carole Hill  
233 Jackson Circle  
Louisville, CO 80027-1630

**MTC-00023880**

From: thomask4@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Thomas Kiker  
4124 N. Beltline Rd. Apt. 248  
Irving, TX 75038

**MTC-00023881**

From: gregTHOMY  
To: Microsoft ATR  
Date: 1/25/02 1:08am  
Subject: MS BS proposal

I totally DISAGREE w/ MS's proposed settlement for their illegal activity. Chop em up!

Thank you.  
gregTHOMY

PS: It is increasingly difficult to AVOID using this monopoly's products...this would be ok in communist china but not America!!!

**MTC-00023882**

From: Les Fischer  
To: Microsoft ATR  
Date: 1/25/02 1:09am  
Subject: Microsoft Settlement

**MTC-00023882 0001**

As a U.S. Citizen I am petitioning you under the turney act to refuse microsofts settlement on the grounds that microsoft has practiced unfair buisness practices in the area a unresonable barriers to entry. The policy I will cite is the benefit by means of hefty discount microsoft offers new pc manufactures such as Dell, Compaq And HP to only include their computers with microsoft product. This effectivly barrs competitors such as linux, sun micro systems, and unix from the new computer market.

**MTC-00023883**

From: pc  
To: Microsoft ATR  
Date: 1/25/02 1:09am  
Subject: Severe punishment is demanded.

Letting Microsoft get away with anti-competitive practices sends a clear message to other businesses that the US Supreme Court has no teeth.

You have already found them guilty of a monopoly that has netted them billions in ill-gotten gain. You must show the backbone to PUNISH THEM in kind. Microsoft MUST be made to suffer for their blatant transgressions to the FULL extent of the law. Or perhaps we should change the adage to: "Cheaters never prosper. Unless they drag it out in court..." Do the right thing. And make it HURT them financially. You can't bring the companies they put out of business back to life, but you have a duty to make damn sure Microsoft thinks twice before trying it again. They have already exhibited a pattern of remorseless anti-competitive behavior, even in the face of litigation! They will not understand anything less than severe punishment. I am writing not just for me and my beliefs, but for millions of those who won't take the time to write. All is fair in business. Except anti-trust. They cheated. Don't send America a message that screwing people is an acceptable business practice. Punish Microsoft with extreme prejudice.

Peter Crosby

**MTC-00023884**

From: justin delos santos  
To: with a subject of "Microsoft Settlement"  
Date: 1/25/02 1:10am  
Subject: Microsoft Settlement

The proposed settlement is a bad idea.

**MTC-00023885**

From: Lina Delos Santos  
 To: with a subject of "Microsoft Settlement"  
 Date: 1/25/02 1:11am  
 Subject: Microsoft Settlement  
 The proposed settlement is a bad idea.

**MTC-00023886**

From: Scott popcorn  
 To: Microsoft ATR  
 Date: 1/25/02 1:12am  
 Subject: Microsoft Settlement

If you truly want to make a difference with your decision in this case, I would like to put forth some things for you to consider, and to help clarify the situation. I am by no means against Microsoft being a player in the computer market. However, I am on the side of consumer choice.

First and foremost, the ultimate solution will not come from taking care of one symptom of the problem. The root of the problem needs to be dealt with, and that is what this letter is intended to point out. While bundling a web browser with the operating system, and making it an integral part of the operating system could be looked on as a "problem", there is a deeper problem which, if dealt with in a fair manner, would remedy ALL of the "symptoms".

A bit of background is needed at this point. The idea of an operating system is very new. The concept of what it actually does was never even considered before computers were invented, and to this day, most people can't sufficiently explain its purpose. To call it a "bridge" between hardware and software is a very simplistic view. Let's create an analogy to help explain it further.

Let's say the computer hardware is an automobile. Would the operating system be the engine? No, the processor would be the engine. So, what would the operating system be? I like to think of it as the gasoline. The car can't go anywhere without gasoline. This is still a fairly simplistic view, but as I continue the analogy, perhaps it will become more clear.

So, what would applications be in this analogy? Let's make the applications be cities in this analogy. The car has to go to a given city to do a certain task, and it has to move around in the city to get the task done. When you are working in a word processor, writing a letter, you have to go through various menus to change fonts, format the text, save the document, and print. In our analogy, we would drive our car to a typeface store, and get our typefaces, go across town to a formatting store, go to the bank to store our work in a safe deposit box, and go to a printer to have it printed out.

I think you can start to see how much work, and how important an operating system is. But now let's get to the root of our problem. When we go into a city, imagine if we could only buy one brand of gasoline. Imagine if we were required to use that brand of gasoline to perform our tasks in that city, even if we had found a different brand of gasoline that we like better, or gives us better gas mileage, or produces less emissions, or for any other reason, we like a different gasoline. This is where the problem lies.

For anyone to be able to go to Microsoft Office City, or Wordperfect Suite Metropolis,

or any other major city, consumers either have to drain their gas tanks of their chosen gasoline and buy gas from Microsoft, or have two tanks, one for Microsoft gas. This totally eliminates consumer choice. Would this be legal in society if it were not in the computer realm? I don't think so. If the "gasoline" were blended a certain way to limit pollution, I can see it happening. However, the gasoline would not be from just one company. Instead, all gasoline companies would blend their fuel to this required standard. Hopefully you now understand the underlying problem, and I would like to proceed with my ideas to create a solution. The very first part of the solution is to provide for the standard that the "gasoline companies" can blend their fuel to. For this, I would suggest that Microsoft provide full documentation of the API (Application Programming Interface) for all of their operating systems, including the "undocumented" APIs which Microsoft keeps to itself for Microsoft-written applications. This should be available to anyone who asks for it, so that operating system programmers (such as Linux, FreeBSD, BeOS, etc) can write an extended API, which will then allow any application that was written for Windows to be run on any operating system. This would allow consumers freedom of choice for operating systems (free to choose the "gasoline" they want to use).

An additional measure beyond this solution would be to have various programmers get together and devise a "standardized" API. Basically, coming up with a completely new API which would take advantage of the choice of operating system capability. Perhaps creating an API which, when installing the application, the installer would convert the application for the best performance with whichever OS it is installed under.

Second, there should be nothing in any contracts or programming that prevents the use of other operating systems, such as in a dual-boot setup. Microsoft has had contracts with its dealers that stated that a non-Microsoft operating system could not be installed to dual-boot with a Microsoft operating system, when the computer was sold to a customer. Finally, I would like to comment on the file system and file formats. The file system is the underlying structure that dictates how files are stored on the hard drive. Think of it as how your file folders are arranged and labeled in your file cabinet. This information should be provided to computer developers so that one operating system can read files from another operating system's drive. File formats deal with Microsoft Office, not the operating system itself. However, if consumers choose not to go to Microsoft Office City, they should be able to read documents created there, especially if it is claimed to be a "standard file format". Older file formats are readily available for computer programmers to write translators, but the newest file formats coming out of Microsoft are not. The information regarding the file format either needs to be provided so that other document-handling applications can read these new file formats, or these file formats should not be allowed to be called "standard".

I hope this letter has provided useful insight to help with your decision. Again, I would like to say that I am not against Microsoft, but rather I would prefer if everyone was on a level playing field, and Microsoft can compete equally next to other operating systems, rather than Microsoft having the tools to keep vital information away from other operating system programmers, preventing competition. If Microsoft was in the position of having to actually compete for its share of the computer operating system market, I think you would find that innovation, stability, and user-friendliness would come much more quickly to consumers.

Thank you for providing me the opportunity to post my comments on this subject. For the sake of the future of the Computer and Information Age, I hope you make the right decision.

Scott Lagaly

**MTC-00023887**

From: Danny Delos Santos  
 To: with a subject of "Microsoft Settlement"  
 Date: 1/25/02 1:12am  
 Subject: Microsoft Settlement  
 The proposed settlement is a bad idea.

**MTC-00023888**

From: Nancy  
 To: Microsoft ATR  
 Date: 1/25/02 1:13am  
 Subject: Microsoft settlement

I feel that the proposed settlement with Microsoft is very bad and a sure way for the company to gain yet another monopoly area "notch" on their gun. Please rethink this! Do NOT allow this settlement to proceed!

Nancy Godfrey  
 Las Vegas, NV

**MTC-00023889**

From: webmaster@polish-pope.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 1:11am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Bill Donohue  
 423 42nd St.  
 Richmond, CA 94805

**MTC-00023890**

From: Michael Sweetman  
 To: Microsoft ATR

Date: 1/25/02 1:15am

Subject: Proposed Microsoft Settlement

Dear Sirs,

I wish to voice a couple of concerns I have about the proposed settlement of the Microsoft Antitrust Case. I have a number of concerns about Microsoft's conduct in the past and I am very concerned about the direction the company's business practices are taking.

I was, and still am, a frequent user of Microsoft's spreadsheet program Excel. The program release Excel 97, was a remarkable piece of work for it's time, and is still an impressive program. However, subsequent releases of the program have included only marginal improvements. This is can be evidenced from Microsoft's publicly expressed concerns that the pace of upgrades for the Office Suite is slowing. Microsoft's proposed solution to this problem is subscription licensing, in other words, you pay for upgrades, whether they improve the software or not. Any other company would have their sales associates laughed out of business with tactics like this. However, the Microsoft Office format has become a de facto standard, and no business can afford to be without it. I am very concerned the pace of innovation with this product will slow even further, even as the cost of the software rises. My next concern is with Microsoft's refusal to institute a volume licensing scheme for home users. I have a large family, and I it is near necessity for every child from middle school on to have their own computer for their school work. To achieve this, I have either purchased, or salvaged 5 low grade Pentium computers. However, these machines did not come with an operating system. Includingsales tax, a legal install of windows on these machines would cost over \$1000. This price has no reasonablecorrelationto the use that these machines rreceive Therefore I found it necessary to use the Linux operating system for these machines. However, this is not a viable aalternativefor families that do not have a resident engineer, as Linux requires a great deal more technical proficiency. I believe that this practice has kept used computers from becoming a low cost alternative to a new computer for many low income families.

Finally, I want to express my absolute outrage over the OEM volume licensing agreements. Excel is the ONLY Microsoft product that I use. However, since Microsoft refuses to port it Linux, I also must have a copy of windows. However, now that I have this, I have no more desire to purchase a computer with Windows. It is however, impossible to purchase an Intel compatible PC without Windows pre loaded from any major manufacturer. This leaves me with no alternative, but to build my own system. I am forced to deal with poor quality, short warranties, and poor service in order to buy a computer without paying Microsoft's exorbitant licensing fee. It's not much I'm asking for, just the choice to buy Dell, for instance, with Linux; but Microsoft has precluded this. For all the talk of their freedom to innovate, my freedom to chose, and to contribute to the fastest growing alternative operating system is severely curtailed.

In closing, I urge you to take strong action against Microsoft, in order to restore competitiveness to the computer marketplace. I realize that breaking up the company is probably an impractical solution, but that doesn't matter, because a better alternative exists anyway. That lies is Microsoft's vast collection of intellectual property. The purpose of IP protection is to ensure that a wide variety of artist and scientific works become commercially available. Protection of Microsoft's IP is at this point is having the opposite effect. I believe that forcing Microsoft to disclose selected portions of their source code for various programs will have the effect of causing viable and inter operable alternatives to Microsoft products to come to the marketplace.

Sincerely,  
Michael Sweetman

**MTC-00023891**

From: dalewsr@quixnet.net@inetgw

To: Microsoft ATR

Date: 1/25/02 1:15am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Dale Weckbacher 4116 N. 72nd Drive  
Phoenix, AZ 85033-3151

**MTC-00023892**

From: Cerrise W

To: Microsoft ATR

Date: 1/25/02 1:18am January 25, 2002 To

whom it may concern at the Department of Justice,

I am opposed to the proposed settlement in the Microsoft antitrust trial. I am a victim (as are you) of shameless abuse by the Microsoft corporation. If I do something that is against the law, I will be punished. This deterrent is the foundation of our justice system. If I live in some parts of the country, and I break the law (any law) three times, I will go to prison. There can be no exceptions.

I do not expect to have more liberty than anyone else in this country. I also do not support any judgement in which the judicial system awards one person or entity more liberty than any other person or entity. This is discrimination.

With the Proposed Final Judgement in this case, you will be making the following statement true: "I (a citizen of the United

States of America) do not own or operate a powerful monopoly, therefore I would be punished for breaking the law, even though the owners and administrators of a powerful monopoly can knowingly and gratuitously disregard the law and not only escape punishment, but actually profit from their many and brutal crimes." Note: I feel that invading my privacy for the purposes of exploitation; actively denying me or anyone the opportunity to compete economically—enforcing a monopoly; and interfering with my constitutional rights in any way, are brutal and unforgivable crimes, which should be severely punished. Please do not discriminate against me by approving the Proposed Final Judgement; which lacks any punishment whatsoever for undeniably heinous and illegal acts by the Microsoft corporation.

I (and every other citizen of the U.S.) have been exploited and abused by the Microsoft corporation, therefore I ask that you do more than shake your finger at them. They are undeniably guilty of very serious crimes against the American people. They are responsible for what amounts to information terrorism. Please do not encourage them to do it again and ruthlessly, by not punishing them.

If you approve the Proposed Final Judgement; you will be giving away my rights to a corporation, in the interest of money. I will be appalled, ashamed, and even afraid to live in a country where the law can be so blatantly ignored.

Sincerely,  
Cerrise Weiblen  
Freelance XA  
1559 Taft Court  
Louisville, CO 80027

**MTC-00023893**

From: Kevin Waller

To: Microsoft ATR

Date: 1/25/02 1:18am

Subject: Microsoft Settlement

Renata B. Hesse Antitrust Division U.S.  
Department of Justice 601 D Street NW Suite  
1200 Washington, DC 20530-0001

Dear Mrs. Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kevin Waller  
76 Eddiceton Circle South S.E.  
Meadville, MS 39653

**MTC-00023894**

From: Doug Schafer

To: Microsoft ATR  
Date: 1/25/02 1:11am  
Subject: Microsoft Settlement

I am strongly opposed to the proposed settlement. It does not take into account Microsoft's past avoidance of the intent of the consent decree. It should be assumed Microsoft will act in bad faith as they have in the past. If this assumption is made, the proposed settlement easily allows Microsoft to continue monopolistic practices that will cause long-term damage to this country. To allow free-market forces to reign, Microsoft cannot be allowed to turn what is currently a public resource (the internet) into its private tool. This would be akin to a company subtly modifying all the on and off ramps of the federal highway system so that only company-approved vehicles could use them. Competitors must be able to interoperate with, and replace components of, Microsoft operating systems. This requires that the government prevent Microsoft from blocking this access via legal or technical means. The proposed final judgement falls far short of this.

Sincerely,  
Doug Schafer <pfj@schafers.com>  
5720 Ridgebrook Drive  
Agoura Hills, CA 91301  
818.444.2356

**MTC-00023895**

From: SMLohry@attglobal.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:18am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Dr. & Mrs. Raun Lohry  
25637 K-22  
Merrill, IA 51038

**MTC-00023896**

From: Karen Corbitt  
To: Microsoft ATR  
Date: 1/25/02 1:22am  
Subject: Microsoft Settlement

Thank you for allowing public input on the Microsoft Settlement.

As a consumer, I appreciate the balance America maintains between innovation and illegal monopoly efforts. With both elements in place, the our standard of living and economy has greatly increased. It is important that the legal safeguards are

followed, but that they do not interfere with or cripple companies that promote innovation. If litigation is allowed to hamper legitimate efforts that experience success in the marketplace, we will soon be a nation without advances in many fields.

I believe that the Microsoft Case has already hurt consumers, crushed the stock market, and hampered innovation of both Microsoft and its competitors. It is time to settle the grievances and encourage growth in a struggling economy. —

Karen Corbitt, karen@try.to

**MTC-00023897**

From: Deborah Alexander  
To: Microsoft ATR  
Date: 1/25/02 1:21am  
Subject: comments on emasculating anti-trust suits

When Microsoft Word shut down my entire computer in the spring of 2000, and corrupted—almost beyond retrievability—my Master's thesis—I rejoiced that the far-superior WordPerfect might NOT be put out of business by the Microsoft monopoly, if only the DOJ might prevail Now, the \*new\* DOJ is suggesting a "punishment" of placing this software with huge numbers of K-12 kids? That is like giving (bad) drugs away for free. I note that \*during\* settlement negotiations, Microsoft shipped out a Windows XP product that will shut down users' \*entire\* machines—and all other applications—if the Microsoft goes without activation beyond a set date I also note that \*since\* the DOJ "settlement", Microsoft has (1) had the audacity to refuse FBI requests to Email notice of security problems in its software \*found\* not by Microsoft but by an independent watchdog; and (2) now admits that it suppressed information on a legal brief by failing to disclose lobbying of Congress in connection with your anti-trust suit.

Why are these wealthy monopolists continually hiding information and thumbing their collective noses at our administration—without any apparent consequences?

As a law student at Rutgers, I am looking forward to seeing an ultimate anti-trust victory by the states which bravely refused to be co-opted into DOJ's settlement.

I hope you will make the right decisions for a \*true\* capitalist democracy and prove those pundits wrong who point to the proposed DOJ settlement as proof that Microsoft campaign money bought the same level of power in this administration as had Enron...

This is your opportunity prove us wrong, and avoid making a desperately bad settlement even more embarrassing.

Sinceley,  
Deborah Alexander  
75 Hillcrest Road  
Warren, NJ 07059

**MTC-00023898**

From: jbrady@klune.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:20am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC  
20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jack Brady  
3400 Cortez St.  
West Covina, CA 91791

**MTC-00023899**

From: James Puckett  
To: Microsoft ATR  
Date: 1/25/02 1:25am  
Subject: Microsoft Settlement

Dear Sir or Madame,

Please do NOT move forward with the proposed Microsoft antitrust settlement. In its current form, the settlement proposed by the Department of Justice will do little to break Microsoft's monopoly. By only restricting Microsoft's behavior toward other commercial entities, you restrict Microsoft's behavior toward a group of companies it has already conquered and will have little trouble continuing to dominate. Open Source and Free software are the only real competition that Microsoft has left in this world; and because that work is non profit, developers of said software will receive no protection in your proposed settlement. Given free reign to attack Open-Source and Free software, Microsoft will flex all the muscle it can to destroy products like Apache, Samba, Linux, and anything else that Steve Ballmer and Bill Gates feel threatens their company's monopoly. You MUST move to an alternate remedy. First, Microsoft should be split, just as judge Jackson recommended, so that the Office and Windows monopolies can no longer be used to strongarm users, vendors, and OEMs toward both products. Second, Microsoft most open the workings of their APIs and networking protocols so that they cannot constantly work to shut out others in such simple areas as file sharing and network domains.

Please do not sell out the future of computing, the internet, and who knows what else to Microsoft. Microsoft's guilt and arrogance are obvious in this case, and if a real punishment is not issued, the Microsoft monopoly will only get worse, and will be abused even more. America needs you. Stop Microsoft now. Thank you.

Sincerely,  
James Puckett  
12010 Waterside View Drive  
Apartment 34  
Reston, VA 20194

**MTC-00023900**

From: Rochkman@kai.net@inetgw

To: Microsoft ATR  
 Date: 1/25/02 1:22am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200 Washington, DC  
 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
 Sincerely,  
 Bob Kubera  
 PO Box 868  
 Millinocket, ME 04462

**MTC-00023901**

From: john campisi  
 To: Microsoft ATR  
 Date: 1/25/02 1:26am  
 Subject: Microsoft Antitrust

There is an opportunity at this juncture to demonstrate that the Laws of the Land are enforced and fairly applied regardless of monetary or political clout. There has been a determination of violation of the antitrust statutes by Microsoft. A remedy must be imposed that is significant and serves to correct the market imbalance caused by the violation. Due to the advanced stage of market domination achieved through monopolistic practices, it is imperative that remedies must be focused on opening and leveling the playing field. Such remedies must be continuing and monitored for effectiveness and should not be restricted to one time financial penalties (no matter how large). It is clear that a meaningful remedy will have similar aspects as affirmative action. Effectively, it is necessary for Microsoft to be put at a disadvantage to its competitors until sufficient balance in the market is achieved for open and fair competition to succeed. Aspects to consider include:

1. Limitation of the practice of the bundling of software with hardware purchases to allow consumer choice without incurring cost penalties.
2. Ensuring that the details of the structure of the Microsoft operating system and industry standard application file structure is made available to all application developers to equal extent.
3. Requiring Microsoft to provide application programming interfaces to its operating system for use by application developers of all types.

**MTC-00023902**

From: kwent@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 1:23am

Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200 Washington, DC  
 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
 Sincerely,  
 Keith Schacher  
 6795 S.W. King Blvd.  
 Beaverton, OR 97008-5323

**MTC-00023903**

From: Jonathan Lupa  
 To: Microsoft ATR  
 Date: 1/25/02 1:40am  
 Subject: Voicing opposition to the current MS settlement.

As a professional win32 software developer, there are many aspects of the settlement that I find troubling not least of which is the fact that the government is entering into a conciliatory agreement with a proven monopolist who has committed crimes and flaunted previous consent agreements.

To save both our time, I will mention just one of my many grievances which is that without a structural change in the management of API vs. Application layer within the windows operating system, any remedy found by the agreement will only be temporary as it leaves open the door to further abuse of their monopoly position to price and engineer competition out of the win32 product market.

I apologise for not entering a technical breakdown of the reasoning I used to reach this conclusion, but in the short time you have to review these letters, I doubt you will find the time to check everyones logic. I wish you the best in your endeavours on this project.

Respectfully,  
 Jonathan Lupa  
 Senior Win32 Developer  
 Creative Solutions Inc. —  
 jllupa@jamdata.net

**MTC-00023904**

From: Jon V. Reuter  
 To: Microsoft ATR  
 Date: 1/25/02 1:28am  
 Subject: Microsoft Settlement

To the United State Department of Justice:  
 I would like to comment (via the Tunney Act) on the proposed settlement in the Microsoft antitrust case. I am strongly opposed to the proposed settlement as it does absolutely nothing to address Microsoft's violations of antitrust laws—it only prohibits

them from abusing these laws in the future, and even that is questionable. If an organization engages in illegal activity, benefits from this activity and then receives as a "punishment" instructions that they can no longer engage in illegal activity, they have still benefited without any consequences. This is not justice—not for the victims of their abuses and not for the public which the U.S. Department of Justice should be representing.

Microsoft has been clearly found guilty of abusing their monopoly. Monopolies, and the lack of competition that they produce, stifle innovation and result in lower quality products. The public now suffers the consequences of this as they have no choice in desktop software, are forced to upgrade and are stuck with whatever products Microsoft produces (along with their inherent quality and security issues). At the same time, Microsoft has had no incentive to address quality and security issues because they have a lock on the market.

For the benefit of the public, I encourage you to rework the proposed settlement for a more fitting punishment for Microsoft's violation of U.S. antitrust laws and for a more fair desktop software market.

Technology works well when independent standards are created, clearly defined and strictly followed. Every vendor has an equal opportunity to follow and implement the standards with their best effort. When this happens, the public can decide for themselves which product they like best and this results in a healthy assortment of products and companies to choose from. This philosophy has worked well in many areas of technology, particularly in hardware, where we have seen an abundance of healthy competition and increasingly better and less expensive products. Unfortunately this has not worked well in the software industry, but there is no reason that it couldn't. While establishing software standards is arguably more complicated and more involved, many successful independent standards have been developed. The database Structured Query Language (SQL) is a good example. If I want to build a database, I have many database vendors to choose from that all follow the SQL standard. I can even change vendors at a later time and still have the interoperability I require.

To this end I would like to recommend the following (at a minimum):

1. Microsoft should be required to publicly disclose all APIs, protocols and file formats. These should be available to ANYONE—NOT just parties with a justified business case. The documentation of all Microsoft APIs, protocols and file formats should be carried out by an independent, overseeing party (not Microsoft), as to ensure quality and accurate documentation. This measure would create a more fair market place by opening up competition to implement interoperable products in desktop software.

2. Microsoft should be penalized for any independent standards that they alter. Microsoft has often altered standards for their own benefit and for extending their monopoly. For any standard Microsoft alters or does not adhere to, they should be required to correct for full compliance.



3. Microsoft should also be required to release their source code for any products that they no longer support. Consumers should not be forced to upgrade their software any time Microsoft releases new products, but that is typically what happens. Having source code available for any products that Microsoft no longer supports will give the consumer a more fair choice about the decision to upgrade.

4. Finally, Microsoft should not be allowed to dictate what gets bundled with their operating systems. This is exactly what they use to extend their monopoly, making the market place unfair and putting other companies out of business. As part of their punishment for violating U.S. anti-trust laws, everything they decide to bundle with their operating system should be scrutinized and approved by an independent governing body.

I would appreciate your consideration of my comments.

Thank you,  
Jon Reuter  
Consulting Engineer

**MTC-00023905**

From: tim@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:28am  
Subject: US v Microsoft comment  
Sirs;

Microsoft has a long history of deception and unethical and illegal methods in the pursuit of corporate profits. Unfortunately it is long past time that the Federal government take substantial action against their actions.

Off the top of my head:

—Tactics used against Netscape, specifically, bundling Internet Explorer in the base operating system and giving it away. Microsoft subsequently lied saying it could not be removed.

—Microsoft struck a licensing deal with Spyglass [NCSA] for the Mosaic code which was reborn as Internet Explorer. The deal was a percentage for each copy of IE sold. Microsoft then bundled Internet Explorer with the operating system and so never paid any royalties.

—Forcing computer hardware vendors to install and pay for their operating system on every computer shipped using their licensing agreements as leverage. This cost is still passed on to the consumer even if the consumer does not want Microsoft's operating system. This same tactic was used to force hardware vendors to remove Netscape from their installation software bundles.

—Windows 98 online registration would send Microsoft a unique hardware-based composite ID for the registrant's machine, which could then be used to track that machine online. The registration program would send the ID to Microsoft even if the registrant declined.

—Microsoft's .NET architecture give them unannounced access to every computer running their operating system. This should raise an immediate concern over privacy and security issues given Microsoft's history and nature. Does the Federal government use Microsoft operating systems? After all this Microsoft proposes to give away it's software to schools as restitution for past antitrust

[and other] actions thus spreading their monopoly to school children. This would be the .NET architecture.

I sincerely hope my government is not duped in to becoming the next victim of Microsoft's corporate rape and plunder mentality.

Regards,  
Timothy D. Moore

I have:

—been in the software engineering business since 1980  
—owned personal computers since the IBM-PC days  
—bought Microsoft products prior to their transition to illegal and unethical company  
—worked for companies like Digital Equipment Corporation and Sun Microsystems  
—started my own company in Silicon Valley I do not and will not use any Microsoft products or services.  
408.249.9859—650.224.7437c

**MTC-00023906**

From: Marpoo@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:27am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
marylyn Ohlmann 148 King Ave East  
Dundee, IL 60118-1504

**MTC-00023907**

From: Warren TenBrook  
To: Microsoft ATR  
Date: 1/25/02 1:31am  
Subject: Microsoft Settlement

I am writing to express my disapproval with the proposed settlement between the US Department of Justice and Microsoft Corporation. I encourage the Court reject this settlement proposal.

Among the settlement's many flaws, I particularly disapprove of terms which do not control Microsoft's ability to enter into anticompetitive licensing agreements. For example, the settlement does not control Microsoft licensing terms that restrict OEM installation of competing operating system software where no Microsoft operating system is installed.

Thank you  
Warren TenBrook

<http://home.pacbell.net/tenbrook/>  
tenbrook@pacbell.net

**MTC-00023908**

From: Dave Neu  
To: Microsoft ATR  
Date: 1/25/02 1:33am  
Subject: Microsoft Settlement

I dislike the proposed settlement, and find it alarming on a number of points which are, I am certain, well documented in Dan Kegel's open comments letter.

Thanks for your time.

Dave Neu

It is tempting, when the only tool you have is a hammer, to treat everything as if it were a nail.

Abraham Maslow

**MTC-00023909**

From: Niki Kovacs  
To: Microsoft ATR  
Date: 1/25/02 1:33am  
Subject: Microsoft Settlement

Dear Sirs,

I'm an Austrian Citizen living in Montpellier / South France, and working part-time as a webdesigner. I want to briefly express my opinion about Microsoft and the Anti-Trust Settlement. I'll be brief: I truly think the commercial brutality of Microsoft is only equalled by the bad quality of their products. To give you an example from everyday life, I've been designing websites for two years now, and I've been forced to spend more time behind my PC than in front of it, due to a very badly designed Operating System. But everytime you go to a computer shop, they can only give you advice on Microsoft Products, and nothing else.

Imagine American Citizens (no: everybody on earth!) would only be allowed to buy a Trabant for a car (that's an east-german brand, a very badly designed car).

Unfortunately, everytime a car retailer wants to sell a new brand of cars (say: a Chrysler, or a Renault), the Trabant trust comes in and forces him to buy their wrecks. Now you know how I feel about Microsoft. Personal remark: I'm currently studying Linux, taking an intensive two-month-course. After only two weeks, my enthusiasm about this goes far beyond my expectations. Because for the first time, my PC actually \*works\* without crashing.

In my not so humble opinion, the world would be a better place without Microsoft products, at least for programmers. But in the meantime, it would be nice to allow some place for the concurrents who build much better operating systems.

Regards,  
Niki Kovacs

**MTC-00023910**

From: Denny  
To: Microsoft ATR  
Date: 1/25/02 1:34am  
Subject: Microsoft Settlement

The proposed settlement is bad idea.

**MTC-00023911**

From: Steve Benninghoff  
To: Microsoft ATR  
Date: 1/25/02 1:38am  
Subject: Microsoft Settlement

Dear Judge (or more likely the poor clerks who must read e-mail all day), I write to express my concern that the government would, after all the work of winning the court battle, not just drop the ball in terms of a remedy, but effectively play into Microsoft's hands by extending their monopoly into one of the few niches where there still is a competitor. There is no doubt the use of the donated software would lead to an increase in MS market share in the poorer school districts, and once they have established that position, those new poor districts will be their customers for life—they would not have the money to switch if they chose to. No good. It really is astonishing to think how far all the dependence upon Microsoft has been allowed to go—for the great majority of people, in all walks of life, their really is little choice. And given how incredibly important computers have become to the country and economy, this is just a bad, bad idea. And there is simply no question that MS has done everything in its power—and that is a lot of power—to directly prevent there ever becoming another player in their game. While the DOJ can't single-handedly fix this massive problem for the security and economic viability of the country, it can make sure there is some opportunity for the situation to right itself by normal market forces. That can't happen when, at every single opportunity, MS plays as dirty a pool as it can to keep other players out of the game. Please, please come up with a remedy that will force them to compete fairly—this is far more important than people realize, from strategic, economic, and national interest perspectives—and by all means don't play right into their hands by letting them supply second-rate equipment and their software to train the poorer districts that Microsoft will control their world—courtesy of an anti-trust remedy!

Thank you sincerely for the work and the effort so far, and all the best wishes in your continued endeavors,

Steven T. Benninghoff  
Interim Director of Technical  
Communication  
Case Western Reserve University

**MTC-00023912**

From: McKenney  
To: Microsoft ATR  
Date: 1/25/02 1:39am  
Subject: Microsoft Settlement  
Tera McKenney

**MTC-00023913**

From: V.Popov  
To: Microsoft ATR  
Date: 1/25/02 1:41am  
Subject: Microsoft Settlement  
the proposed settlement is bad idea  
V.Popov mailto:popov@ukrpost.net

**MTC-00023914**

From: Richard Moore  
To: Microsoft ATR  
Date: 1/25/02 1:43am  
Subject: Microsoft Settlement

I am writing to express my concerns about the proposed settlement in the Microsoft case.

It surprises me that a violator is being given the opportunity to negotiate a

settlement when a conviction has already been reached. What do the people get in return for this agreement? Almost any judge would be certain to impose a much more effective remedy. The proposed settlement appears to be driven by politics, rather than by a desire to correct a bad situation. The fact is, the settlement contains no "teeth". We had the consent decree several years ago, but it solved nothing. Microsoft continued its usual business practices, and even further extended its monopoly during this time. Under the proposed settlement, we can expect more of the same. Microsoft extends its monopoly by keeping its APIs and file formats secret, subverting standardization efforts in the computer industry. Microsoft should be required to publish this information for each of its software products (operating systems especially) prior to the release of the product. This should be applied retroactively to require the immediate release of such documentation for all current products. Going further, it would also be effective to require publication of source code for each operating system under an open source license, after some fixed interval (such as a year) following the release of the operating system. Also, any effective solution must put an end to the OEM pricing deals that Microsoft makes, which it uses to ensure that practically every PC sold includes a Microsoft operating system license, whether the buyer wants to use Microsoft software or not. I hope the Dept. of Justice will reconsider this settlement and insist on one that will actually produce a more level business and technology playing field.

Sincerely,  
Richard Moore  
3 Thornwood  
Irvine, CA 92604

**MTC-00023915**

From: Stennis  
To: Microsoft ATR  
Date: 1/25/02 1:43am  
Subject: Microsoft Settlement  
To Whom It May Concern:

I would like to express my support of the Microsoft Settlement that has been proposed. It is past time that this fiasco be put behind us. While I feel there was very little merit in the original suit, it is best that we do that which is necessary to remove this cloud and move forward. There is no doubt that all of this has contributed to the Nation's economic troubles and will continue to do so until it is resolved.

I am not a computer expert but we do have two computers which we use on a daily basis. On both of these computers we use Netscape. I hold a Ph.D. in economics so I have a little understanding of the economics involved. Netscape's and Sun's problem was that they had inferior products. While I use Netscape, it has many problems. It is not a matter Netscape sales because it tends to be a free good to anyone that will use it—they make their money on all of the ads they flood one with. In our department we used Sun work stations but with the event of more powerful PC's, we found that the job could be done with less expensive hardware and without complication of using Unix. The free

market provides that those who can provide a product most efficiently will prosper and those who cannot compete will move on to other enterprises. What we are saying now is that we will penalize those do the job best and protect inferior products which cannot compete on a level playing field.

I should note that one part of the settlement I disagree with is the limitation of Microsoft's ability to include Explorer with their operating system. A consumer should have the right to receive a product which has all of the features that he/she might want to use. One does not have to use Microsoft's features—I could still use Netscape if I desired. But I do object to a court denying me the right to receive that which would be offered. I would like to be able to walk into the store and purchase a product which provided all of the features I might need. Any vendor should have the right to provide the same thing but they should not have the right to prevent someone else from doing so. Look at this way. When I go in to purchase a car, I do not expect to receive a frame and a body and to be told that I must go to other vendors to get my engine, my tires, my radio, etc. In summary, let us get this behind us. The Justice Department and the self serving parties who filed this suit have done enough damage to the economy, consumers, and the Microsoft.

Sincerely,  
Earl A. Stennis  
117 Little John Lane  
Starkville, MS 39759  
662 323 7809

**MTC-00023916**

From: David Anfinrud  
To: Microsoft ATR  
Date: 1/25/02 1:45am  
Subject: Microsoft Settlement

I feel that this case is unjust. Innovation is being hurt by these litigations. It appears that people just want to take all of Microsoft's war chest that allows it to continue to innovate even more. What will happen if we have no Microsoft. Will innovation continue. Microsoft has been a leading edge in the last few years.

I was a Netscape user I paid for my copy of Netscape in spite of the free Internet explorer. I supported the company I respected. Until they provided a poor product during several upgrades. Each time I loaded the latest and greatest it had even more problems than the previous product. When that took place the third time I stopped using it. A company has to earn my money. They need to innovate. I had so many crashes and problems with Netscape I said enough is enough. No matter how good they said they were if it doesn't work it is not worth having or paying for. It was the innovation and the improvements that made the difference not the cost. I want something that works not something that was hit and miss.

I have used a large number of Word Processors in my time. I was a big fan of Word Perfect but again innovation started to disappear from the product. I also owned the complete Word Perfect Suite. I paid for a quality product. At that time Word Perfect was the innovator that Microsoft had to compete against. In the early years no one

could touch Word Perfect Office. Now I can't compare the two. Microsoft has developed a better Office suite. Now Microsoft Office meets my needs. Word Perfect is still dear to my heart but again innovation is what has won out. I will stay with a company only so long. Today it is Microsoft Office. Tomorrow who knows but it had better be a better product than what Microsoft has developed. Innovation again wins out. It was the way the companies see about developing their products. Yes Microsoft was aggressive but is it not true in any business. You find where you are lacking and improve the weakness and innovate.

Today Microsoft is the Leader. They are looking ahead. While the competition should be improving their own products they spend money and political favors to try to prevent the next series of innovations from taking place. Is it the interest of the public to prevent a better product from being developed because those who don't want to innovate feel they are being cheated? Are we to provide poor quality items instead of excellent ones? Where is the public interest in that? What is happening behind the scenes? I see congressman trying to destroy Microsoft in favor of companies in their own states.

I believe it is in the best interest to get this court case over with. Enough is enough. Resources that could provide a better product for

Microsoft Users is being hindered and given to lawyers. The only winners here are the lawyers, a few non innovating companies, and the states but not the public. Every one wants something. There are a number of companies out in the market who practice even worse monopoly powers. They just don't have the exposure. This case has hurt the Tech sector of the economy. It still provides a drag with no end in sight. In a middle of a recession and still the good of Microsoft and its present day accomplishments are demonized because of what happened years ago.

Sincerely yours,  
David A. Anfinrud  
234 243rd Ave SE  
Sammamish, WA 98074

#### MTC-00023917

From: Ron the Golfer  
To: Microsoft ATR, Backman Ron  
Date: 1/25/02 1:39am  
Subject: Microsoft Settlement

Since the dispute in question is between the US Government and Microsoft, a possible condition for settlement might be instruct all US Government, all its agencies and their associated contractors NOT to do business with Microsoft. I have worked for the US Navy for 37 years as an IT professional, and I assure you there are plenty of alternative software systems and applications in the marketplace to pick from to do our daily business. This NO Business clause would include all Microsoft operating systems, Network browsers, Enterprise e-mail servers, Office applications, drawing tools and database tools.

Simply deny Microsoft the business of the US Government! To implement this decision is rather simple. Modify Federal procurement

regulations directing all Contracting agencies and Contracting Officers to NOT do business with Microsoft and directing the same agencies to replace existing Microsoft products within a certain time period. (i.e. 18 months) The cost of this transition would be paid for by Microsoft as part of the penalty clause, thus costing the taxpayers nothing.

This response would punish Microsoft appropriately and reward companies like Apple, Netscape and Sun, who are viewed by the public as the victims. The message would be straight and clear. The US Federal Government will not do business with a "monopoly" in any way, shape or form. Our government is large enough to make a difference to the business income of Microsoft. At the same time, businesses that were the victims of these un-business like tactics would be rewarded by additional sales and support.

Ron Backman  
Chief Technology Officer  
FeelGoodGolf Learning Centers

#### MTC-00023918

From: John Mulhall  
To: Microsoft ATR, ArmComm@  
twcny.rr.com@inetgw  
Date: 1/25/02 1:43am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse Antitrust Division,  
U.S. Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms Hesse:

By way of introduction, my name is John A. Mulhall. I am a practicing pharmacist with Eckerd Drug in Syracuse, New York. As a taxpayer and consumer, I strongly support the proposed settlement with Microsoft in the government's long-standing Clinton-era antitrust lawsuit. So far, it has been estimated that the lawsuit has cost the American taxpayers more than \$35 million. What a waste of taxpayer dollars in this witch hunt! I urge you to put a stop to this travesty of justice NOW.

The way I see it, this lawsuit has been nothing more than a form of welfare for Netscape and other competitors of Microsoft, as well as a way for states to get "free" money. It has done absolutely nothing for those supposedly harmed by Microsoft, the computer users of this nation, and has greatly discouraged technological innovation. This is not "the American Way". At least not the America in my mind's eye. The waste of taxpayer dollars aside, I, for one, hold the United States government, and specifically the Department of Justice, responsible for crippling this premier high-tech cog in the nation's economy. Is this really an opportune time when we can afford to continue to harm the backbone of this country? Has not the DOJ suffered enough "black eyes"? Microsoft has already agreed to hide its Internet Explorer icon from the desktop. The proposed settlement is in the best interest of all involved:

—Microsoft: can continue to provide innovative software that integrates new products

—Competitors: can return to the creation of new products which can be incorporated or made compatible with Windows

—Consumers: can have more software choices —Investors: can have marketplace stability If the lawsuit is allowed to continue, the expenditures involved will be even more outrageous to the American taxpayer than they already are. The nine states and the District of Columbia still involved in the case have retained many high-priced lawyers intent on dragging this out for a very long time. They have issued twice as many requests for information, including frivolous subpoenas of non-involved third parties, during the remedy phase of the trial than the previous 19 states did in the entire liability phase.

It is high time to put an end to this abuse of hard-working American taxpayers. The economy is in dire need of a remedy to this situation. The proposed settlement is a fair one. I thank you in advance for your time and consideration in this very important matter. It is my hope that you and your staff can keep me up-to-date regarding the status of the settlement.

Sincerely Yours,  
John A. Mulhall, RPH  
7 Evergreen Lane  
Cazenovia, New York 13035  
(315)655-4859

#### MTC-00023919

From: stephen@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:48am  
Subject: US versus Microsoft

I would like to add my comments concerning the proposed settlement between the DOJ and states versus Microsoft. I very much feel that Microsoft is a monopoly that has abused its monopoly power. Microsoft has not found it sufficient to become a dominant player in the markets in which it works—rather it wants to completely control these markets. I think that you guys will have had heard many arguments that I could end up rehashing. So let me try a different tack. Like John Ashcroft, I am a Christian. I believe the Bible is the word of God. So let me attempt to argue from a Christian perspective.

I do not think that market forces are God given. In my limited understanding, many of our modern notions of capitalism derive from Adam Smith rather than from any religious ideas. Yet, many today act as though the current economic structure is "natural"—that the way in which businesses fight each other, using market forces to leverage their way to the top, is perfectly legitimate, and that somehow rules like the antitrust laws are simply artificial constraints designed to protect the weaker less able companies. In this view, it is perfectly legitimate to use all ones economic resources to destroy the work of another. But the economic structure in Old Testament Israel, described in Leviticus 25, was quite different. There were many similarities—there certainly was the concept of ownership—it was not communism. But there were also rules designed so that one person would not become completely economically dominant. In particular, every 50 years debts were cancelled. This meant that land would be restored back to the original family. This meant that indebtedness would not be passed from generation to generation. And most of all, it meant that one

person or family could not keep collecting and collecting more and more property and wealth so as to completely dominate everyone else. These laws were meant to control obsessive greed, and God promised severe retribution to those who would disobey or abuse these laws.

I believe that the antitrust laws are good and righteous laws. I believe that it is important both for the spiritual and economic health of the country that these laws be upheld. I very much believe that it is a blessing from God to receive wealth and prosperity, but also that it is wrong to pursue money to the expense of all else—"the love of money is the root of many evils."

I feel that if the Department of Justice fails to pursue the full provisions of the antitrust laws, that ultimately they will allow a bully to go unchecked. Those who have the power to help the weaker members of society will have stood by and let it happen. Those appointed by God to carry out justice will have defaulted upon their responsibilities.

Stephen Montgomery-Smith  
stephen@math.missouri.edu  
<http://www.math.missouri.edu/stephen>

#### MTC-00023920

From: Gary Lindgren  
To: Microsoft ATR  
Date: 1/25/02 1:45am  
Subject: Microsoft Settlement  
Clerk of the Court:

Please work with Department of Justice and the 9 States Attorney Generals that recommend settling this case. The settlement seems fair. The most important issue is that Microsoft be allowed to add whatever features they seem fit to have. Software developers always see new ways to make the product more useful and easier to use or more secure from hackers. This must continue. However, Microsoft must agree to the terms set down. I suggest:

1. Publish operating APIs on their web site within 6 months of settlement date.
2. Publish open pricing for operating system and other applications and not force penalties if PC builders add other software. The recent suit that AOL has brought against Microsoft is without merit. Netscape lost users because their product is not as good as Microsoft Internet Explorer. Netscape application is always available for download or can be received in the mail. I must receive at least a dozen copies of AOL CD-ROM a year.

Please let's get this case settled.  
Gary Lindgren  
585 Lincoln Ave  
Palo Alto CA 94301  
650-594-3846

#### MTC-00023921

From: John C. Stilin  
To: Microsoft ATR  
Date: 1/25/02 1:52am  
Subject: Microsoft Settlement

Now AOL Sues For Netscape? I seem to recall that the Netscape Navigator Browser could be downloaded free from the Netscape Web site and oh by the way they forced you to accept it with a home page default set to Netscape. Did anybody ever bother to check how many people paid for the free

browser per the Netscape agreement? How can Netscape claim harm when Microsoft priced their product Internet Explorer to equal that of Netscape? How do you undercut free? Just goes to prove if you can't compete in the high tech industry, forget personal accountability, blame somebody else and sue. It's the American way. Let's not waste more taxpayer dollars in this matter just because Netscape doesn't know how to run a business.

John C. Stilin  
johnstilin@msn.com  
17611 NE 110th Way  
Redmond WA 98052  
425.881.1632  
tel 425.881.6173  
fax 425.922.3435 cel

#### MTC-00023922

From: Codifex Maximus  
To: Microsoft ATR  
Date: 1/25/02 2:07am  
Subject: Microsoft Settlement  
To whom it may concern and:  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001,

I am concerned with the length of duration of the judgment as proposed in the Proposed Final Judgment against Microsoft. Microsoft has shown a contempt for consent decrees and judgments in the past and based on past experience will probably do so again.

I am alarmed at the impunity in which Microsoft acts in the information and technology spheres. It would seem to me that Microsoft is attempting to usurp the constitutional powers of the United States Government—is not disregarding the rule of law such an action? Should Microsoft not abide by a decree or judgment until it is overturned or nullified rather than continuing business as usual while the wheels of justice turn? To contain such activities, I've constructed an example of an alternative duration of Judgment. Bear in mind that I am not a lawyer.

#### // Duration of Final Judgment

This Final Judgment shall remain in force until Microsoft has been judged, by the tripartite oversight committee and the court of jurisdiction, to have maintained compliance with this document (final judgment document) for an initial 5 years and for 2 additional years for each adjudged infringement of the controls in this document. Each adjudged infringement of the controls in the Final Judgment document, by Microsoft or its entities, shall also have a financial penalty assessed. Such financial penalty is to be determined by a schedule of penalties determined by the tripartite committee and the court of jurisdiction. The penalties shall in no way deprive lawful entities under the jurisdiction of the United States of America of their civil right to suit.

I am a Citizen of the United States of America and I wish to remain in command of my rights and liberties as guaranteed under the Constitution and the Bill of Rights including all statutory and common law rights. I pray that the Department of Justice

will protect these rights by ensuring we have a free and competitive market in information as well as other technologies.

Sincerely,  
—  
Bennie Gravitt  
codifex@charter.net  
Phone: 817-946-2332

#### MTC-00023923

From: PEARLYGATES3@JUNO.COM@inetgw  
To: Microsoft ATR  
Date: 1/25/02 1:51am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
MARGARET GATES  
14090 SPRIGGS ROAD  
WOODBIDGE, VA 22193-3600

#### MTC-00023924

From: Todd C. Lawson  
To: Microsoft ATR  
Date: 1/25/02 1:57am  
Subject: Microsoft Settlement

I have used Microsoft products for years, but I have largely stopped since I've heard about the predatory practices that were brought to light in the anti-trust suit against them. The findings of fact against Microsoft were right on, and should be followed to their natural conclusion—a break up. One of the few key roles for government in the economy, after the printing of money, is the breakup of monopolies. Monopolies such as the one demonstrated by Microsoft not only stifle the marketplace, they injure consumers. As such, I stand firmly opposed to the settlement. Even if you disagree with me that the suit should not be continued, there is NO WAY Microsoft should be allowed to settle by putting its software out gratis to schools—a thinly veiled slap at one of the few markets it doesn't dominate, thanks to Apple Computer's efforts in education. Agreeing to this permits Microsoft to EXPAND their monopoly, and is not a middle ground safe for a settlement.

We now find ourselves in the midst of a re-assessment of what common business practices should be, in the post-Enron era. The predatory practices of Microsoft are more shameful than the corrupt practices of Enron, and MUST NOT STAND. Do NOT let them weasel out of it and broaden their monopoly in the process. You owe it to the market, the customers, the students and the taxpayers.

Todd C. Lawson  
311 West Glenrosa Avenue  
Phoenix, Arizona 85013

**MTC-00023925**

From: Steve Van Damme  
To: Microsoft ATR  
Date: 1/25/02 1:56am  
Subject: Microsoft Settlement

I'm outraged at the Department of Justice's settlement with Microsoft. I'm not an industry player, just a consumer. But I can smell a bad deal for the public when its that ripe.

How could you be so blind about the intentions of Microsoft when it offered to give away "a billion dollars worth" of its software and some old hardware to schools? Its obvious they are trying to make lemonade out of their loosing the court case by getting their products into schools unfairly where they are not exactly wholeheartedly embraced, and for good reason. Give schools, not Microsoft, the chance to choose what THE SCHOOLS think is best for them.

Make them give the billion in cash; make them EARN their share of school budgets. If you don't, you've either been paid off by Microsoft, or you've been suckered by them, and in my opinion, either way makes you much less respectable.

Steve Van Damme  
639 Whispering Hills Rd, #805  
Boone, NC 28607

**MTC-00023927**

From: Jerry Higdon  
To: Microsoft ATR  
Date: 1/25/02 1:53am  
Subject: Microsoft Settlement.

Dear Mr. Ashcroft:

I hope that the Justice Department will stick by the settlement it has reached with Microsoft. I feel it's a fair and just settlement and I hope that you urge the rest of the states who haven't yet settled to do so. Microsoft has been put through the ringer for long enough and it's high time to end this whole mess and let them get back to business. The settlement is reasonable enough not to hurt them to the point where they are forced to go out of business but is harsh enough to silence most of their critics. For example, Microsoft will have to share information about the internal workings of its Windows operating system, which will allow computer makers to more easily install non-Microsoft software on Windows-based machines. This is harsh, but it is still better than Microsoft being broken up into little pieces. The settlement will appease all interests in the Microsoft antitrust case. I support it, and hope to see it finalized soon. Thank you.

Sincerely,  
Jerry Higdon

**MTC-00023928**

From: vasily  
To: Microsoft ATR  
Date: 1/24/02 6:05pm  
Subject: Internet

Microsoft's doing it again; seems like it's trying to monopolize the net with .NET. Hopefully you'll get "em. (You wouldn't be in this mess if IBM didn't get a rejection from the CP/M guys in the 1970-80s.) sorry though; Anyway, good luck.

**MTC-00023929**

From: divinegigi@pop.earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 2:06am  
Subject: Microsoft Settlement

To whom it may concern:

I am writing to express my concerns regarding the proposed settlement between the United States Department of Justice and Microsoft Corporation regarding the finding of antitrust activities of Microsoft.

I am highly concerned that through the predatory actions of Microsoft, Microsoft products are the de facto standards for many areas of personal and business computing and office work. The barriers to competition raised by Microsoft through its intertwined operating system, network products, and Office Suite make it nearly impossible for any competitors to arise in these areas. I am personally quite disappointed in the quality of these Microsoft products, and would be quite willing to purchase alternatives if they existed. I believe that without remedy the situation with Microsoft dominance of whatever product lines they choose will become worse.

I believe that the present remedy proposed by the DOJ will do nothing to improve this situation, or curb Microsoft's predatory practices. In the interest of brevity, I will discuss the one remedy that I find most important. In an office environment, I find that the use of alternatives to Microsoft products, (Macintosh, Linux, or Office alternatives) is limited by the practical limitations of transferring data (email, documents, etc) from a Microsoft platform to a competitive platform. That is, for me to function in a modern office environment, any documents I send to others must open flawlessly by Microsoft products; any documents sent to me by Microsoft product users must be opened flawlessly by me. Since Microsoft keeps its data standards proprietary, it is nearly impossible to develop a 100% compatible alternative.

Through its practices, Microsoft now dictates the de facto standards for email, word processing, spreadsheets, and presentations. I would urge the DOJ to find a remedy that would force Microsoft to make their format an open standard, readily open to competitors to use. Microsoft would not be forced to turn over sensitive information to competitors on their products; rather, they would be compelled to enable functional competition within data formats that they have made as industry standards through their practices.

I am sensitive to Microsoft's claims that their know how in application software should be preserved. I am much more interested in enabling competitors to build programs that can compete with Microsoft by being compatible with Microsoft file formats. Data must not be captive to one company and format, but be transferable across different formats and systems. The DOJ has it in its power to enable this competition into the future. In any case, the current proposed settlement is horrible, so I do urge its rejection.

Sincerely,  
Paul Drzaic  
Morgan Hill, California

**MTC-00023930**

From: lorraine snyder  
To: Microsoft ATR  
Date: 1/25/02 2:05am  
Subject: Mi

Please settle this unjustified court case. I am a customer of Microsoft and many other software companies. I do not feel I was ever treated wrongly! Microsoft does not charge more than other software in the industry. Microsoft does not hurt Netscape or other companies. netscape sold for Billions. I do not see that as being injured by Microsoft. It is time for this country to help our economy by stopping hurting Microsoft! The problems with the economy started with microsoft being drug into court unjstly.

People stopped trusting the stock market. Now as things are beginning to turn around, The BIG MONOPOLY "AOL" is at it again! Suing Microsoft will not help the sagging economy!

PLEASE SETTLE THE MICROSOFT CASE and .....DO SOMETHING to STOP every one who DOES NOT WANT COMPETITION to SUE, SUE, SUE !!!!!!

Lorraine Snyder  
15018 SE Fairwood Blvd.  
Renton, Wa. 98058

**MTC-00023932**

From: George Helmke  
To: Microsoft ATR  
Date: 1/25/02 2:10am  
Subject: Microsoft Settlement

I am no legal expert, but it seems like letting Microsoft off easy is the lazy way out. They are in a position to do major damage to a healthy marketplace, and their reach extends more every year. They have acted illegally, and done so for years. That has been proven in court.

The U.S. government is the only body strong enough to create limits for a company as powerful as Microsoft. If it looks the other way just because Microsoft is big enough, and doesn't seem SO harmful, then an injustice has been done.

Please do what is RIGHT.  
Sincerely,  
George Helmke  
U.S. Citizen

**MTC-00023933**

From: dlshort@stargate.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 2:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the

most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David & Lisa Short  
4340 State Route 193  
Cherry Valley Township  
Dorset, OH 44032

**MTC-00023934**

From: dqunn1398@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 2:10am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Denis Quinn  
1578 11th Avenue  
San Francisco, CA 94122-3615

**MTC-00023935**

From: rewt@sover.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 2:12am  
Subject: Microsoft settlement comments

I have been involved in computers and software systems for more than 20 years—I derive pleasure and profit from my knowledge and understanding of the systems I use and support in my work.

I believe that the proposed settlement in the US vs Microsoft is a true failure of the government to understand the issues at hand. It is not simply an issue of monopoly powers at work within the market place; our very future is at risk because of this monopoly. Here are a couple of thoughts on how:

By wanting to control all media flow to "customers" via broadband internet connectivity and/or computer access to information, Microsoft will, in effect control the right to be heard in any forum or any non-face to face contact. The EULA (End user licence agreement) for one of their products, Front Page 2000 contains language forbidding users to express an opinion which shows or describes Microsoft in a negative way.

Our stock market and credit systems are suffering heavily after a decline in technology stocks; while this is normal and proper given the .com foolishness, Microsoft still represents a huge, single basket for many many too many eggs to be in.

The current conflict in Afghanistan is largely being won by knowledge much like the

gulf war was in 1991. By allowing a single entity (one which the government has proven to be guilty of breaking its promises of conduct.) control or at the very least "responsibility" for citizens access to information and for their voices to be heard seems very very wrong. Especially as Microsoft has outright bought testimonials from various technology press.

I believe a better solution or remedy should contain most if not all of the following actions: Splitting Microsoft into 3 or more companies; an OS, a services company and an application software company Preventing all non-OS companies any "inside" knowledge of the OS code unless the same agreement had been made with no fewer than 3 other companies Preventing the marketing or delivery of products which do not meet IETF/IEEE specifications for protocols which they utilize; end the embrace-and-extend(pervert) strategy which has led to so many competitors market place failures.

Limiting the number of media channels any single company could own; tv, cable, radio and major websites such as yahoo or msn.com as the FCC currently does with broadcast stations. End the practice of application preload with the OS (as would happen if the company were split.)

And, finally, as a last item, to require TRUTHFULL publishing of every API(application programming interface) and system fuction call with every licence of the OS sold (without additional cost to consumers) to facilitate AT LEAST application competition.

John Antram  
Cornwall, Vermont 05753

**MTC-00023936**

From: Richard E Wallis  
To: Microsoft ATR  
Date: 1/25/02 2:14am  
Subject: Microsoft settlement

To the Honorable John Ashcroft, Attorney General

Dear Sir:

I have recently received a solicitation from Microsoft encouraging me to ask you and the Justice Department to wrap up the ongoing litigation. Their stipulation is that Microsoft has gone above and beyond what the courts have asked for and continuing the litigation would only hamper Microsoft's ability to innovate; and invigorate the American economy. Unfortunately, I disagree.

I do not oppose Microsoft's efforts to do business and to provide consumers with software packages for their computers. What I do oppose is Microsoft's apparent efforts to thwart the consumer's right to choose. Any consumer should have the right to decide what kind of operating system, Internet browser, office suite and email application they use. By wrapping its software applications together Microsoft limits a consumer's ability put together a software suite that is most comfortable for them. Ultimately, the best scenario I can think of is for various computer system manufacturers to offer consumers choices of software packages. Choices in operating systems like Windows, Linux, or even Unix; choices in Internet browsers like Netscape, Internet Explorer. or Opera; choices in offices suites

like Coral's Word Perfect or Microsoft's Word; or even in games. In summary, I would like to encourage the Justice Department pursue its case against Microsoft. The settlement should provide that Microsoft uncouple its operating system and applications.

Sincerely,  
Richard E Wallis  
Honolulu, Hawaii

**MTC-00023937**

From: Lubo Diakov  
To: Microsoft ATR  
Date: 1/25/02 2:14am  
Subject: "Microsoft Settlement"

To whom it may concern:

I am writing this as a computer user who wishes to urge you to pursue any and all remedies permitted under the law to force Microsoft to do what is right. Their actions in the past have demonstrated to me (as undoubtedly they have to others as well) that they have little or no regard for ethics. Considering the restrictive and exclusionary contracts with both computer manufacturers and end-users which have come to light during the legal proceedings, the giving away of products at a loss to drive competitors into bankruptcy, the bullying, the pressure tactics, the incessant PR spin and advertisements which often amount to lies, I feel the most just remedy is to break Microsoft up. But I am a realist, and know that sadly this won't happen for practical and legal reasons.

Instead I propose you punish them with very stiff monetary fines, which can only be repaid with money that is given "no strings attached" to purchase any computer equipment (including if the plaintiffs wish all-non-Microsoft equipment) with no legal clauses or hidden conditions. Further I suggest you reject any offer to "give" "free" equipment, as undoubtedly you will receive Microsoft products, which is not only not a punishment, it is a "get out of jail free" card for Microsoft to expand its monopoly powers to arenas which they have less or no foothold in currently, such as education.

Please note that even as you sue them about practices in the computer industry, they continue to use the same (or worse) tactics to expand even further in to non-PC areas like PDAs (PocketPC), game consoles (XBox), Internet Access (MSN Broadband). Their non-PC rivals (Palm, Sony, AOL-Time Warner) will undoubtedly tell (probably years from now) a tale similar to that of their computer competitors—one of arm twisting and being driven out of business by the sheer ruthlessness and remorselessness of a corporation so convinced (myopically) that the world needs nothing but its products, that it does anything it can (often just this side of legal, and in many cases because a lot of laws don't cover the "information age") to prevail. The business equivalent of the Taliban—"fundamentalist monopolists".

You undoubtedly know plenty about Microsoft's violations of anti-trust law, but allow me to summarize by listing some of the entities it victimized, in most cases despite those entities having superior products to market before Microsoft.  
Sun Computers—Java  
Apple Computer—Macintosh

Real Networks—Real Audio and Video  
Apple Computer—Quicktime  
Linux—various distributors and VARs, and  
the open-source community worldwide

All these had products that dominated either because they were first in their fields, or because were actually good (or both). Microsoft dominates because it has the most money, and it can give things away until everyone else folds and then charge as much as they want. Is this what America (and the world) wants? I think not.

Finally I leave you with this tidbit, attributed to no other than Bill

Gates himself:

“Imagine the disincentive to software development if after months of work another company could come along and copy your work and market it under its own name...without legal restraints to such copying, companies like Apple could not afford to advance the state of the art.”—Bill Gates, 1983 (New York Times, 25 Sep 1983, p. F2)

#### **MTC-00023938**

From: Brent Casavant  
To: Microsoft ATR  
Date: 1/25/02 2:17am  
Subject: Microsoft Settlement

#### **MTC-00023938-0001**

Date: Friday, January 25, 2002

Submitted to the United States Department of Justice, in accordance with the public comment period provided by the Tunney Act, in regard to the case United States vs. Microsoft (Civil Action No. 98-1232 (CKK) Introduction

Comments upon the proposed Final Judgement in its whole

.....  
If there is one striking feature of this proposed Final Judgement, it is the lack of any form of punishment or restitution imposed upon Microsoft such that it forfeits the gains due to its anticompetitive practices. The remedies therein provide only for behavioral modification and oversight, but fail in any manner to deny Microsoft the fruits it has enjoyed from its illegal behavior.

While I do not propose a specific punishment, I believe it is in the interest of the United States, its citizens, and all commercial entities to discourage anticompetitive practices. Unless this proposed Final Judgement is significantly strengthened the provisions will serve as little more than a “slap on the wrist”. This sends a clear message to all monopolies that the law may be freely flouted and disregarded as long as legal proceedings can be sufficiently drawn out to firmly enthrone the monopoly in an unassailable market position. More importantly, this sends a clear message to Microsoft that it may do so again at any time it should so choose.

There is also a specific behavioral and punitive remedy which is notably lacking from the proposed Final Judgement which should be considered for inclusion. Microsoft has achieved large portions of its market dominance through “locking in” end users to its proprietary application (i.e. Word, Excel, Powerpoint) data file formats, and through making incompatible changes to such

formats, forcing end users into purchase of new application software to conduct business with other parties.

This could be remedied through either of two means: Require Microsoft to make available, in a timely manner, all information regarding application file formats necessary for third parties to develop software which is capable of interoperating with the Microsoft application software. Require Microsoft to implement, as the default and preferred option, file formats which are trivially reverse-engineered by third parties for the purpose of interoperability.

In either case Microsoft should be required to assign licenses to any intellectual property needed to properly implement software which can interoperate with the Microsoft application software. There is another area of general weakness in the proposed Final Judgement. Underlying the entire judgement is a presupposition that only for-profit commercial entities will enter into licensing agreements (either explicitly or through the purchase of Microsoft products and services). However, there is a large and increasing number of not-for-profit organizations which develop software (typically so-called “Open Source” software) which is distributed free of charge. Such organizations cannot in and of themselves wield the financial incentives necessary to cause Microsoft to provide them the documentation or intellectual property rights necessary to implement software which is interoperable with Microsoft products. While Microsoft certainly has a reasonable right to expect compensation for its efforts, research, development, and intellectual property, it is also clear that they will use their monopoly position to choke out any competition from these not-for-profit organizations. The proposed

#### **MTC-00023935-0002**

Final Judgement should be amended to provide for the release of information necessary for interoperability to these not-for-profit organizations. This is only one of the many ways in which amends can be made for the anticompetitive practices of Microsoft, and to take some small bite out of the fruits of their illegal behavior.

Comments upon specific provisions of the Proposed Final Judgement

#### ..... Section III.E

The terms of this section are inadequate to address harms and disadvantages already imposed upon third parties with regard to Communications Protocols. Microsoft has demonstrated with regularity that it will modify existing protocols, both those of its own design (i.e. the SMB protocol) and of other widely accepted protocols (i.e. the Kerberos protocol), with tenuous technical justification. While one cannot adequately judge Microsoft’s every intention in such matters, it is often clear that these decisions do little more than lock out competitors from interoperating with Microsoft products.

As such, the remedy in Section III.E should be amended to cover existing protocols for current Microsoft Windows Operating System Products.

This section remedy also fails to address the terms under which these Communication

Protocols must be made available to third parties. There is no provision that such disclosures must be made under reasonable or fair terms to the third party. This inadequacy should be addressed so as to prevent Microsoft from circumventing the spirit of this order by an action as simple as making the price of such information practically unobtainable for all but the largest of ISVs.

#### Sections III.H.1 and III.H.2

These provisions are inadequate to the extent that they do not stipulate that Microsoft must reasonably ensure the correct operation of the specific Windows Operating System Product after these actions are taken. This section should also restrict Microsoft from displaying alarming messages or languages which would serve to dissuade end users from utilizing Non-Microsoft Middleware Products.

Microsoft has demonstrated its willingness to deliberately compromise the stability of their own software products in order to discourage the use of third party software. This was demonstrated most clearly in the early 1990’s when they implemented checks for the DR-DOS operating environment in their Windows Operating System Products. In this case an alarming message was displayed to end users which served to discourage use of the DR-DOS product, and the Windows Operating System Product was (anecdotally) deliberately designed to interoperate poorly with the DR-DOS product.

#### Section III.H.3

There is little technical justification for the arbitrary limit of 14 days, after which Microsoft Operating System Products may automatically prompt the end user to confirm alteration of an OEM’s configuration. While it is certainly justifiable to allow the user to cause the Operating System Product to revert to a Microsoft-specified configuration, it is not reasonable to automatically ask the user to confirm or prohibit this reconfiguration.

As such, this provision should be amended as to prevent Microsoft from implementing a system which prompts the user to restore Microsoft-specified configurations, unless the end user has initiated a deliberate action to

#### **MTC-00023938-0003**

cause this to occur. That is to say, the end user should need to initiate the action which causes a Microsoft specified configuration to be restored.

#### Section III.H.2 (second set of numbered items)

This section allows a Windows Operating System Product to invoke a Microsoft Middleware Product in a case where the Non-Microsoft Middleware Product fails to implement certain technical requirements. This section should be amended to include language which prohibits the Windows Operating System Product from taking this action due to additional technical requirements imposed after release of the Non-Microsoft Middleware Product. That is, Microsoft must be prevented from requiring ISVs to update previously compliant (by the terms of this provision) products. This limitation, however, should not apply in the case of a major revision of the Windows Operating System Product.



## Section V.B

Microsoft has demonstrated a remarkable ability to delay and hinder legal proceeding against it. As such this provision should be amended to provide for an indefinite limited term extensions of the Final Judgement while any legal proceedings against Microsoft according to this provision are underway. Such an amendment should also provide that the Final Judgement will expire no earlier than one year after the date of termination of such proceedings, in order to further ensure compliance.

## Background and contact information

I am interested in this matter as a long-time technology enthusiast and worker. My formal education is in computer and electrical engineering, and my work experience and personal interests have given me a deep understanding of the technical merits and considerations involved in software development, particularly in the area of operating systems. I am currently in the employ of a major computer systems manufacturer and vendor, a competitor in some fields with Microsoft, with my engineering work focusing on operating system software development.

Brent Casarant  
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**MTC-00023939**

From: tjgleason@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 2:18am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Truman J Gleason Jr  
P O Box 2930  
Pahrump, NV 89041-2930

**MTC-00023940**

From: Clark Morgan  
To: Microsoft ATR  
Date: 1/25/02 2:22am  
Subject: Microsoft Settlement

Hello. I am an independent software engineer (i.e., contractor) who lives in

Hillsboro, Oregon. I wish to comment on the proposed Microsoft Settlement.

I believe that the potential effects of the proposed settlement can be easily judged by the responses from the monopolist (Microsoft) and its adversaries (the nation's computer software industry): Microsoft is delighted and the computer software industry thinks the settlement does nothing to rein in Microsoft's abuses. Conversely, the last time I recall that the United States successfully prosecuted a monopolist, the affected party (AT&T) bitterly complained about the proposed remedy. The fact that Microsoft thinks this settlement is wonderful should give the court pause, to ask a very simple question:

Is the court being played by Microsoft?

In my opinion, the answer is a definitive "Yes." In my opinion, if the court does not take decisive action to punish this company for its anticompetitive practices, then Microsoft will never again fear retribution for its actions. I hope the court will recall the long list of companies that Microsoft has crushed, including: WordPerfect (now Corel), Lotus, Novell, Apple, Stac, and Netscape. If nothing is done to hobble this monopolist, then once its "punishment" phase is over, Microsoft will never, ever again fear government intervention and/or regulation. After all, if a company gets convicted as a monopolist and walks away with a "delightful" settlement, what should it worry about in the future? Recall that when AT&T was broken up, the long distance market was opened to competition, which lowered long distance rates to extremely inexpensive rates. For example, I currently pay \$0.05/minute for long distance calls placed in the evenings and all day on weekends. If AT&T still held the monopoly for long distance, I —know— I would not have access to \$0.05/minute calls.

As things stand now, Microsoft is the AT&T of the software industry. Every new release of its Windows operating system is the same price: \$90-\$100 for an upgrade, \$225 for a complete release. Every new release of its office suite is the same price: \$200-\$225 for an upgrade, \$400 for a complete release. Where is the competition? There is none, which is the consequence of buying from a monopolist. The court has a chance to step in here and squelch this monopoly. Please don't let Microsoft dictate the terms of this settlement.

Respectfully,  
Clark O. Morgan  
346 NW Treglown Ct.  
Hillsboro, OR 97124  
(cmorgan@aracnet.com)

**MTC-00023941**

From: James M. Corey  
To: Microsoft ATR  
Date: 1/25/02 2:22am  
Subject: Microsoft settlement

**MTC-00023941-0001**

Hello. I'm an engineer currently working in the computer field. I received my Master's degree several years ago, and am now raising a family in Oregon.

Know that I have been following the adventures of Microsoft for over 15 years

now, and for the past 9 years I have been acutely aware of disturbing behavior evident in Microsoft's business practices. So I started to pay more attention to them, and what I saw I did not like. For the past 5 years now, I have avoided using their products, which is not an easy thing. I hardly need to go into detail about the damage they have done to technologically valuable initiatives such as the Java portability initiative, the world-wide-web connectivity initiative, and now the public-interest software initiative (by which I am referring to the recent trend toward volunteer software projects by and for computer users, under the open source licensing agreement that Microsoft has begun to lobby against). The trouble they have caused for hundreds of specific competitors, large and small, pales in comparison to the damage and stunted growth they have caused to the industry in general, and thus, to the populace. I think we can agree that for all its shortcomings, computer technology has brought many benefits to the modern world. I take seriously the threat posed by Microsoft to our national information infrastructure, and also the harm they have done to the progress of the computer industry in general. I take offense at their attempts to lay claim to the modest progress that has been made, in many cases despite their own efforts.

You might think it odd to hear these comments from an employee of Intel, a company seen as "co-conspirator" of Microsoft, at least in the eyes of the PC consumer. Intel is a company that seeks to be selected by consumers as a matter of choice, and indeed the consumers currently have several choices in this regard. Intel has expressed interest in the availability of similar choices in PC operating systems, such as with their interest in NeXT and their interest (and investment) in RedHat.

However, these software ventures can not succeed in the current Microsoft-controlled climate. So, Intel is stuck with Microsoft at the helm. In fact, there is now a strong atmosphere of fear within the "troops" at Intel regarding internal departure from Microsoft products, as though Microsoft has the resources and inclination to chastise us. I can only hope that such is not the case. However, apparently Microsoft has expressed disapproval on several occasions regarding Intel projects that don't fit in with Microsoft's plans, resulting in lost opportunities for Intel. I ask you, if such large companies as Intel, IBM, and HP are frightened by Microsoft, where does that leave the consumer? Unfortunately, the public assumes our complicity is voluntary, but the truth is, it has not been entirely voluntary, nor has it been very conducive to progress. Thus our reputation suffers indirectly, by association.

But I seem to be beating a dead horse. By my understanding, the crimes of, and harm caused by, Microsoft have been established. The issue is apparently what response to provide. I read about the dismissal of Judge Jackson with some distaste, but not nearly as much as when I heard the new proposed penalty of giving Microsoft software to primary schools. As the PENALTY? This seemed like a joke in very poor taste. The idea could only have come from Microsoft. It is hard for me to understand how they



could be so lucky in escaping justice. It seemed almost as if they were being rewarded rather than punished. Something is very wrong with the way these events have been developing.

So I had my doubts when I went to review the proposed final judgment at <http://www.usdoj.gov/atr/cases/f9400/9495.htm>, but I am glad to see it seems to contain some restrictions. Unfortunately, it doesn't seem restrictive enough to be effective. Microsoft has

#### MTC-00023941-0002

continually acted in flagrant violation of the law; they obviously think it is their right to act as they have acted. If they are not dissuaded more effectively, two things will result. First of all, I fear others will conclude that no one including the United States government can stand up to Microsoft and their lawyers, which will lead others to fear Microsoft even more than they already do. Secondly, it will continue a dangerous precedent of tolerance, of which other large organizations may take note.

I notice that the protections afforded by the judgment are heavily slanted toward middle-ware, which seems like an unnecessary distinction. Microsoft has described web browsers as an intermediate platform and API for software applications to run on, thus falling broadly under the category of middle-ware, but this is heavily colored by their fear of how quickly a combination of Java and a web browser could erode customers' dependence on their own products. Yet, the main purpose of a web browser is simply to provide a multimedia, hypertext interface to information on the web. A viewer with one-way interaction, not an operating system. Nor any kind of middle-ware, unless you consider a document viewer to be middle-ware, as it is with a Microsoft Word virus. There has been, and continues to be, a need for safe web browsers which limit the damage that can be caused to the user's computer simply by viewing a document on the web. In typical fashion, Microsoft ignores this simple need of the consumer in favor of their own selfish need to usurp control of the web viewer (and eventually web server) industry and prevent it from threatening their customer lock-in. Consider, though, that the result is the same as for many other important types of software in which they have taken an interest. Movie software, for instance, is their current target. Soon, they will take over that market and control it as they have so many others.

If for some reason they should find it convenient to portray it as middle-ware, then their new operating systems would suddenly have an increased emphasis on 3D, animated interaction, thus making the multimedia layer integral to the operating system, and the computer software universe will warp to their will. But I digress. The middle-ware distinction is arbitrary.

Even so, if the protection must be limited to middle-ware, the restrictions are so specific regarding which product and which scenario, that they will soon be outdated and ineffective. Here are some specific points I came across:

\*. III in general, is much too kind in its careful elaboration of exactly which

scenarios Microsoft isn't allowed to retaliate in. It should instead have simply barred Microsoft from retaliating against business partners for any business choices they make, by mandating a fixed price, and prohibiting the practice of selectively distributing copies of their operating system as though the supply were limited. There was no mention of this latter practice, as far as I know. III.H.1 is clearly addressed to one symptom of the squeeze-out behavior. I fear that after so much worrying over one particular tactic used by Microsoft, that they will simply emphasize other tactics or invent new ones. The basic behavior of misusing their advantage must be addressed, as well as these particular methods they have come to rely on. The exceptions to III.H would appear necessary only from the viewpoint that wishes to preserve the advantage of Microsoft middle-ware over non-Microsoft middle-ware. The second exception, in particular, is so open-ended and convenient for Microsoft, that I suspect it will undo even the limited protection which III.H is meant to afford.

\*. IV.B.10 and parts of IV.C.3 suggest a very limited disclosure of Microsoft's dealings with the compliance enforcers (i.e. TC). Taken together, the picture is that of a company whose run-ins with the law are kept private. Of course this has the advantage

#### MTC-00023941-0003

of limiting impact to Microsoft's public image, but this is also a disadvantage. By keeping such things private, an aspiring developer, or even a consumer, is kept in the dark about dangerous situations that may be quite relevant to their own involvement with Microsoft. Also I see no reason why only officers and directors should be briefed regarding the TC. Shouldn't all Microsoft employees be aware of the arrangement? It sounds so secretive. If there is some other reason for such details, please forgive my ignorance.

\*. IV.B.8.b.i is illustrative of the surplus care which has been taken to avoid impacting Microsoft. In effect if the TC wishes to talk to an employee, it will likely be categorized as an interview, notice will have to be served to Microsoft, and the employee will almost certainly be accompanied by a Microsoft lawyer. Although I wouldn't dare to suggest that anyone at the company would ever lie, on the record or off, I have to wonder what kind of incriminating evidence one would expect to gain from such a conference. From a theoretical point of view, I have some trouble imagining how the employee's career could legally be defended from taking a wrong turn if information were disclosed.

\*. VI.N.ii—Limiting protection of non-MS middle-ware to those with one million copies distributed during the previous year seems to imply that only large, well-established players will be protected. New ventures must then fight an uphill battle. Unfair.

\*. V. The extension clause doesn't help much. Of course, 5 years is a long time, but not long enough. Now, if one has to get court consensus to extend by a year, I presume that the usual delay tactics could push the decision itself past one year anyway. I would have thought that if the TC had to lift one finger against Microsoft, that alone should be

grounds for another 5 year extension, with no limit. I suppose the interest is in figuring out how Microsoft will circumvent the measures in the short term, which may well be the most pertinent question. These are examples of the things that worry me when I read the judgment. I haven't the expertise to analyze the document in great detail, and that is to be expected. So I leave you with my impressions as a citizen. The proposed final judgment seems to have a lot more language granting loopholes and exceptions to Microsoft, than it contains restraints upon them. Having read this document, I fear that it is not strong enough to stop Microsoft's criminal behavior. I am dissatisfied with the judgment, even to the point that I felt slightly ill when I first read it. People are joking that Microsoft has gotten off pretty easy, and it does indeed look that way. I think Microsoft has had too much input into the proposed final judgment.

If you want my recommendation, focus on the fact that Microsoft's lock on the market, and its power over competitors, rests fundamentally on its control of standards. The only way I know of to wrest that control from them is to let an independent party, perhaps a government laboratory, to write the standards and make them publicly available for all developers and companies to work with. That would provide a positive and healthy result from this massive embroilment. This should be done regardless of whether Microsoft is to escape direct penalization.

As a prologue, after writing the above, I checked on the web for other opinions on the settlement, and it appears that I naively missed many deeper problems. In order that my correspondence not be unduly influenced, I have not rewritten it, but the situation is worse than I realized. As worded, the judgment may even work in Microsoft's favor, rather than merely failing to curtail. Please, do not let this travesty continue unchecked.

James M. Corey

#### MTC-00023941-0004

jmcorey@ptdcs2.intel.com  
Intel, Ronler Acres Campus (Oregon)

#### MTC-00023942

From: David Stoddard  
To: Microsoft ATR  
Date: 1/25/02 2:21am  
Subject: Microsoft antitrust case

As a graphic designer and a college teacher I deal with web page production on a regular basis. It is my experience that Microsoft's web browser Internet Explorer has default settings which are designed to force designers to depend on Microsoft products for web page development.

By setting the default size of html text to a large size Microsoft insures that text will appear too large and therefore may cause some designs which depend on sliced images in tables to have gaps or otherwise be distorted. To compensate for this designers may have to reduce the size of type to such a small size that it becomes difficult to read on other browsers. This effectively makes it difficult to design for any browser but Explorer and makes using non Microsoft

development tools require extra steps. Since the other development tools are often more intuitive to use than the Microsoft tools, not going through the extra steps requires designers to use less effective products.

Undermining the standard in order to control the market seems to be Microsoft's main method for success. The strategy seems to be irritation over innovation. This is such a bad practice. Internet Explorer is a great product. So, I can't tell if it is greed or paranoia that motivates Microsoft to attempt to control all aspects of the web where software is concerned.

Practices such as this should be regulated or punished. Unfortunately, no one is in a position to punish Microsoft in the market place. It would be good if government would do its job. If corporations could be trusted to do the right thing we would not need government. I think we need to see something better than a slap on the wrist or rewarding Microsoft by giving them a sure method of getting their products into schools without competition. How does this change things for the better?

David Stoddard  
a concerned citizen

**MTC-00023943**

From: Ethan Larson  
To: Microsoft ATR  
Date: 1/25/02 2:22am  
Subject: Microsoft Settlement

Microsoft is a proven monopoly. Its illegal practices are a detriment to innovation. Microsoft's continuance as a monopoly, which the current settlement has assured, will be a hindrance to the market, not an aid.

Sincerely,  
Ethan Larson

**MTC-00023944**

From: L. C. Rees  
To: Microsoft ATR  
Date: 1/25/02 2:28am  
Subject: Microsoft Settlement

I oppose the Proposed Final Judgment in United States v. Microsoft. The PFJ is a pardon, yet no sentence has been given. Pardons follow sentences, correcting injustice, yet Microsoft has suffered no injustice. The Findings of Fact say Microsoft committed a crime, yet, in the PFJ, we see no sentence, we see no punishment, we barely see crime. The crime is there. No pardon, no "settlement", can wipe it clean. Microsoft's crime is treason.

It calls convenience at the price of security "adding ease of use to their products". I call it giving aid and comfort to the enemies of the United States.

It calls hiding security holes from its customers "keeping critical information in the hands of responsible parties". I call it adhering to the enemies of the United States.

It calls selling products so porous they beg to be breached "enhancing shareholder value". I call it levying war upon the United States. Is the gunmaker responsible for its gun's crimes? The gunmaker can be excused: a gun is designed to kill. Software is not but crimes committed with software can be greater; guns can kill people, software can kill nations.

Microsoft bears greater guilt than the gunmaker. Its crime stems not from

conscious design but from conscious neglect, making it more explicit and more damning.

Microsoft is a clear and present danger to the United States of America. Through its neglect of security, compounded by bottomless arrogance, Microsoft has left this country vulnerable to those who would destroy it.

It has committed treason in spirit if not in fact. Victory is not a crime. Victory rotting the nation's foundations is. Microsoft's victory left behind a brittle software ecosystem with gaping holes. The price of total victory is total vulnerability. The software infrastructure of our government and business lies open to all comers. Enemies of democracy are ever active. Their hold over the minds of their followers gives them greater focus in the short run than democracies.

Democracies win in the long run but in the short they lack focus. The United States slumbers happily, free from history; our blessing, our curse. In the past we had time to react. That time is over. The world is ever smaller, ever faster. The margin for error is gone. We cannot see every threat. We cannot attack every shadow. We must eventually man the defenses and just wait.

The terrorist has total initiative, the gift of his madness; he can choose his point of attack. It helps if the walls deterring his attack aren't labeled "Kick Me".

Microsoft's self-declared jihad is "ease of use". Ease of use is a freedom, true. In a networked world, however, the road to hell is not only paved but greased with this sort of good intention. The freedoms of a standalone machine are different than those of a machine tethered to the world. Microsoft is oblivious to this. They act as if every machine is an island unto itself.

Defenders of Microsoft quote Ben Franklin's dictum that "He who gives up a little freedom for greater security will get neither freedom or security". Freedom to be raped because Microsoft dropped your trousers is no freedom at all. You must be secure before you can appreciate ease of use. Microsoft's ease of use is synonymous with aid and comfort, aid and comfort to the enemy. No dancing paper clip will save you when the gates are breached.

It's said Sparta needed no walls because its virtue protected it. In truth, Sparta's streets and houses grew so twisted over the years that they were impenetrable. Perhaps Microsoft products with their tortuous mazes of accumulated source code are like Sparta. Perhaps this confusion is our best defense against invasion. It wouldn't be Microsoft's virtue.

If you're native to the maze, stuck with it, it helps to know where you can defend your native city. Microsoft has denied that knowledge. They condescendingly tell you that they will guard the city while you go about your business. With their track record, would you trust them?

Microsoft has cast its lot with the enemies of democracy. Openness is a key ingredient of democracy. Microsoft abhors openness. Too much knowledge is dangerous for you, it tells its customers. We will protect you. Trust us. In their heart, Microsoft is adhering to the enemies of the United States, with

their doctrines of "We Know Best".

Microsoft's greatest treason is its war on choice. By destroying choice, they have left us vulnerable to attack. As the only choice for many needs, many Americans are locked into Microsoft's products with their Swiss cheese defenses, including critical portions of our defense infrastructure.

Microsoft's unyielding war on its competition has become war on the United States. In burning their enemies, Microsoft burned down the forest. Those left behind can only shiver in the cold of a suddenly wide open world.

Choices do remain. Microsoft's incessant manipulations of the market so warped its fabric that no commercial competitors survive. The only opposition is a social movement, open source software, that can't be crushed with tactics available to private corporations. Its products are free. Countries at the periphery, with less reliance on Microsoft products, will adopt and adapt them and move ahead less cost. American organizations, reliant on Microsoft, will be left behind, with costs to our national competitiveness as well as our national defense.

Microsoft will fail. Its best competitors are free. In the end, you can't beat free. But we can spare our country the cost of going down with Microsoft's losing rearguard action by easing the transition to cheaper, more secure software. The roads to adapting to the Microsoft-free world of the future are closed. Government action at this point can open them, allowing organizations who wish to adapt to new technologies the freedom to change. The ability to change is our greatest strength. Microsoft threatens that. Treason should be suppressed. Microsoft should be required to put security over convenience, be it theirs or the consumers, open their code so that the holes can be exposed and fixed in the light of day, and they should be forced to ship products that don't leave us vulnerable to foreign threats.

If every Microsoft shareholder has to lose one hundred dollars for every illgotten dollar Microsoft made, such are the wages of sin. But the future of this nation should not be held hostage to a criminal private corporation. Microsoft is not the fulfillment of the American dream, it is its negation.

Lynn C. Rees  
Salt Lake City, UT  
January 24, 2002

**MTC-00023945**

From: Moe  
To: Microsoft ATR  
Date: 1/25/02 2:27am  
Subject: Microsoft Settlement

As computer users, my wife, Grace, and I seriously urge you to reject the Microsoft settlement. From the many reports we have read, we believe that the proposed settlement is primarily aimed at extending Microsoft's stranglehold on the computer market to our very significant detriment, and to the detriment of all computer users. We cannot buy a computer without paying a fee, through the vendor, to Microsoft, even though we prefer to use another operating system.

We note in passing that Microsoft has confused the whole browser issue by using

the term EXPLORER for two very different blocks of software. The plain MICROSOFT EXPLORER is essentially a block of software that provides for calling up various other programs. The MICROSOFT INTERNET EXPLORER is the browser that they bundle in with the operating system. Two very different sets of functions whose names appear to be deliberately chosen to confuse the courts about the separability of the browser function from the operating system.

It is this kind of double dealing that has changed us from being Microsoft supporters into users of anything BUT Microsoft products.

Moe Aitel & Grace Aitel  
3126 West Ox Road  
Herndon VA 20171-1908  
<moel@his.com>

**MTC-00023946**

From: Phil Stracchino  
To: Microsoft ATR  
Date: 1/25/02 2:29am  
Subject: Microsoft Settlement

To whom it may concern:

As a computer user and tech industry worker thoroughly familiar with Microsoft's business practices, I am highly dissatisfied with the Justice Department's proposed remedy in the Microsoft anti-trust case. The proposed settlement amounts to nothing more than another consent decree of the kind that Microsoft has brazenly and openly flouted in the past, and having Microsoft heavily represented on the board in charge of policing its own compliance is, indeed, putting the fox in charge of the henhouse. Microsoft's business and coding practices have stifled, not fostered, innovation and competition in the industry. Microsoft wouldn't know innovation if it stumbled across it in a bowl of breakfast cereal. The legacy of Microsoft is a nationwide business infrastructure that never saw a virus it didn't like, that can be hacked into by an industrial thief, an Islamic terrorist, or a bored teenager with equal ease. Recent attacks made possible by Microsoft's appallingly cavalier disregard of security, including the Nimda and Code Red worms, have cost American businesses billions of dollars in lost revenues and repair costs. Meanwhile, Microsoft ruthlessly crushes its competitors and shamelessly steals product ideas it likes the sound of, relying upon its vast financial resources to stall any lawsuit until the theft victim runs out of money. The proposed remedy in this case will allow it to continue doing so with impunity.

My understanding is that most of the state Attorney Generals involved in the Microsoft suit have rejected the Justice Department settlement proposal, and are seeking independent action. I am told that even career officials at the Justice Department, who had pursued the case since the beginning, displayed their apparent displeasure with the agreement by not signing it. So many dissenters, so highly placed, probably have a point. Perhaps someone should pay attention to it before it's too late. Microsoft is, in considerable part, behind many of the problems facing the tech sector today, and this politically-motivated proposed settlement says to innovators in the

tech sector that the government doesn't care, that Microsoft can do as it pleases so long as it has more money than those it wrongs. This is not the message that this administration should be sending.

The tech sector economy is grim enough already. Don't make it worse by giving Microsoft carte blanche to loot and pillage at will.

Phil Stracchino  
Tracy, California  
Former tech sector worker, jobless since 8/31/2001

Fight Back! It may not be just YOUR life at risk.

phil stracchino  
alaric@babcom.com  
halmayne@sourceforge.net

**MTC-00023947**

From: steve ray  
To: Microsoft ATR  
Date: 1/25/02 2:32am  
Subject: citizen's opinions

To whom it may concern:

I see Microst as an unfair competitor in the economy, and a still growing monopoly. This fine government has the power to regulate them. I beg of you, please do.

Stephen Ray  
1905 Abernathy Rd.  
Lynnville TN 38472 —

**MTC-00023948**

From: Dim-skies  
To: Microsoft ATR  
Date: 1/25/02 2:34am  
Subject: aol vs. microsoft

Dears Sirs,

I think the AOL lawsuit is just another attempt to bleed a successful business, when you can't compete. I feel that a monopoly is when the consumer has nowhere else to turn. If I don't like my cable, or phone company, where do I go? Granted, other OS's aren't as pervasive, but they are available. That is hardly the same as "not available".

AOL paid big money for a loser, and now they want help. What has happened to America? This is just another shameful example running to the Government for help for everything, including stupidity.

Sincerely,  
Tom Wong  
Port Orchard, WA 98366

**MTC-00023949**

From: Mark Moeller  
To: Microsoft ATR  
Date: 1/25/02 2:39am  
Subject: Microsoft Settlement

Dear Judge Kollar-Kotally,

Microsoft has clearly acted in its own best interests at the expense of other businesses and the public. And while their crimes have been well recognized by the technology and courts for years, they have managed to continue to benefit while playing tricks with the legal system and stalling for time. Enough is enough.

The damage must stop. I strongly support the following statements. The PFJ SHOULD terminate Microsoft's illegal monopoly. The PFJ SHOULD deny to Microsoft the profits of its past behavior and penalize them. The PFJ SHOULD prevent any future anticompetitive activity.

Regards,  
Mark F. Moeller  
2108 California Street  
San Francisco, CA 94115

**MTC-00023950**

From: Mike Graham  
To: Microsoft ATR  
Date: 1/25/02 2:41am  
Subject: allowing a Microsoft monopoly

To allow Microsoft to do exactly as they please will have profound, negative effects on the Internet, and on computing in general.

Microsoft can, and will, stifle competition in more and more spheres of Information Technology, just as they have done with the web browser market. Their current aim is not just application or OS competition, it is control over the Internet. With their ".net" project, they clearly wish to create an environment where one must use their kind of browser, and their OS, to access as many sites as they are able to influence. MSN and their affiliates are the first case—but by manipulating the web browser, OS and .net environments, Microsoft will try to make the World Wide Web as inhospitable a place as possible for anyone not 100% compliant.

There are precedents: in the period 1997–1998, one had to use IE to access Microsoft's gaming site. Until mid-2001, one had to use IE to download 128-bit encryption strength NT service packs—which IT and Tech Support types must do quite often. Also, given that IE is installed by default on Windows, that makes it that much easier to use, for example this e-mail is written in a Java window in IE.

The worst danger, in my view, of Microsoft monopolizing much of the Internet, is it will naturally stifle competition—Microsoft does not suffer competition to exist unless they are safely niche (such as Apple Computer). Other firms doing Internet ventures may not be able to develop or adapt as quickly, as they will have to work around whatever Microsoft wants to do—just as exists now in the desktop application industry. Consider the day when Cisco may have to develop around Microsoft's strategy.

The Internet was built by people passionate about quality product for its own sake, people like Jon Postel. I see the Internet becoming stagnant in the near decade, that which was the economic engine of the 90's and is now a cornerstone of prosperity worldwide.

Please reach a restrictive conclusion in the current Microsoft anti-trust case, ideally breaking up the monopoly. Otherwise, the corporation may become more powerful, more insidious, more corruptive than anyone now cares to imagine.

Thank you,  
Mike Graham  
registered Independent, Santa Clara County CA

**MTC-00023951**

From: gaslgs@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 2:40am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Grace Stewart

5312 Bethany Way

Lakeland, FL 33810-1827

**MTC-00023952**

From: J. Lucha

To: Microsoft ATR

Date: 1/25/02 2:54am

Subject: Microsoft Settlement

I was in complete shock and outrage when I first read the Proposed Final Judgment. I've been a computer programmer for the last six years, and have been a computer hobbyist for more than twenty.

I have used virtually every type of computer software and hardware during those years from Microsoft and its competitors. Unlike the general public, I have first hand experience with most of the products that Microsoft has destroyed over the years through anti-competitive practices. In many cases, the competitors product was superior. There is no doubt in my mind that Microsoft has held the computing industry back more than ten years. Our world will never know what could have been achieved had the computing world not been crippled. The settlement fails to provide the remedy needed for a healthy, productive and competitive technological industry.

In fact, it may be argued by many that the settlement actually strengthens Microsoft's monopoly and allow them to bully those that compete with them.

Here are just a few of the many points where the Proposed Final Judgment fails:

1. First and foremost, the settlement does not address Microsoft's ill-gotten gains. Microsoft is allowed to keep billions of dollars acquired illegally. How many convicted thieves are allowed to keep their stolen goods?

2. The three person technical panel created by the settlement has some glaring problems. The first problem is Microsoft gets to select one member of the panel, who in turn has a say as to who the third member is. Sounds like Microsoft basically controls the panel. The second problem is that the panel members are not allowed to disclose any information to the public. If Microsoft is in any violation, the public will not know.

3. No punishment for the executives of Microsoft that knowingly and willingly led their company into law breaking actions. A strong message must be sent to businesses that unlawful and unethical behavior will not

be tolerated. Without such a deterrent, business are encouraged to act in whatever means will lead to their greatest profits. The burden then lies upon the victims. I do not want my tax dollars constantly spent correcting wrongs that might not have occurred if the proper deterrents were in place.

4. While the API's used to communicate with the operating system will be documented and released, it will only be done for companies and business that Microsoft deems have a viable business. The Free Software movement has been acknowledged by Microsoft to be its biggest competition, yet they have publicly stated that businesses with a basis in Free Software don't have a viable business model. So, their toughest competition is excluded from the API's to begin with.

5. The duration of the restrictions is a mere 5 years, which is not a significant amount of time to reverse the detrimental damage caused by Microsoft. As a software developer myself, I can assure you it will take at least five years before a competitor can accumulate the necessary business infrastructure (funding, staff). It would probably take another five years before a useable product is developed. Also, if Microsoft is found to be in violation, there is no extension to the duration of the restrictions.

6. The settlement is full of loopholes for Microsoft to take advantage of. The main ones being the definitions defined in the Proposed Final Judgment such as API. I also find it alarming that the definitions have already been altered from the ones used in the "Findings of Facts". Microsoft has been found guilty in previous court hearings, and used the loopholes contained within those settlements to render them useless. What good will it have done to have spent so much taxpayer money, and have nothing to show for it. For examples of ways in which Microsoft may twist the meaning of the definitions to render them useless please read <http://www.os2hq.com/archives/arch46.htm>.

7. The settlement does not address the file formats used by Microsoft's Office programs. With each new version of Microsoft's office suite programs, they change the format of the documents created. This creates a barrier to entry for competing office software. It is also a means to force current customers in a never ending upgrade cycle, where they purchase the upgrade to be able to read the files sent to them by others, even though they themselves do not need the added features of the newer version.

A Final judgment that would be in the best interest of the consumer might include some of the following:

1. Microsoft would have to give a sum of at least \$5 billion in cash to the Free Software Foundation. One of the goals of the Free Software Foundation is to support the development of software that is a viable alternative to Microsoft's products. Microsoft has publicly acknowledged that Open Source is their most viable competitor. True competition can be brought about by helping fund the independent developers found in the Open Source community.

2. Microsoft would have to pay the legal expense of any business that brings a legal

case against Microsoft during the duration of the restrictions. This would prevent Microsoft's typical defense against competitor lawsuits: stalling. There are numerous cases that have never been brought against Microsoft because the company or individual didn't have the financial resources for the long, drawn out case that Microsoft's legal army executes.

3. All Microsoft executives and managers would have to enroll in a University business law and ethics class every year at the individuals expense for the duration of the settlement. They must attain a grade of at least a "B" or they must retake the course the following semester/quarter.

4. Any specification or API that must be known to offer a competing product must be well documented at least six months prior to Microsoft's release of the product. If the specification is changed, then the product released date must also be delayed.

5. Any contract between Microsoft and the major OEM's (Gateway, Compaq, Dell), ISV's (AOL, CompuServe), etc., must be approved by an independent panel.

6. If Microsoft is to bundle application software such as Internet Explorer with their operating system software, they must also include a competing product such as Netscape Communicator.

7. The true price of Microsoft's applications and operating systems must be listed as a line item when purchasing computers. Currently the costs of Microsoft's products are bundled into the hardware costs, and the consumer is unaware of the true price paid for the Microsoft product. If the price is listed, a consumer that feels it is too much, will inquire about alternatives.

If we set forth laws, and do nothing when those laws are broken, then there is no point to have our society. Microsoft has violated the law, but the Proposed Final Judgment does nothing but ask them not to violate them any more.

James Lucha

Programmer/Analyst

Moreno Valley, CA

E-Mail: [lucha@pe.net](mailto:lucha@pe.net)

**MTC-00023953**

From: DEUTCHM@aol.com@inetgw

To: Microsoft ATR

Date: 1/25/02 2:52am

Subject: Microsoft Settlement

Gentlemen:

I have resided on this planet for a series of decades. I have managed to live through the era of governmental regulation of monopolies such as railroads, steel, oil, airlines, telephones, and utilities. And I have seen the results. Competition unfettered by regulation works well, as Adam Smith predicted. But when the legal system enters the economic arena, it is a sore losers contest where only the legal profession benefits.

I have used and abused both browser systems, and like Beta-Max and V H S, one will survive...BUT LET IT BE THE CONSUMER, not the courts which determine this end. I have always had a distinct distaste for the mink in the duck pond which destroys purely for the sake of destruction. And that is the aim of AOL in this matter...Despicable at best.

Sincerely,  
Craig G. Pause  
&  
Trinidad Brown

Note: Our family does own shares in both corporations...I may dump AOL on ethical grounds alone.

**MTC-00023954**

From: Ronald Tomlinson  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/25/02 2:53am  
Subject: Microsoft Settlement  
Ronald Tomlinson  
317 Dicenzo Blvd.  
Marlboro, MA 01752  
January 25, 2002

Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Ronald Tomlinson

**MTC-00023955**

From: mcollins@wt6.usdoj.gov@inetgw  
To: Microsoft ATR  
Date: 1/25/02 2:58am  
Subject: Microsoft settlement

I am writing to express my concern regarding the settlement terms agreed to by Microsoft and the United States Department of Justice. It is my opinion that the settlement will do nothing to dissuade the leaders of company with a pathetic history of anti-competitive and illegal behavior from continuing in their ways, nor does it provide any relief for consumers who have seen every component associated with personal computers except the operating system improve in both value and reliability over the past twenty years. It is virtually impossible to buy or use a computer at this point in time without incurring costs directly related to Microsoft's dominating position in the industry, a position which has been found repeatedly to have been gained in part through illegal means.

Any effective remedy must at the very least fulfill these objectives: 1. It must prohibit Microsoft from further increasing its reach into other markets simply because it has gained control of the computing environment to an almost exclusive extent through illegal and anti-competitive means.

2. It must force Microsoft to allow true competition to be restored to the computing industry. This would include, but not necessarily be limited to, requiring Microsoft to abide by published standards and protocols and to publish its internal protocols and formats for utility software products (such as Word, Excel and other Microsoft Office packages), with substantial punishment specified for any infractions.

3. It must provide suitable punitive measures to discourage future illegal and anti-competitive actions. This is essential, I believe, not only to finally convince Microsoft of their obligation to compete fairly, but also to prevent other corporations from attempting to dominate using illegal and anti-competitive tactics as Microsoft has.

Any settlement terms which do not encompass the three objectives listed above would deeply affect my confidence in the government's willingness to ensure that our free market operates fairly for all. The settlement which the Department of Justice has approved does little to convince me that individuals unhindered by ethical standards cannot do business without regard for legal boundaries, provided they possess sufficient wealth to influence those elected to enforce the law.

Sincerely,  
Michael P. Collins  
1124 E. San Carlos Way  
Chandler, AZ 85249 —  
Michael\_P\_Collins@mailhost.org  
CC:Michael Collins

**MTC-00023956**

From: Jens\_Eike\_Jesau@eu.irco.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 3:00am  
Subject: Microsoft Settlement

I don't agree.  
Gruss/kind regards  
Jens Eike Jesau  
Product Design Engineer  
Torrington Ingersoll Rand  
jens\_eike\_jesau@ingersoll-rand.com  
http://www.torrington.com

**MTC-00023957**

From: rick  
To: Microsoft ATR  
Date: 1/25/02 3:02am  
Subject: Microsoft

To whom it may concern:  
I hope the government will see that because of Microsoft many companies are not around to offer input to this case, they were either bought or run out of business by the unethical business practices of Microsoft. It seems the pages of history that stuck with Mr Gaits were the antitrust laws, he seems to have used all of the things that required these laws to bring his company to where it is. Please send a message that smaller companies can exist without the fear of being put out of business by the likes of the Microsoft.

It is difficult to say how the "business" practices of Microsoft have changed the course of software and personal computers as we cannot turn the clock back and find the innovation that may have been lost.

Microsoft is not about innovation, only control, power, and money. The products that Microsoft has, were bought—not created. If you control the standard, there is no reason to progress. The major changes in there products have been in the area of controlling software theft, infringement on the privacy of the consumer that uses their products and promoting there own interest. (Such as blocking the products of other companies by controlling the OS to their own advantage).

I would also like to offer this comment I overheard at a computer trade show. An attendee commented on the T-shirts that the Microsoft employees were wearing at the show saying "those look just like the shirts worn by ??? company at the last show", the reply by the Microsoft employee was "We are Microsoft, we will steal anything." I include this as a comment on the mindset of Microsoft.

Netscape is still active, but as a part of a larger company, not the small innovative company that woke the wrath of the giant. They had a plan to be in business, to make money. They didn't have the means to compete with the bank account of Microsoft. Please send a message, and please don't let Microsoft choose how to compensate for its crime. Thank you RJ

**MTC-00023958**

From: martha szoke  
To: Microsoft ATR  
Date: 1/25/02 3:10am  
Subject: microsoft settlement

**MTC-00023958\_0001**

To whom it may concern,  
We support the Bush administration on the settlement of the microsoft dispute. In our opinion, Microsoft puts out an excellent product and all the monies being spent in litigation only hurts the taxpayers.

Thank you. Sincerely,  
Dennis and Martha Szoke  
MSN Photos is the easiest way to share and print your photos: Click Here

**MTC-00023958\_0002**

**MTC-00023959**  
From: EMARDGATE@AOL.COM@inetgw  
To: Microsoft ATR  
Date: 1/25/02 3:08am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the

future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
KATHLEEN EMARD  
405 W. SYCAMORE ST.  
ANAHEIM, CA 92805-2638

**MTC-00023960**

From: smccorkle@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 3:09am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sandra McCorkle  
2434 Apsis Ave  
San Jose, CA 95124

**MTC-00023961**

From: Matthew Coughlin  
To: Microsoft ATR  
Date: 1/25/02 3:15am  
Subject: Microsoft Settlement

**MTC-00023961-0001**

To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

As a software engineer and a US citizen, I wish to comment on the following aspects of the proposed Microsoft settlement:

Lack of a meaningful punishment

The settlement in the US v. Microsoft anti-trust trial lacks any form of meaningful punishment for Microsoft's past illegal behavior. There is no fine or structural remedy being imposed on Microsoft that discourages them or other companies from engaging in such activities.

The only clear penalty for non-compliance by Microsoft during the 5-year probationary period is an additional 2 years of probation. There are no obvious penalties for further non-compliance by Microsoft during the 5-year period or during the 2-year extension. This offers Microsoft no meaningful incentive to restrict or modify their future business practices.

IV.B.10. "No member of the TC [Technical Committee] shall make any public statements relating to the TC's activities."

IV.B.9. "Each TC member [...] shall sign a confidentiality agreement prohibiting disclosure of any information obtained in the course of performing his or her duties as a member of the TC [...] to anyone other than Microsoft, the Plaintiffs, or the Court." The Technical Committee (TC), designed to ensure that Microsoft complies with the behavioral restrictions during their 5- to 7-year probationary period, has a public gag order, preventing them from reporting any illegal business practices to the general public.

IV.B.3. "the Plaintiffs as a group and Microsoft shall each select one member of the TC, and those two members shall then select the third member" Microsoft chooses 1 of the 3 members of the Technical Committee, and the person they choose has a say in choosing 1 of the other 2, allowing Microsoft to control a majority of the Technical Committee. Why should Microsoft be allowed to have a say in even a single member of a Technical Committee that's designed solely for the purpose of policing them?

Recurring theme of Microsoft setting the terms of their own conduct restrictions

Why is it that Microsoft, a convicted illegal monopolist, and one with a history of disregarding a prior consent decree, is being allowed to define the restrictions on their conduct? How would the public react if convicted thieves and murderers were allowed to decide for themselves the restrictions on their conduct? Why should it be any different in the business world?

III.J.2. "third-party verification, approved by Microsoft, to test for and ensure verification and compliance with Microsoft specifications for use of the API or interface" If the third-party verification has to be approved by Microsoft, and if it's based on Microsoft's own specifications, then Microsoft effectively controls the verification process; they can arbitrarily assign whatever specifications they choose, whether or not the specifications are relevant and necessary for the API or interface. They could establish a verification process that no company or entity would be able to pass successfully, thereby allowing them to avoid disclosing APIs, Documentation, and Communications Protocols to any company or entity.

III.C.2. "provided that the OEM complies with reasonable technical specifications established by Microsoft" If Microsoft is allowed to determine the technical specifications, as well as what constitutes "reasonable" technical specifications, then they are free to arbitrarily make their technical specifications as restrictive and prohibitive towards their competitors as they see fit. They could effectively exclude all of their competitors.

III.J.1. "No provision of this Final Judgment shall require Microsoft to document, disclose or license to third parties: (a) portions of APIs or Documentation or portions or layers of Communications Protocols the disclosure of which would compromise the security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital

rights management, encryption or authentication systems, including without limitation, keys, authorization tokens or enforcement criteria"

If Microsoft claims that an area of their code base has any functionality related to security, Microsoft does not have to provide the APIs, Documentation, and Communication Protocols for that area. As such if Microsoft adds or claims to add security-related functionality to every area of their code base, they would not have to provide APIs, Documentation, and Communication Protocols for any area of their code base. III.D. "via the Microsoft Developer Network ("MSDN") or similar mechanisms" Why do the architectural mechanisms have to be similar to MSDN? Who determines what constitutes "similar mechanisms"? This presents a barrier to entry for any architecture that is not closely modeled after MSDN, and potentially presents a barrier to entry for all non-MSDN architectures. III.D. "In the case of a new major version of Microsoft Middleware" Who decides what constitutes a major version? What if Microsoft officially refers to all future releases of their Middleware as minor versions, or what if they use some terminology other than "major version"? What if Microsoft stops officially distinguishing different versions of middleware—which may conceivably happen once they move their software to a subscription model? III.D. "obligations imposed by this Section III.D shall occur in a Timely Manner"

Is Microsoft free to decide for themselves what constitutes a "timely manner"? Can they arbitrarily choose any amount of time as they see fit?

**MTC-00023961-0003**

The settlement does not address open-source software and non-profit organizations. III.J.2. "has a reasonable business need", "meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business" If the business-viability standards are established by Microsoft, then Microsoft has free reign to arbitrarily choose for itself what companies or entities are entitled to their APIs, Documentation, and Communications Protocols.

Microsoft would likely exclude any company or entity that is not intending to make money directly off the usage of their software. This would allow them to exclude most open-source software projects and non-profit organizations.

Furthermore, if Microsoft decides that for a company or entity to have a viable business the company or entity must not be competing against them, then they could exclude all of their competitors. III.J.2. "willful violation of intellectual property rights" Microsoft has previously defined the GNU General Public License (GPL) as an "intellectual property destroyer". If Microsoft is allowed to determine what constitutes "willful violation of intellectual property rights", then by their definition of the GPL, any company or entity that uses or supports GPL software engages in willful violation of intellectual property rights; thus, Microsoft

would not have to disclose APIs, Documentation, or Communications Protocols to any company or entity that uses any GPL software.

The settlement does not address OEMs that provide computers without a Windows Operating System Product. III.A.2. "shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System"

What about shipping a computer with a single non-Windows Operating System Product? The above section does not prevent Microsoft from retaliating against an OEM if the OEM provides some computers that have only a single non-Windows Operating System Product on them.

III.C.1. Offering users the option of launching other Operating Systems from the Basic Input/Output System or a non-Microsoft boot-loader or similar program that launches prior to the start of the Windows Operating System Product.

What about providing a computer without a Windows Operating System Product? The above section does not prevent Microsoft from restricting OEM licenses if the OEM provides some computers that do not have a Windows Operating System Product on them.

The settlement does not address the disclosure of file formats. One of the strongest monopolies Microsoft is able to leverage is that of their Office file formats. Without full disclosure of file formats, Microsoft can continue to extend the existing barriers to entry in the office software space, by using the Digital Millennium Copyright Act (DMCA) to create file formats that cannot be legally reverse-engineered.

Worse than doing nothing, the settlement appears to legalize Microsoft's business practices

After Ronald Reagan took office for his first term as president, the US Department of Justice (DOJ) dropped the running anti-trust case which had been made against IBM by the previous administration(s). While G.W. Bush was running for president, he made it clear that he would side with Microsoft on their anti-trust case, by saying he would "favor innovation over legislation", echoing Microsoft's own PR line about the trial. With the precedent having been set by Reagan, it seemed certain that the US DOJ would drop the anti-trust case against Microsoft if G.W. Bush were elected president.

Rather than dropping the anti-trust case, the DOJ has chosen to pursue a settlement that puts on the appearance of reasonable punishment, while allowing Microsoft to determine what restrictions they must abide by. This brings the risk of effectively legalizing Microsoft's business practices, so long as their actions don't conflict with the behavioral restrictions imposed by the settlement—the restrictions that Microsoft themselves determined.

Significantly threatens the credibility of the US justice system Microsoft and other companies, as well as the general public, are being given the message that the government will tolerate illegal business practices from companies that are able to wield sufficient financial, political, and public relations

might. Is this the message that the US justice system should send to the public?

Sincerely,  
Matthew Kendall Coughlin  
2701 Brommer Street  
Santa Cruz, CA 95062  
USA  
Software Engineer

**MTC-00023961—0005**

**MTC-00023962**

From: Andrew Shearer  
To: Microsoft ATR  
Date: 1/25/02 3:17am  
Subject: Microsoft Settlement  
Microsoft Settlement: Not Strong Enough

There have been many essays already written that point to the weaknesses of the current Microsoft antitrust settlement. Many of the weaknesses are the same as those present in the original consent decree, Microsoft's noncompliance with which the Justice Department had to spend so much effort in court trying to establish: it mainly told Microsoft to start obeying the law, without penalties or damages for past violations, and even then contained loopholes that rendered it ineffective. (Some columnists have even raised the specter of new immunities from antitrust law as long as Microsoft is careful to keep to the letter of the settlement while exploiting its loopholes.) I won't go into those arguments, except to state that the settlement is widely viewed as a win for Microsoft, even though court's decision largely sided with the Justice Department. There are additional arguments I could make, but I'll choose just one: the implication that a settlement such as this is good for the economy, better for it than if the Justice Department had kept on fighting.

On the day the settlement was announced, people from the Justice Department implied and Microsoft executives explicitly stated that given the state of the economy, it was the right thing to do. The clear implication was that what's bad for Microsoft would be bad for the economy. Therefore, being tough on Microsoft would worsen the outlook for everyone. This assumes that the economy exists largely inside Microsoft. In fact, I can think of few things worse for the economy than an uncontrolled monopoly over something so crucial to American businesses as computers.

It's in Microsoft's best interest to keep their status quo, which in its eyes is a monopoly based on the Windows platform. The "duty-to-the-shareholders" rule goes so far as to state that it's irresponsible to do otherwise. As long as the monopoly holds, there is no incentive to expend money and effort improving quality (and even the incentive of attracting paid upgrades is fading because of recent subscription-based approaches) and there is not much incentive to hold prices down. It doesn't matter if millions or even billions of dollars are spent by other businesses on Windows where new technologies might cut that overhead. It's also much safer for Microsoft to quash new technologies if at all possible, or at least remake them as Windows-centric, that risk giving up the advantage of owning Windows. Microsoft's attempt to covertly make Sun's platform-independent Java language

Windows-specific, and then their creation of the extremely similar C# language and .NET platform when the previous approach failed for legal reasons, makes a good example. As the court findings stated the clearly, new technologies (such as Netscape's browser and Sun's Java) threatened change, which for Microsoft meant reduced reliance on the Windows platform. It was Microsoft's job to snuff them out. Similarly, when they cross the line it is the government's job to enforce the law and punish those who break it, especially when just about everyone else has been harmed.

Untold thousands of business decisions have been and will continue to be made based on Microsoft's aura of invincibility and inevitability. My instructor in a Microsoft Windows NT Server certification class started things off by saying that the way he saw things, Microsoft's products were going to be dominant over at least the next decade, whether any of us liked it or not, so if we wanted to work on computers we would have to learn the products. It would be a practical necessity. In corporations, IT directors don't want to be responsible for choosing a product that is later extinguished by Microsoft, even if it has some advantages over Microsoft's offering. They want to bet on a winner. And the smarter software companies, in their planning meetings, don't even try to make a product that Microsoft could classify as a competitive threat. They saw what happened to earlier competitors, and then they saw what happened to Netscape.

Many of these people don't believe that Microsoft makes the best products. They think that Microsoft will do what it wants, legal or otherwise, and don't think the government will stand up to Microsoft. And judging by results, so far they'd be right. That's why the current perception of the settlement as a Microsoft win so tragically undermines the legal victory. But what about that unspoken assumption that punishing Microsoft would hurt others too? If there were a harsher penalty and actual competition were restored, Microsoft's "ecosystem" of resellers, trainers, consultants, and other vendors would still survive--they would use whatever tools were available in the marketplace. And life would still go on for the IT directors, the consumers, and the software vendors. Life would go on, but might well be better, since they now had options that weren't available to them before. Microsoft's best products have come as a result of competition. When they were pushed to compete, as they were for a time with Netscape, they produced a good browser. But take away the competition, and the product stagnates. The court's findings detail the extra steps Microsoft took to ensure Internet Explorer's dominance. I've noticed the same cycle of rapid improvement, dealings to remove the competitor, and sudden neglect with other products dating back into the 80s. (The history of Microsoft's Macintosh QuickBASIC is an example.) If there is no one left to compete with Microsoft, where will Microsoft's incentive be to improve at all? The future of computer technology in every business and millions of people's lives may depend on whether that question has an answer. That's why whatever



settlement is worked out with Microsoft must do more than the current proposal.

Andrew Shearer  
atls@shearersoftware.com

**MTC-00023963**

From: Christopher Robert Decoro  
To: Microsoft ATR  
Date: 1/25/02 3:24am  
Subject: Please end the Microsoft case

To whom it may concern: After years of prosecuting Microsoft, no good has come of it. There has never been any legitimate reason to attack Microsoft for their success—they have no monopoly, as there is no resource to monopolize, and they cannot force anyone to use their product.

I am currently typing with a machine running Redhat Linux. The server on which the mail client is actually running is an UltraSparc60 running Sun Solaris. Microsoft has not forced me not to use these products, and has not forced me to use their own. Sun Microsystems has done very well, despite any tactics Microsoft has used in the past, and will continue to do well. They are in no danger of being eliminated by Microsoft. As for Linux, it is freely available, produced by volunteers like myself, and could never be forced out of the market while people are still interested in working on it. There will always be other options to Microsoft products. They do not have a monopoly.

I do not use Microsoft operating systems, because as a Computer Science researcher, they do not suit my needs. However, for many people, Microsoft Windows is an easy to use, functional operating systems that does suit their purposes. In the best interest of the consumer, you should allow Microsoft to continue making products, and let the market and the consumers, like myself, to vote with their wallets. Please end the Microsoft case, and accept their settlement.

Thank you for your time.

Chris DeCoro  
cdecoro@ics.uci.edu  
(714)776-4211

Researcher, UC-Irvine Computer Graphics Lab

**MTC-00023964**

From: tntvideo  
To: Microsoft ATR  
Date: 1/25/02 3:24am  
Subject: Stop this NOW!

To whom this really concerns,

Our Nation, is up in arms because of the events of 9/11/01 as well as we still worry about future events! We try to rise above all this by Uniting as ONE!

More Lawsuits, NOW, of all the times again against a Company that has done nothing really wrong! Except make the technology era of the world a lot of money in the past!

Now when the stock market needs a lift and needs a company like Microsoft to help lead the way again! There have been many people hurt deeply as they were coming close to retirement age! They didn't want to worry about an SSI check and living from month to month! All they did was try to do the best they could for themselves and there families! Instead now there Mutual Funds have all but dried up they have nothing left to there once well balanced 401k and they don't have another 25 years to make there losses up!

Sounds a bit sad as well as familiar! AOL at this point has no good sense but to add more pain to all Americans who have worked hard all there life! This is a shame! And it shows in there stock price for which I am a shareholder!

Let Microsoft's case be settled and STOP the MADNESS and let the one company just go on to innovate and lead the way for other's to do the same! AOL Time Warner is all sour grapes about that there fun in the sun was coming to an end and now they don't want the party to stop! Now tell me "Who is really a Monopoly at this time" ?? It spells AOL that is who!

Our nation, needs to recover more and more people have been losing there jobs! Is this what AOL wants more of. Perhaps Mr. Greenspan didn't want the middle class to get rich but at this point he's made it so the rich can't get any richer as a matter of fact some of them are getting poorer! Where's it going to end, If you have any say in this matter Please I beg you to do the right thing and make it so Microsoft can settle their case and be left alone until they really and truly were to do something criminal but until then we as a nation are losing out on being able to help ourselves to keep our own economy stable.

Thank You  
Terrence Lipinski

**MTC-00023965**

From: A.Lizard  
To: Microsoft ATR  
Date: 1/25/02 3:25am  
Subject: public comment

quote from an interview with Bork at:  
<http://www.linuxplanet.com/linuxplanet/opinions/4020/1/>

Acceptance of the proposed settlement in U.S. v. Microsoft would clear the road for the company to extend its monopoly to most if not all aspects of computing, says Judge Robert H. Bork.

"I don't think it does anything to Microsoft," said Bork in an interview with Linux Planet. "I think it just lets them continue as they were before." For the US government to roll over and play dead in the context of the proposed settlement not only will mean that all the millions of dollars of taxpayer money spent to clearly and convincingly demonstrate that Microsoft used its monopoly power in violation of the Sherman Anti-Trust Act will have been wasted, but will put a damper on the ability of the US computer industry to grow and innovate.

If the US DOJ and the courts \*want\* the future of computing in America to become increasingly influenced by foreign competition unfettered by a Microsoft monopoly effectively given the force of law by an unjust and unfair psuedo-penalty of the type proposed by DOJ, then the DOJ settlement should be enacted exactly as proposed.

The alternative is to provide a \*real\* penalty to Microsoft. Forcing them to reveal the proprietary information they have been using to make it impossible for third-party developers to write products for the Windows environment would be a good first step. Forcing them to stop using their

monopoly power to dominate new markets by building products to fit them into their operating systems would be good. Fining them to remove the profit from actions which have been found to be illegal would be good. If antitrust legislation is to stand, it must be enforced no matter how large the company or how large their political contributions are.

James R. Perry III  
PO Box 931  
Oakley, CA 94561

**MTC-00023967**

From: Lisa Henderson  
To: Microsoft ATR  
Date: 1/25/02 3:26am  
Subject: Microsoft Settlement

I understand this to be the public comment address for the Microsoft Antitrust Settlement. Here is my comment:

I am a longtime Windows and C++ programmer. Microsoft has continually used their Windows monopoly to kill any product line that competed with any of their products—by giving away the product, by threatening computer manufacturers and resellers, by revising Windows to break competing software, by using hidden Windows APIs to give their applications a performance edge that outside companies cannot match. The proposed settlement will do nothing to prevent this. This case has gone so far, to cave in now is shameful.

The arguments from Microsoft, especially that stupid integration argument, are incorrect and manufactured. They deliberately chose to integrate IE into system DLLs, made their system less stable and less secure by "integrating" the application into the system DLLs. All they did was copy a few functions from the IE DLLs into the Windows DLLs—this is both easily reversed by them, and a completely manufactured integration. There was no good programming reason to do this—in fact, it violates a large number of programming principles (abstraction, object orientaion, extra dependencies, lack of encapsulation, and poor security). A programmer who designed a system like that would be considered incompetent.

Microsoft has shown for more than a decade that they have no respect for the laws, and will do anything to increase sales and destroy the competition. This will not stop with the current very weak settlement—the settlement will encourage them to believe that they can continue their current behavior, and continue to get settlements and slap on the wrist treatment. The only solution is to hit them hard—to require either a split of the company, or to require Windows to be open source or something similar. I have been in this business for about 7 years, and the number of companies that have come up against Microsoft and been destroyed by illegal and unethical methods is unbelievable. Lots of active and innovative markets just vanished once Microsoft showed up and began bundling, altering windows, or using internal APIs to gain an unfair advantage, and killed the market. So long as they have the Windows monopoly they will continue to abuse it, and the amount of choice the consumer has will continue to decline; the cost of the products will continue to increase.



The states have it right, this is not the time to give up. Withdraw the settlement, and let's resolve once and for all Microsoft's usurping of the software industry. I don't want or expect to see them destroyed, but they will never stop abusing their monopoly until forced to do so, and the settlement will not do it.

Lisa Henderson  
San Diego, CA 92122

**MTC-00023968**

From: David Brady  
To: Microsoft ATR  
Date: 1/25/02 3:34am  
Subject: Microsoft Settlement

I would like to express my sincere dismay at the injustice of the proposed settlement terms of DOJ vs. Microsoft. I have sat by and watched Microsoft bully the entire software industry. The effects of which are so great, its sad to imagine what could be today. Please help restore competition to the industry I love. You must act now to make sure the Internet, and communications standards remain open to everyone.

The following are critical to any agreement terms:

1. Any application or web service distributed by Microsoft which communicates over a network must first have its protocol approved and published by a fair committee. (The idea is not to hinder Microsoft's ability to create their own protocols, only to insure that other applications will compete on their relative merits.)

2. The committee will also provide a protocol compatibility suite (PCS) for the protocol.

3. No Microsoft product, patch, or web service may be distributed without first passing the protocol compatibility suite (PCS).

4. The latest Java Runtime Environment must be installed and configured on all future Microsoft products for the next ten years—including Java WebStart.

**MTC-00023969**

From: MIKEoCHICO@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 3:37am  
Subject: Microsoft Settlement.

I've said it for years, Microsofts strong arm tactics are what have made computers a household appliance. DO NOT send us back to the days of non-compatibility, 40 different operating systems, computer manufacturers coming and going, leaving us with worthless \$4000 paperweights. Microsoft has given the people universal access to information. PLEASE DON'T LET ANY REPUBLICANS SEE THAT STATEMENT !!!! An educated and informed public is the bane of those who base thier platform on the catch phrases "Cut taxes, smaller government & shoot guns", while bilking the working class out of its hard earned dollars.

Microsoft allows others others to write programs for use on its operating system, without charge, to use and modify microsofts property, without charge, they even provide the tools to do so, without charge. You want to go after a monopoly? Look at Apple.

Mike Hagen

Chico, CA. 95973

**MTC-00023970**

From: Tim Uckun  
To: Microsoft ATR  
Date: 1/25/02 3:42am  
Subject: Microsoft Settlement  
To whom it may concern.

I am opposed to the proposed settlement in the Microsoft antitrust trial. Whatever punishment the court chooses must fully redress the actions committed by Microsoft. Furthermore the court must make sure mechanisms are in place so that Microsoft can never commit similar actions again. The current settlement is inadequate in both respects.

Thank you.  
Tim Uckun  
Mobile Intelligence Unit.  
"There are some who call me TIM?"

**MTC-00023971**

From: Brian J. Won  
To: Microsoft ATR  
Date: 1/25/02 3:46am  
Subject: Microsoft Settlement

To whom it may concern,  
In short, the proposed Microsoft settlement is inadequate in more ways than one.

Section III.B. is full of many possible legal workarounds for Microsoft. A comprehensive set of rules, easily enforced, is required- not swiss cheese for lawyers.

Section III.D. allows Microsoft considerable leeway in WHO the APIs are released to; the language defining when and who the APIs are released to is not strict enough.

Other areas are flawed, but that is what I have time to comment on. I believe the proposed Microsoft Settlement would allow Microsoft to escape with insufficient punishment and would be a major setback for consumers and the US Government in failing to take appropriate punitive action.

Thankyou for your time.  
Brian J. Won

**MTC-00023973**

From: DCL8@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 3:54am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
David Leng

19377 E. Pacific Oaks  
Rowland Heights, CA 91748

**MTC-00023974**

From: Chris Bennett  
To: Microsoft ATR  
Date: 1/25/02 3:55am  
Subject: Microsoft Settlement

It certainly seems to me that Microsoft use very dodgy practices and that the settlement seems wrong.

Cheers  
Chris Bennett  
Melbourne  
Australia  
chris@scarletstar.com.au

**MTC-00023975**

From: Warren Kriedman, MD  
To: Microsoft ATR  
Date: 1/25/02 4:06am  
Subject: MICROSOFT SETTLEMENT

AS A CONCERNED UNITED STATES CITIZEN IT IS TIME THE MICROSOFT SETTLEMENT WITH THE DEPARTMENT OF JUSTICE IS SETTLED.

AOL RECENT SUIT IS A PLOY TO LITIGATE FURTHER A MATTER IS AN INTOLERABLE ACT. WE HAVE ENOUGH PROBLEMS IN THE ECONOMY.

AOL IS A HUGE MONOPOLY... THEY SHOULDN'T THROW ROCKS WHEN THEY ARE STRONG ARMING THE TELEVISION MEDIA, THE INTERNET, THE MOVIE INDUSTRY AND THE PRINT MEDIA.

FOR YOUR INFORMATION, I AM A LARGE STOCKHOLDER OF AOL/TIME WARNER .

WARREN S. KRIEDMAN, MD  
FLORHAM PARK, NJ

**MTC-00023976**

From: Jim Hoyt  
To: Microsoft ATR  
Date: 1/25/02 4:14am  
Subject: Microsoft Settlement

To Whom It May Concern,  
In my opinion the currently-proposed settlement with Microsoft is not a good one.

Without considerably more than a slap on the wrist and long-term restrictions/observation on its behavior Microsoft will behave just as badly as previously. It's simply the nature of the beast.

Please add teeth to whatever penalty is imposed.

Thank you,  
James G. Hoyt  
Portland, Oregon

**MTC-00023977**

From: bernard j franklyn  
To: Microsoft ATR  
Date: 1/25/02 4:21am  
Subject: microsoft settlement

Dear Ms.Renata,

I have been following the Microsoft case since it's inception. I am familiar with the history of computers & the internet. I am very familiar with the history of Microsoft.

If Microsoft's monopoly resulted in a better, bug free, cheaper product, I probably wouldn't be as upset with them as I am. If Mr. Gates would stop claiming that his products are the latest in software innovation, rather than the subsuming of other peoples' genius, I probably wouldn't

be as upset with them as I am. If Mr. Gates hadn't arrogantly terminated support to Windows 95, I probably wouldn't be as upset with him as I am. Finally, if Mr. Gates had allowed me to freely & easily choose which browser to use rather than trying to force his own brand on me, I wouldn't be nearly as upset with him as I am. The basis of our economy, our way of life, is a free market economy. Mr. Gates is seeking to subvert that. What he is doing is blatantly un-American! I was very disappointed when I learned that DOJ was going to settle. I was very proud of my state (California) & those other states who decided to continue the battle. I find it ironic that a Democratic attorney general is so vigorously defending the free market system while a "compassionate conservative" seems willing to roll over & expose the nation's belly to the beast.

I strongly urge you not to settle. Mr. Gates has shown a complete disregard for any kind of good faith agreement. Even his so called good will gestures are hollow as exemplified by his offer to provide his outmoded equipment & software to the underprivileged. How cynical is that!!!

Microsoft is a bully. The only thing a bully understands is force & dire consequences. It is time to impose these dire consequences. Without the imposition of severe penalties, Mr. Gates will continue to strangle commerce & innovation at a time when this country needs it most. I urge you, your dept., & the judiciary, as advocates for the American people, to impose penalties as severe as the law allows.

Thank you,  
Bernard Franklyn

**MTC-00023979**

From: Faughn Justin Allen  
To: Microsoft ATR  
Date: 1/25/02 4:34am  
Subject: Microsoft Settlement

I believe that the settlement now arranged with Microsoft is not a good idea, and would encourage the illegal business practices that Microsoft has engaged in to continue.

Concerned citizen....  
Justin Faughn

**MTC-00023980**

From: bnale  
To: Microsoft ATR  
Date: 1/25/02 4:40am  
Subject: Microsoft Settlement

I personally think the settlement is crap. All it means is that Microsoft can push \$1 billion worth of ancient technology, crappy versions of windows (come on, did you really think Windows 95 was really that spectacularly stable?), and an attempt to gain new Microsoft recruits into public schools, a place that Microsoft has never dominated.

If I were you, I would honestly punish Microsoft. At the least, I would force them to donate \$1 billion to help out the poorest, most dilapidated schools. That would pay for far more than you could possibly imagine. I would also force them at least to make the relevant portions of code for windows available to all device manufacturers. This would eliminate so many hardware problems.... IF you really were about

punishing them, you'd do more than simply open up a new market and a new recruiting drive for them.

GO AVALANCHE! WIN ONE FOR BORQUE!

-Brian Nale—A total puckhead.

**MTC-00023981**

From: Jean-Luc Boccon-Gibod  
To: Microsoft ATR  
Date: 1/25/02 4:50am  
Subject: Microsoft Settlement

I strongly oppose the proposal of MS to give hardware and software to schools in need worth 1 billion US\$ in order to avoid a fine of the same amount. This would make a breach into a stronghold of Apple in the world of education and would be a completely unfair commercial practice. I do hope that the Department of Justice will not be abused by this impudent proposal.

**MTC-00023982**

From: Renu Bora  
To: Microsoft ATR  
Date: 1/25/02 4:52am  
Subject: Microsoft settlement

Hello,

As per Dan Kegels analysis of the Proposed Final Judgment in United States v. Microsoft, (<http://www.kegel.com/remedy/remedy2.html>), I believe that the Proposed Final Judgment is inadequate. It fails to prevent Microsoft to engage in anticompetitive practices. I believe it is not in the public interest for the current Proposed Final Judgement to be signed.

Sincerely,  
Renu Bora  
CFO, Linux Public Broadcasting Network  
Graduate Student, Duke University

**MTC-00023983**

From: Alain Bertrand  
To: Microsoft ATR  
Date: 1/25/02 4:57am  
Subject: Microsoft Settlement

I just read the proposed settlement between Microsoft, and the DOJ (and several states) and it seems that Microsoft is being given a government sanctioned monopoly, instead of a punishment meant to keep it from continuing to abuse its monopoly. Microsoft is in a position now to take over, and monopolize several other markets, if they are not stopped now. The bigger we let the problem get, the harder it will be to fix later.

Microsoft has a long, clear history of abusing its position as a monopoly, and exploiting every possible loophole to continue doing so. Even a non lawyer can see several loopholes in this agreement that would allow Microsoft to continue with the business practices that started the whole court battle. Unless something far stronger than this is done to keep Microsoft in check they will continue to use their monopoly position in Operating Systems to push other products into monopoly positions.

I firmly believe that the proposed final judgment will not even slow Microsoft's expansion through illegal means. If this proposal is made the final judgment we will have a much larger monopoly to try to deal with in a few years. This agreement is a complete victory for Microsoft, at the expense of the consumer.

One final thought, if Microsoft is allowed to get away with such blatant violations of antitrust laws, how can we expect any other large, rich corporation to take these laws seriously. It is not just Microsoft on trial here, but now the antitrust laws themselves are threatened.

Thank you for your time,  
Alain Bertrand

**MTC-00023984**

From: Sean Finney  
To: Microsoft ATR  
Date: 1/25/02 5:02am  
Subject: Microsoft Settlement

To whom this may concern,

Hi. My name is Sean Finney. I am 20 years old and live in Stanwood, WA. I will try to make this as short as possible. I've been building PCs since the age of 13. I have always used Microsoft products and have been pleased with the overall quality of them. The one thing I'd like to see is a "bare bone" version of their operating systems without add-ons (internet explorer, outlook express, windows media player, and other applications that a poised to compete in an open market with many others that are not pre-installed with Microsoft operating systems). I also do not know why their products cost so much, and why other software developers do not have the same sort of "source code" access that internal Microsoft programming departments behind the pre-installed applications have. Since there are many other firms trying to gain access in the same space as Microsoft they should have the same chances to succeed. At a very BASIC level this is the same thing as equal rights! Remember that when making the decision to either let Microsoft keep their edge on all the competition or to level the playing field.

Thank you for your time,  
Sean Finney ( res05dyj@gte.net )

**MTC-00023985**

From: Josh Granek  
To: Microsoft ATR  
Date: 1/25/02 5:03am  
Subject: Microsoft Settlement

Josh Granek  
3160 Ellerslie Ave.  
Baltimore, MD 21218  
Ms. Hesse:

I would like to register my objection to the Final Judgement proposed to settle the antitrust case against Microsoft. I am just an average citizen, a graduate student who's opinion is influenced by extensive use of a variety of different computers, operating systems, and software packages. I agree with the findings of fact that microsoft has abused its overwhelming monopoly position. I think that this abuse has led to software that is worse than it would be in a truly competitive market, and prices that are higher than they would be in a truly competitive market. Instead of showing some respect for the government and citizens of this country, throughout the trial, and even after being found guilty of anti-competitive practices, Microsoft has continued to be a bad corporate citizen. This was evidenced to me most recently when I set up a new computer for my mother, it came with Microsoft's latest

operating system, Windows XP. In the short period of time I used this computer, it was obvious to me that Microsoft had put considerable effort (effort which in my estimation, would have been better spent improving the operating system itself) in incorporating new software in the operating system that directly competes with software that is already freely available, in an effort to extend its dominance of the software market. I expect that Microsoft's monopoly position will result in the new software incorporated in XP putting other often better software out of business.

Two examples of Microsoft's abuse are striking to me. First, having gained dominance of the web browser market, Microsoft now plans to eliminate support for plug-ins from future versions of Internet Explorer, the clear intention here is to force users to use Microsoft versions of currently available plug-ins (for example, eliminating use of the Real Network's Real Audio Player, and replacing it with the Microsoft Media Player). While it might seem acceptable to eliminate plug-ins when Microsoft provides replacements, it truly becomes a problem in situations where there is no reason to expect that Microsoft would make a replacement. For example, in my field, many people use a browser plug-in called Chime to view the structures of chemical compounds and biological molecules. This is a very useful tool, but it has a limited audience, and Microsoft will never produce a replacement. When future versions of Internet Explorer eliminate support for plug-ins, we will no longer be able to view structures in Internet Explorer. Plug-in support in web browsers furthered the democratization of the World Wide Web, allowing third parties to produce software that would interact with web browsers, now Microsoft plans to put this to an end.

Microsoft's Office software is another example of the company's abuse. Microsoft releases new versions of its office package every few years, and most releases use file formats that are incompatible with other versions. This practice forces businesses and individuals to buy each new version in order to be able to exchange office documents with others. Additionally, in contrast to many other software packages that use file formats which have been published (Adobe is a particularly good example of this—file formats used by their software, such as the Postscript, Portable Document Format, and even the file format for Adobe's Illustrator software are published), so other software can include filters that enable the files to be read, Microsoft Office uses file formats that are proprietary, so other software can't read these files, further cementing the monopoly.

Microsoft seems to believe that it is in every citizen's best interest (or at least their investors') that they be allowed to do whatever they want, but as George Will recently said, capitalism only succeeds when properly regulated by the government. While I understand that Microsoft's job is to, at all cost, maximize its profits for its investors, it is the government's job to counter this tendency when it begins to hurt consumers and the public in general. I think it is important that Microsoft be prevented from

continuing to abuse its domination of the computer software market, and as a result, reducing the diversity in available software, and increasing the price of software.

I am not an expert in business or antitrust law, but I think that the proposed settlement will do little to prevent Microsoft's continued abuse of its monopoly. I am not in a position to propose a better settlement, and I wouldn't presume to, many very good alternatives to the current proposal have been made by those much more qualified than me to do so.

Thank you for your attention.

Sincerely,  
Josh Granek

**MTC-00023986**

From: tscott  
To: Microsoft ATR  
Date: 1/25/02 4:01am  
Subject: Microsoft Settlement  
I don't accept a compromise. Microsoft will only do it again!

This e-mail is intended for the addressee shown. It contains information that is confidential and protected from disclosure. Any review, dissemination or use of this transmission or its contents by persons or unauthorized employees of the intended organizations is strictly prohibited.

The contents of this email do not necessarily represent the views or policies of East Norfolk Sixth Form College, its employees or students.

**MTC-00023987**

From: Anonymous Person  
To: Microsoft Settlement U.S. Department of Justice  
Date: 1/25/02 5:01am  
Subject: Microsoft Settlement  
Anonymous Person  
111 N. Street  
Anonymusville, CA 35976  
January 25, 2002

Microsoft Settlement U.S. Department of Justice,

Dear Microsoft Settlement U.S. Department of Justice:

I agree with everything pre-written below, but would like to add that the only reason other co's and parties are suing MS is because they want more profits from the market which MS "owns" a majority of. Microsoft is playing by the rules of business. Concerning the action AOL is taking against MS now, saying MS is using illegal tactics by bundling IE with Windows is absolutely foolish. One could say the same thing about AOL, bundling Netscape browser and AOL Instant Messenger with their software.

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace, rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting

valuable resources on litigation. Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies. Thank you for this opportunity to share my views.

Sincerely,  
Anonymous

**MTC-00023989**

From: ebo@smt.asu.edu@inetgw  
To: Microsoft ATR  
Date: 1/25/02 5:13am  
Subject: Proposed Microsoft Settlement

After reading Dan Kegel's analysis of the proposed Microsoft Settlement <<http://www.kegel.com/remedy/remedy2.html>> I must concur. Not only have they made a habit of misrepresenting their products to gain early market share, it is reasonably well documented as Kegel mentions that:

"The Court of Appeals affirmed that Microsoft has a monopoly on Intel-compatible PC operating systems, and that the company's market position is protected by a substantial barrier to entry (p. 15). Furthermore, the Court of Appeals affirmed that Microsoft is liable under Sherman Act 2 for illegally maintaining its monopoly by imposing licensing restrictions on OEMs, IAPs (Internet Access Providers), ISVs (Independent Software Vendors), and Apple Computer, by requiring ISVs to switch to Microsoft's JVM (Java Virtual Machine), by deceiving Java developers, and by forcing Intel to drop support for cross-platform Java tools."

The situation has not changed nor is likely to under the XP licensing strategy (where users are forced to upgrade their software on Microsoft's schedule and the program is made inaccessible until you do so and pay the fees).

I feel that Microsoft will continue bullying the competition until someone with some serious teeth puts them back in their place. In this country, the DOJ is one of the few organizations that have the wherewithal to opening back up the licensing restrictions on OEMs, IAPs, ISVs, etc. Please push for an appropriate level of injunctions/sanction against Microsoft to force them to stop doing "business as usual".

Sincerely,  
John David—ebo@sandien.com>

**MTC-00023990**

From: Jim Changaris  
To: Microsoft ATR  
Date: 1/25/02 5:17am  
Subject: microsoft settlement

I have read the stipulation and revised proposed judgment. I own 3600 share of Sun Microsystems and 3600 shares of Microsoft and no shares in Oracle. I believe that the Attorney General of California, the leader in the objection to the settlement, is objecting it for his political enhancement and should be ignored

**MTC-00023991**

From: ref  
 To: Microsoft ATR  
 Date: 1/25/02 5:17am  
 Subject: Microsoft Settlement

AOL is out of line on this latest ploy to attack Microsoft Internet Explorer.

I have tried AOL twice in the past, recently this past month, AOL is non competitive and over-bearing.

I switched back to Internet Explorer because it offers a superior browser without being intrusive. I had Netscape Navigator when I first got my internet service 5 years ago. It was not up to standard and created difficulty while browsing the Internet.

A friend told me about Internet Explorer so I tried it. I have been very happy with this service. AOL should take note and provide people what they want instead of cramming their idea of what we want down our throats.

This is suppose to be a country that allows people to make choices based on their own needs and wants.

It is not right that anyone be taken to court for litigation just because they offer a choice to the consumer.

If Aol/Netscape Navigator offered the best service they would not have to bring suit in order to get the consumer to switch to their product. We consumers are not stupid nor will we be intimidated or forced to except an inferior service that is not our choice! It appears that AOL like the Dept. of Justice is singling out Microsoft because it offers innovative ideas that the consumer finds user friendly and therefore gravitates to the best product on the market.

As I pointed out, I have tried both Netscape Navigator and AOL recently and have switched back to what I believe is a better service.

Sincerely,  
 Edie L. Fisk

**MTC-00023992**

From: Malcolm Dean  
 To: Microsoft ATR  
 Date: 1/25/02 5:28am  
 Subject: Justice requires speed and severity.

Justice requires speed and severity. Anything less is giving Microsoft permission to continue bending the software environment to its desire. Great economic benefits will also result from a software market freed of Microsoft's domination.

Malcolm Dean  
 Writer, Editor  
 1015 Gayley Av #1229, Los Angeles CA  
 90024-3424

malcolmd@earthlink.net  
 213-401-2197 fax  
 Recent publications:  
 Contributing Editor, DesktopLinux.com  
[www.desktoplinux.com/articles/AT2152579590.html](http://www.desktoplinux.com/articles/AT2152579590.html)

[www.desktoplinux.com/articles/AT6783676122.html](http://www.desktoplinux.com/articles/AT6783676122.html)

The O'Reilly Network  
 (www.oreillynet.com/pub/au/228);  
 CertMag; Certification Corner  
 Former News Editor, Maximum Linux,  
 XML Journal

**MTC-00023993**

From: Dr David G.Lovering

To: Microsoft ATR  
 Date: 1/25/02 5:32am  
 Subject: Microsoft Settlement  
 Crystal clear—Microsoft is GUILTY.

Why not take this opportunity of making an example of this arrogant company. Strike a blow for the common man. Let the penalty fit the crime. Bankrupt the operation and hand it over to the open source community. There is absolutely no sympathy for Microsoft anywhere in the world. Daily, they disgrace the great American people.

David G Lovering.  
 From: Dr David G. Lovering  
 The David Graham Consultancy in Science & Education  
 FARINGDON SN7 7EY UK  
 Tel/Fax: +44 (0)1367 241 750  
 base email: davidgl@tesco.net  
 roving email: dgl@talk21.com (opened weekly)  
<http://www.geocities.com/dgrahaml>  
<http://homepages.tesco.net/davidgl>

**MTC-00023994**

From: Zolly (038) Kay Zemar  
 To: Microsoft ATR  
 Date: 1/25/02 5:40am  
 Subject: The "American Dream"

To the Department of Justice  
 I do not understand all that is going on with Microsoft and Bill Gates. I do know that Microsoft has been beneficial in the pioneer in the computer industry, and has been responsible for making it possible for people like me to enjoy a computer that an average person can understand and operate.

Bill Gates is a SELF MADE person. He is certainly a fine example of what a person can achieve with determination and hard work. He created Microsoft and with the help of his friends and employees made it a "mega-huge" company. Now the Justice Department has decided he is too big??? I guess the "American Dream" is only for people who dream small.

You can only be what you want to be if you don't want to be too much . . . is that it?? Bill Gates and Microsoft has done so much to help so many people; yet he has been persecuted by the American Justice Department. Isn't it about time you started concentrating on an issue that matters . . . go after the "bad guys" and leave the decent, dream achieving Americans do what their hard work, genius ability, and tenacity allows them to do!! From a disgruntled and disappointed American citizen . . .  
 Kathryn Zemar

**MTC-00023995**

From: N. Hagan  
 To: Microsoft ATR  
 Date: 1/25/02 5:42am  
 Subject: Microsoft Settlement

The latest round of litigation against Microsoft by AOL/Netscape is the ultimate manipulation of our legal system. Netscape is a company that apparently cannot or will not compete on its own merits and has now, once again, turned to the court system to achieve what it cannot through the free market and fair competition. Americans and shareholders are tired of this abuse of our court system and the litigation process. It has to stop. I don't expect sanctions against such

harassing and frivolous lawsuit although any responsible judge would throw this case out promptly for lack of merit.

Whether Netscape's losses of market share is now purposeful (so that it can avail itself of "damages" and more public relations) or simply the result of incompetence, we cannot be sure. However, it is time that our legal system and the taxpayers money stop being used by private industry to harass and damage a company that has been wonderful for the consumer, it's shareholders and our economy. It's tragic that AOL and Netscape cannot cut it, but it is no longer the government's or Microsoft's problem. It's time to cut these economic dead weights loose from our economic recovery.

**MTC-00023996**

From: S Johnson  
 To: Microsoft ATR  
 Date: 1/25/02 5:43am  
 Subject: Microsoft Settlement

Punishing, Not Just Correcting Microsoft  
 Too often what I hear about the proposed action as a result of Microsoft being found as having abused its copyright can be paraphrased as "go forth and sin no more". The ways this message is delivered is very different, of course, for each solution. Some favor the idea of an overwatch committee for a specified amount of time to prevent the abuse happening again. Others proclaim restricting Microsofts ability to flex it's monopoly powers as the real answer. Sometimes they see doing this through technical means such as opening up the APIs of the operating system and associated works. Saying that surely pulling Microsofts favorite weapon over fellow software developers out of it's arsenal would ensure competition. Almost what all proposed remedies to the situation lack however is punishment. Yes punishment for it's crimes seems mysteriously absent from all of the popular remedies that are bandied about. If a child steals a chocolate does a parent take away the chocolate and think that is enough. That not having the chocolate is punishment enough for having stolen it. If a youth vandalizes the side of a building by spray painting pictures or words, is the proper course of action taking away the cans of spray paint? Of course not. Adults that murder (taking this line of reasoning to its ridiculous end) are not seen as punished if all that is done is taking away their gun. A crime has been committed. While ensuring that the criminal does not lash out again is very important, almost more so is what penalty is too be associated with exploiting a monopoly to crush one's competition. It is easy to miss this important part as commonly the solution does both. Going to jail takes an individual out of society and puts him in a very undesirable environment (punishment), and at the same time jail is seen as a correctional facility (preventing the action from recurring). How effective it is to make someone more fit for common society by putting them in the position of having to be as or more dangerous than the worst of society is a whole other argument. However the point remains that any proposed remedy should do both.

I propose that the punishment and the corrective action should be easily seen as

separate parts. Just as a parent explaining how wrong it is to steal the chocolate and then spanking or grounding seeks to correct future theivery. The punishment is also the easiest to deliver. Referring again to the case of the chocolate loving child. It is comparatively much easier to spank or ground a child (even though they are loved) than explaining to them in ways that their impressionable young minds will understand why you have to spank or ground them and how bad them taking a chocolate from a store, that seems to have an abundance enough not to notice one missing, is. A fine of some amount noticeable to the deep coffers of Microsoft could serve as such a punishment. However in my perception of the finances of Microsoft a fine of an any amount might be disliked but easily forgotten with their influx of money. For while it might take great resources to produce their product the resulting physical manufacturing of their work is virtually nil compared to what it is sold for. This is why any hole could be quickly filled and any loss of quality could be palmed off on the fine. This is why they should be forced to pay a fine to the Free Software Foundation, an organization that seeks to enrich humanity through quality free software. Quite apart from how morally right they might be a large amount of money to the Free Software Foundation, arguably Microsofts biggest competitor, would be a punch directly in the solar plexus of the unrepentant software giant. This would be a remedy that could not so easily be shrugged off. A fine to any organization that directly and competitively opposes Microsoft would do the job just as well. A strong oversight body that had the ability to direct fines so at continued uncorrected behavior would have very sharp teeth. Even without directly helping Microsofts competitors, a fine would be a clear example that the final verdict was not just another "go forth and sin no more" proclamation to Microsoft.

Samuel O Johnson

#### MTC-00023997

From: Jim Changaris  
To: Microsoft ATR  
Date: 1/25/02 5:44am  
Subject: microsoft settlement  
Sunflower

I own 3600 shares of Sun Microsystems common stock and an equal number of shares of Microsoft common stock. I have an interest in seeing the Microsoft litigation ended. Continuing that litigation is not good for the economy. Microsoft the leader in technology innovations along with many other technology companies have been largely responsible for the economic growth of the 90s. The attorney general of California in needlessly opposing the settlement to satisfy his personal political interests.

There is no question but that he will be candidate for governor within the next four years. He is pandering to the money in silicon valley for campaign contributions from Sun Microsystems and others in California's Silicon Valley and pursuing the needless litigation at the huge expense of the California taxpayers, including me. Continuing the litigation is not in the best

interests of the nation. Continuing road blocks to the innovation of technology will do damage to our economy. I have read the stipulation and the proposed judge and believe it is more than fair to the Microsoft competitors who obviously want Microsoft destroyed. I urge the approval of the settlement.

#### MTC-00023998

From: Zak  
To: Microsoft ATR  
Date: 1/25/02 5:44am  
Subject: It seems clear that Microsoft has avoided any serious

It seems clear that Microsoft has avoided any serious penalty that would curb its anti-competitive behaviour.

The nature of business leads to companies using whatever means necessary to tip the scales in their favour; legal or illegal. Microsoft has immense power with no real incentive to use it in a benign way.

My favoured result would have been to see the company split into around 20 different businesses, based on product lines; which I believe would have led to greater innovation and competition; although it would probably impact the "integrated" nature of Microsoft software in the short term.

#### MTC-00023999

From: Goksin Bakir  
To: Microsoft ATR  
Date: 1/25/02 5:45am  
Subject: MS Settlement, Settle At Once

In the last 20 years there has been a giant thrust in the software industry. The number of software developers have increased with computers becoming available to everybody. Microsoft has a big role in realizing this dream.

Not only in the US, but all around the world software industry made job opportunities available to millions of people. A big number of small Businesses exploited computing machines more and more every day. Microsoft has a big part in this becoming true as well.

Now there is a case against Microsoft for being dominant in the market. If Microsoft had not lowered prices and increased availability of software (along with its partners) the above points would not be true. So, Our Belief is that Microsoft is not only a benefit for American people and Industry but to the other parts of the world as well. Please Support the settlement on the Microsoft case.

We appreciate your efforts in this matter.  
Goksin Bakir.  
Yage LTD  
Istanbul, Turkey

#### MTC-00024000

From: Mark Rushing  
To: Microsoft ATR  
Date: 1/25/02 5:45am  
Subject: Microsoft Settlement

To whom it may concern:

We feel it is IMPERATIVE that the DOJ, if reaching a settlement with Microsoft, be very exacting in its definitions regarding the scope of restrictions and requirements regarding Microsoft API's, proprietary technologies and business practices.

The development of technologies will be severely hindered by continued predatory repression of diverse advancements in the Information Technologies arena.

Microsoft must be required to acknowledge their ubiquitous position and act accordingly, with little room for legal machinations that further narrows and hinders creativity and freedom.

Allowing one company to control the methods of access and of processing of information is certainly unwise.

We encourage the DOJ to act definitively and thoroughly in this case and/or settlement.

Thank you,  
Mark Rushing  
IT Analyst  
Orbis Lumen  
Seattle, WA

#### MTC-00024001

From: Bissell, Tim  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 5:48am  
Subject: Microsoft Settlement

I am not a US citizen, but I thought I would write anyway to express a strong belief held by me and many of my colleagues that the proposed Microsoft settlement should be rejected. I think my comments are valid, even if written in English rather than US English!

It appears to me that rather than punishing Microsoft for its past, illegal behaviour, or providing for effective control of its future behaviour, it simply enshrines the current status quo in law, namely that Microsoft has obtained and maintained a monopoly in the operating system market, by illegal means (not allowing vendors to sell machines which can boot into more than one operating system) and has used that monopoly position to obtain monopolies in other markets ("Office" productivity suites and Web browsers to name two) to the detriment of consumers.

One example of where the proposed settlement is weak is that it takes no account of Open Source products. Samba is an open source system which allows Unix or Linux servers to provide networked disk for Windows client machines, and requires access to Microsoft APIs. This knowledge is encoded in programs which are freely available. If Microsoft is allowed to license this information, as proposed in the settlement, it can (and will, based on past behaviour) demand that the information be treated as a trade secret, and thus exclude all Open Source systems from the information. This would enable Microsoft to "legally" kill off Samba, and thus enable them to spread their operating system monopoly still further, by requiring that Networked disks for Windows clients can only be provided by Windows servers. This is only one example of the many deficiencies in the proposed settlement; I could have picked many more. Please reject the proposed settlement and start again.

On behalf of myself, and not my employer  
Regards,  
Tim

Work:tim.bissell@drkw.com+44 (0)171  
4758789

Home:tim@bissells.org+44 (0)1480 451022

**MTC-00024002**

From: King Monty  
 To: Microsoft ATR  
 Date: 1/25/02 5:52am  
 Subject: Microsoft Anti-Trust Trial

Hi  
 I live in Cape Town, South Africa and am a strong supporter of the information era. I have the following comments regarding the Microsoft Anti-Trust trial.

Firstly, due to my location, I may not have been entirely able to follow every detail of the case. To be fair,

I believe that due to the complexity of the trial and indeed the entire case, there are very few people who probably were able to follow the case in its entirety. My background is for the most part development in the information technology sector. I'm also deeply involved in the entertainment and new media industry.

I am effectively forced—like so many others—to use Microsoft products. Not because it's a standard Operating System with most companies in South Africa, but because it's a monopoly. Due to economic systems where our exchange rate from our currency to US dollars and the fact that Microsoft is effectively an American company means that the cost alone for Microsoft products are extremely exaggerated. This cost is reduced to zero when using something like Linux. When I first got involved in the information technology sector, the majority of South Africans used the Netscape Navigator internet browser. Today, thanks to the bundling system, the figures for use of Microsoft Internet Explorer as an internet browser is more than 80% of the internet active population of South Africa (these are substantiated facts). Microsoft have affected South African businesses in severe ways, targeting them with huge marketing campaigns, forcefully trying to make them believe that there is no other operating system available. With the advent of a massive internet boom in South Africa, large ISPs extend Microsoft's monopoly further by forcing home users to use software that only works on Microsoft Windows. New PC buyers in South Africa cannot purchase a new computer without having Microsoft Windows XP installed.

There is no choice where you are not given one.

CC:juan@magiq.co.za@  
 inetgw,jonathan@magiq.co.za@inetg...

**MTC-00024003**

From: Harve  
 To: Microsoft ATR  
 Date: 1/25/02 5:47am  
 Subject: microsoft-usdoj settlement is a bad idea and a real shame

I would like you to know that I and a lot of people like myself do not appreciate the lack of representation our government is giving us in the fight to control outright monopoly. Microsoft not only makes it hard for small companies to innovate in the personal computer arena, but it also provides an inferior product, without the cleansing effect of competition to enforce improvement. I waste perhaps 30 minutes a day because I am forced to use inferior Microsoft products due to this monopoly.

Stop giant companies now and give the opportunity back to small business (and by that I mean companies of 1–50 employees, not companies of 1000.

There is no Republican/big business mandate in this country, as much as it may appear to be so.

Harvie H. Branscomb  
 Carbondale CO 81623  
 Owner, Charybdis (a small computer software company trying to survive)

**MTC-00024004**

From: Matt Bardeen  
 To: Microsoft ATR  
 Date: 1/25/02 6:08am  
 Subject: Concerned Citizen

As a citizen of the United States of America, I'm concerned. As a computer user, I'm concerned. As a network administrator, I'm concerned.

First, a little background. I am in no means your average computer user. I started programming when I was 11 years old. That was 17 years ago. My first real computer came with a copy of Microsoft DOS (Disk operating system). I have been using Microsoft products in some form or another for all of the past 17 years. I have watched Microsoft grow from a small computer software manufacturer to one of the largest (and most profitable) in the world.

In that time I watched many competing products and companies, most of them truly innovative, fall before Microsoft's marketing and business strategies. There were products such as the GEM windowing desktop, Desqview DOS, and IBM OS/2, and companies such as Netware, Lotus, and Netscape.

I used Microsoft products and I didn't think anything of it. I put up with the instabilities, the fact that they only really worked well with other Microsoft products.

Then in 1995, I started working in a billion dollar company, supporting their worker's computer and administering part of their network. This company went from using a mixture of Microsoft and other products to using Microsoft products exclusively. During the 5 years I worked there, I saw Microsoft become more aggressive and more dangerous in the marketplace. I finally quit that company because I was fed up with telling the people I worked with "There's nothing I can do, it's a Microsoft problem."

The Internet is becoming increasingly Microsoft centric. There are sites that I used to use, but cannot anymore because they don't support my browser. Recently there has been a push by Microsoft to get record companies to use their Windows only media format for all new music releases. Microsoft's selling point on this is the inclusion of Windows Media Player in all the operating systems they sell. This is not beneficial to competition and will only serve to raise the barrier to entry into the operating system market. Recently, Microsoft has been pushing a system of software "rental", where you have to pay for your operating system every year, whether you require it or not. Given their monopoly power, they stand a good chance of implementing such a scheme. Once again, a Microsoft "innovation" that is of dubious gain to consumers.

The latest Microsoft marketing scheme is .NET and Passport, where they hope to implement (and corner) the market on micropayments on the net. Many analysts have pointed out that the key to .NET's success is the success of Microsoft's latest operating system, Windows XP, because it has the essential gouding for .NET built in to it.

All of these "innovations" are examples of Microsoft's current attempts to use their monopoly power to invade other markets. I feel that these attempts will be left untouched by the current remedies proposed by the Justice Department in the settlement of this case. This seems absurd to me because it is practices such as these that are specifically declared illegal under antitrust law, and indeed the same practices that the court has already found Microsoft guilty of using.

So, as a consumer, a network administrator, and a citizen, I can only demand that the settlement as proposed be scuttled and a more appropriate remedy be found which prevents Microsoft from further breaking the law.

**MTC-00024005**

From: James J. Decoulos  
 To: Microsoft ATR  
 Date: 1/25/02 6:16am  
 Subject: Microsoft Settlement

**MTC-00024005 0001**

file:///C:/win/temp/tmp.√

Pursuant to the Tunney Act, I hereby submit my comments on the proposed settlement of United States v. Microsoft Corp., Civil No. 98–1232.

In order to provide an effective remedy to the Court of Appeals decision, Microsoft should be required, inter alia:

(1) to make the most current version of Windows available on an open source basis, compensating Microsoft for the fair market value of the intellectual property;

(2) to make the most current version of Internet Explorer available on an open source basis, compensating Microsoft for the fair market value of the intellectual property;

(3) to port the latest version of the application Microsoft Office to work on the Linux operating system.

Thank you.

James J. Decoulos, PE, LSP Decoulos & Company 248 Andover Street Peabody, MA 01960, tel: 978–532–8154, fax: 978–359–6034 web: www.decoulos.com

**MTC-00024006**

From: Marcus  
 To: Microsoft ATR  
 Date: 1/25/02 6:16am  
 Subject: Microsoft Settlement

Aloha,

I, Marcus Marchesseault, a natural-born citizen of the United States of America and a resident in the State of Hawaii would like to voice my opinion in the important matter of the anti-trust suit against Microsoft. I believe that the monopoly has gone on far too long and great damage has been done to our economy. The stranglehold that Microsoft has on the market inhibits the ability of competitors to create new and innovative products. Microsoft's blatant violation of

anti-trust law by restricting the ability of competing software companies to effectively use its operating system are numerous and I am dismayed why nothing has been done to stop them.

With help from IBM, Microsoft gained a dominance in the market with their operating system even though there were several better systems available. Most of the competitors are now gone (Atari, Commodore, and Apple) and there is no way for anybody to break into the market unless Microsoft gives them permission to use their operating system. There is no company that has the financial resources and market position to compete against Microsoft and this situation should have been prevented. The company should have been separated into Operating Systems and Applications divisions several years ago. The fact that the world has settled upon one operating system for all its needs arose from an early benefit of standardization in programming. Now, Microsoft uses that monopoly to give its own applications dominance over any other company. If this situation is allowed to persist, there will soon be only one software company in operation and all of the operation of U.S. corporations will depend on the whims of Microsoft. Microsoft has gradually taken over all of the significant applications markets and it is only a matter of time before they are able to disallow other companies from creating any new products for Windows operating platforms.

I thought that I should explain why I say that Apple corporation is no longer a Microsoft competitor.

Microsoft bailed out Apple in an attempt to keep them alive long enough for the Justice Department to think that there is some sort of competition in the market. This simply is not true. There is only ONE player in the personal computer applications market and that is Microsoft. Apple is simply a puppet that is allowed to exist long enough for Microsoft to get out of trouble. Now that they are not going to be significantly punished, all remaining competitors will be flushed from the market.

I hope that a serious resolution can be implemented.

Mahalo,  
 Marcus Marchesseault  
 marcusm@hawaii.rr.com  
 Honolulu, HI 96821

**MTC-00024007**

From: Rich B.  
 To: Microsoft ATR  
 Date: 1/25/02 6:18am  
 Subject: Microsoft Settlement

I think this settlement is a bad idea. Microsoft should be held accountable for its illegal actions.

—Rich Brennan  
 rbrennan@wzrd.com

**MTC-00024008**

From: dacaco@prodigy.net@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 6:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 David Nunn  
 6738 E 10th St  
 Tulsa, OK 74112-4612

**MTC-00024009**

From: dontmakemecancel@netscape.net@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 6:33am  
 Subject: Microsoft Settlement

As consumer who has basically been forced fed shoddy, virus propagating microsoft products, as I watched all alternative options for an operating system disappear. Let's not forget, that I HAVE TO PAY for the software that continually needs to be updated (at a price) and takes more and more control away from ME, the person who paid for it. I have been playing around with IBM pc's for about 15 years, I know how it works and the programs that SHOULD run on it. I don't need or want MS telling me what I can and can't do with MY computer. I don't need Internet Explorer shoved down my throat.

I am absolutely outraged that MS for the umpteenth is allowed to continue to do business as usual after being found guilty of something. A perfect example is, the only DSL service in my area is MSN, fair enough, I use it. The problem is, I HAVE to use MS products to send and receive email through the MSN domain, no other email programs are allowed to access their mail servers. Hmmm, any other ISP will let you use whatever you'd like. Couple this with I have been WAITING 2 WEEKS for them to delete an email containing a file THEIR product can't download and is clogging my mail box. This is a prime example of unfairly removing any competition, forcing their own products and then ignoring me, THE PAYING CUSTOMER when it doesn't work as advertised.

This huge gift and free ride of a "settlement" isn't going to cut it. If MS isn't punished appropriately to the vast crimes they have committed (and found guilty of) and will continue commit, I shall be voicing my opinion at the voting booth.

A forced and resentful MS consumer,  
 Mark Orr

**MTC-00024010**

From: John Eriksen  
 To: Microsoft ATR

Date: 1/25/02 6:37am

Subject: Microsoft Settlement  
 Divide up microsoft . . .  
 We all know why . . .  
 Fining them a billion or two. . . p l e a s e . . .

Mr Gates could write you a check tomorrow. . . personally. . . for 70 times that amount. . .

A Fine does not address the problem. . . Microsoft rakes in money almost as fast as the federal Govt. . .

Divide up microsoft. . . you did it to standard Oil  
 You did it to At&T  
 Its time you did it again.

**MTC-00024011**

From: Pandora844@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 6:34am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Eileen Novosel  
 1703 Lansdale Avenue  
 Bethlehem, PA 18017

**MTC-00024012**

From: Frady1lady@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 6:48am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Sincerely,  
Terry Frady  
5 Palmira Ct.  
Brownsville, TX 78526-1952

**MTC-00024013**

From: vin  
To: Microsoft ATR  
Date: 1/25/02 6:52am  
Subject: Microsoft Ruling

Please take stringent action against Microsoft's Monopoly. In today's current software marketplace Microsoft has a strangle hold not just on the Browser, but on the whole operating system. To make matters worse they are also the de-facto standard in business productivity applications with the .doc file. The have grown way to powerful and pervasive. What worries me as a citizen is the world wide reliance on a single computer platform. What is going to happen when a hacker writes a virus that is truly destructive and wipes out 95% of the worlds data. Microsoft has shoe-horned us into a dangerously exposed technology position.

Sincerely  
Vin Capone

**MTC-00024014**

From: Peter Kirch  
To: Microsoft ATR  
Date: 1/25/02 6:56am  
Subject: Microsoft Settlement

I find the proposed Microsoft settlement to be a scam..

I have been a consultant in IT since 1984. I have been involved with IT projects since 1978. I have worked with apple II, IBM mainframes, and DEC VAXes. I have watched Microsoft attack and destroy company after company using their position and wealth. Microsoft only "innovates" when they are attaching competition. When the competition is gone they sit on their laurels.. I watched the original trial (1995) and thought the outcome was a scam.. This proposal is for this trial (2000) is also a scam. Microsoft has silenced companies by "investing" in them or by threatening them.

Please open the playing field back up. Do not slap them on the wrist.

The present proposal is nothing more than a WASTE OF MY MONEY.. PLEASE USE MY MONEY WISELY.

As a taxpayer I insist on a better proposal.. this one stinks of politics..

Peter Kirch

**MTC-00024015**

From: Wendy Krieger  
To: Microsoft ATR  
Date: 1/25/02 6:57am  
Subject: Microsoft Settlement

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.] MTC-00024015-0001

Dear Sir or Madam

I have read the Microsoft Judgment, and found it excludes areas where Microsoft has been anti-competitive, but the matters not brought to trial on this. I therefore offer my comments on this matter.

Wendy Krieger

Comment on the Revised Final Judgments.

I read the final judgment, and I see a series of loopholes. The restrictions apply mainly to

OEM distributions, and not retail versions. This allows Microsoft scope to engage in anti-competitive behavior in the upgrade market and server side.

Microsoft should be compelled to undo the damage done to competition. What is offered here is additional items designed to have Microsoft fix up the disadvantage of its acts, in much the same way that AT&T had to replace the telephone fittings to a more open standard.

**I Undoing the Damage to Clients.**

The conditions affect only copies distributed by way of OEM sales to the largest vendors. It does not prevent the same sort of behavior against upgrade copies.

For example, Windows 2000 upgrade prevents the dual booting of it and any non-Microsoft operating system. In order to overcome this, one must apply a 100 MB service pack 2, and take into effect all of the other "features" that comes with it.

Microsoft should be compelled to manufacture, and distribute at nominal costs, a fix for every affected operating system (ie Windows 95 OS/R2.x, 98, 98SE, ME, 2000 and XP), a patch that undoes the following anti-competitive elements:

- a: Any commingled browser, or other Microsoft Middleware.
- b: Any code that prevents or damages on each boot, any non-Microsoft boot-loader
- c: Any code or instructions that detect non-Microsoft drivers from loading. MTC-00024015\_0002

The computer shall be able to boot and function in such capability. [This gets around the functionality of removing core code that is required to function with both the browser and the operating system.]

It shall also distribute, on the same media, installable versions of its own middleware, and installable versions of competing middleware, as provided by the manufactures.

a: Alternate versions are to be provided to facilitate the capabilities of different machines.

This prevents a version of IE being distributed that requires a certain version of Windows to be installed.

Microsoft shall, in its browsers, reinstate and facilitate, any interface and streaming to non-Microsoft clients, such as:

- a: The Netscape plug-in interface, introduced in IE 3, and later withdrawn: See the Apple deposition in the Antitrust trial.
- b: Streaming of data to non-Microsoft middleware. This allows a partially downloaded file to be displayed in the client window. If the file is not streamed, the complete file must be downloaded before it is passed to the middleware to display.

The cost of distributing this media shall be borne by Microsoft, and shall be made freely available at any outlet that sells or distributes any Microsoft software.

Where Microsoft's actions are set to harm or provide confusion, then Microsoft's shall act to undo the damage of its invasion. For example, partitions formatted as HPFS or NTFS present themselves to any utility as being the same type. Software that scans hardware looking for errors will present the HPFS partition as being corrupt, and offer to "correct" it.

This will damage the data in the partition. Microsoft was aware of this, since Windows NT 3 and Windows NT 4 support the partition. The NTFS is therefore "intrusive" onto ground already established as identifying as a HPFS partition. Since HPFS has a pre-existing claim, it is

Microsoft's fault for intruding onto its space, and Microsoft's costs to repair it. Microsoft shall continue to offer for sale, at a discount rate, older versions of its operating systems. This prevents it forcing changes on the market-place. All versions of operating systems offered shall contain the patch cdrom as described above. MTC-00024015\_0003

Microsoft shall make available, at nominal costs at retail outlets, compact disks that contain patches for its various operating systems. This saves people having to download 100MB files over faulty connections at great expense. [Windows 2000 SP 2 is not available except by download. At 100MB, this takes a very long time to download. There is no reason why a OS patch disk should not be available where the operating systems are sold.]

**II. Undoing the damage on the server side.**

This is aimed at removing restrictions to the use of non-Microsoft browsers on the web, and aimed at making the internet accessible to alternate browsers and other middleware.

For the purpose of this section, "non-Microsoft middleware" carries the connotation that it must be technically able to do the task. It also includes older versions of Microsoft middleware, that do not have the latest code that provides artificial restrictions.

The access to the services for a user to administer his or her account shall not be restricted to one operating system or browser. Ideally, this should be accomplished through actions on the server side. Much other electric commerce is independent of this restriction. At the minimum, the ISV should be able to redistribute a html document that contains links to essential services, that it may be accessed through any browser off any operating system.

Microsoft shall not restrict access to any of its internet networks or services to technically capable non-Microsoft clients. One should be able to enter a chat room from a non-Microsoft chat client, have mail from one's Hotmail account forwarded to a capable non-Microsoft client. [You can do this to Outlook and Outlook Express, but not with the rivals like Endora]. Where Microsoft provides an enhancement or change to its service, it shall continue to provide access to the services using the standard interfaces.

Microsoft shall assist, at its expense, alterations to be made to sites that prevent access by non-Microsoft browsers and middleware.

For the purpose of law, any site that is not accessible with non-Microsoft middleware and browsers, on a non-Microsoft operating system, is deemed to be "unaccessible", and therefore not in compliance with any stated requirement to be "accessible from the internet". This will encourage other parties to dismantle their "Microsoft Only" networks. MTC-00024015\_0004



### III. Network Communications and Clients.

Microsoft shall not interfere with, and provide support for, standard network protocols, to the extent that any version of Windows may interact with a machine loaded with a different operating system, whether Microsoft or not. This is aimed at the embrace and extinguish practices of Microsoft.

This condition is not intended to interfere with the development of specialist network interfaces, it is more intended to allow any operating system, out of the box, to participate in a network using standard protocols. For example, video adapters, in addition to the manufacturer's specialist interfaces, can operate in VGA mode.

### IV. Altered Standards and confusing names

Microsoft shall recognize and respect pre-existing standards. Where it modifies a standard, or implements it in a way that will cause confusion and incompatibilities with the pre-existing standard, then Microsoft shall use a different identifier and name (while acknowledging the Intellectual property of the base remains with its original owners).

This is intended to overcome the use of names that are likely to confuse: OS/R2 [Curiously, Only Windows 95 was described in this manner: OS/2 was a serious competitor. Windows 98 and later was not described like this.], J++ and MS Java (the differences between this and Sun's version has been tested in court), NTFS and HPFS (Microsoft modified HPFS to such an extent that the NTFS driver can not read HPFS and HPFS can not read NTFS: but they are identified as the same partition type, correspondingly, each think the other is corrupt.)

### V. Microsoft Hardware.

Microsoft shall provide with its hardware, drivers and software to allow the use of its hardware under a non-Microsoft operating system. Such software shall not be any more intrusive or interfering than any other compatible non-Microsoft driver, or the Microsoft driver on a Microsoft software.

[This condition prevents Microsoft Mouse for OS/2 advertising Windows, or displaying a splash screen with a five second delay]. VI. Compliance MTC-00024015\_0005

Microsoft will be required to comply with these terms, under the same management as the judgment already entered.

Wendy Krieger

27 Coverdale Street  
Indooroopilly, Q 4068

AUSTRALIA MTC-00024015\_0006

### MTC-00024016

From: Hooky Sun  
To: Microsoft ATR  
Date: 1/25/02 6:59am

As someone familiar with computing and the computer industry, and the adverse effects of Microsoft's monopolies in these areas, I do not see how the settlement that is put forth even pretends to remedy the antitrust crimes of which Microsoft has been found guilty. The company has already been found in violation, (this is the penalty phase of the case) but the settlement contains no penalties and even increases Microsoft's monopoly. A just penalty, I continue, would at least carry three additional features:

(1) Any remedy seeking to prevent an extension of Microsoft's monopoly must place Microsoft products as extra-cost options in the purchase of new computers, so that the person who does not wish to purchase them is not forced to do so. This means that for the price differential between a new computer with Microsoft software and one without, a computer seller must offer the computer without the software (which would prevent computer makers from saying that the difference in price is only a few dollars). Only then could competition come to exist in a meaningful way.

(2) The specifications of Microsoft's present and future document file formats must be made public, so that documents created in Microsoft applications may be read by programs from other makers, on Microsoft's or other operating systems. This is in addition to opening the Windows application program interface, which is already part of the proposed settlement.

(3) Any Microsoft networking protocols must be published in full and approved by an independent network protocol body. This would keep Microsoft from seizing de facto control of the Web or, yes, the Internet. If the National Interest is at stake then surely to further the monopoly does not serve it for how many times has a weakness been found and exploited for harm within the black boxes sold by Microsoft? Do we wish to increase such occurrences?

### MTC-00024017

From: evanjudy@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 7:00am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Evan Golt  
124 e. mulberry st.  
Hill City, KS 67642

### MTC-00024018

From: Maloney  
To: Microsoft ATR  
Date: 1/25/02 7:07am  
Subject: Microsoft Settlement

Leave Microsoft alone, they're doing a GREAT job! They've created a world-wide computing standard that is GOOD for me and my family, as well as everyone else in the great US of A!!!!

Jeff Maloney

### MTC-00024019

From: Jim Connery  
To: Microsoft ATR  
Date: 1/25/02 7:07am  
Subject: Microsoft Settlement

I consider this settlement to be a bad idea, the proposed settlement does a very poor job for everyone BUT Microsoft.

James E. Connery  
jimcisme@houston.rr.com  
13314 Granada  
Houston Tx. 77015

### MTC-00024020

From: Jamie Dow  
To: Microsoft ATR  
Date: 1/25/02 7:07am  
Subject: Microsoft Settlement

I would like to register my displeasure with the state of the Microsoft Settlement. I believe that Microsoft has gone too long without punishment for what has been found to be a number of illegal acts violating American antitrust laws. I also believe that the current settlement does not do nearly enough to remedy this situation, and that Microsoft will be getting off with just another "slap on the wrist" as has happened so many times before. Although Microsoft would like us to believe that it innovates, it only serves to stifle innovation through the use of its considerable muscle as a monopoly (or at the very least, near-monopoly). It has repeatedly used illegal practices to push its competition out of the marketplace.

This is a very "Un-American" thing to do. We are a country that prides itself on capitalism and free trade, and the keystone of capitalism is that there must be competition for the system to work. By allowing Microsoft to continue with its anticompetitive activities, we destroy the very foundation of the American economy.

I urge you to reconsider your settlement, and not to let Microsoft get off too easily once again.

—Jamie Dow (Newport Beach, CA.  
Student—University of California, Irvine)

### MTC-00024021

From: Lambrecht, Joris  
To: "microsoft.at(ajusdoj.gov)"  
Date: 1/25/02 7:13am  
Subject: Microsoft Settlement

I hope the court takes into account the numerous "tactical" bugs which are actually a way of orchestrating the market. Also, the extent of the way "exploits" appeared in Microsoft products combined with the NSA-key controversy is quite disturbing to all who care about privacy. Microsoft only recently turned focus to security thus actually confessing to NOT have cared in the past while company's and people surely were made to believe so. These previous topics have been a way which seriously misled a lot of people into believing a Microsoft product is what it claims to be. In fact, Microsoft should be paying people to install one of their security-fixes. Looking at the revenue and profits Microsoft has at its disposal it's quite frustrating to realize they've never cared for delivering a better, less bug ridden, product in the first place thus actually stealing money from trusting citizens.

Finally, Microsoft products should be banned as a defacto standard for the educational system as they've managed to accomplish all over the world. Mostly by out-buying their competitors or by launching a F.U.D.-campaign against perfectly viable alternatives as there is Open Source Software. Moreover, right now they are raising the prices of educational licensing by as much as 40%. Good grief. This is a strangling policy typical for the disregard in which Microsoft interacts with the market and the public.

Tax-payers, like me, worry more and more about company's like Microsoft who lay claim to solutions instead of providing one.

Kind Regards,  
 Joris Lambrecht  
 Ebone NOC IP Operations  
 [ Phone ] +32 2 658 52 52 [ Fax ] +32 2  
 658 51 06

Operations : <http://www.ebone.com/ebone.nsf/goto/6030>

#### MTC-00024022

From: E. Jane Wineteer  
 To: Microsoft ATR  
 Date: 1/25/02 7:15am  
 Subject: Microsoft Antitrust Cases

I am totally sick of the government interfering in the legitimate success of American business. Either Americans can handle competition (and benefit from it) or they can't; the market should decide, not the courts.

It appears to me that detractors are simply trying to make money by suing Microsoft rather than turning their efforts to making better products and thus succeeding in the marketplace rather than the courts. I do not think the Justice Department should be a willing party to this activity.

E. Jane Wineteer  
 ewineteer@kc.rr.com

#### MTC-00024023

From: C. Faye Keller  
 To: Microsoft ATR  
 Date: 1/25/02 7:16am  
 Subject: Microsoft Settlement  
 PLEASE END THIS NIGHTMARE! The AOL vs Microsoft wrangling is not consumer friendly.

We users and surfers have suffered during these legal proceedings. AOL's goal appears to be to drive Microsoft out of business. Should this succeed the losses of jobs and stock earnings will make the Enron bankruptcy look like peanuts. The Recession began with the political and ignorant Penfield decision.

The Depression will begin if the Bush DOJ does not stop this snowball bound for Hell.

The DOJ and States' AGs, AOL conglomerate and Class Action lawyers are the only winners. Consumers are already paying increased prices for: internet access (up 18% including AOL), operating systems and programs (up 15%). The cost to stockholders is already a negative 20% to 50%.

AOL has instituted another frivolous lawsuit. Please stop AOL's goal of driving Microsoft into bankruptcy and our country into Depression.

Christine F. Keller

9181 Market Ave.  
 Hartville, OH 44632-8715

#### MTC-00024024

From: Jason  
 To: Microsoft ATR  
 Date: 1/25/02 7:19am  
 Subject: Microsoft Settlement

To whomever it concerns:  
 I believe the proposed settlement with Microsoft is a joke. The were proven guilty and they only given a slap on a wrist. Microsoft needs to unbundle all non OS related programs from its operating systems.

They only bundle software in order to take over the market share and make their monopoly stronger. If they truly cared about the customer they would bundle Office into the operating system but that would affect their revenue on a product that they have already a monopoly in. I believe the penalties for Microsoft should be much stiffer.

Thanks for listening  
 Jason Klemesrud

#### MTC-00024025

From: Tim (038) Wendy McGill  
 To: Microsoft ATR  
 Date: 1/25/02 7:23am  
 Subject: Please drop your current suit against

Microsoft. The reason for their market share is simply that t

Please drop your current suit against Microsoft. The reason for their market share is simply that they have provided the consumer a superior product at a reasonable price. I have tried Netscape and it is garbage. That is the reason they can't compete.

Tim McGill  
 Kingsland, Ga.

#### MTC-00024026

From: Creighton Kirkendall  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/25/02 7:22am  
 Subject: Microsoft monopoly and how they affect me.

I am a Senior Software Engineer at a successful publishing company. We have both CD software and websites that we maintain. Our CD ROMs support both Mac and Windows and the websites are Netscape & Microsoft compliant. Recently I found that the newest versions of internet explore decide to remove the code that supported the open standard for plug-ins. This in turn caused some major ramification to how I have to handle multimedia on my site. It seems that with out adding special code on my site that the user can not view any of the multimedia even if they could before upgrading. This is due to fact that some of the multimedia on my site is based off of QuickTime format and not Microsoft own multimedia format. Now I am not anti-Microsoft, but its decision to bundle its multimedia support with it browser and then drop support for plug-ins causing others like QuickTime to become inoperable, with out code modification, cost my company money. Had Microsoft conformed to open standards in place in the industry, this would not have happened? I am a user of both Windows and Internet Explore and I feel that I have been harmed by Monopolistic activities. I feel that Microsoft is bringing the old browser wars into multimedia industry and its using it

dominant stance in the browser market to do it. I will personally say that I am worried about supporting other formats other than Microsoft's because I can not afford to have users going out to my site and it not function because Microsoft has decided not to support other technologies in their browser.

Creighton Kirkendall  
 Senior Software Engineer  
 Hobsons

#### MTC-00024027

From: griffons@bignet.net@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 7:25am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 karen griffon  
 914 s. main  
 milford, MI 48381

#### MTC-00024028

From: SCURRY13@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 7:33am  
 Subject: Microsoft Settlement

i would like to voice my objection to the so called settlement that Microsoft and the DoJ has made. the object in any settlement in to at least punish the offending party (avoiding a more serious one if the case continues), this settlement rewards microsoft more than it does anything else. the decenting states settlement, while having more teeth, is likewise not enough, but is much better than the DoJ's pat on the back.

Scott Jack  
 Butler, PA

#### MTC-00024030

From: Keith  
 To: Microsoft ATR  
 Date: 1/25/02 8:36am  
 Subject: Microsoft Settlement

I believe Microsoft is the biggest and most abusive monopoly in history. At a time when \*information\* drives our economy, we, as business and personal computer consumers, need choices in the tools we use to manage information.

Unfortunately, the only real choices we have are flavors from the same monopoly. Microsoft has worked to squash competition, most noticeably in their monopolistic crushing of Netscape. MS did not really need

to integrate their browser into their operating system and they certainly did not need to give it away. They give very little away. I believe they realized that browsers, because of the way plug-in programs could be integrated, had the potential of becoming an operating system within an operating system. There is no reason that browser plug-ins could not be developed to handle most routine user requirements. Hence, they crush that competition. Within their own product lines their behavior is that of a monopoly. Take MS Works. It is probably the most simplistic software suite available today. If we use the automotive industry as an analogy, it would be a Yugo. If General Motors were a monopoly, they could offer only a Yugo and a Buick. Consumers would realize the all-too-obvious limitations of the Yugo (MS Works) and pay through the nose for the Buick (MS Office).

Additionally, MS monopoly behavior has produced unreliable operating systems with huge security holes. They have no reason to care because there is no competition. The DoJ should do the same thing to Microsoft that they did to "Ma Bell" and split the company into a minimum of five corporations. At least "Ma Bell" gave us the best phone system in the world. The only thing of worldwide note that Microsoft has produced is producing one of the world's richest men.

Eventually, some parts of the split MS company might re-merge, just as some of the Bell units have. But, in the meantime, we would have a period when investors could bring us truly competing companies, just as happened in the telecommunications industry. Today, no one in their right mind would spend anything to try to compete with the world's biggest monopoly. No one! Without a breathing space created by a 5-way split up, we are doomed to endure high prices and mediocre products, the hallmarks of a monopoly. While I am a firm free-market advocate, American consumers do deserve protection from certain levels of monopoly. If Microsoft does not meet that threshold, no company ever will.

Sincerely,  
Keith Ryan  
Consultant

**MTC-00024031**

From: Irmgard Wilson  
To: Microsoft ATR  
Date: 1/25/02 7:40am  
Subject: Microsoft Settlement

**MTC-00024031-0001**

+5714 Carriage Barn Lane Montgomery, AL  
36116  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

Thank you for the opportunity to express my opinion on an issue that I feel is of great importance to the country and the economy: the proposed settlement of the Microsoft case.

The case was a wrongheaded exercise of raw political power from the outset. It operated from the faulty economic

assumption that big is always bad. It was prompted in great part by the inability of Microsoft's competitors to compete not because Microsoft precluded them from competing, but because their products just could not compete with the quality of Microsoft's.

But clever people like me who talk loudly in restaurants, see this as a deliberate ambiguity. A plea for justice in a mechanized society.<> .....

I hope the concessions made by Microsoft in the areas of systems configuration, pricing, and industry relations will suffice to finally end this case. It does the economy no good to have one of its main engines locked away in Court. Thank you for your time and attention.

Sincerely,  
Irmgard Wilson  
J0024031-0002

**MTC-00024032**

From: Jeanette Love  
To: Microsoft ATR  
Date: 1/25/02 7:40am  
Subject: Good Heavens

This whole thing is ridiculous! I swear that these cry baby companies are just as bad as a bunch of "petty jealous women".

Has anyone ever thought that if those companies had a product as good as the Microsoft products they wouldn't have these problems?

I buy Microsoft because they are good programs—I wouldn't have Netscape on my computer and it irritates me to death to have to designate which one I want to use.

As for AOL—what a farce. People can choose whichever one they want to use from within the OS. As a matter of fact, I detest AOL as much as I do Netscape. The first thing I do when I install a new OS is go in and delete the junk about AOL, Prodigy etc—just don't want it there in my way, cluttering up my machine.

Its time for the cry babies to just get over it and produce a better product that people will want to use.

Nobody forces me to use Microsoft products—I use them because I prefer them over any of the others.

Jeanette  
jlove@austin.rr.com

**MTC-00024033**

From: Ralph Perna  
To: Microsoft Settlement U.S. Department of Justice

Date: 1/25/02 7:39am  
Subject: Microsoft Settlement  
Ralph Perna  
10414 Amblewood Dr.  
Houston, Tx 77099-4105  
January 25, 2002  
Microsoft Settlement U.S. Department of Justice

Dear Microsoft Settlement U.S. Department of Justice:

The Microsoft trial squandered taxpayers' dollars, was a nuisance to consumers, and a serious deterrent to investors in the high-tech industry. It is high time for this trial, and the wasteful spending accompanying it, to be over. Consumers will indeed see competition in the marketplace,

rather than the courtroom. And the investors who propel our economy can finally breathe a sigh of relief.

Upwards of 60% of Americans thought the federal government should not have broken up Microsoft. If the case is finally over, companies like Microsoft can get back into the business of innovating and creating better products for consumers, and not wasting valuable resources on litigation.

Competition means creating better goods and offering superior services to consumers. With government out of the business of stifling progress and tying the hands of corporations, consumers—rather than bureaucrats and judges—will once again pick the winners and losers on Wall Street. With the reins off the high-tech industry, more entrepreneurs will be encouraged to create new and competitive products and technologies.

Thank you for this opportunity to share my views.

Sincerely,  
Ralph Perna

**MTC-00024034**

From: mischka2@dslextreme.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 7:43am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Gaye Honeycutt  
3508 West Magnolia Blvd.  
Burbank, CA 91505-2911

**MTC-00024035**

From: Gregg Rice  
To: Microsoft ATR  
Date: 1/25/02 7:48am  
Subject: Proposed MS Anti-Trust Remedy

I am writing to express my opposition to the proposed Microsoft anti-trust remedy on the grounds that it does not go far enough in sanctioning the obvious anti-competitive tactics employed by Microsoft in its business practices.

I further want to indicate my support for the views expressed in Dan Kegel's "Open Letter to the DOJ" about the proposed settlement. I have requested inclusion as a cosigner of that document.

Thank you.  
Gregg Rice

Computer Consultant  
Toledo, OH

**MTC-00024036**

From: Larry Bauer  
To: Microsoft ATR  
Date: 1/25/02 7:51am  
Subject: Microsoft settlement  
Leave microsoft alone! You don't have to use Explorer, it's an option.  
Larry Bauer

**MTC-00024037**

From: Michael Young  
To: Microsoft ATR  
Date: 1/25/02 7:51am  
Subject: Microsoft Settlement  
The currently proposed settlement will not sufficiently change the current business practices of Microsoft. I find it completely absurd that anyone would agree with it.  
Michael Young

**MTC-00024038**

From: nanasrp@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 7:48am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.  
Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.  
This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
Sharon Prechel  
8654 E. Cypress ST.  
Scottsdale, AZ 85257

**MTC-00024039**

From: R. Bradley Tilley  
To: Microsoft ATR  
Date: 1/25/02 7:59am  
Subject: Microsoft Settlement  
To Whom it may concern:  
Please stop Microsoft from taking advantage of users and businesses. Don't allow them to keep their illegally obtained monopoly.

Their control of the PC market combined with their insatiable desire for power and their total disregard for computer security will cause great damage to businesses and home users in the future.

They continually produce insecure software and place it on computers all over the world. There is no choice. Call Dell or Gateway computer corporation and try to order a PC without Microsoft Windows installed, and they will tell you that that isn't possible. There is NO choice.

Bring choice and freedom back to America's PC users!!!  
Brad Tilley PBK  
University of Virginia Tech  
Phone: 540.231.6277  
Web: http://bursar.vt.edu  
Fax: 540.231.3238

**MTC-00024040**

From: Julie Mackert  
To: Microsoft ATR  
Date: 1/25/02 8:00am  
Subject: Microsoft Settlement  
I think the proposed settlement is a truly bad idea.  
Julia Mackert

**MTC-00024041**

From: Dan Weeks  
To: Microsoft ATR  
Date: 1/25/02 8:04am  
Subject: Microsoft Settlement  
To Whom it May Concern:  
I am writing today to express my concern with the Microsoft Antitrust Settlement. After reading through the settlement and many summaries I feel there is at least one issue which must be addressed.

According to the settlement Microsoft will be forced to share its Application Programming Interfaces (APIs). While this is good the clause demanding that any users of those APIs share their code with Microsoft is ludicrous. Forcing companies to give their hard work and trade secrets on products to Microsoft will cause two problems.

First, those companies that do give their code to Microsoft will be in the same position that caused the antitrust case in the first place, Microsoft will be able to undercut their competition and release bundled or stand-alone products that compete with the original authors, but potentially uses the original work.

Second, the amount of new entries into the market and investments in research will more than likely be drastically reduced. If companies see that Microsoft might be able to take all of their work for free then they will be reluctant to invest the time and money to develop a new product.

APIs are a central part of an operating system. If Microsoft wishes to publish an operating system as part of it's core business they should publish open APIs and be done with it. This will level the playing field and the best products will come to the top, rather than one company deciding the market and forcing competitors out of business just because it has the resources to do so.

Thank you for your time.

Dan Weeks  
Harrison, New York  
dan@danimal.org

**MTC-00024042**

From: Eric Marshall  
To: Microsoft ATR  
Date: 1/25/02 8:05am  
Subject: Microsoft Settlement  
The proposed settlement is a bad idea. Please modify it to benefit the entire computing industry, not just Micro\$oft.

**MTC-00024043**

From: aspinwall@btinternet.com@inetgw  
To: Microsoft ATR

Date: 1/25/02 8:06am  
Subject: DOJ v Microsoft  
Hi,

I feel that the proposed remedy agreed by the DOJ and Microsoft will not have any beneficial effect in curbing Microsoft abuse of its monopoly with the computer market.

Due to the way Microsoft operates it is very hard for companies to move away from the Microsoft products they have already installed because of file compatibility or the ability to communicate with customers.

It appears from information circulating around various security new groups that Windows 2000 makes surrious DNS (Domain Naming System) requests when communicating with Non-Microsoft DNS Servers (a cumulative effect which can slow down a Network!). The Fix is to install a Windows based DNS Server (for which you have to pay client access licenses), while on Unix you do not.

Microsoft due to its size and cash can enter any market and spent its way to dominate the market.

Microsoft needs to be split into the following divisions:

1. Operating Systems (Intel X86, Itanium)
2. Embedded Systems (PDAs, ATMs)
3. Application Development (Development Tools)
4. Internet Systems (including IE, BizTalk)
5. Office Applications (Office, Exchange)
6. Business Partnerships (other businesses which Microsoft has bought completely or has more than 5%)

Microsoft should also publish the complete API for Windows, and publish common inport/export formats for all applications to permit free movement of information into and out from all Microsoft products. eg Office, Outlook, etc.

Regards

CC:aspinwall@btinternet.com@inetgw

**MTC-00024044**

From: dorisu@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:05am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Doris Urquhart  
21 Woodvale Ave.  
Fishkill, NY 12524-1112

**MTC-00024045**

From: sherziecat@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 8:06am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 sharon Culpepper  
 2526 Washington  
 dubuque, IA 52001

**MTC-00024046**

From: Jim Weage  
 To: Microsoft ATR  
 Date: 1/24/02 8:05pm  
 Subject: Microsoft

It is time to drop the Microsoft lawsuit.  
 Thank you, D. Jmaes Weage  
 2420 Larry Road  
 Clarksville, TN 37043

**MTC-00024047**

From: Jess Collins  
 To: Microsoft ATR  
 Date: 1/25/02 8:12am  
 Subject: Microsoft Settlement

I believe the proposed Settlement with Microsoft is a bad deal for the people of the United States.

I have signed on as co-signer of Dan Kegel's petition: "Open Letter to DOJ Re: Microsoft Settlement"

I ask that you seriously consider the suggestions for correcting the flaws and closing the loop holes pointed out by Mr. Kegel.

Sincerely  
 Joseph Collins

**MTC-00024048**

From: Adam Glass  
 To: Microsoft ATR  
 Date: 1/25/02 7:45am  
 Subject: Microsoft Settlement

To whom it may concern,

I am writing in opposition to the settlement proposed between Microsoft and the Department of Justice. It will not lessen the monopoly power of Microsoft over the software industry. The settlement may even have the reverse effect ... secure in the knowledge that they can do whatever they wish without adverse consequences, Microsoft may now exert their power to take over new emerging areas of the technology arena.

Microsoft claims it wants and needs the ability to innovate. If so, the same applies to all other companies in the computing industry. But Microsoft's monopoly power denies this ability to any company that would like to compete against them. It is preferable to impair Microsoft a little in this regard, especially since they have been found guilty, to level the playing field for everyone. Why should Microsoft be able to innovate while they keep their potential competitors from doing so?

You, the Department of Justice, have proven in a court of law that Microsoft has done wrong. The next step should be significant punishment, not encouragement to continue to do wrong. Please live up to the name of your department. Discard this settlement and pursue real justice.

Thank you  
 —Adam Glass

**MTC-00024049**

From: Allen Barnett  
 To: Microsoft ATR  
 Date: 1/25/02 7:13am  
 Subject: Microsoft Settlement  
 To: Renata B. Hesse  
 Antitrust Division  
 U.S. Department of Justice  
 601 D Street NW  
 Suite 1200  
 Washington, DC 20530-0001  
 Subject: Microsoft Settlement  
 Summary

The Revised Proposed Final Judgment (PFJ) in the case Civil Action No. 98-1232 (CKK), United States of America vs. Microsoft Corporation (defendant), and Civil Action No. 98-1233 (CKK) State of New York, ex. rel. vs. Microsoft Corporation, does not appear to achieve the mandate given in the decision of the United States Court of Appeals in Case No. 00-5212/00-5213, namely, "to 'unfetter a market from anticompetitive conduct,'" ([a quote from] Ford Motor Co., 405 U.S. at 577), to "terminate the illegal monopoly, deny to the defendant the fruits of its statutory violation, and ensure that there remain no practices likely to result in monopolization in the future," [a quote from] United States v. United Shoe Mach. Corp., 391 U.S. 244, 250 (1968)."

The PFJ fails to meet the appeals court mandate in, at least, the three following areas:

1. The PFJ provides no effective enforcement mechanism.
2. The PFJ fails to address the free software movement.
3. The PFJ does not effectively prohibit anticompetitive pricing practices.

Therefore, this resolution is not in the public interest and should not be adopted without substantial revisions.

**Discussion****1. Enforcement**

In his testimony before the United States Senate Committee on the Judiciary on December 12, 2001

(<http://judiciary.senate.gov/te121201f-lessig.htm>), Professor Lawrence

Lessig thoroughly discusses the failure of the PFJ to provide an effective enforcement mechanism. The lack of a "special master, or

panel of masters" to resolve disagreements about application of the terms of the consent decree efficiently is a "fatal weakness". The duties and power of a special master are spelled out in detail in section N of "Plaintiff Litigating States" Remedial Proposal" (<http://www.naag.org/features/microsoft/ms-remedy-filing.pdf>). As Professor Lessig states, the personal computer field changes so rapidly that by the time matters are litigated in a traditional manner, the original complaint is usually moot.

Further, neither the special master nor the Technical Committee envisioned by the PFJ should be selected by, or under any financial obligation, to the defendant. They should be United States federal employees with their own staffs and offices. Finally, to insure that there are no conflicts of interest, the proceedings of the special master and/or technical committee must be open to public inspection, subject to the privacy of third parties bringing complaints under the PFJ.

**2. Free Software**

The PFJ gives the defendant too much scope to prevent disclosure of interoperability data to developers of competing software. For example, there are several operating systems which are capable of running on the same hardware as Windows Operating System Products, several of which are free software. (The nature of "free software" meant here is discussed in <http://www.gnu.org/philosophy/free-sw.html>.) However, the PFJ specifically states that the defendant does not have to reveal interoperability information to any entity which the defendant deems as not having a authentic and viable business (section III.J.2). This appears to be deliberate attempt to prevent free software implementations of Windows Operating System compatible products. Since many of these projects are entirely volunteer-based, there is no corporate entity which can be said to be a business.

Further, such intellectual property which the defendant is required to disclose will be available only under Reasonable and Non-Discriminatory licensing terms (section III.I.1). Free software developers cannot afford even the most modest licensing fees since there is no direct financial return on their work. Therefore, all documentation of APIs, Communication Protocols and other intellectual property made available to commercial entities must be made available on a royalty-free basis to free software developers.

**3. Anticompetitive Pricing**

The PFJ requires that the defendant publish a uniform schedule for royalties on Windows Operating System Products. It then lists several exceptions whereby certain OEMs may be offered discounts, specifically that the top-most ten and next top-most ten licensees of Windows Operating System Products are granted special status (section III.B). Such differentiation will have a substantial, negative impact on small OEM computer businesses, so-called regional "white-box" (i.e., no brand name) vendors.

During the trial, it was observed that, over time, the cost of the Windows Operating System has been an increasing percentage of the cost of a personal computer. Therefore,

even the most modest variations in the price of the operating system can make a substantial difference in the cost of a computer. Regional vendors who do not have access to the top twenty vendor discounts will face a substantial disadvantage selling low-cost systems. Further, since they are not "Covered OEMs", there appears to be no restraint on retaliation against these vendors for offering Non-Microsoft Operating Systems Products.

#### Conclusion

In spite of Attorney General John Ashcroft's statement that the Revised Proposed Final Judgment "completely addressed the anti-competitive conduct outlined by the Court of Appeals", the PFJ still allows exclusionary practices to continue. It does not effectively lower the barrier to entry of competitors into the operating systems market; instead, it strengthens the defendant's position by erecting new barriers whereby the defendant can determine who receives information necessary to produce interoperating or competing software.

These areas must be addressed before the PFJ can be considered a suitable resolution to this case.

Sincerely,

Douglas Allen Barnett, Jr., President  
lignum Computing, Inc.  
Pattersonville, NY

#### MTC-00024050

From: Beachmarr4@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:19am  
Subject: Microsoft Settlement  
No to Microsoft!

#### MTC-00024051

From: Kurt Sorrell  
To: Microsoft ATR  
Date: 1/25/02 8:26am  
Subject: Microsoft Settlement

It is my firm belief that the proposed settlement regarding the anti-trust case against Microsoft is inadequate. In fact, it will only serve to entrench the company by exposing children to Microsoft's products exclusively. Consequently, putting competing software companies, and their products, at a tangible disadvantage in the marketplace. This is the exact opposite remedy sought by the United States and it's citizens.

Respectfully,  
Kurt Sorrell

#### MTC-00024052

From: James.William  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 8:18am  
Subject: The Microsoft Settlement....

I think the Microsoft settlement does not go far enough. The stranglehold of Microsoft on innovation in this country has stifled any opportunity for real competition until they are a defacto standard in the workplace. Nothing that I have sen in the settlement actually addresses this issue. If it doesn't work on Windows it doesn't get produced. Even Apple has been unable or unwilling to fight Microsoft because of the money and power they wield not only in the marketplace

but in the schools, governments, and other businesses.

By using their marketing expertise and their fiduciary clout they have either weakened or destroyed any real competition in browser software, operating systems, and office software. They are even trying to stifle complaints by adding conditions to their licensing. That is the action of a company that is afraid of dissent and willing to do anything to control it — actions that only a monopoly would even attempt.

Please keep Microsoft from running an entire industry! They are even trying to get into the hardware side with their X-box machine. Thanks for listening.

Bill James  
2937 Arthur Drive  
Murfreesboro, TN 37130  
O:(615)849-4344  
H:(615)907-8234

#### MTC-00024053

From: David Jantzen  
To: Microsoft ATR  
Date: 1/25/02 8:25am  
Subject: Proposed settlement will extend MS monopoly

The suggested remedy in the Microsoft antitrust case is not an adequate reprimand for the illegal behaviors through which Microsoft has maintained its monopoly. Moreover, it is difficult to imagine that the remedy would successfully curtail future monopolistic behaviors; rather, it will merely result in the indoctrination of an entire new generation into the use of Microsoft products.

As a software developer, my greatest concerns are 1) the closed file formats that Microsoft regularly modifies, resulting in broken compatibility with competing software products; 2) proprietary extensions to open standards (the so called "embrace and extend" tactic) that hinder interoperability with non-Microsoft products; and 3) the highly restrictive licenses to which Microsoft holds PC manufacturers, which appear to prevent the factory installation of competing operating systems alongside of Windows.

A world in which file formats and communication protocols are open standards, and in which PC manufacturer's have greater freedom, will result in much enhanced competition and hence a better experience for the consumer.

Sincerely,  
David Jantzen  
Seattle, WA

#### MTC-00024054

From: cpfi@tricon.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other

Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary M. House  
107 Fieldcrest Rd.  
Bristol, TN 37620-4505

#### MTC-00024055

From: Ray Semiraglio  
To: Microsoft ATR  
Date: 1/25/02 8:29am  
Subject: Microsoft Settlement

As someone who makes their living in the computer industry, I know how much is at stake in the antitrust ruling against Microsoft. As such, I feel that I should make my opinion known. In my mind there are many problems with the settlement, and many issues that it does not address. Microsoft has managed to gain complete control over the operating system market, the "productivity" software market, the internet browser market, and is making major inroads into the handheld and streaming media markets. I don't profess to know how to best rein Microsoft in from their anti-competitive behavior, but I do know one thing that might go a long way towards helping.

However they got into their position of power, Microsoft has gained a great deal because of it. Their stock is still considered one of the best performing out there, and they are rumored to have over \$36 billion in the bank. This last point is my problem. Microsoft has said repeatedly that they are at risk of being superceded by any company out there with a better idea. I agree that this is a possibility, as long as that company also has \$36 billion in the bank. This bankroll lets them sell at a loss or give away software to kill competitors. It lets them buy "innovation" and weather bad economic times. It's been alleged that they use their vast storehouse of cash to smooth over earnings speed bumps. This as much as anything else gives them an unfair advantage over anyone who played by the rules and didn't establish and maintain an illegal monopoly.

More importantly, they gained this money through their anti-competitive behavior. To let them retain the bulk of the cash that was gained via (as per the findings of fact) illegal behavior would be like letting burglars keep their stolen merchandise after being convicted. So my view on the settlement is that Microsoft should be monetarily penalized, both to even the playing field, and to remove their "ill-gotten gains." Whether this cash should be re-distributed to stock holders, Windows users, Netscape, charity, or if it just ends up with the lawyers is for the courts to decide. But allowing them to keep it will ensure that Microsoft will be back in court again.

Thank you  
Raymond Semiraglio Jr.

**MTC-00024056**

From: Kurt Sorrell  
 To: Microsoft ATR  
 Date: 1/25/02 8:32am  
 Subject: Microsoft Settlement

The proposed settlement of the anti-trust case against Microsoft Corp. should be abandoned. Instead of providing relief to consumers, it will further entrench their dominance in the marketplace.

Respectfully,  
 Kurt Sorrell

**MTC-00024057**

From: Glenn Hauman  
 To: Microsoft ATR  
 Date: 1/25/02 8:30am  
 Subject: Microsoft Settlement

What an incredibly bad idea. The current settlement gives a slap on the wrist to a perjuring recidivist abuser of monopoly power. If the impetus in removing the judge at the late date was because granting an interview showed bias, I would suggest that not charging Microsoft with perjury for introducing doctored videotapes at trial is a strong repudiation of that argument.

Furthermore, the arguments that there is no suitable remedy because the damage has already been done, we can't fix the damage to Microsoft's competitors is morally equivalent to saying "we can't bring someone back to life, so let's not charge murderers with crimes."

The company should be busted open, either its code or its corporate structure.

Best—  
 Glenn Hauman  
 President, BiblioBytes  
 Weehawken, NJ

**MTC-00024058**

From: dan  
 To: Microsoft ATR  
 Date: 1/25/02 8:30am  
 Subject: microsoft settlement  
 I do not like it at all

**MTC-00024059**

From: joelscott@att.net@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 8:33am  
 Subject: Life, Liberty, and Property  
 "The only action taken against Microsoft should be a statue of Bill Gates erected in the Center of Settle."

Bill Gates and Microsoft have committed no crime. They have created product and services which companies and people have willingly purchased.

Every man has a right to the fruit of his efforts. That includes the corporation he forms. If his product becomes so popular that everyone needs it than he has done his job correctly.

This is America. Where John Adams and our founders set up an environment of freedom, not governmental trials and lynchings.

-Joel S

**MTC-00024060**

From: ConnieJane@aol.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 8:32am  
 Subject: Microsoft Settlement

To whom it may concern:

I guess I must not be too bright but I just don't understand why the government keeps dragging out this settlement with Microsoft. As a registered voter who exercises my right to vote in every election I urge you to settle this matter and get on with other things that are really important!

The fact that the government brought this action in the first place amazes me. It has always appeared to me that Microsoft built a better mouse trap. The general public liked the new mouse trap and bought them by the millions. Seeing that the mouse trap was so successful, Microsoft made it easier to use and interact with the mouse trap. This upset the other mouse trap manufacturer's who ran to the government whining that they couldn't fairly compete because Microsoft's mouse trap was so much better and popular. These competitors hired powerful lobbyists so the government then agreed to try and make it more difficult for Microsoft to make and sell so many of their better mouse traps. Free enterprise becomes very expensive for Microsoft and it's stock holders, employees and customers who all suffer as this drags on. Can Checker's get the government to go after McDonald's because they sell more hamburgers? I think KMart should have you close a few Wal-Marts and Targets to save their butts. This whole thing has been nothing more than sour grapes from the companies who aren't as smart at Microsoft but have the money to hire the right lobbyists.

PLEASE settle and let the businesses who are hiding behind the government's power work on building their own better mouse trap.

Sincerely,  
 Connie Hall  
 Clearwater, Florida

**MTC-00024061**

From: pgafour@erols.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 8:30am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001  
 Dear Ms. Renata Hesse:  
 Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 Peang Gafour  
 7405 Parkwood Ct.# 301  
 Falls Church, VA 22042

**MTC-00024062**

From: Ron Wielage  
 To: 'microsoft.atr(a)usdoj.gov'  
 Date: 1/25/02 8:34am  
 Subject: Microsoft Settlement  
 Renata B. Hesse Antitrust Division  
 U.S. Department of Justice  
 601 D Street NW Suite 1200  
 Washington, DC 20530-0001  
 Re.: Microsoft Settlement

Dear Ms. Hesse:

In response to the request for comments in USDOJ vs Microsoft in accordance with the Tunney Act I ask that such settlement be rejected.

Having read the Revised Proposed Final Judgment, as proposed by USDOJ and Microsoft, and having read the proposed judgment by the nine states, and having understood that the purpose of the Tunney act to solicit feedback from US citizens affected by the outcome of a final judgment is to make sure that any such final judgment is in the best interest of the consumer, I now submit the following:

1. That, in order to be in the interest of the consumer, it seems fair that any such judgment can be clearly understood by the consumer.

2. That, while the Revised Proposed Final Judgment may be comprehensible by the attorneys who drafted it, I cannot clearly comprehend its implications.

3. That I can comprehend the proposed judgment by the nine states and that the proposed judgment by the nine states meets my needs for creating an environment in which it can buy at a fair price what has become a ubiquitous product in a non-competitive market place.

Therefore I have placed my signature below to signify my desire that the court reject the proposed USDOJ vs Microsoft final judgment and instead adopts the remedies in the proposed final judgment of the nine states as the final judgment.

Sincerely,  
 Ron Wielage

**MTC-00024063**

From: mmjd01@netscape.net@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 8:31am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mark Peterson  
7715 SE Lambert St  
Portland, OR 97206-8550

**MTC-00024064**

From: Peter Mengaziol  
To: Microsoft ATR  
Date: 1/25/02 8:35am  
Subject: Microsoft As Monopoly

The US Government must stop Microsoft from extending its reach into any other aspects for the simple reason that it has shown itself to force control over information to its own ends no matter what the cost to the consumer. Its monopolistic practices have kept alternatives out of reach for many people to the detriment of all users worldwide.

Besides creating the shoddiest sort of operating environment available it has attempted to control the "content" of documents via its Smart Tags technology which can add linkages that were not intended by the original authors of the document. This meddling with information is too frightening in its implications. If Smart Tagging can alter documents in any case, can the user be sure that this will NEVER be done under ANY circumstances with or without the users knowledge of it???

The US Government must also remove its dependency on Microsoft products for its own useage since the levels of insecurity that Microsoft products provide is deplorable. There are several valid alternatives that must be deployed so that the US Government itself is not beholden to a single information technology provider (Linux, UNIX, MacOSX)

Peter Mengaziol

**MTC-00024065**

From: John Durrant  
To: Microsoft ATR  
Date: 1/24/02 3:38am  
Subject: Microsoft Settlement

surely everyone who gets into business gains market share at the expense of some one else and the aim is to make as much cash for yuorself as possible. The fact that others are not as successful does not give them a right to complain. The opportunity to use other browsers within windows is not denied users, it just takes a little more effort. I have never seen the problem here and still dont. My feeling is that this has been seen as a way of inhibiting rivals and opening the possibility of free cash using lawyers not core business strategy and effort.

john

**MTC-00024066**

From: Mel Krewall  
To: Microsoft ATR  
Date: 1/25/02 8:36am  
Subject: Comment on the Microsoft Antitrust case

It is my opinion that the current proposed settlement with Microsoft is wholly inadequate to make any change to Microsoft's business practices.

They have already entered into two consent decrees and have been found guilty in this third instance. I hope the court will reexamine a breakup of the company, which I believe will be the only way any curb can

be placed on Microsoft's anti-competitive behavior.

Mel Krewall  
Fort Worth, TX

**MTC-00024067**

From: Ed.S.Lentz@gsk.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:35am  
Subject: Microsoft Settlement

I believe the proposed MS DOJ Settlement in a BAD Idea. I believe the settlement is not in proportion to the extremely illegal and monopolistic acts taken by MS.

The government should not have settle so easily, MS needs much stricter penalties.

Edward S Lentz  
Programer/Analyst GSK

**MTC-00024068**

From: rdillard@msexi.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Dillard  
249 2nd Street  
Wyandotte, MI 48192

**MTC-00024069**

From: blackburn.je@mellon.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:36am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Blackburn  
606 Pineridge Drive  
Oakdale, PA 15071-9370

**MTC-00024071**

From: wielager@iquest.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:39am  
Subject: Microsoft Settlement  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW Suite 1200  
Washington, DC 20530-0001  
Re.: Microsoft Settlement

Dear Ms. Hesse:

In response to the request for comments in USDOJ vs Microsoft in accordance with the Tunney Act I ask that such settlement be rejected. Having read the Revised Proposed Final Judgment, as proposed by USDOJ and Microsoft, and having read the proposed judgment by the nine states, and having understood that the purpose of the Tunney act to solicit feedback from US citizens affected by the outcome of a final judgment is to make sure that any such final judgment is in the best interest of the consumer, I now submit that that the proposed judgment by the nine states better meets my company's needs for creating an environment in which it can buy at a fair price what has become a ubiquitous product in a non-competitive market place.

Therefore I signify my desire that the court reject the proposed USDOJ vs Microsoft final judgment and instead adopts the remedies in the proposed final judgment of the nine states as the final judgment.

Sincerely,  
Trio Data Systems  
Ron Wielage  
President

**MTC-00024072**

From: Charles Jennings  
To: Microsoft ATR  
Date: 1/25/02 8:34am  
Subject: Microsoft Settlement

Dear Sirs,

I feel that, as a citizen who is concerned with the future freedoms of expression in our country, that action should be taken to prevent Microsoft from furthering their strangle hold over computer users. Please consider alternatives that will assure that citizens have choices when considering what products and services they have available to them.

I thank you.  
Charles Jennings  
PO Box 25292  
Miami, FL  
33102

**MTC-00024073**

From: Eric Hilferding  
To: Microsoft ATR  
Date: 1/25/02 8:45am  
Subject: Microsoft Settlement

Hello,

I am the President and CEO of Shirts & Caps in Zephyrhills, Florida. we are in the decorated garment & promotional product



industry. My company also has developed a few software packages for Windows and Macintosh platforms. I have been interested and purchasing computer equipment for my business since 1982. It has been my observation that Microsoft has with out a doubt been acting outside fair practices. Many software packages that I have used that where better than any other product available where destroyed by the Microsoft methods of marketing. They have forced incompatibilities, and maneuvered competing products out of the marketplace—not through providing a better product or a better price—but through manipulating the customers access to the product. The Windows operating system has been the vehicle that Microsoft has used to push its other software packages. The most notable of these “incidents” are as you know, the competing operating systems of PS/2, Linux, Macintosh. The most notable program Netscape Navigator—a far superior product that was copied and killed by Microsoft. As a fledgling software developer we often joke about if we make it big one of two things will happen—Microsoft buys us out or kills our programs. I have no desire to compete with a company that uses the type of business practices that Microsoft uses.

It is my feeling that the only way to fix the problem is to split Microsoft into a minimum of 3 parts—the operating system, hardware and the software branches. Microsoft has now entered the hardware market with xbox—a fully functioning pentium 733. The only way to keep the playing field level is to break the unfair advantage that Microsoft abuses with its three branches. At the minimum the software and operating systems need to be split. I heard about the Microsoft proposed settlement offer to donate to schools. I believe this was a maneuver that was attempting to gain market share against one of only 2 OS competitors left—Apple. This attempt on their part signals that they do not intend to cooperate nor do they recognize the decision of the judge that determined they are in violation of anti-trust laws. They continue to act in arrogant defiance in the face of the United States of America and its people.

Thank you,  
Eric Hilferding  
Shirts & Caps  
Zephyrhills, Florida  
getyourshirts.com

#### MTC-00024074

From: Bruce Buckelew  
To: Microsoft ATR  
Date: 1/25/02 9:41am  
Subject: Microsoft Settlement

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

To: microsoft.atr@usdoj.gov  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, we wish to comment on the proposed Microsoft settlement.

In my experience, the judgment does not address one of the most critical issues Microsoft causes through their practices. The administration of the EULA for MS Windows 95 and Windows 98 attempts to obsolete millions of perfectly good computers by preventing the use of MS Windows products **EVENTHOUGH THESE PRODUCTS HAVE BEEN PAID FOR**. The effect on schools, non profits and the poor, not to mention the environment, is devastating. For the past several years, since my retirement from the computer industry, I have run computer reuse facilities that refurbish and place computers in the Oakland Public Schools. We (several business partners, the School District, hundreds of student workers and more hundreds of volunteers have placed over 5000 computers in classrooms and labs and over 2500 in student homes.

We run a very low overhead operation with donated equipment, warehouse space and labor.

I have pasted the quotes from Microsoft webpages below on “Guidelines for Accepting Donated Computers” and would like to comment on them in context.

You can see them at the following website.  
<http://www.microsoft.com/education/?ID=DonatedComputers>

I have also pasted an apparent internal MS memo with further guidelines.

Our main expense has always been the purchase of Microsoft products. Often this must be done **WHERE THERE WAS LIKELY A PRODUCT (Windows 95 or 98) already purchased**. Most companies don't keep the license with the computer. Most companies that I have worked with purchased their computers from vendors that preinstalled the software (Dell, Compaq, IBM, Toshiba, etc.). It is my experience that most Pentium level computers **CAME WITH WINDOWS originally**. If I read the antitrust case correctly, OEMs were **REQUIRED** to install Windows if they wanted to maintain their relationships with Microsoft. If this is indeed the case, **THE PRESUMPTION SHOULD BE THAT THE OPERATING SYSTEM IS INCLUDED EVEN IF YOU CANNOT FIND THE DOCUMENTATION**. Microsoft could have made this very easy. They could have said “If you receive a computer from one of the following vendors (include a list such as the above) and it is a P75 or greater, you can assume that it came with Windows 95. If it is a PII 266 or greater, assume Windows 98. See Microsoft's answer to question #1 below. If there is a legal requirement that the software remain with the hardware, you shouldn't need any special documentation of the license to make it legal.

I have worked with Compaq Services and they can tell me exactly what software was originally installed. Through them, I can prove that W95 or W98 was purchased from Microsoft. This is not, according to MS, sufficient. They would like an additional, secon purchase. In any case, because of the risk of Microsoft piracy either coming after me/you for software piracy or the desire not to make Microsoft mad because they might give me/you something in the future, most recyclers want to lay low and not take MS on.

This is because we want to best help our clients/customers and we know that they will

be using MS products in the workplace, school, libraries, etc and want to get them what is most useful. In any case, in order to stay completely legal, our organization has used our scarce resources to buy MS products when we were pretty sure that they had already been purchased for these machines.

This is appalling.

What is more appalling is the lack of an aftermarket for MS products. You'd think, 5 or 6 years after it came out, that you could buy a copy of Win95 for \$5 or \$10. It would be great if you could buy it from MS, **BUT THEY ONLY SELL THE CURRENT STUFF THAT WON'T run on the older machines**. They will sometimes graciously tell you that if you buy a current version (what does XP cost, \$1497), you can run a prior version, but I haven't seen this on their web site.

If you go to a local computer show, you can find Win95 for \$10, but MS says it is not legal. They have been going after resellers on Ebay, lately.

Why is MS so afraid of their older products? The reason is that the emperor has no clothes. The product hasn't actually gotten any better to do the things that I want. Windows XP has absolutely nothing that I need that I can't get in Windows 95 or 98 with a few free addons from the Internet (Realplayer, Netscape, etc., etc., etc.).

MS wants an all XP world. But what would such a thing do to the world? It would make millions of computers obsolete and headed for landfill. Do you realize how few older computers can run XP?

What should MS really do if they wanted to help with the digital divide issue? Very simple. Make Window 95 or 98 free to non-profits (as so many other companies have done with their products). We could use it for schools, community centers and on computers that we send to homes of people that don't have computers. I actually think this would help MS in the long run (which I don't mind) and it would sure give millions access that don't have access today.

Reviewing the second document from Microsoft (below) makes me understand why MS is finally interested in this issue (besides ridding themselves of the class action lawsuit). The MS marketing folks are spending a lot of time telling their (angry) corporate customers why it is so hard to donate their excess equipment to the public schools and other non-profits. It has nothing to do with trying to bridge the digital divide. MS doesn't have that much good will. The settlement proposal is the crudest, most transparent attempt I've seen for MS to TRY to look like a good corporate citizen when they have been responsible for the problem from the outset. The following in quotes comes from MS website with comments by me (in CAPS, not in quotes.) <http://www.microsoft.com/education/?ID=DonatedComputers> “A Guide to Accepting Donated Computers for Your School

“The decision to accept or decline an offer of donated computers for your school can be complicated. There are many important questions to ask, including:

Will the computer run the software that your school currently uses?”

USUALLY YES, UNLESS MS HAS SOLD THE SCHOOL DISTRICT A BILL OF GOODS TO TRY TO GO TO ALL XP.

"What is the cost of integrating the hardware into your existing networks?"

USUALLY IT IS CHEAPER TO INTEGRATE A RECYCLED COMPUTER THAN A NEW ONE. YOU NEED A LESS EXPENSIVE LOCKDOWN DEVICE. YOU CAN PROVIDE SPARES. MOST OF THE COMPUTERS INSTALLED ARE LIKELY THE CLASS OF THE RECYCLED ONES. A MORE INTERESTING QUESTION IS WHAT IS THE REAL COST OF REPLACING YOU EXISTING COMPUTERS WITH NEW ONES.

"Will your teachers or students need additional training to use the computer?"

USUALLY, NO. THEY WILL NEED IT, HOWEVER, IF THE SCHOOL DISTRICT MAKES THE MISTAKE OF GOING TO XP TOO EARLY.

"To help you in your decision-making process, we encourage you to read the article Donating used Computers to Schools: Boom or Bust? If you feel it is in the best interest of your school to accept the donated PCs, make sure that the hardware donation includes the original operating system software. Keeping the operating system with the PC is not just a great benefit it is a legal requirement."

IF IT IS A LEGAL REQUIREMENT, SHOULDN'T IT BE ON MICROSOFT TO PROVE THAT A COPY WASN'T PURCHASED (USING THE GUIDELINES MENTIONED ABOVE), ESPECIALLY IF IT WAS A NAME BRAND COMPUTER?

Questions and Answers

Q. Why should a donor include the operating system with their PC donation?

A. It is a legal requirement that pre-installed operating systems remain with a machine for the life of the machine. If a company or individual donates a machine to your school, it must be donated with the operating system that was installed on the PC.

THEREFORE, WE CAN ASSUME THAT ANY COMPUTER THAT ORIGINALLY HAD MS SOFTWARE STILL HAS IT. EVEN WITHOUT THE DOCUMENTATION.

#### MTC-00024074-0005

Q. What does the donor need to do to donate a PC with the operating system? A. PC owners have to transfer their license rights to the operating system to your school along with the PC. They may do so as specified in their End-User License Agreement (received at the time of purchase) as part of a permanent sale or transfer of the PC.

FOLLOWING QUESTION 1, THEY DON'T REALLY HAVE AN OPTION. IT MUST GO WITH THE COMPUTER. WHY REQUIRE LOTS OF ADDITIONAL (HARD TO FIND) DOCUMENTATION?

Q. How does the PC owner transfer their license rights for the operating system? A. The following should be included with the donation of the PC.

All copies of the software on original disk or CD, including back-up and/or recovery materials

Manuals and printed materials  
End-User License Agreement  
Certificate(s) of Authenticity

YOU'VE GOT TO BE KIDDING.

Q. What if the donor can't find the backup CDs, End-Use License Agreement, End-User manual and the Certificate of Authenticity? Can they still donate the PC and operating system?

A. Microsoft recommends that educational institutions only accept computer donations that are accompanied by proper operating system documentation. If the donor cannot provide this documentation, it is recommended that you decline the donated PC(s).

WHAT DOES MICROSOFT RECOMMEND BE DONE WITH THIS PC? SHOULD IT GO TO LANDFILL? WHAT A SHAME WHEN IT IS SO USABLE AND THEIR IS SUCH A NEED? INTERESTING THAT MS DOESN'T SUGGEST THE SCHOOL FIND AN APPROPRIATE OPERATING SYSTEM. TOO BAD THEY DON'T SAY, "IF THIS COMPUTER ORIGINALLY CAME WITH A MS OPERATING SYSTEM...SEE ABOVE LIST...IT CAN BE RELOADED WITH THE EQUIVALENT...BECAUSE MS HAS ALREADY BEEN PAID FOR IT.

THE ARROGANCE. DECLINE THE DONATED PCS? HOW ABOUT GIVING THEM TO ME AND I'LL PUT NEWDEAL ON THEM AND GIVE THEM TO FAMILIES. I MIGHT PUT A STICKER ON IT THAT SAYS THAT "THIS COMPUTER ORIGINALLY CAME WITH A MICROSOFT OPERATING SYSTEM, BUT, SINCE WE CAN'T FIND THE ORIGINAL CD, YOU'RE JUST OUT OF LUCK...ASK AROUND, PERHAPS A FRIEND OF YOURS HAS THE ORIGINAL CD AND YOU CAN LOAD IT (IF YOU HAVE ALL THE REST OF

#### MTC-00024074-0006

THE DOCUMENTATION."

Q. Can I upgrade the operating system on a donated machine? A. Yes, once the machine and installed operating system is transferred to your school or institution you own the PC and the licensed software. You can upgrade via Microsoft Academic Licensing Programs: Microsoft School Agreement Subscription, Microsoft Campus Agreement Subscription, Microsoft Academic Open or Microsoft Academic Select. Contact your preferred Microsoft Authorized Education Reseller for details.

THE OTHER ANSWER IS THAT IF THIS IS SPECIFICALLY FOR A SCHOOL, YOU CAN OFTEN BUY A LICENSE FOR AN OLDER OPERATING SYSTEM AT A REDUCED PRICE USING SCHOOL PRICING. THE PRICE FOR OFFICE 98 LICENSE (NO MEDIA) IS SLIGHTLY UNDER \$50 AT THE CURRENT TIME. I'M NOT SURE, BUT I THINK MS IS TRYING TO STOP DOING THIS WITH THE NEW XP LICENSING NONSENSE.

Following is an apparently MS Internal document dealing with this issue. Again I have added comments in CAPS.

<<Donated PCs and the Transfer of the MS OS.doc>>

<<DONATED PCs OEM QA.doc>> Please feel free to forward any of these documents to the agencies that are donating the community centers computers w/out an OS.  
Best regards,  
Robin Willett

Microsoft Education Solutions Group  
Phone 800.426.9400x 11648  
Fax 425.936.7329  
robinwi@microsoft.com http://  
www.Microsoft.com/education  
Empowering people through great software  
anytime, anyplace, and on any device.  
LETTER STARTS HERE  
Donated PCs and the Transfer of the  
Microsoft Operating System

#### MTC-00024074-0007

Background for 9/6/00 Conference Call  
Background: Donations of used or outdated machines by businesses and government organizations to K-12 schools and charities worldwide is increasing. Today, 10% of all newly acquired PCs going into K-12 are donated, approx 250,000 machines. (This number is forecasted to grow significantly over the next few years.) Many times these PCs arrive without an operating system, or if the OS is included, without the legal documentation or proof of license for the OS.

Schools and charities that receive these machines are not able to purchase a bootable desktop operating system from Microsoft and there hasn't been clear communication around our policy, a systematic process, or self-serve set of tools for transferring licenses with donated hardware. This has resulted in customer satisfaction issues for the schools and charities receiving the equipment and the organizations (many being our enterprise customers) making the donations. As a result, most of our reps are spending cycles on this issue with their customers. SO MICROSOFT IS INTERESTED BECAUSE OF "CUSTOMER SATISFACTION ISSUES". ANGRY CUSTOMERS THAT CAN'T DONATE THEIR SURPLUS EQUIPMENT TO THE SCHOOLS.

Long Term Solution: Microsoft does not endorse the use of second-hand hardware in schools; in fact we actively position the benefits of using the latest hardware and software technology to schools, teachers and students. However, PC donations continue to grow and requests to Microsoft have increased over the past 12 months to the point where a solution is required to minimize field overhead and better satisfy customers. Because education customers represent such a large percentage of the entities receiving recycled PC's the education group has led a cross-company effort to implement solution.

THERE ARE NO BENEFITS. JUST COSTS.

First, a website has been created to serve as the primary source of information for all Microsoft customers concerning the issues of donating and receiving recycled pc's with Microsoft software. The website is designed to educate and inform all parties involved with donated machines, from the businesses and governments making the donations to the schools and charities who are receiving them. Most importantly the web site will clarify how to donate a machine to a school or non-profit organization. This will include clear messaging of the legal requirement that the original OS stay with the machine and that naked machines should not be accepted. It will also provide a downloadable legal document acting as proof of ownership for those organizations donating machines, but unable to locate the EULA, COA, and back-

up discs required when transferring the OS. With this the school or charity will have legal proof in the form of a document signed by the donating organization that they are licensed for the OS.

In addition, the web site will provide a simplified process for donating Select, Enterprise Agreement, and Open licenses to a school or non-profit. To support this, the website includes a simple online license transfer tool that requires the donating organization to enter all pertinent data from their volume license agreement. After entering the required and validated data the business will be given access to the legal document that grants transfer rights to another entity. Microsoft will have access to and track the information about the licenses being transferred by each account. This process automation will reduce field, customer, and business-desk time and enable our volume license customers to transfer licenses with donated equipment in a simple and secure way.

However, after spending several months developing a solution it became evident that ownership of the policy and process needs to reside in WW Licensing. They have agreed to add this to the plate of the new K12/HEd license person when they are hired, but this will be low on the priority list given all the other immediate needs.

**Proposed Short Term Solution:** Given the growing customer satisfaction issues and the time the reps are investing in this issue, I believe that we need to put a short term solution in place that consists of more than Jane, Andrea and I fielding customer and rep questions and communicating that a website should be available shortly (we've been saying this for 6 months.) Therefore I am proposing that we launch the PC recycling website so that there is a place to point customers for information upon request. We will not proactively market the website. In addition, there will be no one fielding questions around the site—the reps will need to do this with help from us as needed.

**Pros:**

Reps/telesales have a place to direct customers

Allows us to capture customer data from those donating PCs and transferring the OS licenses that can be audited later

**Cons:**

Any questions that arise around the site will need to be fielded by the reps of field.

There will not be an alias where customers can send questions.

The website could be changed/pull down once WW licensing takes ownership of the policy Timeline: The website described above is near completion -it requires some revisions to the content and database prior to being propped. It is estimated that the changes will take about 4 to 6 hours by a web developer. Website: You can view the contents of the website on the test server at:

<http://internet-build2/giving/dpcs.htm>

Here is link to the database without the required changes (problem with a couple of fields— state/province and license# with OEM product.):

<http://fasteddy/education/license/pcrecycle/default.asp>

Once a customer has inputted the required information, they will have access to the appropriate transfer letters.

**OEM Licensing Q&A**

**Q.** I just received a (new or used) PC with Windows installed on it. How can I tell whether my PC is legally licensed?

**ANSWER:** To ensure you are getting genuine Microsoft software with your PC purchase, you should first look for the Certificate of Authenticity (COA) Label affixed to you PC. <http://www.microsoft.com/piracy/howtotell/how/coa.asp> THIS DIDN'T START UNTIL WINDOWS 98 SECOND EDITION AND WASN'T APPLIED UNIFORMLY MY BUSINESSES DUE TO LAG TIMES WITH MICROSOFT.

**Q.** I got my new system with a COA but w/o a MS CD, is it still legal?

**ANSWER:** Depending on your source for software you may or may NOT have an Edge-to-Edge CD included with your PC. Please check this web site for further clarification.

<http://www.microsoft.com/piracy/howtotell/how/coa.asp>

**Q.** Some of my PCs are not licensed for Windows full OS. How do I get a legally licensed OS for my PCs?

**ANSWER:** Contact your local OEM/SB who can sell you OS bundled with computer hardware for your existing PCs.

**Q.** Is it illegal to purchase a naked PC? INTERESTING USE OF TERMS TO DESCRIBE MILLIONS OF PCS EVERY YEAR.

**ANSWER:** It's not illegal. However, you may end up paying more for your OS if one was not pre-installed by the System Builder. If you do not have an OS pre-installed you have only two options to obtain a full OS:

Purchase an OEM license with additional hardware from your OEM/System Builder  
Buy the FULL-PACKAGED PRODUCT from a retail store

It is important to note that all new machines should come with a bootable operating system pre-installed (i.e., MS-DOS with Windows 3.11, OS/2, etc.). For example, a customer who has an OEM version of MS-DOS 6.22 and Windows 3.11 pre-installed on a new machine is eligible to acquire a Windows 98 Version Upgrade or enroll in Windows Upgrade Advantage or he/she may acquire a Windows 2000 Pro Competitive Upgrade. The Select 5.0, Select 4.0, Select 3.0 and Open License programs only offer upgrade licenses, so the customer cannot acquire a "naked" PC and install a full operating system license under any Microsoft volume licensing program.

**Q.** Does volume licensing include a full Microsoft Operating System (OS)?

**ANSWER:** No, Microsoft Volume licensing only licenses you for the OS upgrade and sometimes downgrade. There are only three ways to obtain a FULL OPERATING SYSTEM:

1. Buy the FULL-PACKAGED PRODUCT from a retail store
2. Purchase a PC with an OEM version of the operating system preinstalled, or
3. Purchase an OEM license with additional hardware from your OEM/System Builder.

All other licensing programs from Microsoft offer only upgrade licenses for

operating systems. If the customer does not have a full operating system license under those upgrades, they are not fully licensed and are not compliant.

**Q.** If I accept donated computers, what do they need to come with?

**ANSWER:** If your organization accepts donated computers; make sure that the hardware donation includes the original operating system software. Keeping the operating system with the PC is not just a great benefit—it's a legal requirement

<http://www.microsoft.com/giving/dpcs—old.htm>

<http://www.microsoft.com/education/license/pcrecycle/>

**Q.** What if I have already received a donated machine without an operating system and no proof of a legal operating system license?

**ANSWER:** You have three options  
Request a proof of license from the organization that donated the machine. Once you receive their documentation confirming legal proof of license, you may install the operating system for which you are licensed.

Return the donated machine to its original owner and request they reinstall the operating system. Visit [www.microsoft.com/oem/to](http://www.microsoft.com/oem/to) learn more about how you can participate in Microsoft's System Builder Program.

**Q.** What if the donor can't find the backup CDs, End-User License Agreement, end-user manual and the COA? Can they still donate the PC and operating system?

**ANSWER:** Yes, but the donor needs to sign a letter stating they are unable to find the original paperwork and software. Here is a sample proof of license letter that is available to download. The organization's information needs to be filled in and included with the donated machines. This letter will serve as proof of license for the school or nonprofit.

**Q.** Can I transfer my operating system license from an old PC to a new one?

**ANSWER:** No. Current OEM licenses for all operating system products are not transferable from one machine to another.

For more information:

<c:\pitgcs\15\USSALES\Public\Anti-Piracy\Channel\OEM\LICENSINGQA.doc>

**Q.** If I bought a new PC that has Windows 2000 Professional installed, am I allowed to downgrade to Windows NT Workstation?

**ANSWER:** Not under your OEM License. However some Microsoft volume license agreements allow you to downgrade. Visit [www.microsoft.com/licensing](http://www.microsoft.com/licensing) for more information.

**Q.** If I bought a PC that has both Windows ME and Windows NT Workstation installed, does that mean I'm licensed for both?

**ANSWER:** No. The EULA dictates what a customer can do with their software after they receive it preinstalled on their PC. For example: The EULA for Win 2K Pro states:

The manufacturer may have elected to provide you with a selection of Microsoft operating system software for the COMPUTER. If the SOFTWARE PRODUCT includes more than one (1) Microsoft operating system ("Microsoft OS"), you are licensed to use only one of the Microsoft OS selections provided. As part of the setup process for the SOFTWARE you will be given

a one-time option to select one (1) Microsoft OS. Upon selection, the one Microsoft OS selected by you will be set up on the COMPUTER, and the other Microsoft OS(s) not selected by you will be automatically and permanently deleted from the hard disk of the COMPUTER.

Other sites:

<http://www.microsoft.com/education/license/pcrecycle/>

<http://www.microsoft.com/giving/dpcs—old.htm>

<http://www.microsoft.com/business/downloads/licensing/OS—License—requirements.doc>

The bottom line is, through MS predatory licensing practices, millions and millions of computers are rendered “obsolete” by Microsoft every year. These computers are perfectly good for schools, non-profits, and millions of people on the other side of the digital divide. Microsoft is doing everything in their power to get rid of older computers. Their practices virtually eliminate an aftermarket.

Thank you for your consideration.

Bruce Buckelew

Founder and Director, Oakland Technology Exchange  
426 Alice, Oakland CA, 94607

#### MTC-00024075

From: Mathieu Gagne

To: Microsoft ATR

Date: 1/24/02 10:16pm

Subject: Microsoft Settlement is Wrong

To Whom this may concern:

I wish to express my fear that the proposed settlement with Microsoft goes against the public interest. For many decades now the process of software development has been best understood in terms of “task subdivision”: take one big task, subdivide it into multiple smaller tasks, and have each of those tasks communicate with one another through well-defined and well-known “interfaces”. That these interfaces be public is critical, as it allows the greater number of programmers (like myself) to reuse existing technology to improve products. Thus progress is made.

Microsoft is exercising its monopolistic powers to hide a number of previously well-known “great interfaces”:

- the interface between the operating system and the browser (Internet Explorer);
- the interface between the operating system and hardware drivers (proprietary deals with particular hardware vendors);
- the interface between a document and a program that can process this document (the proprietary nature of all of Microsoft Office document formats);
- the interface between a web server and a web browser (proprietary extensions to web standards like HTML); etc.

From a technological standpoint, hiding these interfaces can only be detrimental to the public. It slows down software progress. In extreme cases, it also opens the door for egregious and terrifying security abuses, the existence of which is hotly debated but ultimately impossible to deny. Paradoxically, Microsoft is one of the biggest proponents of the notion of “open interfaces” in the software industry, as a quick glance at the

computer section of any bookstore will reveal by the wealth of books dedicated to COM and MFC. All these books, many of which are published by Microsoft Press, essentially proclaim the same truth: “open up your interfaces, and everyone will profit: you, the public, and Microsoft”. This is true, and good. They can only be commended for this achievement.

However, these COM and MFC interfaces are of a much lesser realm than the “great interfaces” above. The latter, Microsoft has decided, should in fact be closed and hidden in order to lock the consumer into buying its products. That the progress of software development suffers is immaterial to them.

The proposed settlement agreement does nothing to remedy the hiding of the “great interfaces”. Undoubtedly, these interfaces are documented within Microsoft proper. Breaking up Microsoft, as has been proposed in the past, is one self-evident way of exposing the interfaces, the most viable solution in the long term. At the very least, any settlement with them should force the disclosure of all these interfaces.

Otherwise, Microsoft’s monopoly will continue to hurt the development of new software technology and to threaten the security and reliability of computers everywhere.

Best,

Mathieu Gagne.

#### MTC-00024076

From: James E. Felton

To: Microsoft ATR, letters@

news.com@inetgw.ASKDOJ

Date: 1/25/02 8:46am

Subject: Microsoft Settlement/Computing you can rely on

A response to:

Pro: Computing you can rely on

By Craig Mundie,

Chief Technical Officer, Microsoft

Corporation

<http://news.com.com/2010-1078-820500.html>

Mr. Mundie, this has to be one of the most hilarious things I’ve heard of in my lifetime! A Microsoft executive talking about “achieving the goal of trustworthy computing”? That’s about like Attila the Hun’s right-hand-man talking about achieving the goal of “peace and love”! HAHAAHAHAHAHAHAHA!

Craig, GET A BRAIN! You work for the world’s largest CRIMINAL ORGANIZATION! Virtually everyone on the planet knows it at this point! And those who don’t will figure it out eventually! Microsoft doesn’t have a trustworthy bone in it’s (corporate) body! It is a plague on mankind!

A little history... In early 1995 I watched the story of Bill Gates on Biography. This show had me totally convinced that Bill Gates was a bona fide hero! I bought my first PC in February 1995. I had a degree in electronics, but I had never used a PC. I was surprised to find that I absolutely hated Windows 3.1! Some hero Bill Gates is! Windows 3.1 was GARBAGE! In the following months my wife must have heard me threaten to throw the PC in the yard at least 50 times! Well, the unfortunate fact was that I was stuck with a \$2000 PC that I

HATED. In my view, ANYTHING would be an improvement. So I was among the first to install Windows 95 upgrade, and I was also among the first 500 to join MSN! At least with Windows 95 I was able to accomplish basic tasks like writing a letter, or connecting to the Internet. And as a result, over the next few months, rays of truth about Microsoft slowly began to accumulate through my use of Prodigy and MSN. In the course of using MSN, I became interested in sending “multimedia files” (photos, etc.) to friends. However, in trying to send “multimedia files” to others who did not use MSN, Microsoft’s “proprietary fence” became increasingly clear to me—I’d send someone a picture and all they got was a large download GIBBERISH! Very embarrassing!

In about February 1995 I heard about Netscape’s “Gold Rush” campaign. They claimed they could set me up with an independent ISP, a Netscape browser, and a “personal web space” in ONE HOUR! Somewhat skeptical, I signed up with Concentric Network and was surprised to find that they did exactly what they claimed they could do. Now THAT was trustworthy computing! Suddenly, not only could I write and publish my own web pages using a browser with a built-in WYSIWYG editor, but I could insert, or attach photos, sound files, and etc. in emails and people actually received what I sent! BYE, BYE MSN!!!

The greatest thing about freedom is that it enables people to search for, and find, TRUTH! In the 5+ years that I’ve been using a PC, and the Internet, I’ve uncovered a great deal of truth about Microsoft. And the TRUTH IS that Microsoft is a HUGE roadblock to “trustworthy computing”! Not only is Microsoft fundamentally crooked to the core, but it’s crookedness trickles down to infiltrate our entire society! NO COMPANY can compete fairly with Microsoft. Microsoft cheats, lies and steals, so every company that wants to survive has to mimic this behavior! From “creative bookkeeping” to vaporware to deceptive product claims (a 32-bit P750 is faster than a 128-bit custom 295 mhz processor? NOT ACCORDING TO MY CALCULATOR!), Microsoft has set new standards of crookedness, unmatched in the history of the world!

Mr. Mundie, I am the son of an HONEST MAN. My father was the kind of person that would drive 10 miles to take back the 18 cents too much change the “checker” at the grocery store gave him. He was a Sunday school teacher, a Boy Scout leader, a full-time father—a man whose only goal in life was making the world a little better place. Do you have any idea of the responsibility I bear in being the son of a man like that? Every single day of my childhood my father taught me by example! He was never afraid of a question. He would explain exactly WHY it’s wrong to lie, cheat, exaggerate, or etc. At the age of 5, he taught me the poem “If” by Rudyard Kipling!

I’ve heard of Microsoft personnel, possibly including yourself, referring to Linux and the GPL as “cancers”. Sir, if Linux and the GPL are cancers, then the English language, as well as all other means of self expression are also cancers! After all, the only real

difference between machine code and a spoken language is the percentage of the population is that is familiar with it. Microsoft's purpose is to use our lack of familiarity as a means to defraud us, the public, of our right to free speech! In other words, in a sense, Microsoft is unconstitutional! Microsoft wants to put a proprietary fence around its collection of stolen (code) ideas under the guise of "intellectual property".

I am currently in the process of writing an article called "Hamburger Piracy". The purpose of the article is to convince the public that software code is simply a recipe, much like a recipe for soup, or pie, or a hamburger. McDonalds, Wendy's and Burger King have a right to each sell their version of the hamburger. But none of them can OWN the hamburger. NEITHER can they succeed in claiming that a cookbook is a "cancer".

Mr. Mundie, the ability of the individual to write, speak, and publish are inalienable rights. And the creation of a free standard "markup language" known as HTML has enabled the public to participate in the creation of a great information source known as "the Internet" that belongs, and provides benefits to everyone who is able to access it. Therefore, as a matter of "logical progression", I submit to you that the creation of a free standard of reading and writing computer code will provide similar benefits.

Mr. Mundie, sir, if TRUSTWORTHY COMPUTING is the goal, then LINUX AND THE GPL are the solution! Like our United States Constitution, Linux and the GPL are a system OF THE PEOPLE, BY THE PEOPLE, AND FOR THE PEOPLE.

James E. Felton  
Editor, NC News  
<http://www.ncns.com>

#### MTC-00024077

From: Jim Burke  
To: Microsoft ATR  
Date: 1/25/02 8:46am  
Subject: Microsoft Settlement

I don't care if you fine them, but you should make them open up the sources to the Application Program Interfaces (APIs- I think is what that translates to). I use OS/2 and Microsoft's use of insider information to design their operating system been used to make continued development of this operating system difficult because competing designers don't have the information to see what it is they have changed and figure out ways to circumvent the changes. By the time programmers can figure out what has been changed, their programmers have "redesigned" the operating system and the next release breaks. The effect of this ever-changing scenario is to put software developers for OS/2 into an ever declining market for their products. IBM gave up trying to compete against them, but there are still a few companies who could benefit if Microsoft were able to have the APIs made open source.

I'm just a user so the technical details may be off target. I hope you get the drift.  
Jim Burke

#### MTC-00024078

From: Will.Bauer@cincyblind.org@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:48am  
Subject: Microsoft Settlement

The current settlement is weak. It would barely be considered a slap on the wrist to Microsoft.

#### MTC-00024079

From: John Malish  
To: Microsoft ATR  
Date: 1/25/02 8:50am  
Subject: Microsoft Settlement

The proposed settlement is too soft on Microsoft. Please revise the settlement to impose fair business tactics much more forcefully. I have heard the stories of IT administrators losing job after job because Microsoft is almost willing to give their product away to get companies to switch from Lotus to Microsoft Exchange.

#### MTC-00024080

From: Michael  
To: Microsoft ATR  
Date: 1/25/02 8:50am  
Subject: Microsoft Settlement

#### MTC-00024080-0001

I think the proposed settlement is a bad idea.

Michael Junkroski, CTO  
vsm.net  
992 Winterberry Dr.  
Marco Island, FL 34145  
941.642.0304  
01/29/2002 12:40

#### MTC-00024081

From: MT Software- Myron Thomas  
To: Microsoft ATR  
Date: 1/25/02 8:52am  
Subject: Closing the Microsoft AntiTrust Suit

Please accept this attached letter for what it is: One letter asking that you bring the Microsoft antitrust suit to a close and let the already erected steps-to-justice work toward a level playing field within the IT industry.

SOFTWARE  
January 25, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

As a software developer I feel no great love for the Microsoft Corporation, however, as a business owner I feel that the antitrust suit against this corporation needs to come to an end. It is my belief that the settlement that has been reached in this case is fair and will make strides in leveling the playing field within the IT industry.

From what I understand...

The settlement will ensure that Microsoft does not utilize any business tactics that may be considered either predatory or retaliatory.

The company will disclose various internal interfaces within its Windows operating system that will be used by its competitors to design products that will run within the system.

Microsoft has also agreed to design all future versions of Windows to be more

compatible with the products of other companies.

There will also be a three-person technical oversight committee, appointed by the government that will monitor Microsoft and ensure that they do not violate the tenets of settlement.

When the government begins to become involved in business we lose that which has made this nation great: free enterprise. The suit brought against Microsoft has been reasonably settled, continuing the litigation will not aid this nation. Thank you for your support in this issue, and for protecting free enterprise in this nation without stifling fair competition.

Sincerely,  
Myron Thomas  
Owner

MT SOFTWARE INC.  
9715 S. W. Broward Blvd. #126 Plantation,  
FL 33324 Local:  
965-475-2004 Fax: 954-473-2785 Web-  
Site: [www.mtssoftware.com](http://www.mtssoftware.com)

E-Mail: [finaease@mtssoftware.com](mailto:finaease@mtssoftware.com)  
Natalie Dunlap  
316 Webster Street  
Lewiston, ME 04240-4854

January 25, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

I was pleased to learn the federal government decided to settle its antitrust case against Microsoft. This should have been done a long time ago. Nonetheless, I am in favor of the steps that have recently been taken to resolve this lawsuit.

I am a very strong supporter of Microsoft. As a result of Microsoft's hard work and innovation, we live in a world where I can communicate with loved ones across the country with ease. I firmly believe this case was brought as a result of the misguided idea that a successful company should be knocked down, and its competitors should be awarded the fruits of their labor.

Notwithstanding my belief that this case lacked merit from its inception, I think the settlement agreement's terms are fair. The court should not hesitate in its approval of the settlement. Microsoft has agreed to make it easier for its competitors to compete with Windows. They agreed to document and disclose to their competitors portions of the Windows code. They also agreed not to retaliate against those who promote software that competes with Windows. Nothing more should be expected or required of Microsoft beyond the terms of the settlement agreement.

Sincerely,  
Natalie Dunlap

#### MTC-00024082

From: Matt Shepherd  
To: Microsoft ATR  
Date: 1/25/02 8:51am  
Subject: Microsoft Antitrust Settlement

The United States government has failed the very people it is meant to serve in its antitrust case against Microsoft. In case there is any doubt as to who the government is supposed to serve it is the people, not multinational corporations.

Just at the time this case has seemingly come to a close Microsoft has released its latest operating system- Windows XP. This operating system goes further than any Microsoft software before it in pushing Microsoft's power onto an unitting public. Tools for burning CDs, playing videos, listening to music, etc. are all packaged in the operating system, and beyond that it is often difficult if not impossible for users to uninstall these add-ons should they decide they want to use a 3rd-party product. I for instance have no idea how to uninstall Microsoft Outlook Express.

Aside from limiting consumer choice, this is a danger to the consumers. Outlook Express, much like the Microsoft operating systems itself is a gaping security hole that I do not want running on my computer. The FDA tests food and pharmaceutical products to be sure they are safe to be released to the public, and yet the public has no protection against equally dangerous computer software. Windows XP is not only a slap in the face of the DOJ and its antitrust case with these bundled programs, but it is also a major security risk which puts common everyday citizens in danger of having their identities stolen, their financial information stolen and abused, and/or of having their computer hardware hijacked and used in distributed denial of service attacks.

Please do not let the current "settlement" pass. It is nothing more than a surrender on the part of the government and a signal to Microsoft that they have free-reign over the computer software market.

Thank You,  
Michael M Shepherd  
<http://www.care2.com>

#### MTC-00024083

From: Christopher Winton  
To: Microsoft ATR  
Date: 1/25/02 8:49am  
Subject: Microsoft Settlement

I think the proposed settlement is bad idea

#### MTC-00024084

From: Thomas Strong  
To: Microsoft ATR  
Date: 1/25/02 8:51am  
Subject: Microsoft settlement

January 25, 2002

Re: the proposed settlement consent decree  
Dear Sir or Madam:

The recent ruling of the Court of Appeals in the Microsoft case upholds the findings of the District Court on just one of the four original violations of anti-trust law raised by the government. This narrowing of the ruling does not even include the "tying" claim which was the central argument of the government's case. It makes sense, given the Court of Appeals ruling, for Microsoft, the DOJ and the states to reach agreement in this case and move forward. The AG's of those states holding out for tougher remedies have not accepted this narrowing of the legal findings. They are in denial re: Judge Jackson's dismissal from the case, and their expectations are therefore unrealistic.

Meanwhile, AOL has filed suit in an obvious attempt to disrupt the resolution of the case? Why is Microsoft's inclusion of the IE browser on the Windows desktop any

different that AOL's prominent display of, and reference to, its internet Messenger Service during CNN's news and call-in shows? If AOL alleges that the success of Microsoft's Internet Explorer (IE) is due to illegal monopoly maintenance, why does AOL continue to use IE rather than Netscape Navigator with its own internet service? AOL's contract to use IE has terminated, and it is certainly free to use its own product. Absent any other information, I can only infer IE is a better product.

I am hopeful the District Court will accept the settlement between Microsoft, the DOJ and several of the states in this case. Please do not spend any more government resources pursuing this case as it no longer serves the interests of the nation's consumers, but instead serves AOL, Oracle, Sun Microsystems and other Microsoft competitors, as well as the political goals of certain state attorneys general.

Sincerely,  
Thomas Strong  
Sammamish, WA

#### MTC-00024085

From: Dan Schwartz  
To: Microsoft ATR  
Date: 1/25/02 8:51am  
Subject: Microsoft Settlement

I think that the settlement is a bad idea. It simply lines microsofts pockets with future sales and doesn't really do anything to create competition in the industry or resolve the monopoly problem.

Dan Schwartz  
Bath, PA

#### MTC-00024086

From: Darrelhh@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:53am  
Subject: Microsoft Settlement

I believe the proposed settlement is a BAD idea and do not agree with it.

Darrel Hanks

#### MTC-00024087

From: Steinke, Kate (CBC)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 8:55am  
Subject: Microsoft Settlement

509 Lopax Road, Apt. L13  
Harrisburg, PA 17112  
January 21, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to take this time to give you my thoughts on the recent settlement of the Microsoft Anti Trust case. To begin, this case has been a burden on the technology industry and our entire economy. Consumers have only benefited from Microsoft's innovative technologies, the only harm that Microsoft has caused is being very successful and making our computer industry what it is today. This settlement cannot be delayed any further; Microsoft needs to focus on innovation, not costly legal battles.

I am a Software Engineer and I do applications development using both Microsoft and their competitors' products. Although they have utilized some rather

aggressive marketing strategies, I applaud Microsoft for creating such a well-integrated system. As part of the settlement, Microsoft will now be sharing more of their server protocols, internal interface design and source codes. They will allow OEM's to pre-install competing products within Windows and have promised not to retaliate against third parties who decide to distribute both Microsoft and their competitors' products. Although the settlement concedes more than Microsoft may have wanted, it is certainly more than fair and will promote competition in the computer industry.

Please uphold this settlement and ensure that no further action is taken against Microsoft. Our economy is in no shape to withstand any more hardship.

Sincerely,  
Katherine Steinke

#### MTC-00024088

From: bkbrunk  
To: Microsoft ATR  
Date: 1/25/02 8:56am  
Subject: Microsoft Settlement

I am writing to protest the proposed settlement in the government's case against Microsoft. Allowing the guilty party to design its own punishment—and in particular, one which will \*increase\* its monopoly over its competitors (providing the educational system with MS software—when the schools are currently using Apple technology)—is corrupt, weak-willed, and just Plain Wrong. I hope the court is \*far\* more punitive with Microsoft and takes charge of this case. As of now, it appears that political concerns are driving a legal decision and that is a disgrace.

Betsey King Brunk  
Dallas, TX  
bkbrunk@att.net

#### MTC-00024089

From: Lonnie Hutchinson  
To: Microsoft ATR  
Date: 1/25/02 8:56am  
Subject: Microsoft Settlement

To whom it may concern,

I am writing this email to express my concern at the proposed remedy to the Microsoft anti-trust case. I feel that since Microsoft has been found guilty they should be punished accordingly. The proposed settlement does not seem propotional to the vast resources used to convict them.

Anthony Hutchinson  
16 Galer St. #1  
Seattle, WA 98109

#### MTC-00024090

From: Harrington B. Laufman  
To: Microsoft ATR  
Date: 1/25/02 8:58am  
Subject: Microsoft Settlement

Hello Department of Justice,

To assess the impact of the Microsoft software monopoly one only has to look at the areas of information technology where competition still exists. Today's cheapest off-the-shelf PC boasts hardware that ten years ago was called a super computer, and at the price. Processor speeds and efficiency has increased over a 100 fold. Disk capacity has increased over 50 fold. Random access memory is pennies per megabyte rather than dollars. Hardware capacity is now ahead of

the demands of all but the most extreme hobbyist. The cost of this fantastic hardware is affordable by almost anyone.

Can we say the same for software? A resounding "No!". In fact many in the IT field note that software has degraded under the Microsoft monopoly. "Bloat ware" is common as the advances in hardware compensate for poor programming and software design. Office productivity software is stagnant, buggy, and unreliable. Questionable "ease of use" features are the only changes with new versions. The price of these functionally stale packages is flat or rising. The only pockets of software innovation are in the Open Source development, the Linux operating system, rogue applications like Napster and Gnutella, and the edgier side of gaming.

In spite of the disingenuous proclamations otherwise, Microsoft's monopoly has set software development back 20 years. For another eye opener, try to calculate the lost productivity caused by the exploitations of Microsoft's software security flaws. Fundamentally poor design decisions, sloppy programming, and a rush-to-market philosophy, have put everyone who uses a Microsoft equipped PC at risk of losing dozens of hours of work simply by reading their e-mail. This level of inferior product would not be tolerated in any other consumer area.

Regards,  
Harry  
Harry B. Laufman Manager, Computer Operations  
OSU College of Food, Agricultural, and Environmental Sciences  
101 Vivian Hall 614-292-6554  
2121 Fyffe Rd. Laufman.1@osu.edu  
Columbus, Ohio 43210-1097

**MTC-00024091**

From: jroberts@gseworld.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 8:55am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Jo Roberts  
33222 Coe Lane  
Magnolia, TX 77354

**MTC-00024092**

From: James E. McGrath  
To: Microsoft ATR

Date: 1/25/02 8:58am  
Subject: Microsoft Litigation

Sir/Madame.... Microsoft has standardized the industry and brought stability to an emerging sector. However the pendulum has swung too far. Analogizing Standard Oil 100 years ago is appropriate. Too much power is centralized with MS and the company is no longer nimble. MS can use its market dominance to hinder or deny competition. It is a pattern often repeated. This same mass has begun to create products which have huge amounts of code but aren't nimble either. In my opinion MS products expect customer conformance rather than vice versa.

I'd like to MS split into five or more parts. Each with the same beginning point, that is, the core codes. These new companies would be extremely competitive. Their products would be compatible in order to saleable. This would be much more effective than a muddled and complex governmental regulation. Gate's worth would increase like Rockefeller's after the breakup. Seems like a win/win for all.

Thank you...  
Jim McGrath,  
Laramie, Wyoming

**MTC-00024093**

From: Carl Monroe  
To: Microsoft ATR  
Date: 1/25/02 8:58am  
Subject: BREAK-UP MICROSOFT & Fine them \$10 Billion  
Renata Hesse  
Trial Attorney  
Antitrust Division  
Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530

Dear Trial Attorney,  
Microsoft is the STANDARD OIL TRUST of the 21st Century! Microsoft is NOT a technology leader. They follow & copy others technological developments. Their products are of poor to mediocre quality at high prices considering their value. The only thing they have going for them is that in essence they have Monopoly Market Domination with 95% of the market in computer operating systems. Were that not so we would all be paying much less for computer software of much better capability, reliability, quality and technological advances.

You will probably receive many email comments from a supposedly non-profit organization "Americans for Technology Leadership" (www.techleadership.org) which is surreptitiously sponsored by Microsoft. I'm sending my comments by separate email to you as I suspect that were I to submit these comments thru them the message would be deleted.

Microsoft is the STANDARD OIL TRUST of the 21st Century! MICROSOFT should be fined \$10 BILLION and BROKEN-UP into about half a dozen smaller companies.

Best of luck to you in your suit against Microsoft!  
Carl Monroe  
PO Box 6221  
Chandler, AZ 85246

**MTC-00024094**

From: Richard Stuhan

To: Microsoft ATR  
Date: 1/25/02 9:00am  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I am very disturbed at the proposed antitrust settlement as it has been proposed. First, it is my belief that the proposed settlement will do very little to correct the anti-competitive behaviour of Microsoft. The proposed damages remedy that would provide free software to schools is a very dangerous idea. This would give Microsoft the chance to improve their corporate image (Why would that be part of a corrective measure?) and unfairly give them greater access to one of the few markets in which they do not currently dominate. The result of this unfortunate oversight will be to enable Microsoft to directly attack Apple Computer in an area where they (Apple Computer) are strong and competitive. Clearly, the proposed settlement puts Apple Computer at a disadvantage, how will they compete with free software?

There are many other problems I find in the proposed settlement but I will not address them all here. Let me finish by saying that I agree with the observations made by Dan Kegel on his website:

<http://www.kegel.com/remedy/remedy2.html>

Thank you,  
Richard Stuhan  
12716 W. Voltaire Ave  
El Mirage, AZ 85335

**MTC-00024095**

From: Gary Moffatt  
To: Microsoft ATR  
Date: 1/25/02 11:10am  
Subject: Microsoft Settlement

Have you read the man's book? To say Mr. Gates ambition is Hitlerian is faint praise. If you think monopoly is a crime, take steps that oppose the consolidation of power. Payment of fines in Microsoft products is ridiculous. Listen to the people who have something at stake besides the status quo. It seems to me the goal of any action should be to lay the groundwork for individuals to defend themselves against the monster, not to close the books on a bit of sticky business. How can you even consider this act of non-contrition that Microsoft proposes? The whole world is watching. Sincerely

**MTC-00024096**

From: Andrew Bartholomew@percussion.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:01am  
Subject: Microsoft Settlement  
To Whom It May Concern,

Regarding the Microsoft settlement, I don't believe that the current proposal provides adequate reparations to those injured by Microsoft's anti-competitive behavior. Hundred, even thousands, of small companies have ceased to exist over the



decades because of Microsoft's business practices. Similar to the settlement against AT&T, Microsoft should become a government regulated Monopoly, until its market share drops to an acceptable level (40%, for example, assuming one of its competitors is now also at 40%). This must be true for all Microsoft product lines, before regulation is lifted.

Even after being found guilty of being an illegal monopoly, Microsoft's behavior has not changed. Regulation of their behavior, with the threat of severe criminal penalties for failure to comply, is the only remedy that I can see will curtail them. The market must be able to return to a state of competition.

Imagine the damage to the United States if Microsoft were to fail, as Enron failed. The risks of a monopoly are greater than merely the loss of competition.

Sincerely,  
Andrew S Bartholomew  
33 Garfield St Apt A  
Cambridge, MA 02138

#### MTC-00024097

From: Jeremy Heath  
To: Microsoft ATR  
Date: 1/25/02 9:01am  
Subject: Microsoft Settlement

Microsofts historic action against competitors and refusal to act to the intent of the 1995 Consent Decree shows that this company will act strongly against any attempts to regulate the way it does business. I think that the proposed settlement is a bad idea.

I disagree with the way the proposed remedy treats non-commercial concerns. The proposed remedy exclude information sharing with companies or entities that are not in business to make money. Some of these non-profit entities include such well used projects as: Apache Web Server, Linux Operating Systems and the Java Programming language. These are only a few of competitors which Microsoft will be able to strangle by with-holding information.

I would like to see a remedy that would force Microsoft to allow anyone to freely download the APIs and specification that allow any outside program to inter-operate with any Microsoft program (including Windows, Media Player and the Office products). The penalties should be stiff and well documented if Microsoft attempts circumvent these remedies.

I am encouraged by the Technical Committee that will observe Microsoft's business practices and encourage Microsoft to abide by the indent of the remedy. This board will force Microsoft to "play fair" by making sure that Microsoft does not pollute open standards by adding their own extensions. But I believe that the board should be established for more that its current proposed 5 years; I see 50 years as a better length.

I would like to see Microsoft allow any non-Microsoft software to be distributed on its install CDs or DVDs. I can see a company petition the outside board of expert to be included on the install CD as a way to encourage competition and allow for the greatest choice the the consumer. An unbundled version of Windows (at a cheaper

price) as recommended by the dissenting nine Attorney Generals is good start, but resellers should be able to bundle what-ever they think their customer would want to use. Choice to the consumer is what this is all about; expediency should not out-weigh freedom of choice.

#### MTC-00024098

From: Joe and Alice Weintraut  
To: Microsoft ATR  
Date: 1/25/02 9:02am  
Subject: Microsoft Settlement

The following excerpt Sums up, my and many of my peers views on the proposed Microsoft settlement.. a settlement which is completely inadequate in stopping Microsoft from continuing "As usual." regarding fair business practices. Other companies and organizations (including "not for profit organizations,) absolutely MUST be allowed to develop Computer operating systems that can efficiently run Microsoft software, and make calls to Microsoft developed sub-systems. Without a ruling to this effect, Microsoft will come out of this litigation as the winners, with the American, and world public as the clear losers.

Joe Weintraut  
3422 Crocus CT.  
Westfield IN, 46074

The remedies in the Proposed Final Judgment specifically protect companies in commerce—organizations in business for profit. On the surface, that makes sense because Microsoft was found guilty of monopolistic activities against "competing" commercial software vendors like Netscape, and other commercial vendors—computer vendors like Compaq, for example. The Department of Justice is used to working in this kind of economic world, and has done a fair job of crafting a remedy that will rein in Microsoft without causing undue harm to the rest of the commercial portion of the industry. But Microsoft's greatest single threat on the operating system front comes from Linux—a non-commercial product—and it faces a growing threat on the applications front from Open Source and freeware applications. The biggest competitor to Microsoft Internet Information Server is Apache, which comes from the Apache Foundation, a not-for-profit. Apache practically rules the Net, along with Sendmail, and Perl, both of which also come from non-profits. Yet not-for-profit organizations have no rights at all under the proposed settlement. It is as though they don't even exist. Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: "...(c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, ..."

So much for SAMBA and other Open Source projects that use Microsoft calls. The settlement gives Microsoft the right to effectively kill these products. Section III(D) takes this disturbing trend even further. It deals with disclosure of information

regarding the APIs for incorporating non-Microsoft "middleware." In this section, Microsoft discloses to Independent Software Vendors (ISVs), Independent Hardware Vendors (IHVs), Internet Access Providers (IAPs), Internet Content Providers (ICPs), and Original Equipment Manufacturers (OEMs) the information needed to inter-operate with Windows at this level. Yet, when we look in the footnotes at the legal definitions for these outfits, we find the definitions specify commercial concerns only. But wait, there's more! Under this deal, the government is shut out, too. NASA, the national laboratories, the military, the National Institute of Standards and Technology—even the Department of Justice itself—have no rights. It is a good thing Afghanistan is such a low-tech adversary and that B-52s don't run Windows.

I know, I know. The government buys commercial software and uses contractors who make profits. Open Source software is sold for profit by outfits like Red Hat. It is easy to argue that I am being a bit shrill here. But I know the way Microsoft thinks. They probably saw this one coming months ago and have been falling all over themselves hoping to get it through. If this language gets through, MICROSOFT WILL FIND A WAY TO TAKE ADVANTAGE OF IT.

The preceding is an Excerpt from "He's Not in It for the Profit"

By Robert X. Cringely

#### MTC-00024099

From: Dan Davis  
To: Microsoft ATR  
Date: 1/25/02 9:03am  
Subject: Microsoft Settlement

To whom-it-may-concern:

The proposed Microsoft settlement should ALLOW for other companies to FAIRLY have access to the same markets. Microsoft has money and clout, but their products are highly integrated together forcing other companies out of the picture. The American way says free enterprise allows competition and innovation. If Microsoft is allowed to undercut other companies with less money and clout and a possible lower quality product, is that a fair settlement? ....I don't think so. People are starting to notice Microsoft's security failures now in a larger way. Do we want them to control our data without full accountability? Accountability helps when other companies can be used as leverage to force compliance.

Thank you!!

Dan Davis  
davis.37@osu.edu  
Ohio State University  
Physical Facilities  
2003 Millikin Rd  
Columbus, OH 43210  
CC:davis.37@osu.edu@inetgw

#### MTC-00024100

From: Sean E. Millichamp  
To: Microsoft ATR  
Date: 1/25/02 9:04am  
Subject: Microsoft Settlement

I am a concerned citizen of the United States of America. I have worked in the technology field for over 10 years and have a B.S.E. in Computer Engineering from the



University of Michigan. I work daily with both Microsoft environments and non-Microsoft environments and would like to add my comments regarding the settlement to the Tunney Act comment process.

I have observed Microsoft engage in (at best) questionable business practices over the years and it came as no surprise to me that the Court of Appeals affirmed that Microsoft has a monopoly on Intel-compatible PC operating systems, and that the company's market position is protected by a substantial barrier to entry.

From my extensive experience in the technology field it is clear that there is one primary underlying issue that needs to be addressed in order to provide the opportunity for other companies and software to be able to compete with Microsoft's offerings on a level playing field. This issue is interoperability between different software packages and the operating system itself. In the language of technology it is addressed in three ways:

1) Application Programming Interfaces (APIs) An API is the method by which one software module (or program) calls functions (or services) in another module (including functions provided by the operating system itself). If Microsoft was required to make accurate documentation for the full API in all versions of the Windows operating systems it would be possible to create replacements that would, if Microsoft's documentation were full and accurate to the way the API functions in Windows, allow any program written to run on Windows to run on any program that duplicates the published Windows API. There is one such project currently underway for Linux (<http://www.winehq.com>) but their progress has been hampered by incomplete, inaccurate, and often missing documentation about how the Windows API functions. Also, for this to be a truly effective and universal remedy the documentation must be accessible to all of those who wish to reference it without agreeing to any sort of a Non-Disclosure Agreement. Such restrictions would make it impossible for Open Source software projects to benefit from the availability of such materials.

2) Document Formats Microsoft not only has control via the Windows Operating System, but also via its dominance in office productivity applications with its Microsoft Office product.

Businesses and individuals have been forced into a situation where they often have no choice but to use Office because they need to exchange documents that have been created by others in a proprietary format only supported in Office. Microsoft has deliberately failed to document the format that the information is structured in within these document files. This has prevented other office suite competitors from creating mechanisms by which they could reliably read and write these files to promote document interchange.

Furthermore, this undocumented file format effectively locks up billions of dollars worth of documents of the businesses and people of the United States of America wholly under Microsoft's control. Real time and money has been invested in the creation

of those documents and without the file format it is impossible to have access to your own data without using the proper Microsoft tool. This gives one company an uncomfortably high degree of control over the rest of the computer users in the country. If you decide you don't want to use Microsoft's products anymore you can not effectively extract your own data from their proprietary formatted files.

### 3) Network Protocols

A Network Protocol defines how one computer program can interact with another computer program over a network. TCP/IP (the protocol that the Internet uses) is an open and published standard where all of the communication mechanisms and features can be read in reference documents for any and all to implement. This is the primary reason that Internet accessibility is a feature of virtually all computer platforms regardless of their vendor, operating system, or end-user functionality.

Microsoft has a number of protocols that they use on the network. One such protocol is CIFS (formerly SMB) which allows Microsoft computers to share files and printers. Microsoft has documented some (but not all) of the protocol it uses to do this communication and much of what is documented does not match what their implementation in Windows actually does.

The omission of even a small part of the protocol can effectively make it impossible to implement a functioning version of any of it. This has been demonstrated most recently and effectively by Microsoft's design and implementation of their Active Directory services in Windows 2000. In order to be able to claim that they are using open and published standards Microsoft built their Active Directory services (which provides, among other things, workstation logins to a server) around two well established protocols: the Lightweight Directory Access Protocol (LDAP) and the Kerberos protocol. Microsoft followed all of the standards except made one proprietary modification to Kerberos in the "Privilege Attribute Certificate" (PAC) which they have only documented under a non-disclosure agreement in such a way as to prevent any competition from legally using the documentation to create a compatible non-Microsoft replacement. Without the knowledge of how this field is used, it is impossible to re-implement the functionality that a non-Microsoft server can server Microsoft Windows clients or so that non-Microsoft clients can access all the functionality of a Microsoft Windows server. One such project that has been hurt by this "embracing and extending" of open standards and then Microsoft's subsequent refusal to document their changes has been the Samba team (<http://www.samba.org>) which has created software that attempts to re-implements the functionality of Microsoft file and print servers for Unix-based operating systems. This would give users a choice of which servers they can use to provide file and print services to Microsoft Windows workstations.

Summary: The core problem is that Microsoft, in their position as a monopoly, have repeatedly failed to freely provide

sufficient and comprehensive documentation that allow programs to communicate with the operating system, programs to communicate with each-other, and people to exchange and access their own data freely. The remedy would be to require Microsoft to freely provide complete and accurate documentation on all of their APIs, network protocols, and file formats used in their applications. This would, if executed properly, allow others to create software that could interact with and/or replace equivalent Microsoft offerings thus giving the consumer the ability to chose the best software for the job and not just the only software that will let them fully and effectively interact with other computer users. It is my opinion that any settlement and remedy that does not include these provisions will be wholly ineffective at providing a real solution.

Thank you for your time and consideration.

Sean E. Millichamp  
1920 Spruce Lane  
Ypsilanti, MI 48198-9492

Sean E. Millichamp, Director of Technical Services

Ingematics—A Division of Compu-Aid, Inc.

### MTC-00024101

From: DESmutny@dtsystems.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:05am  
Subject: Microsoft Settlement

I feel the settlement between the Department of Justice and Microsoft, in regard to the anti-trust trial, is both fair and just. It serves to keep Microsoft from engaging in anti-competitive business practices going forward, which is all that can really be done to ensure competition in the future.

Thank you for your consideration,  
Donald Smutny

### MTC-00024102

From: John Plunkett  
To: Microsoft ATR  
Date: 1/25/02 9:06am  
Subject: Microsoft Settlement

Microsoft has a monopoly. Just like AT&T in the 80's, they need to be disbanded. Settlement is not an option.

John Plunkett  
Operations Support  
Virginia Transformer  
540-345-9892 ext 173

### MTC-00024103

From: csosjk@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:04am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the

computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Sharon Kostenbauder  
3511 Dartmouth Avenue  
Tampa, FL 33603

**MTC-00024104**

From: Dianne Jennings  
To: Microsoft ATR  
Date: 1/25/02 9:03am  
Subject: Microsoft Settlement

Dear Sirs,

I would like to urge you to consider remedies against Microsoft that will permit freedom of choice for me and my children in the future. I am concerned that Microsoft has become so powerful that they are imposing monopolistic methods on the public that adversely affect me and my descendants. I feel that freedom of choice is one of our greatest freedoms. I look to you to assure those freedoms.

Thank you,  
Dianne Rowley  
PO Box 25292  
Miami, FL 33102

**MTC-00024105**

From: Michael Capozzi  
To: Microsoft ATR  
Date: 1/25/02 9:16am  
Subject: Microsoft Settlement

I think they settlement is a bad idea. IT gives microsoft too much.

Capozzi, Michael E  
capozzme@jmu.edu

**MTC-00024106**

From: Rebackslayton@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:15am  
Subject: Proposed Final Judgment

Dear Judge,

I am an attorney in Charlottesville, VA. I am concerned that the Proposed Final Judgment with Microsoft (hereinafter "MS") that you are currently reviewing does not go far enough to ensure that MS will not continue to unfairly hurt its competitors. First, it does not end Microsoft's monopoly over the operating system market. Second, it does not sufficiently punish MS for its anticompetitive behavior that was found by the Judge during the trial. Third, the Proposed Final Judgment includes enforcement mechanisms that will prove to be ineffective in protecting smaller software companies from monopolistic activity. Since, MS's operating system is a monopoly and is one of the engines upon which our economy heavily relies, I suggest that MS be regulated like a utility.

Thank you for carefully considering my opinions.

Sincerely,  
Marshall M. Slayton  
Reback & Slayton  
PO Box 20  
710 East High Street  
Charlottesville, VA 22902

**MTC-00024107**

From: Wilmoth7@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:14am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Mary Wilmoth 1872 Bay Oaks Circle  
Milton, FL 32583

**MTC-00024108**

From: James Karpinski  
To: Microsoft ATR  
Date: 1/25/02 9:19am  
Subject: Microsoft Settlement

I would like to comment on the proposed MS anti-trust settlement. From my understanding of the proposed settlement it does not go far enough to allow competition. The PC BOOTLOADER NEEDS TO BE OPEN to other non-MS operating systems installed by the OEMs, without any penalty from MS. I also think that if MS wants to control everyone's software, then MS SHOULDNT BE IN THE ON-LINE AND HARDWARE/ GAMING SYSTEMS BUSINESSES also. They should spin-off or sell their interests in Microsoft Network, Xbox and other hardware products like keyboard and mice. MS strangling their competition is great for MS shareholders, but it doesn't help the average PC user who has Windows crash on them everyday.

Jim Karpinski

**MTC-00024109**

From: ndvdraft@worldnet.att.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:17am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of

computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Nicole Vogle  
5404 Coach Rd.  
Bossier City, LA 71111

**MTC-00024110**

From: kpachla@mill.  
lsait.lsa.umich.edu@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:22am  
Subject: Microsoft Settlement

Hello,

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I believe the settlement does not go far enough to limit Microsoft's anticompetitive behavior. Microsoft has, in the past, inserted intentional incompatibilities in its applications to keep them from running on competing operating systems. The Proposed Final Judgment, as written, fails to prohibit intentional incompatibilities historically used by Microsoft. Thank you for this opportunity to comment.

Karen Pachla  
36980 Munger  
Livonia, Michigan, 48154

**MTC-00024111**

From: damberge@mol.biol.ethz.ch@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:21am  
Subject: Microsoft Settlement

I would like to comment on the proposed final judgement in the case U.S. vs. Microsoft. I do not feel that the proposal is in the public interest in the following points:

The definitions of various terms made in the proposal restrict the application of the judgement to prevent unfair practices resulting from a monopolization of the position of the windows operating system in computer systems using Intel-based processor chips:

Definition A

The term "API" is generally used to mean interfaces between application programs and the operating system, however in the proposed judgement this term is restricted to mean the interfaces between Microsoft Middleware and Microsoft Windows, excluding Windows APIs used by other application programs (definition A). This has the unfortunate consequence that important APIs such as the Microsoft Installer APIs which are used by installer programs to install software on Windows are omitted. The API definition should be altered to include these APIs so as not to put other software providers at a disadvantage since correctly functioning installer programs are a prerequisite for using such software in the Windows environment.

Definition J

The term "middleware" is generally used to mean application software that itself presents a set of APIs which allow users to write new applications without reference to the underlying operating system. In the proposed judgement, Definition J defines middleware in a much more restrictive way,

and allows Microsoft to exclude any software from being covered by the definition in two ways:

1. By changing product version numbers so that updated versions of a product would no longer be considered Microsoft middleware.

2. By changing how Microsoft distributes Windows or its middleware, for example by introducing new version of Windows through the Update service so that this new version was not considered "Microsoft middleware".

Definition J should be modified to prevent such loopholes.

The proposed judgement does not adequately protect developers of alternatives to Windows which can run programs that are windows compatible:

The judgement should be modified to forbid retaliation against developers of such alternative operating systems.

It should also be modified to force microsoft to modify windows to allow the use of non-microsoft middleware.

The judgement should ensure that microsoft does not raise artificial barriers to prevent non-microsoft operating systems from using APIs needed to run applications written for windows.

The judgement should be modified to force Microsoft to modify their liscencing agreements so that users do not violate their liscencing agreements when using windows applications on windows-compatible competing operating systems.

Due to these points I conclude that the proposed final judgement allows anticompetitive practices to continue and allows Microsoft to create artificial barriers to the developement of alternatives to the Microsoft windows operating system. As such the proposed final judgement is not in the public interest and should not be adopted without modifications to address these issues.

Thank you for considering my opinion in the course of deciding how to proceed with the final judgement in the case U.S. vs Microsoft

sincerely,  
Fred F. Damberger, Ph.D.  
U.S. citizen living abroad  
Institute for Molecular Biology and  
Biophysics  
ETH-Hoenggerberg HPK H2/ Zurich,  
Switzerland

#### MTC-00024112

From: H. Bieber  
To: Microsoft ATR  
Date: 1/25/02 9:20am  
Subject: Microsoft Settlement

I think the Microsoft proposed settlement is a BAD idea.  
Harold Bieber

#### MTC-00024113

From: John Muccigrosso  
To: Microsoft ATR  
Date: 1/25/02 9:22am  
Subject: Microsoft Settlement

I am disappointed with the way the Microsoft case seems to be ending up. The proposed final judgement is lacking in a number of areas, bu I am particularly concerned that the PFJ appears to allow

Microsoft to continue a number of its anti-competitive activities. I hope that this judgement will not be accepted and that a stronger, more effective one be created.

John Muccigrosso  
<<http://www.quondamtech.com/>>  
Quondam Technology & Education  
Voice (201) 874-9153  
jdm@quondamtech.com  
FAX (801) 751-6811

#### MTC-00024114

From: Perry  
To: Microsoft ATR  
Date: 1/25/02 9:23am  
Subject: Microsoft Settlement  
To whom it may concern:

I am writing in regards to the Tunney Act public comment solicitations on the Microsoft antitrust settlement.

I am concerned that the provision for requiring Microsoft to provide information only to commercial middleware vendors of Microsoft's choice would allow Microsoft to work to break open source middleware projects such as Samba.

Even if this issue was resolved, the provisions of the settlement are almost irrelevant because of the lack of means provided for effective enforcement of any violations of the settlement by Microsoft.

Respectfully yours,  
George Perry  
32905 NE Chamberlain Road  
Corbett, Oregon 97019

#### MTC-00024115

From: William D. Stockwell  
To: Microsoft ATR  
Date: 1/25/02 9:29am  
Subject: Microsoft Settlement  
The proposed settlement is a bad idea!  
William (Bill) D. Stockwell  
133 S.E. Fenway Avenue  
Bartlesville, OK 74006-2706  
(918) 335-2673  
Email: [wds@bartnet.net](mailto:wds@bartnet.net)

#### MTC-00024116

From: Andre—A—Smith@RL.gov@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:23am  
Subject: Microsoft Settlement PLEASE READ

The only thing the Microsoft's competitors really need to level the playing field is to have access to Microsoft's file formats, free of charge or at most nominal, for the Office range of products. Without access to these they will never have the ability to compete in the corporate world. IT departments simply cannot ostracize themselves by picking an alternate OS then not having compatibility with their computers via email and document exchanges. How frustrating is it for you when someone sends you a file via email that you cannot open, now imagine that times a 1000 or 10,000 how long would you keep your customer base. There are great products out there that major corporations simply cannot afford to use them do to the amount of work involved in getting them to be useable outside of the company by their customers and business contacts or partners. Just take Microsoft's ability to lock customers in just because that's what every body else uses.

Andre' Smith

LMSI Solutions Center  
1981 Snyder Richland Wa 99352  
(509) 373-4207

#### MTC-00024117

From: Richard Horsman (Merch)  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 9:25am  
Subject: Public comment

As an American citizen, I am not in favor of the current proposed settlement in the Microsoft antitrust case. I would like to see a stricter penalty, including opening of certain file formats (.doc, etc.) to the software industry at large. Thank you.

Richard Horsman  
Belleville, Michigan

#### MTC-00024118

From: samuri18@juno.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:24am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
phil moon  
4374 rock creek rd  
pueblo, CO 81005

#### MTC-00024119

From: mjainsley@mindspring.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:27am  
Subject: Comment

Dear Sirs;

I find the settlement between the DoJ and Microsoft to be astonishingly lenient. In my opinion, it amounts to a very light "slap on the wrist" for Microsoft, and should have been far harsher than it was. As a heavy user of computers and software, I have observed over the years as Microsoft repeatedly mimicked, if not stole, ideas from some of the best hardware and software companies, then used its power to sometimes force the public to use its lesser copies. While it wasn't always force, Microsoft did make it very difficult for people like me to continue using the better quality materials.

This is the simple face of the case, and all the millions of dollars spent on dancing around the issue are a complete waste of taxpayer money in light of the fact that virtually nothing will be done about this unethical practice.

Regards,

MJ Ainsley  
Salinas, CA

**MTC-00024120**

From: Randy Tidd  
To: Microsoft ATR  
Date: 1/25/02 9:27am  
Subject: Microsoft Settlement

I am a professional software engineer that has been writing software for both Windows and non-Windows platforms since 1986. The proposed settlement against Microsoft is woefully insufficient to stop or reverse the damage they are doing and have done to the computing field. It is impossible for any innovations in the desktop PC software industry to survive and Microsoft has a technical, financial, and creative stranglehold on the industry.

The American capitalist system is founded on the ideas of free trade and free competition and there are laws in place to maintain such a marketplace. Microsoft has been in violation of these laws for years and the way they do business must change if our wildly successful capitalist principles are to apply to the desktop software and related industries.

Thank you,  
Randy Tidd  
rtidd@speakeasy.net

**MTC-00024121**

From: Scott Schweinsburg  
To: Microsoft ATR  
Date: 1/25/02 9:26am  
Subject: Microsoft Settlement (positive)

Good morning,

I am a computer professional who works closely with Microsoft products every day. Microsoft makes excellent products and innovations that people want. I want to voice my support of the proposed judgement on Microsoft. If anything I would say that this is too stiff of a punishment for a company that is a world leader in quality and design of software.

Sincerely,  
Scott M. Schweinsburg  
Network Engineer

**MTC-00024122**

From: Gahlord Dewald  
To: Microsoft ATR  
Date: 1/25/02 9:30am  
Subject: Microsoft to be granted easier monopoly in schools

I want to state that the idea of Microsoft giving their product for free to educational institutions seems out of line. This act would further discourage competition for educational products as any Microsoft competitor would be charging for product. Please reconsider the decision to increase the leverage Microsoft has in the educational market. Perhaps they could set up a trust fund equal to the financial value of their proposed donation, the funds of which would be disbursed to educational institutions.

Thank you for your consideration.

J. Gahlord Dewald  
Gahlord Dewald  
v: 802.658.4267  
<http://www.thtftct.com>  
THTFTCT  
Creative: Interactive, Motion, Print

416 Pine Street  
f: 800.863.9606  
Burlington, VT 05401  
e: gahlord@THTFTCT.com  
USA

**MTC-00024123**

From: Christopher Weberg  
To: Microsoft ATR  
Date: 1/25/02 9:21am  
Subject: Microsoft Settlement

This settlement decision is bad.

I am opposed to the proposed settlement in the Microsoft antitrust trial.

I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future.

The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Christopher Weberg  
2443 Woodside Way  
Atlanta, GA 30348-5150

**MTC-00024124**

From: Arenaro, Richard  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 9:30am  
Subject: Microsoft Settlement

Dear Sirs,

The proposed compromise solution of Microsoft being allowed to "donate" it's anti-competitive practice/products to schools is absolutely disgraceful. However, for an American citizen to expect justice to be served where there is enormous amounts of cash (and political egos) at stake is wishful thinking, at best. It absolutely boggles the mind that the Justice Department can even consider such a proposal. But then again, I'm just an average citizen, not a legal expert.....thank God.

Richard Arenaro

**MTC-00024125**

From: D. C. Sessions  
To: Microsoft ATR  
Date: 1/25/02 9:28am  
Subject: Tunney Act comments on the proposed Final Judgment  
D. C. Sessions

14215 N. 43rd Way  
Phoenix, AZ 85032  
602-867-4694

For reasons that have been extensively covered in the Press and by other comments to the Court, I believe that the proposed Final Judgment is at best ineffective and at worst an explicit invitation to Microsoft to continue the abuse of monopoly that originally led to this case. As the Court has undoubtedly been bombarded with these observations, I will confine my comments to a point which to my knowledge has —not— been brought up elsewhere.

Under the definition in (VI)(U), "Windows Operating System Product" means the software code (as opposed to source code) distributed commercially by Microsoft for use with Personal Computers as Windows 2000 Professional, Windows XP Home, Windows XP Professional, and successors to the foregoing, including the Personal Computer versions of the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion.

The definition in (VI)(K) (not quoted for brevity) also depends on the definition of "Windows Operating System Product," and by (VI)(L): "Microsoft Platform Software" means (i) a Windows Operating System Product and/or (ii) a Microsoft Middleware Product. Others have pointed out the danger of allowing Microsoft sole discretion to replace other firms' products as part of its "Platform Software," effectively judicially-endorsed predatory pricing. My concern, though, is with the possibility that Microsoft will \*remove\* features from their definition.

For instance, there are a large number of utilities currently included with Windows that are used to set it up, configure it, and so forth. These utilities depend on intimate knowledge of the Microsoft design and cannot be readily duplicated, yet without them the system is utterly useless. For a number of reasons (including their dependence on undocumented features) they cannot be readily obtained from any other source. Microsoft could remove them in perfect compliance with the proposed Final Judgment.

If something like this did occur, Microsoft's customers (e.g. the computer OEMs) would have no choice but to acquire them from Microsoft under whatever terms Microsoft chose. Being outside of the scope of the proposed Final Judgment, there would be no constraints on those terms, however abusive. In effect, the entire proposed Final Judgment would be a dead letter since all of its terms depend in the end on the above definitions.

In sum, the proposed Final Judgment is not just flawed in detail, but contains a loophole which allows Microsoft to escape from all restraints. In the case of an abusive monopolist with Microsoft's record, this is patently not in the public interest.

Respectfully submitted this 24th day of January 2002,  
D. C. Sessions

**MTC-00024126**

From: Mike Bartkowiak  
 To: Microsoft ATR  
 Date: 1/25/02 9:30am  
 Subject: Microsoft Settlement  
 To: Renata B. Hesse  
 Antitrust Division  
 U.S. Department of Justice  
 Date: January 25 2002  
 Subject: Microsoft Settlement

As a U.S. Citizen and Computer Professional, I wish to comment on proposed Microsoft settlement in accordance with the Tunney Act. It is my opinion that the current agreement does not provide adequate protection for the American consumer. The language and remedies provided are not written to prevent Microsoft from continuing it's current pattern of illegal anticompetitive practices. Much of the technical restrictions are written in such a way as to easily be circumvented on legal terms. As and example, I did not find any direct reference to the newest or future Microsoft operating system products. There are many more glaring issues that I would be glad to provide further input on if it is so desired. The bottom line is that this document is not an acceptable solution for the American consumer.

Thank You.  
 Michael Joseph Bartkowiak  
 4035 Bentley Lake Rd  
 Howell, MI 48843  
 bartman@livingonline.com

**MTC-00024127**

From: Prigot, Forde  
 To: "microsoft.atr(a)usdoj.gov"  
 Date: 1/25/02 9:26am  
 Subject: Microsoft Settlement

A vote against the settlement  
 After reading over material provided by the government and analysis by independent parties I can only come to the conclusion that the proposed settlement will not solve the problem at hand. I strongly suggest that the settlement not be adopted and that the government should find a better solution possibly something similar to the IBM anti-trust decision.

Forde Prigot  
 System Analyst

**MTC-00024128**

From: shane watson  
 To: Microsoft ATR  
 Date: 1/25/02 9:31am  
 Subject: Microsoft Settlement  
 No to Microsoft

**MTC-00024129**

From: Crosby, Thomas A  
 To: Microsoft ATR  
 Date: 1/25/02 9:34am  
 Subject: Microsoft case

Microsoft needs to be taught that the American public will not tolerate...

1. \$100 updates to a program that didn't work in the first place (crashes) that we have no choice but to buy (see #2)

2. forcing all PC users to upgrade every couple of years because they keep releasing "improved" software and their "partners" will no longer support the older software due to their market domination.

3. New features that collect data on the user's habits, hardware and preferences and then upload, secretly to Microsoft's websites everytime you log on the net.

4. New "features" that make competing software not work as well as Microsoft's offering. Like we have a CHOICE in operating system software! This removes the choice of other software.

5. Network software that forces corporate customers to be using Microsoft products....We were very happy with Lotus Notes—thank you.....now we have MS Outlook.

They are too big and have too much market share. They can dictate the market and the choices their customers can make, both directly and indirectly.

Tom Crosby  
 Delphi Thermal  
 200 Upper Mountain Road  
 Lockport, NY 14094

**MTC-00024130**

From: Sarah Leitner  
 To: Microsoft ATR  
 Date: 1/25/02 9:35am  
 Subject: Microsoft Settlement

I think this is DEFINETLY a bad idea.  
 Sarah Leitner

**MTC-00024131**

From: DDavpilzer@cs.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 9:36am  
 Subject: Settlement of Microsoft Case  
 Gentlemen and Ladies:

The proposed settlement in this case should be approved. It is my feeling this case was ill conceived at the outset. The cost to various parties has been high in more ways than one. I am fully in favor of ending the litigation.

Thank you for your considerations in this matter.

D. Pillsbury  
 Richmond, VA

**MTC-00024132**

From: my99st1100@yahoo.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 9:34am  
 Subject: Microsoft Settlement  
 Ms. Renata B. Hesse, Antitrust Division  
 601 D Street NW, Suite 1200  
 Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
 buddy loanzon

box 251298  
 west los angeles, CA 90025

**MTC-00024133**

From: Philip J. Koenig  
 To: Microsoft ATR  
 Date: 1/25/02 9:37am  
 Subject: Microsoft Settlement

I am a computer user since the 1980's, a user of Microsoft products since DOS 3.1, an online computer user for 14 years, and currently have my own computer industry consulting business.

I am writing today to express my strong dissatisfaction with the currently proposed settlement in the Microsoft antitrust matter.

I have watched Microsoft's behavior for many years, and I feel the current proposals are not adequate to ensure further abuses of Microsoft's dominant position in desktop operating systems, internet browsers, office productivity applications, server operating systems, and a variety of other key consumer and commercial computing products.

Microsoft today has in excess of \$30 billion in cash in the bank, and I think the DOJ has to think carefully about the real impact of small one-time fines and/or minor conduct remedies that Microsoft will either easily find ways to circumvent, or turn into a public relations disaster for the US govt.

Microsoft likes to argue that to place any limits on them "stifles innovation", but as those of us who have been in the industry for many years can attest, Microsoft is hardly known as a technology innovator. Yet the impact of their monumental dominance of every market they enter into has a tremendous negative impact on the total innovation of the industry as a whole, due to the chilling effect it has on potential competitors who see little reason to enter a market against the Microsoft "800 lb gorilla", with all the massive resources they can bring to bear in any market they choose to enter. (The latest being telephones and home game consoles)

For this reason, Microsoft themselves actually chill overall industry innovation, and while in some ways the US govt may look upon Microsoft as a corporate success story and valuable strategic asset, the computer and technology industry as a whole suffers. I urge the DOJ to take into consideration the position of the 9 holdout states which have chosen not to enter into the currently proposed settlement, I believe their position is principled and based on sound evidence and the needs of the industry and consumers both.

I have actually advocated for some time that the best remedy for Microsoft's illegal conduct is to separate the company into separate, autonomous divisions. While I realize at this juncture that this option may be precluded by decision(s) rendered by the appellate court, I nonetheless still firmly believe that the only way to ensure Microsoft does not continue to leverage various subtle technological and corporate advantages associated with their monolithic "vertically integrated" company is to separate the company into 3 divisions. This would have the added benefit of relieving the US government of becoming a constant target of criticism for the manner in which its agents

oversee day-to-day corporate operations at Microsoft for years to come, which seems to be what they are facing with the current proposal.

I thank you for your consideration.

Sincerely,  
Philip J. Koenig  
915 Cole St. #152  
San Francisco, CA 94117

**MTC-00024134**

From: Lauren Elliott  
To: Microsoft ATR  
Date: 1/25/02 9:39am  
Subject: Microsoft Settlement

I do not think it provides sufficient punishment to balance Microsoft's offenses, namely their anti-competitive practices, nor sufficient incentive to prevent them from continuing this behavior in the future. Furthermore, the idea of punishing a monopoly by requiring them to extend their monopoly into the US educational system is incomprehensible.

Respectfully,  
Lauren Elliott  
San Diego, CA

**MTC-00024135**

From: Toycop  
To: Microsoft ATR  
Date: 1/25/02 9:38am  
Subject: microsoft settlement

Unfair for the consumer.

If a car or child's toy has a minor defect allowing safety problems, in time, such will be recalled. (we bought such a toy this past Christmas, yet the mfr has no desire to replace it for the child, they are just interested in getting it for review at any cost including child's loss of use since out of stock, Santa's identity revealed, child crying over replacement with other item). Perhaps a few will die before the red tape is unraveled, but it will get unraveled.

Why not the same treatment for microsoft? In their case, millions of people have been harmed, yet it continues. Appears to be much more than a minor defect.

Further, they must be forced to continue to support windows 98 and secure it up. Failure to do so could result in major problems for America while millions continue to use windows 98 as their operating system and will continue to do so for a long time.

We all know the high courts opinion, during the presidential who won lawsuit they basically said Americans need to vote for persons who will put knowledgeable, nongreedy, nonbiased judges into power. Seems money is the root of robe evil rather than robes ruling without bias.

Big corporations in America seem to have found their niche, create a product, rush it to market and let the public test it for them. Deny problems, deny death relation to defect until the press finds the financial ties with the court. Such marketing methods are eroding consumer confidence as seen in the large tax reliefs for corporations who need such as Americans slowly boycott their products after being stung on other products and inability to get an item fixed when it breaksdown after a short allowed return time.

Allowances from the courts are eroding confidence. If the court system was really

doing it's job, they'd have known our airports were insecure (the common American knew that) and made a ruling of adjustment before anything went wrong. Such and others stretches from sea to shinning sea.

Look at walmart, it's common knowledge that they will deny a consumer's injury was due to their policy or state of store. They have the financial backing and the power of the police to assist them. Meanwhile, the common American watches as those who have marked on their work car, "To serve and protect", the officer drive around the dead animal laying in the middle of the road. Meanwhile the next citizen to swerve to avoid gets pulled over and ticketed for weaving or crossing the center line and then pays a fee to the court when the judge rules in favor of the state. Whatever happened to serve the public vs serve only big corporations since they must hire lawyer and private detective to prove case while corporations can use the Police network?

Few years ago, a judge I had to go in front of a few months prior for a speeding ticket would not listen to my excuse that I had to increase speed due to the activity of the motorist I was attempting to pass prior to the two officers stationed on each side of the road at the crossover road. When the judge was found to be taking kickbacks from his rulings and disrobed, why wasn't I refunded my fine payment? He was corrupt, and using the badged gun carriers to pad his wallet and city coffers at my expense rather than face the problem which would have been to consuming for the court system to get at the root of the evils.

Sure, the judge listened to me and stated I sounded honest but he had his bias opinion decided in advance. I could see it in his body language while he reached with his gavel multiple times. At least the court system finally had the sense to rule against Carmel Indiana and require them to videotape all traffic stops after many blacks and other minorities were hassled, it took the pull over of a black state trooper to get it done tho Carmel officer insists he was correct. Should have seen his body language as he walked up to the old car and the complete change over when he spotted the black officers uniform, I did.

That's one lying Carmel officer, I saw the entire event. When the blackman went thru the light, it was green contrary to the white officers claim. He was distracted by the expensive new cars running the red light on the crossroad making it appear the black officer ran it instead.

**MTC-00024136**

From: George Bevis Jr  
To: Microsoft ATR  
Date: 1/25/02 9:38am  
Subject: Microsoft Settlement

The purpose of the antitrust case against Microsoft is to increase competition. There can be no competition without defined published interfaces, because users get locked into a particular combination of software and operating system. It is therefore critical that the interfaces between Microsofts products, the APIs, be published so that others can build software that competes with different portions of the Microsoft monopoly.

Any resolution that ignores this is not a solution, no mater how much it punishes Microsoft, or what they give away to schools.

George Bevis

**MTC-00024137**

From: kebullard@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:35am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kent Bullard  
#6 Terrace Drive  
Helena, AR 72342

**MTC-00024138**

From: Kevin Price  
To: Microsoft ATR  
Date: 1/25/02 9:38am  
Subject: Microsoft Settlement Comments  
My views:

The two parties (Microsoft and the US Government) are playing two different games. Microsoft's definition of success is "business growth". The Government's definition of success is "fair marketplace". Because there are different goals, there will always be conflict. But overriding this entire dispute is the principle that the good of the whole (the Government) should take precedence over the good of the individual (Microsoft, in this instance).

Microsoft has the willingness to succeed and the ability. That "ability" can be via producing excellent products (which they do) or, given their decided monopoly power, by strong-arming business members within the industry (which they also do). It is this second "ability" which the Government needs to focus on addressing.

The Government has both the willingness and the ability to succeed (i.e., achieve a fair marketplace). To do so, the Government must focus on developing (1) sanctions to prevent future anti-competitive behavior from Microsoft and (2) penalties for Microsoft's past behavior.

IMPORTANT: (2) above (i.e., penalties) MUST be sufficient as to act as a deterrent for (1) above (i.e., to prevent future anti-competitive behavior).

NET: In my view, the Government has substantially weakened its position by agreeing to "penalties" which even the courts

believe are not sufficient (let alone the injured participants). And 9 states also don't buy the proposed "agreement". (That school proposal from Microsoft was a JOKE!!!! Steve Jobs was absolutely right in his views.) What to do: The Government needs to rethink its position and do a MUCH better job developing MUCH more severe penalties. The "sanctions" are fine (though they will require monitoring and enforcement resources). But the "penalties" is where future anti-competitive behavior can really be prevented. The answer clearly lies between a company breakup and the weak penalties "agreed to". My advice to the Government is: Be significantly more aggressive and let the courts sort out the disagreements. The Government has taken it all this far...the Government needs to keep the pressure on until the end for the good of the whole.

Kevin Price  
Fairfield, CT  
203-256-1100

**MTC-00024139**

From: RGRPRR@Tlab.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:37am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
ROYCE ROBINSON  
2183 E FM485  
CAMERON, TX 76520-4805

**MTC-00024140**

From: Tom Collison  
To: Microsoft ATR  
Date: 1/25/02 9:42am  
Subject: Microsoft Settlement

Dear Sir: I still believe that Microsoft is just a very aggressive company and that their innovations in this field have advanced the entire group forward in a very beneficial way for the American people. I believe any further judgements against Microsoft will result in higher costs to the consumer.

Thank You, Tom Collison

**MTC-00024141**

From: Brian Furry  
To: Microsoft ATR  
Date: 1/25/02 9:46am  
Subject: Microsoft Settlement  
To: microsoft.atr@usdoj.gov  
Subject: Microsoft Settlement

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. Microsofts use of restrictive licensing terms keeps opensource applications from running on windows.

This is really a crazy idea that Microsoft does with their OS. I am not banned from using other car parts when fixing my automobile. If I can get the part to fit and work properly in my car GM or Ford or Saturn ... do not have a ban prohibiting me from using nonproprietary parts. The same idea should apply once I buy the OS. Why can't I choose what software I want to run on windows?

Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

Why must I use the Windows OS for MS applications. If a third party OS can run a MS app like Excel, why can't I use Excel on that OS. If I purchase the software I should be allowed to use it on any OS I please.

Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.) This license idea really tells me that I must also buy their OS too.

Similarly If I purchased a GM car and they said I must buy GM tires in 70,000 miles when they need replaced and I need GM oil filters when they are replaced every 3,000 miles.

Microsoft is very hostile to their customers in very sneaky ways and I really feel that they need to have their system opened for all to use.

I don't have any freedom.  
Brian R. Furry  
Department of Mathematics & Computer Science  
Watchung Hills Regional High School  
108 Stirling Road  
Warren, NJ 07059  
(908) 647-4800 x5919  
(908) 647-4852 fax  
bfurry@whrhs.org

**MTC-00024142**

From: Bold, Gregory  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 9:39am  
Subject: Microsoft settlement

I believe the settlement is a bad idea and is too lenient on Microsoft.

Greg Bold

**MTC-00024143**

From: Lois Schultz  
To: Microsoft ATR  
Date: 1/25/02 9:45am  
Subject: Case against Microsoft—public input  
I have followed the Microsoft charges since their inception due to my husband being in the computer industry (Director/software architect).

Please stop the government intrusion into the free market. The persecution against Microsoft needs to end. It is apparent that this successful industry was the one area that was functioning and growing exponentially

free from the governmental intrusion that is existent everwhere else and that could not be allowed to continue. Let the free market prevail and put the government dollars/energy into Constitutionally directed areas, i.e. national defense.

Thank you for your serious consideration of my observations.

Lois Schultz  
Pittsburgh, PA

**MTC-00024144**

From: Daniel Berry  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 9:48am  
Subject: Microsoft Settlement

Sirs,  
This settlement does nothing to curb Microsoft's predatory tactics.

Ask anyone in the industry who does not work for Microsoft and they will tell you the same thing.

Daniel A. Berry  
Sr. Project Engineer  
Teletrol Systems, Inc.  
603.645.6061

**MTC-00024145**

From: Joshua Eckert  
To: Microsoft ATR  
Date: 1/25/02 9:51am  
Subject: The New Barons

As a person who spends his life delving into the workings of computers and computer related services the Microsoft case has been a constant thorn. The most painful thing to hear is how my government is be bamboozled by legal, literary, and spoken hat tricks of Microsoft. Instead of standing up and stopping the tsunami of problems about to arise, the government would rather hide under the covers with a "If I don't see it, it doesn't exist" attitude.

Despite all the confusion that exists in the computer world for a laymen, ethical standards do not stop at the door with this industry. And like the Barons of early America, Microsoft has begun to replace ethics with dollar signs. Example: Several hundred thousand dollars in campaign contributions to both presidential candidates, to cover both bases. This little investment has caused the government to roll over for the company.

The time for playing dead is over. This brood of software barons must be stopped. You can not allow their ploys to blur your eyes from the truth, this company has acted unethically and illegally to gain the power it has, and if it is not stopped you will rue the day you let them run free. And by that time they may be to big to stop.

**MTC-00024146**

From: David Phillips  
To: Microsoft ATR  
Date: 1/25/02 9:51 am  
Subject: Microsoft Settlement  
The attached has been faxed to AG Ashcroft's office.

\ Dave Phillips...  
Maranatha & Associates, Inc.  
January24,2002  
Attorney General John Ashcroft  
US Department of Justice, 950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear AG Ashcroft:

Microsoft had been responsible for some business practices that could be construed by others as anti-competitive. Whether this had actually been over the point of legality or not is, in my opinion, an open question. There are many examples of other IT companies that have—and still do—exert this kind of anti-competitive behavior who have not been as visible as has Microsoft, or for whatever reason have remained closer to the political mainstream.

Nevertheless, it is far better that this litigation has ended with a settlement. The terms of the settlement address the main points of the original lawsuit, such as the problems of retaliatory action and allegedly unfair licensing. Settling the lawsuit has the advantage of causing less disruption in the IT industry than would have resulted in Microsoft had been broken up.

For this reason, I support the settlement, though I remain skeptical that the original suit should ever have been brought originally.

Sincerely,  
David Phillips  
President

Maranatha & Associates, Inc. PO Box 1598;  
Lorton VA 22199  
(703/541-0823/(FAX)703/550-1646)

**MTC-00024147**

From: Michaud, Andrew  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 9:51am  
Subject: Microsoft Settlement

To whom it may concern,

I work in the software industry and have for over 7 years. I am a Microsoft Certified Trainer and have taught Microsoft products for many years. I now work for a small software company. This experience, I feel, gives me a fairly unbiased point of view regarding the proposed settlement between Microsoft and the DOJ.

The proposed settlement does not adequately address the anti-competitive behavior of Microsoft.

From this observer's position it appears that the settlement was written by Microsoft's lawyers. Consumers must be allowed to purchase and run the software that they want. Microsoft's argument that the browser is part of the OS is specious and disingenuous. They should not be allowed to continue the destructive, anti-competitive behavior that sparked this case.

Regards,  
C.Andrew Michaud  
Senior Customer Support Engineer  
COURION CORPORATION  
TEL 508-879-8400, ext. 240  
FAX 508-879-3139  
amichaud@courion.com  
<http://www.courion.com/>

www.courion.com

**MTC-00024148**

From: Davenport, Randy  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 9:47am  
Subject: Microsoft Settlement

In my opinion, forcing Microsoft to sell off units is a great idea. I fully support the states proposal. Microsoft has too much of a monopoly, thus increasing prices.

Randy Davenport  
Library Computer Systems Coordinator  
SWBTS  
817-923-1921 x 2733

**MTC-00024149**

From: Anders  
To: Microsoft ATR  
Date: 1/25/02 9:41am  
Subject: Microsoft Settlement

I think the proposed Microsoft settlement is a bad idea. You are letting Microsoft get away with having monopolized the market and misused their power only because they are so big and powerful.

-Anders Ramsay

**MTC-00024150**

From: John Lahtinen  
To: Microsoft ATR  
Date: 1/25/02 9:52am  
Subject: Microsoft Settlement

This proposed settlement is obviously insufficient.

Sincerely,  
John M. Lahtinen

**MTC-00024151**

From: Josh Reashore  
To: Microsoft ATR  
Date: 1/25/02 9:54am  
Subject: MicroSoft Settlement

Hello,

As an avid computer gamer, I support the current MicroSoft market position. Having MicroSoft in it's current position enables it to force software and hardware manufactures to produce product that works together for a good computing experience (note: whql program). I have been using Windows products (98se, ME, XP Professional) for over 4 years, and in that time, my computer has only "crashed" (suffered a no-recoverable error resulting in loss of data or functionality) once....

I believe that the court is overlooking a important fact in the field of complaint that is reliability...People who know how to use a computer have no problem with MicroSoft....People who are computer illiterate or not able to grasp the basic functions of computer maintenance (unfortunatley, a large percentage of the populace) are the ones whogripe and complain.

Clearly, the solution for this aspect of the case is Education of the population, not punishing a corporation

Thank you for your time  
J.Reashore

**MTC-00024152**

From: Berry, Frederick  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 9:43am  
Subject: Microsoft Settlement

**MTC-00024153**

From: JLEONE1060@AOL.COM@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:51am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
JUDITH LEONE  
419 OAKDENE AVE  
CLIFFSIDE PK, NJ 07010

**MTC-00024155**

From: John Bijns  
To: microsoft.atr(a)usdoj.gov  
Date: 1/25/02 3:57pm  
Subject: Microsoft Settlement

Dear Sir,

Hereby I want to explicitly declare I don't agree with the settlement that has been arranged for Microsoft.

Yours sincerely,  
John Bijns  
Dijkbeemdenweg 29  
3520 Zonhoven  
Belgium

**MTC-00024156**

From: dutton@flash.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 9:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
GRANVILLE DUTTON  
9810 ridgehaven  
DALLAS, TX 75238

**MTC-00024157**

From: wt.catch1  
To: Microsoft ATR  
Date: 1/25/02 9:55am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200



Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Crum  
15518 Cobre Valley  
Houston, TX 77062

**MTC-00024158**

From: Tom

To: Microsoft ATR

Date: 1/25/02 10:12am

Subject: U.S. v. Microsoft

As a private citizen, I find the arrogance of Microsoft to be unacceptable. Microsoft owns nearly most of the computer market (my perspective). They are now spreading out like a cancer (like MSN, WinCE, etc.). Eventually, no one, not even the government of the United States, will have a choice but to pay Microsoft their taxes. What the heck am I talking about? What is the difference between paying Microsoft or paying the government? The government gets their due only once a year.

Given a position of owning everything, computers (desktop or not), the communications between computers, etc., Microsoft could easily collect information on any politician, judge, professional, etc. and influence them to see things Microsoft's way.

They claim to be humanitarian—"look at all the money we are giving to charity". I believe that this action to be a public relations trick. Looking at the overall perspective, what is a 100 million dollars compared to a company worth hundreds of billions? A drop in the bucket!

Lastly, What will prevent Microsoft from holding the United States government hostage? Microsoft is going to a subscription based product line. Fail to pay them their taxes, and they will cut off the product. Our military is increasingly dependent on equipment which uses the Microsoft products. Are you frightened yet?

If nothing is done to break up the monopoly of Microsoft, then nothing will stop them.

**MTC-00024160**

From: kcallies@hotmail.com@inetgw

To: Microsoft ATR

Date: 1/25/02 9:54am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

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Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Karen Karen  
123 N Spencer Rd  
Onalaska, WA 98570

**MTC-00024161**

From: Dave

To: Microsoft ATR

Date: 1/25/02 8:49am

Subject: Microsoft Settlement

Hello;

THis settlement is a raw deal. To call it a slap on the wrist would be an insult to a real wrist slap. THEY broke the law. They suppress competition more effectively than Standard Oil did, and they INSPIRED all following anti-trust law.

DON'T DO IT!

Dave Arkle

**MTC-00024162**

From: George Rebovich

To: Microsoft ATR

Date: 1/25/02 10:01am

Subject: Microsoft Settlement

The proposed settlement with Microsoft is a BAD idea. Please reconsider.

George Rebovich

**MTC-00024163**

From: cindybrand@earthlink.net@inetgw

To: Microsoft ATR

Date: 1/25/02 9:58am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division

601 D Street NW, Suite 1200

Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Cynthia Brand  
330 Merwin Ave. A6

Milford, CT 06469

**MTC-00024164**

From: Al T

To: Microsoft ATR

Date: 1/25/02 10:00am

Subject: I am against the proposed settlement

Many Microsoft critics have said this trial was only a waste of tax payer's money. If the proposed settlement path is taken, it will be a waste of money.

In my limited understanding of law, I see a company which has been accused of a terrible crime. Also, this type of crime is not committed accidentally. The Antitrust Laws are written in such a way that they cannot be broken by everyday business practices.

Allow me to make a parallel with another terrible crime, murder. In the law, there are many ways to consider the killing of an innocent person: from first degree murder (pre-meditated, cold-blooded) to involuntary manslaughter (something unexpectedly lead to the death of another). Punishment is very different for these two crimes. For the first, some states allow the death penalty. For the latter, people may not even go to jail, if it can be proved that the death was 100% accidental.

Microsoft did not commit "involuntary monopoly maintenance." The breaking of antitrust law was premeditated and done will all intentions to kill competition and monopolize other markets. The same goes for all other things Microsoft has already been found guilty of. But, in this proposed settlement, it seems Microsoft will "voluntarily impose" guidelines on itself to change its behavior. If this were a trial of a person accused of first degree murder, would you let him or her go free if they promised not to carry a gun anymore? If this was child molester, would you let him / her go free if they promised not to visit school playgrounds?

If the answer is "no," then why is the DOJ allowing Microsoft to walk out of the courtroom with a slap on the wrist, and a simple promise to behave in the future? What about punishing them for what they have already done? I can see this settlement might take care of future problems, but what about punishing the guilty for their crimes? What punishment is Microsoft going to receive for breaking the law?

If the DOJ accepts this settlement, it will fail to provide justice: it will let the first degree murderer of free trade to go unpunished, in hope s/he will behave in the future. That is not justice. Justice requires the guilty to pay back the victims or society for their crimes. Microsoft is not paying back anything for their crimes.

If this settlement is accepted, it will be a dark day in America and in American Justice. I'm glad I live in a state where justice will still be sought if this dark day should come upon this great nation.

Alberto Trevi?o

Orem, Utah @

**MTC-00024165**

From: Geoff Vanden Bout

To: microsoft.atr(a)usdoj.gov

Date: 1/25/02 9:06am

Subject: Microsoft Settlement

I would like to start by saying that I'm not overly familiar with the law, especially as it pertains to anti-trust situations. But I have done some homework regarding this subject, and the proposed settlement worries me. I cannot even begin to tell you what I think should be done instead, but I can say that I am not in favor of the current suggestion. My primary concern is the scope. This settlement is needlessly limited in scope. It's narrow focus does eliminate some of the anti-competitive practices which the settlement is trying to get rid of, but it leaves out others.

I will give a few examples of remedies I would suggest, but I don't expect they will be practice, due to my low knowledge and understanding of the law. First, definitions of things such as middleware and Windows Operating System Product should be definitions rather than specific products, and should be broadened to avoid loopholes, such as the version numbering system being part of the definition of middleware. Also, I consider it dangerous to allow Microsoft to penalize or reward (if used in certain ways these are the same) OEMs and other distributors for selling competing software or computers containing competing software.

**MTC-00024166**

From: Mark MacKenzie (Shaw)  
To: Microsoft ATR  
Date: 1/25/02 9:54am  
Subject: Microsoft AntiTrust case

I believe strongly that Microsoft has leveraged its predominant position as supplier of operating system software to stifle competition and my choices as a user/.consumer of PC services. I use a variety of personal computers at home and at work. It is obvious to me as I have experienced these problems, that Microsoft calculatedly decided to hide parts of normally separate applications in its operating system routines and menus and did the opposite as well which is probably worse. They made parts of their operating system to be installed by otherwise separate applications such as Internet Explorer. This created an interlocked spider web of operating system and supposedly separate applications and created a practically unassailable protected monopolistic environment.

It is also obvious that Microsoft has few if any honorable intentions to clean up its act. There is also strong indications that high powered business politics has influenced some of the current proceedings. I refer to the change in heart of the DOJ in prosecuting this case after the recent change in government.

I believe strongly that Microsoft has demonstrated an unwillingness to accept the philosophy of the court decision and still seeks to stifle competitiveness. The recent attempt by Microsoft to invade and "swamp" competition in the school system and soften the financial impact of the judgement by better than 60% by using its own software and refurbished older computers is proof of this.

Regards Mark G. MacKenzie

**MTC-00024167**

From: Alan Gardner  
To: Microsoft ATR  
Date: 1/25/02 10:04am

Subject: Microsoft settlement

I am a founding partner in a technology company that specializes in internet based software solutions. We have been in business for 18 months and have enjoyed the struggles of a fledgling new business competing in the open market. I would like to share with you my thoughts of the anti-trust suit against Microsoft from the perspective of one who has faced the challenges of competing in the open market and the affect Microsoft has had on us as a company.

In the last 18 months of business I am aware of two separate occasions when we have discussed the marketing plan of our two products in which we have entertained the idea of establishing a partnership with Microsoft. On both occasions, we felt that due to Microsoft's history of "borrowing" ideas of other companies and then offering the same product to the public at a substantially lower price, that we could not compete against our own product at the price Microsoft would offer. We have decided to look elsewhere to fulfill our marketing needs.

I believe the free market of the United States of America is integral to the economy. I believe that the ability for any American to start a computer company and compete in an open and fair market is vital to that economy. For as new comers to the industry compete, they will be forced to be innovative to survive—and that innovation will advance technology and improve the lives of more Americans.

I sincerely believe that my ability to advance my company's products and serve the needs of my present and future customers will be at risk of Microsoft is allowed to expand it's monopoly in the technology industry. I believe accepting the settlement as agreed to by the DOJ and Microsoft will do exactly that.

I urge you to seek a more fair solution—one that protects the free market and protects companies who are willing to play by the rules.

I appreciate your time.  
Sincerely  
Alan Gardner  
VP Design  
IMPAVID Technologies  
1935 East Vine Street, Suite 200  
Salt Lake City, 84121  
801.274.3721 (office)  
801.274.3726 (fax)  
801.391.0109 (mobile)  
alan@impavidtech.com

**MTC-00024168**

From: John Diley  
To: Microsoft ATR  
Date: 1/25/02 10:05am  
Subject: Dear Sir or Madam:

Dear Sir or Madam:

The following summarizes my views about this case: "The settlement being prepared by Charles James (1) would not prevent the central ways Microsoft was found to have illegally maintained its Windows monopoly, (2) does nothing to restore competition in the OS market, an express Court of Appeals requirement for a Microsoft remedy, and (3) has no provisions directed to Windows XP and other new endeavors of Microsoft to extend and protect its monopoly to new

markets in the future, another express Court of Appeals requirement for a Microsoft remedy. The proposal is so far outside the mainstream of antitrust law, and so completely contradicts the DC Circuits unanimous opinion affirming Microsofts guilt, that the only explanation must be political pressure. Whether or not the public learns of the backroom activities will be the responsibility of Judge Kollar-Kotelly under the Tunney Act public hearings that are required before approval of antitrust settlements."

The only thing I can add is that if "settlement" is allowed to proceed, the Department of Justice should change its name to the Department of Injustice or perhaps the Department of Graft and Bribery.

Sincerely,  
John Diley  
405 West Side Dr., #301  
Gaithersburg, MD 20878  
(240) 632-2101

**MTC-00024190**

From: Shawn Davis  
To: Microsoft ATR  
Date: 1/25/02 10:03am  
Subject: Microsoft Settlement

To whom it may concern:

The proposed settlement is hopelessly flawed and should be re-written. I've read the settlement proposed by the dissenting states and it is what the Proposed Final Judgement should have been. The weakness of the PFJ and Microsoft's disregard for the law may be clearly seen in the release of Windows XP with it's host of anti-competitive features (e.g. MyMusic, Passport, and even remote control). As a concerned citizen responding under the Tunney Act, I strongly oppose any settlement, including the Proposed Final Judgement, that does not completely prohibit Microsoft's anti-competitive practices. s.

**MTC-00024192**

From: Vaughn Van Asten  
To: Microsoft ATR  
Date: 1/25/02 10:09am  
Subject: Microsoft Settlement

I don't think the settlement with Microsoft will work, because they have broken laws in the past, and will continue to do so.

Vaughn Van Asten  
1315 Hendricks Ave  
Kaukauna, WI 54130

**MTC-00024193**

From: scott swentek  
To: Microsoft ATR  
Date: 1/25/02 10:11am  
Subject: remedy for microsoft monopoly  
i have used microsoft operating systems since DOS 3.2...& i must say that the products were far more secure & bugfree when there were effective competitors in the marketplace...when i now use one of microsoft's later windows operating systems i must attempt to disable many aspects of it...such as the browser & email functionality...because those products are simply too unreliable & insecure for any rational person to use...microsoft's products would greatly benefit from the type of rigorous competition that occurs in a non-monopoly marketplace...please consider

breaking microsoft up into  
distinct...competitive...entities

**MTC-00024194**

From: Alex Lindsay  
To: Microsoft ATR  
Date: 1/25/02 10:12am  
Subject: Microsoft Settlement

I am opposed to the Microsoft settlement as it appears to include no guarantees that Microsoft will modify it's behaviour. It also appears to cost Microsoft very little in actual costs. This is not right and should be abandoned as a viable settlement.

**MTC-00024195**

From: Jason Day  
To: Microsoft ATR  
Date: 1/25/02 10:59am  
Subject: Microsoft Settlement

To Whom It May Concern:

I am opposed to the proposed settlement in the Microsoft antitrust trial. I feel that the current proposed settlement does not fully redress the actions committed by Microsoft in the past, nor inhibit their ability to commit similar actions in the future. The vast majority of the provisions within the settlement only formalize the status quo. Of the remaining provisions, none will effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. This is especially important in view of the seriousness of Microsoft's past transgressions.

Most important, the proposed settlement does nothing to correct Microsoft's previous actions. There are no provisions that correct or redress their previous abuses. They only prohibit the future repetition of those abuses. This, in my opinion, goes against the very foundation of law. If a person or organization is able to commit illegal acts, benefit from those acts and then receive as a "punishment" instructions that they cannot commit those acts again, they have still benefited from their illegal acts. That is not justice, not for the victims of their abuses and not for the American people in general.

While the Court's desire that a settlement be reached is well-intentioned, it is wrong to reach an unjust settlement just for settlement's sake. A wrong that is not corrected is compounded.

Sincerely,  
Jason Day

**MTC-00024196**

From: Southeast Region CSA  
To: Microsoft ATR  
Date: 1/25/02 10:13am  
Subject: Microsoft Settlement

To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

I believe the Proposed Final Judgement (PFJ) for the Microsoft case falls short in a number of areas:

1. I do not believe the PFJ puts into place a sufficient enforcement mechanism.

2. The definitions of "API", "Microsoft Middleware", "Microsoft Middleware Product", and "Windows Operating System Product" are not sufficiently broad to prevent

Microsoft from effectively circumventing the intent of the PFJ in many cases.

3. The PFJ would much more effectively strengthen competition in the Intel-compatible marketplace by explicitly allowing and protecting the use and implementation of Windows APIs on competing operating systems. This would allow applications written for Windows operating systems to be run on competing systems, thereby lowering the high barrier to entry for those competing systems.

4. The patents supposedly covering the Windows API should be disclosed. As it stands, the undisclosed patents act as an additional barrier to entry for competing operating systems that seek to re-implement the Windows API.

5. The PFJ should explicitly demand that descriptions of file formats used by Microsoft application software be made public and freely usable. This would allow applications written for Windows or competing operating systems to interoperate more effectively with Microsoft applications, thereby reducing the high barrier to entry for competing systems.

6. The PFJ needs to be expanded to address exclusionary practices that harm competition from Open Source software and operating systems that compete with Microsoft Windows. For example, in its current form the PFJ does not address Microsoft SDK End User License Agreements (EULAs) that prohibit the SDKs' use with Open Source software. These practices raise the applications barrier to entry for competing operating systems. Thank you for taking the time to consider my comments. Note that these comments represent my own opinion and do not necessarily those of my employer.

Regards,  
Chris Armstrong

**MTC-00024197**

From: Mark Figlozzi  
To: Microsoft ATR  
Date: 1/25/02 10:13am  
Subject: Microsoft Settlement

The proposed Microsoft Settlement does not go far enough in attempting to stop Microsofts ongoing, anti-competitive behavior. The danger Microsoft poses to consumers, the Internet, and our economy, has never been greater.

Truly, the browser wars are over. But critical new battles are being fought on new fronts. As a software engineer, I perceive that Microsoft is leveraging its Operating System monopoly to take control, and charge the Microsoft Tariff on all transactions, in three key areas:

## 1) STREAMING MEDIA.

Microsoft continues to leverage its Operating System monopoly to force its inferior (bundled) Windows Media Player on uneducated consumers, who will frequently use whatever the default is on their computer. New releases of Microsoft Internet Explorer frequently contain bugs that disable competing technology like Apples Quicktime. In fact, Microsoft has gone so far as to ELIMINATE browser plugins, forcing developers to scramble to release new versions of their competing media players which rely on Microsofts DirectX technology. This does not benefit consumers; it serves

only to extend Microsofts monopoly. It forces creators of CONTENT online to license tools from Microsoft, rather than using free tools available elsewhere, to communicate their message. It implements a Microsoft tariff on all streaming media.

## 2) INTERNET STANDARDS &amp; ONLINE TRANSACTIONS.

Microsofts new .net initiative strikes a dangerous blow against the concept of industry standards which made the Internet the massive success it has become. It undermines the HTTP protocol, and uses proprietary technology to conceal data from engineers attempting to develop systems. As a software engineer who has worked with a variety of standards in network programming, I perceive that .net was not designed to assist consumers: It was designed SOLELY to ensure that Microsoft will get a little bit of money from every single transaction that occurs online. .Net extends the Microsoft Tariff to all web developers. The feature most cited by IT directors considering .net: it integrates with windows. And most frighteningly of all:

## 3) NEWS AND CONTENT.

Operating System and web browser features implemented by Microsoft increase traffic to Microsofts MSN News Network. For example, when a user enters an address to a web page that is no longer there, the HTTP Protocol (the universally-accepted protocol which powers the internet) calls for a message to be displayed which says Error: Page Not Found. But users of Windows XP have quite a different experience: Instead of displaying a standard error message, the newest version of Internet Explorer sends all viewers to a Microsoft Network Search Page. These search pages have links to News stories and other content within the Microsoft Network. By sending users of a web browser to a specific web page within its network, Microsoft is attempting to leverage its Operating system monopoly into the area of News and Content.

Additionally, Microsoft has created smart tags which will embed false links into NON-MICROSOFT websites, misdirecting consumers to Microsoft-sponsored content. This is equivalent to Sony embedding technology into television sets which inserts commercials for Sony CD Players during commercials for competing electronics products, or for Sony Pictures movies into news broadcasts about rival films. Microsoft has announced, but not yet shipped its Smart Tag enabled browser. Presumably, they will await the outcome of anti-trust actions.

Please do not allow Microsoft to extend its Operating System monopoly into News and Content publication. They have already demonstrated that they are not a trustworthy information source.

## SECURITY ISSUES

Biologists teach us that the most secure ecosystem is a DIVERSE one. When viruses wipe out crops, money and lives are lost, but the human race lives on because we grow more than one variety of food: not all of our crops are susceptible to the same virus. The Internet, however, is increasingly dominated by one strain: Microsoft. Their track record on security is abysmal. This leaves us INCREDIBLY vulnerable to cyber attacks.

Please do everything in your power to ensure the safety of the Internet. Take stronger action against Microsoft. Protect competition in the free market. This is a crucial time and an issue of critical importance.

#### REMEDY

After my years in the technology sector, I have become convinced: Allowing consumers the option to uninstall Internet Explorer, or to purchase a stripped down version of Windows will do VERY LITTLE to protect consumers, the Internet, and the ailing technology sector in general, from Microsoft's illegal, anti-competitive practices. The only way to stop Microsoft from leveraging their Operating System monopoly into other markets is to create Real Competition. And the only way to create real competition is to SEPARATE the Operating System developers from the developers of other software at Microsoft. This means BREAKING THE COMPANY IN TWO. One action that would help alleviate the Microsoft Tariff is forcing the company to publish and permanently open the file format for Microsoft Office documents, which have become ubiquitous in the business world. Please take this unique opportunity to do more to help our struggling industry, caught between the recession and the choke hold of a determined monopolist.

Thank you for your time and hard work.  
Sincerely,  
Mark Figlozzi, Software Engineer  
39 Goldsmith St.  
Boston, MA 02130

#### MTC-00024198

From: rrmfirst@aol.com@inetgw

To: Microsoft ATR

Date: 1/25/02 10:10am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Richard Brendsel  
14860 Fillmore Ave. N. W.  
Clearwater, MN 55320

#### MTC-00024200

From: Corner, Lisa, CA NAR/US

To: "Microsoft.atr(a)usdoj.gov"

Date: 1/25/02 10:05am

Subject: Proposed settlement

This is a quick note to say that I totally endorse the open letter composed by Dan Kegel—I am a cosigner! The problem with the proposed settlement is that using the

literal interpretation there are more holes in it than in a sieve. What I am trying to say is that as defined by the settlement none of Microsoft's "new" operating systems will be impacted, nor will many of the strong arm tactics that Microsoft employs against OEMs be prohibited nor even discouraged. I can't even begin to describe how the concept of donating hardware and software to the education system (while wonderful in concept) with out proper oversight will hinder Microsoft's competition both open source and proprietary.... As a consumer I am disgusted with the requirement Microsoft has imposed on some pc manufacturers ... If I the consumer do not want the software, why should I have to pay for the privilege of deleting it when I get my new system home?

All in all I feel the justice department has totally missed the boat it's not just internet explorer that is the issue or even icon real estate on the desktop. The real issue is at the core of how Microsoft does business.

Lisa Corner  
Systems/Network Administrator

#### MTC-00024201

From: rrdolson@t-one.net@inetgw

To: Microsoft ATR

Date: 1/25/02 10:11am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Dolson  
1688 S. Darr  
Scottville, MI 49454

#### MTC-00024202

From: MKoenecke@aol.com@inetgw

To: Microsoft ATR

Date: 1/25/02 10:15am

Subject: Microsoft Settlement

To the Honorable Judge Kollar-Kotelly:

It is my fervent hope that both the judicial branch and the executive branch (i.e., the office of the Attorney General) will take the Microsoft case seriously, and implement a judgment which will aid in keeping the flow of information, and the formats thereof, freely available. I am a conservative, and I am a Microsoft Windows user as well. I believe in a limited role for government; however, I believe the essence of that limited role is for the government to ensure freedom for the people, which not only encompasses Bill of Rights issues but also includes economic

freedom. It is Microsoft's avowed goal to control standards for the Internet and for common file formats; a goal which, if unhindered, will result in anyone who wishes to do business having to pay Microsoft whatever fees it may demand. For there will be no alternative.

Please do everything in your power to protect the future economic freedom of the American people.

Respectfully,  
Michael A. Koenecke

#### MTC-00024203

From: Christian Swanson

To: "Microsoft.atr(a)usdoj.gov"

Date: 1/25/02 10:16am

Subject: Microsoft Settlement

My comments on the settlement are as follows:

I work in IT—in a Microsoft NT/2000 environment. I have read the news of the settlement and briefly looked at the documents on your website. Working in the industry, I am witness to the lack of choice, or hurdles that need to be jumped to choose alternate operating systems & browsers. Netscape, Linux, Unix, MacOS, BeOS, Sun, Oracle & Novell should all be alternatives to Microsoft & their OEMs. Microsoft marketing wants us to believe they need "the freedom to innovate" and this anti-trust lawsuit is a infringement on their free market business. On the contrary, I feel this is more analogous to the railroad & oil empires of the 19th century. The first to dominate had free reign until they were regulated & rectified by the government. I would hope that the DOJ Antitrust division would take this opportunity to re-evaluate their original settlement and propose a new settlement that would allow innovative people like Bill Gates & Steve Jobs to start a business in their garages & be able to take on giants like IBM and surpass them in technology.

Now that's freedom to innovate—we need a level playing field. It's what America is all about!

Christian M Swanson  
Network Administrator, IT  
Evergreen Healthcare  
Phone: 425.899.3710  
Fax: 425.899.1755

#### MTC-00024204

From: nikolayeva@NiagaraMohawk.com@inetgw

To: Microsoft ATR

Date: 1/25/02 10:18am

Subject: Settlement is bad

Settlement doesn't do anything to punish Microsoft for their deeds and it doesn't do enough to restore competitiveness of the marketplace and real innovation, not Microsoftish "innovation", which is nothing more than stealing or buying out others ideas and integrating them into their monopolistic products. Microsoft does nothing to provide interoperability with other companies products, unless it serves their goal to crush competition (WordPerfect and Lotus 1-2-3). It introduces incompatibility between versions of its own software in order to force users to upgrade perfectly working products and pay more to Microsoft (Word 6.0 to Word 95 migration).

Microsoft destroyed internet browser market by integrating middleware functions into operating system. Now Microsoft tries to do the same thing with messaging software and authentication services, integrating them into new version of their operating system. Microsoft destroyed operating systems market using their licensing schemes, which punished hardware manufacturers for installing other systems (IBMs OS/2, BeOS or Linux distributions). By doing this, Microsoft disregards our right for freedom of choice and stifles real innovation.

Andrey Nikolayev,  
Software Engineer  
Emplifi Inc.

**MTC-00024205**

From: jrchar9@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:16am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Richardson  
1009 Nina Drive  
Springfield, TN 37172-6089

**MTC-00024206**

From: Damian Busby  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 10:18am  
Subject: Comment on the Proposed Settlement

To Whom It May Concern:

As a professional who has been in the computer industry for nearly 10 years now, I am deeply concerned with the settlement Microsoft has proposed as "punishment" for it's illegal acts. If the court were to accept the settlement as proposed, they would be effectively telling the country, and the world, that what Microsoft had done to build, and maintain, it's illegal monopoly was acceptable, setting the stage for further raping of the technological industry. The behavior of Microsoft cannot go unpunished. In a country born and bred on variety and freedom, it would be a shame to see a creative and important industry ceded to an unjust tyranny that resides in

Redmond.  
Damian Busby  
310 SW 79th Way  
North Lauderdale, FL 33068

**MTC-00024207**

From: A R  
To: Microsoft ATR  
Date: 1/25/02 10:19am  
Subject: Microsoft Browser Monopoly  
Microsoft Antitrust Suit  
Department of Justice

I'm an ordinary Internet and Web user. I prefer to use Netscape browser versions and have noticed some problems that have increased during the past few months with Netscape mounted on Windows 98. After Microsoft bought the stand alone E-Mail server, Hotmail.com, they began a program of remodeling the service. Within the past few months, Hotmail has been firmly integrated into MSN.com. Netscape and Internet Explorer Hotmail presentations and features are not identical. Netscape Hotmail has reduced operations through Windows 98. When logging out of Hotmail, a user is redirected to MSN.com. IF Netscape is the browser in use, the connection to MSN.com can take up to one minute using a T1 connection, the fastest connection available to the average user. While the redirect is going on, all other open windows and applications are frozen. No work with them is possible until the connection is made to MSN.com.

Additionally, there are increasingly frequent incidents of Netscape on Windows 98 "freezing" and requiring a computer restart if one wants to continue using Netscape. At the same time though, Microsoft's Internet Explorer can be opened and run. I believe Microsoft is continuing to create obstacles to the use of any browser other than their Internet Explorer. I believe that as someone else has pointed out "it is apparent that Microsoft has attempted to maintain a monopoly on the Internet Web Browser market to any casual software user."

Sincerely,  
Albert Rohla  
383 Duane St.  
Glen Ellyn, IL 60137

**MTC-00024209**

From: turkeycall@socket.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:18am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
John Hanley

118 N. Leeds  
Eldon, MO 65026

**MTC-00024210**

From: ruth.jones@om5daystar.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:20am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ruth Jones  
6001 Clear Bay Drive  
Dallas, TX 75248

**MTC-00024211**

From: Larry Groebe  
To: Microsoft ATR  
Date: 1/25/02 10:23am  
Subject: Microsoft Settlement

I just want to add my voice to those that think the current government settlement with Microsoft is inadequate to address the situation. A break-up of the company is the only way to bring a measure of competition back into the market, and the only way to ensure that other companies have a fair opportunity to innovate and dream up more advanced solutions. The fact that no company would dare introduce a new operating system, but even a new spreadsheet or word processor, because it would be a foolhardy endeavour, is evidence that the situation needs to be changed. Beyond the business implications, the pace of technological innovation has completely stalled due to Microsoft's dominance. I use a Macintosh at home and the office, but even here I MUST use Microsoft software for basic business applications, because there simply IS NO OTHER CHOICE. Until the company is broken into smaller units, this will remain the case.

Sincerely yours,  
Larry Groebe

**MTC-00024212**

From: tylerthe3rd  
To: Microsoft ATR  
Date: 1/25/02 10:24am  
Subject: Microsoft Settlement

Please add my voice to those protesting the Microsoft settlement. I find the suggestion that Microsoft should donate computers to school systems absurd. Microsoft did violence to the system that we all rely upon, whether we want to or not, to ensure that the goods and services that we consumers buy

are available at the lowest price. Microsoft repeatedly and callously sought not to provide better and cheaper products than its competition but only to use its position to prevent its competitors from offering their better and cheaper products. Microsoft now seeks to do penance by donating computers to poor school systems. Not only would such a punishment fail to be of a size that would deter future wrongdoing by Microsoft, but it is of a piece with the conduct that Justice is seeking to prevent in the future. By donating these computers which would, of course, run the Microsoft Windows operating system, Microsoft seeks nothing less than taking even more market share, this time from Apple Computer. The fact that such a proposal is even being seriously considered makes me and others wonder does Justice care more about closing this case than it does about ensuring the survival of our free market system. Please overrule this proposed settlement and bring economic justice to us.

Tyler E. Williams, III  
P.O. Box 428  
Drakes Branch, Virginia 23937

**MTC-00024213**

From: lwprid@localnet.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:22am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Larry Pridmore  
31 Carlton Rd.  
Waterloo, NY 13165-1636

**MTC-00024214**

From: Seth Taplin  
To: Microsoft ATR  
Date: 1/25/02 10:24am  
Subject: Microsoft Settlement

As a professional in the computer world, I'm ashamed that my government has "sold-out" to Microsoft with the proposed settlement. I feel that the following article has a valid description of the ways in which the settlement fails to address Microsoft's monopolies: <http://www.ccianet.org/papers/ms/sellout.php3> As a user of many different computing platforms and operating systems, I see Microsoft as having a stranglehold on the consumer PC market, and using their operating system's monopolistic powers to prevent any other competing companies from gaining a foothold with applications that

challenge applications produced by Microsoft. This includes browsers, email applications, etc. This situation is leading to a stagnation of the software market that can only be addressed by drastic action. Hopefully public comments like this will lead the government to realize that this affects all users, not just those sending in comments under pressure from Microsoft and its major competitors, but EVERY person who has, does, or will use a personal computer.

Thank you,  
Seth Taplin  
Software Engineer

**MTC-00024215**

From: Baakkonen, Rodney  
To: "microsoft.atr@usdoj.gov"  
Date: 1/25/02 10:23am  
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea. I have never actually chosen to buy a Microsoft product of my own free will. Their products were always put on the machine I bought by someone else. Thus discouraging from actively pursuing alternatives to Microsoft. Why should I buy something from some one else, when I already have software loaded on my machine for free. I believe that this monopoly in the end hurts creativity and competition. And that a more satisfactory solution must be found.

Rod Baakkonen  
7003 Rolling Hills Rd  
Corcoran, Mn 55340  
763-498-8958

**MTC-00024216**

From: Gar Ryness  
To: Microsoft ATR  
Date: 1/25/02 10:24am  
Subject: Microsoft Settlement

Dear Judge,  
I love living in the US and love that it is a free market. I have always learned that an aid in that free market is that monopolies are disallowed. Therefore, I am puzzled by this PFJ. I have a good friend that works at Microsoft but I'm not mad at her. I am however, disappointed that her company has become this protected monster that has somehow recruited the government to do away with any serious competitors. This is not fair. I would ask that you reconsider this ruling.

Thank you,  
George A. Ryness IV  
3331 Appleton St.  
Los Angeles, CA 90039

**MTC-00024217**

From: Spencer Crissman  
To: Microsoft ATR  
Date: 1/25/02 10:29am  
Subject: Against Current Settlement

I am writing to convey my disagreement with the currently proposed settlement of the Microsoft antitrust case. I believe that the settlement, as it stands now, would not suffice to prevent Microsoft from continuing to use their monopolistic power in a way which, while beneficial to themselves, has a negative impact on innovative development within the software market. As a computer programmer, I believe that a better remedy is one which provides an opportunity for other

companies and individuals to compete with MS on even footing, such as the forcing the company to reveal the .doc and .xls formats, as well as making all API's and protocols such as networking public. This would ensure that while MS is able to put out products which work well on its platforms, other developers have a chance to release software which works just as well, and can potentially help break the monopoly which MS now holds. Also, note that I believe that any proposal of MS to pay punitive fines via the donation of its software and/or machines which run its operating system is absurd, as such action would serve only to extend their monopoly further, a fact of which they are no doubt aware. Such offers are hollow at best, and for the most part, insulting.

Thank you for taking my comments into consideration in this matter.  
Spencer Crissman  
Toledo, OH

**MTC-00024218**

From: McGlaughlin, Jeffrey A  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

It is my opinion that the DOJ settlement is not in the best interest of the end-users of Microsoft's products, or the software industry. The alternate proposed settlement put forth by California, et al, is better and could be modified to serve the end-user interest by adding language giving recourse to the users who have been damaged by Microsoft's actions.

Jeffrey A. McGlaughlin CID  
Sr. Designer  
Battelle Memorial Institute  
Columbus Ohio

**MTC-00024219**

From: Tony Flagg  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 10:25am  
Subject: Microsoft Settlement

An episode from the 1996 Caldera v. Microsoft antitrust lawsuit illustrates how Microsoft has used technical means anticompetitively. The judge in the case ruled <<http://www.kegel.com/remedy/archive/final4.html>> that "Caldera has presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft." That case was settled out of court in 1999, and no court has fully explored the alleged conduct. The concern here is that, as competing operating systems emerge which are able to run Windows applications, Microsoft might try to sabotage Windows applications, middleware, and development tools so that they cannot run on non-Microsoft operating systems, just as they did earlier with Windows 3.1. The PFJ as currently written does nothing to prohibit these kinds of restrictive licenses and intentional incompatibilities.

\*Tony Flagg—Architect/Analyst

**MTC-00024220**

From: srogers@Dartmouth.EDU@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:30am  
Subject: Microsoft Settlement

I am writing to voice my concern and dissatisfaction with the proposed DOJ settlement with Microsoft. The criticisms and suggested amendments of this have been outlined in detail by many in the field, including Dan Kegel whose petition I fully support. Please consider that as stated, the settlement will not result in opening the market to competition from other vendors as I would hope, is its intent.

Stephen R. Rogers, PhD Numerical Methods  
Lab Manager  
Dartmouth College Hanover, NH 03755

**MTC-00024221**

From: Chris Eash  
To: Microsoft ATR  
Date: 1/25/02 10:30am  
Subject: Microsoft and "freedom to innovate".

Hello,

As an undergraduate engineering student at the University of Tennessee, I use Microsoft software on a daily basis, not by choice, but only because no alternative exists for certain applications. As a user of other operating systems (Linux, Macintosh, Sun Solaris) I am keenly aware that the internet provides excellent cross platform interoperability. Things are changing however, as web sites follow the trend of writing HTML that is Internet Explorer specific. Try visiting the 2002 Winter Games web site on a Macintosh using Netscape, the page is not navigable. Microsoft's monopoly is so extensive that despite complaints, most sites will not alter HTML that does not function on non Microsoft software.

Eventually the internet will be navigable only with Microsoft products, or products with reverse engineered compatibility. With Microsofts proprietary software and legal clout, reverse engineering might one day become impossible. Add the Microsoft .NET strategy and you have a company that has made great leaps in controlling the computer desktop and the internet while crushing competitors and avoiding any significant punishment. To Microsoft "freedom to innovate" means freedom to build a monopoly, crush Netscape, Linux, Apple, Corel, or any other significant competitor, in any market. Ask yourself: "Why does Microsoft charge for MS Office but give away Internet Explorer for free?"

Thank you,  
Chris Eash

**MTC-00024222**

From: Nell Dougherty  
To: Microsoft ATR  
Date: 1/25/02 10:35am  
Subject: settlement

I do not think the settlement with Microsoft went nearly far enough and am extremely disappointed in this.

Nell Dougherty  
Houston, Texas

**MTC-00024223**

From: M Lobo  
To: Microsoft ATR  
Date: 1/25/02 10:32am  
Subject: Microsoft Settlement

Hello:

My name is Michael Lobo, 15 Matthew Drive, Franklin MA 02038. I wanted to ask

you folks to reconsider your proposed settlement with Microsoft. As a software engineering manager ( I am currently the Director for Software Development at a small startup company ) with 15 year experience in the software world ( the last 7 have been "Microsoft" focused )—I have seen enough abuse from Microsoft. They have fantastic products. In the past I have cheered them on—glad to have some universal standards that people can focus on. Now that they have THE operating system, THE Office package, THE development products—they are taking advantage of their monopolistic position. They are completely abusing their powerful position—proof of that is in their recently released licensing scheme WPA. If any other company tried to sell a product that requires ( requires!!! ) a phone call or email to activate—even through the customer fully paid ( in whole! ) for that product—the company would fail. That policy is ONLY viable in a monopoly. The ensuing hardships for individual and small business users ( I am both ) is significant.

If I had a realistic alternative—I would use it—but Microsoft is successfully doing everything they can to prevent that from happening. We need to protect the software industry from this type of abuse. Handing MS the proposed settlement will be the same as giving them a green light to continue their predatory and anti-competitive practices.

Regards,  
Michael

**MTC-00024224**

From: Bob Lewis  
To: Microsoft ATR, attorney.general@po.state.ct.us@inet...  
Date: 1/25/02 10:34am  
Subject: Comments on DoJ vs Microsoft proposed remedy

To whom it may concern,

My name is Bob Lewis. I write the "Survival Guide" column for InfoWorld. Several readers have encouraged me to share the following with you—it's a column I published shortly after Judge Jackson's original verdict proposing an alternative remedy to those already discussed. I've appended the text below; the URL is <http://www.infoworld.com/articles/op/xml/00/04/24/000424oplewis.xml>. A few additional comments beyond what the column itself describes:

\* As I'm sure quite a few other correspondents have already suggested, the negotiated remedy fails a very basic test: It doesn't penalize Microsoft in any significant manner.

\* In addition to the Windows APIs described below, I'd also suggest including the MS Office file formats and interfaces in the scope of the remedy. In a sense, opening the Windows APIs is the remedy for actual damages; the MS Office APIs are punitive damages.

\* A benefit of this remedy not stated in the article is that it addresses Microsoft's primary complaint about the trial itself and some other proposed remedies: By opening the interfaces to Microsoft's products, this remedy encourages further innovation on Microsoft's part since it can't simply defend its market position by making it too difficult to create competing products.

\* A possible alternative to the \$50 million per hidden API penalty described in the article: Start with \$5 million for the first discovered hidden API or feature, and double the penalty for each succeeding one found. Aside from these small points the article stands on its own. Even if it doesn't alter your thinking, I trust you'll find it amusing.

Bob Lewis, InfoWorld

Headline: Some suggestions for Judge Jackson as he considers what penalty Microsoft should get

"Your honor, we find the defendants incredibly guilty!"

— Jury foreman, about Zero Mostel and Gene Wilder, in Mel Brooks' film The Producers

CAN YOU IMAGINE if Lance Ito had been the judge? By the time this column appears, the verdict itself (for the Microsoft trial, of course ... have there been any others?) will be old news. The obligatory snap judgments will all have been printed, so you've read that (a) Judge Thomas Penfield Jackson was right and should throw the book at Microsoft; (b) he may have been right in theory but technology has passed the whole issue by, so the penalty should be light; (c) the whole trial should never have taken place because antitrust laws are bad for business. The fact is, in the eyes of the law, Microsoft did harm and is guilty. The task now is finding a suitable punishment. What strikes me about this subject is the dreary sameness of the proposed solutions. Every one of them involves either breaking up the company, expropriating its intellectual property (read "Windows"), and/or supervising the company closely while telling it to stop being so naughty.

Sadly, not one of these punishments withstands the most basic of ethical tests: The punishment should fit the crime. The worst is breaking up the company, because in the wacky world of Wall Street, a broken-up Microsoft would probably exceed a unified Microsoft in total market capitalization. The goal of issuing a punishment is not to enrich the guilty. Here's one punishment that does not enrich the guilty and does fit Microsoft's crime of abusing its Windows monopoly by bundling and dumping other nonmonopoly products with it. What would be a suitable punishment? Prevent dumping, require the bundling of competing products, and break the monopoly.

Resolving the bundling and dumping issue is easy: If Microsoft bundles a product, it must also bundle the three leading competitors and only give away a product after at least one rival company has done so. Breaking up the monopoly is a more interesting challenge. Here's one way: Require that Microsoft do what it should do—both publish and respect the OS interface.

In other words, put the Windows API in the public domain—not Windows itself, just its API. The court would enjoin Microsoft from hiding APIs or changing specifications once published. This would create near-instant competition of Windows clones. Without any hidden or changing APIs, clone makers would only be limited by their ability to write code that works. Enforcing this



penalty is where the fun would start: The court should establish a bounty, which would be paid by Microsoft to the first person or company uncovering a hidden or changed API. Make it \$50 million or so per API, and the average delay between infraction and detection would be measured in minutes. Here's the best part: Internet Explorer is part of the operating system, so its API, along with the API for the rest of Windows—all versions—will now be in the public domain. So will the APIs for any other applications Microsoft declares to be integral to the OS. Wham! Microsoft suddenly has a strong incentive to respect the distinction between OS and application.

That's my solution. Even if you don't like it, at least it's different from the same old stuff. If, on the other hand, you do like it and are pals with Judge Jackson, feel free to mention it to him. Or mention it to a pal of a pal of his. Six degrees of separation should get it there.

**MTC-00024225**

From: Benjamin Guite  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 10:34am  
Subject: Microsoft Settlement  
Get off Microsofts back.  
Many Thanks,  
Benjamin Guite  
Gold Technical Support Analyst  
WatchGuard Technologies

**MTC-00024226**

From: frankco20@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:30am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.  
Sincerely,  
frank coffee  
4935 Monte del Sol Ln  
North Las Vegas, NV 89031

**MTC-00024227**

From: Johnson, Lane  
To: Microsoft ATR  
Date: 1/25/02 10:35am  
Subject: Microsoft Settlement  
I believe that the Microsoft settlement is a good thing at this time.  
Regards,  
Lane Johnson

**MTC-00024228**

From: june—lindeman@msn.com@inetgw

To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
This lawsuit should be settled immediately. Let Microsoft benefit the school systems with their donations. School Boards in this country are all underfunded. It would be great for the students and teachers. This should result in higher test scores and better schools. et Microsoft go about their of making excellent products for the world.

**MTC-00024229**

From: nela@telenet.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
I am in favor of the settlement between Microsoft and the Federal Government and the attorneys general to bring an end to the lengthy antitrust case. Don't let Microsoft's competitors undermine the settlement and prolong the process for no public benefit.

**MTC-00024230**

From: tturcotte@nbdint.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:26am  
Subject: Microsoft Settlement  
What has happened to Americas Long standing policy of Laize-fair? No one was forced to purchase or use anything they didnt want too.

**MTC-00024231**

From: mshomphe@acm.org@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
I believe the proposed settlement for US v. Microsoft is a terrible idea for consumers. Microsoft owns the keys to the computing world and is hindering progress. Though some of their products are laudable their practices are awful. These practices often lead to better systems getting crushed. Microsoft must be stripped of its monopoly broken up into separate companies and heavily fined.

**MTC-00024232**

From: cbaum@nmbarr.org@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
I think the government should stay out of private industrie business unless it affects national security. The Microsoft monopoly does not affect national security. Let the marketplace sort it out (eg AOL's purchase of Red Hat and Apple's use of Linux).

**MTC-00024233**

From: rwa@winterassoc.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
I believe that the November 3rd settlement agreed to by the Federal Government and Microsoft is in the public interest. I believe that this settlement is fair and in the interest of everyone: the tech industry the economy and especially the consumers.

**MTC-00024234**

From: Bch1229@aol.com@inetgw  
To: Microsoft ATR

Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
The settlement was fair. Any further law suits is only to help greedy DA. and States trying to score more money. This is absurd and will only hurt the markets.

**MTC-00024235**

From: john—doe@bestconsulting.org@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
I don't think the government has done enough to prosecute Microsoft. Not only are they squashing competition they are trying to make companies forever dependant on them through their new licensing strategy. Does everyone know that MS is a founder of this website (techleadership.org) that is sponsoring this feedback application. I got a flyer in the mail and a call at the office about responding via this web site. Only Microsoft could be behind this kind of effort. Microsoft's tactics are so heavy handed I am afraid to put my real name down because of fear of reprisals. Somebody has to do something about them.

**MTC-00024236**

From: chip—joslin@matria.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
As a senior IT executive I am disappointed that the Justice Department did not go further in punishing Microsoft. It is my experience that they routinely use predatory business practices and are not good corporate citizens. They only do what is good for Microsoft and do not care what problems they create for everyone else. Although I do not necessarily support a breakup I believe they are a monopoly of the worst sort. I have heard that part of the settlement is for them to donate PCs and Software to schools. I believe that this is nothing but a marketing ploy and should not be allowed. I would rather see a major fine that is used to directly support education. The fine should be in the range of several Hundreds of millions of dollars. Microsoft is arrogant and has ignored previous court orders and should feel the pain.

**MTC-00024237**

From: steeler35@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
The settlement between Microsoft and the DOJ is a good one and it should be accepted by the Judge. It is time to get on with more important issues. The computing world had alot to thank Microsoft for. Most of us would not be using computers or the internet today were it not for Microsoft. Thanks for listening  
Thomas Keiter

**MTC-00024238**

From: walharpii@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
THE PURNISHMENT WAS NOT CLEAR  
TO ALL PEOPLE WHO OWN A COMPUTER.



**MTC-00024239**

From: erikap@christianlifectr.org@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am  
 Subject: Microsoft Settlement

The settlement is good. Anything else would not be fair to Microsoft. Other companies should be required to do more to get my business. I believe Microsoft is being attacked because of their success. Anyone else could have done what they did. Don't make them pay for doing well in the industry.

**MTC-00024240**

From: gerald.b.pohl@boeing.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am  
 Subject: Microsoft Settlement

Please expedite the settlement with Microsoft reached in November. This lawsuit was ill based from the beginning. Microsoft has done more for this country in the way of automation and has through building the most stellar products arrived at a de-facto standard. The government benefits from this standard because all businesses can share data and files with the government without translation. For these reasons it is better to have one company emerge as the monopoly so the government does not become like the tower of babel trying to translate all the different file formats that we be sent to it from business. Respectfully Please cease and desist and settle this infamous lawsuit that is costing the American taxpayer millions of dollars with no benefit! Gerald B. Pohl Long Beach Calif.

**MTC-00024241**

From: rick.langhorne@ci.greensboro.nc.us@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am  
 Subject: Microsoft Settlement

I manage a computer network of about 1500 Windows PCs and 50 Windows servers for the City of Greensboro North Carolina. Your suit against Microsoft has created a lot of uncertainty about the future of Microsoft products and is impacting our ability to plan for the future of our computer users in a negative way! I have been involved with computer software and hardware for a good while. I am pleased with the new features that Microsoft has incorporated into their software. It saves a lot of time and a lot of money! I am no expert on legal matters but I can say for a fact that Microsoft software is less expensive than most of their competition's software. If you do not believe me just price Oracle database software Sun Solaris or IBM AIX. High tech is the future for today and for tomorrow as well. Please try to bring some common sense to the table when deciding on this issue. These comments are my personal opinion and not the official position of the City of Greensboro North Carolina.

Rick  
 Langhorne Desktop Services Manager City of Greensboro

**MTC-00024242**

From: duanej@microsoft.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am

Subject: Microsoft Settlement

The settlement makes sense the 9 uncooperative states should be sent home with no reward for being stubborn and abusive.

**MTC-00024243**

From: Brian Kolaci  
 To: Microsoft ATR  
 Date: 1/25/02 10:36am  
 Subject: Microsoft Settlement

I believe that the proposed resolution does not remedy the monopolistic problem that Microsoft represents. I believe that the company should be broken up into several smaller pieces. The operating system(s) should be covered by a totally separate organization. It also fails to remedy the problems that many developers such as myself that have lost alot of money (and potentially millions/billions of dollars) due to allowing them to continue their unfair practices so long. The damage is already done and the world has had to pay for it with a current product that should have been (and would have been) created over 10 years ago, but Microsoft holds the whole computer industry back due to its unfair practices.

Thanks,  
 Brian Kolaci  
 12 Westminster Court  
 Montvale, NJ 07645

**MTC-00024244**

From: Selwacorp@msn.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am  
 Subject: Microsoft Settlement

I favor standardization of technology in the markets for a level playing field. Taking apart Microsoft might only increase competition rise prices for software and erode American leadership in this technology. Therefore for economic reasons I support the anti-trust settlement.

**MTC-00024245**

From: jnelms@finalfrontiers.org@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am  
 Subject: Microsoft Settlement

I believe the decision already made by the court is sufficient. I feel it should stand and all other attempts at modifying it be dismissed.

**MTC-00024246**

From: barney@kaarmls.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:28am  
 Subject: Microsoft Settlement

Close this action NOW! No need to prolong this case. We all have benefited from MICROSOFT individuals non-profit organizations profit organizations profit corporations competitors governments and even our legal system. CLOSURE!

**MTC-00024247**

From: aliceajose@hotmail.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am  
 Subject: Microsoft Settlement

Microsoft has done a lot of the community and the computer industry as a whole. I really do not like the way any other company and the government can try and hurt a

company like Microsoft. What happened to freedom of choice. The consumer has also had a choice on the type of software that they use. This has not changed. This case is really affecting the economy and needs to end. I vote to leave Microsoft alone and let the other companies come up with great products to make the market competitive.

**MTC-00024248**

From: kjones@saicapital.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:28am  
 Subject: Microsoft Settlement

I would like to voice my opinion on the Microsoft Settlement. I am a registered voter. I am interested in the Dept. of Justice settling the case with Microsoft. Please let me know if there is anything else I can do.

**MTC-00024249**

From: dac@magiccablepc.com@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am  
 Subject: Microsoft Settlement

Sirs American business is growing stagnant with all the laws that are on the books now. Microsoft has done more to forward the technical field of personal computers and been rewarded less than any other company in history. One crybaby yelling out loud has created this whole mess. A company that looks forward enough to come up with inovative products is now being strangled because another company wants a large slice of the pie. Lets stop this nonsense and get on with more useful projects like maybe checking the books at Enron? Thank you Dick A. Campbell

**MTC-00024250**

From: schirgotis@earthlink.net@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:27am  
 Subject: Microsoft Settlement

Accept the Microsoft settlement and let this be over with. Companies continue to bring suite and the tax payers continue to pay for all of the litigations. I believe the settlement is in the best interest of the public.

**MTC-00024251**

From: briard@ptd.net@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:28am  
 Subject: Microsoft Settlement

This settlement contains provisions that foster competition and benefit the whole technology industry. Microsoft has pledged to share more information with other companies create more opportunities for other companies and give consumers more choices. Under this agreement Microsoft must design future versions of Windows to make it easier to install non-Microsoft software and must disclose information about certain parts of source codes for Windows. During these difficult times one of our highest priorities should be improving our lagging economy. Hindering Microsoft will obviously not achieve this end. Please do not punish Microsoft for pursuing the American Dream. Please continue to endorse the settlement.

**MTC-00024252**

From: stpranch@hotmail.com@inetgw

To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

I think that the government should stay out of private enterprise. Look what happened to AT&T. Prices went up and we are charged with hidden fees. If the government wants to intervene in business they should look to Enron. Now there is something to be concerned about. They spent millions on the Whitewater investigation and to what end. I don't think that Microsoft should be punished for their leadership in Technology.

**MTC-00024253**

From: robertdenyer@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

It's time the federal government settle this case with msft. You have a healthy company that's innovative and brings us great products and then you have Enron...where should the feds focus?

**MTC-00024254**

From: dmholmes@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

The settlement should end this case. Microsoft and Bill Gates are America's hope and pride against the rest of the world, especially Orientals in the computer arena. God bless them and cherish them!

**MTC-00024255**

From: bruceherz@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

I believe that this settlement is a tough but fair compromise that is in the best interest of everyone—the technology industry, the economy, and especially consumers.

**MTC-00024256**

From: eoreilly@bioskids.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

Dear Sir/Madam: Please express my comments in favor of settling the Microsoft anti-trust suite. Microsoft (MS) is one of hundreds of companies that design, develop, and market software. The MS operating system has been and continues to be an innovator in PC operating system technology for the common PC user. Given the complexity of the modern day CPU, MS has led the industry in providing CPU manufacturers direction in the development of new CPUs, as well as innovative software technology to enhance its capabilities. One reason for Microsoft's OS large market share is for the high demand for quality performance and easy-to-use Graphical User Interface (GUI).

Sincerely  
Edward J. O'Reilly

**MTC-00024257**

From: c2adams@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

I think that Microsoft has been punished enough. I also don't agree with any breaking up of Microsoft into multiple companies or some sort of deregulation. (I think the government has messed up enough companies with deregulation.) I urge the DOJ to not slow down the speed of technology with government red tape.

Thanks Chris Adams

**MTC-00024258**

From: lgreen@busynet.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

I feel that MS should be held to the agreement and that a 3-man panel be installed at the company. Also, we should be giving a new Windows program without IE or some way to remove MS programs from the operating system. Make them send a disk out to all registered users.

**MTC-00024259**

From: Larry.Clapp@ararental.org@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

This suit should be settled NOW. In fact, I do not believe it should have been brought in the first place. If they were doing illegal things, then convict them of that. The damage this has done to the industry cannot even be calculated. Get it over with NOW.

Larry Clapp MIS Manager

**MTC-00024260**

From: comp-joe@grnco.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I think that this agreement is the best for everyone given the circumstances. Now the government can spend its time and resources perusing more important cases, for instance, Emerson and the prevention of other attacks against this great country of ours.

**MTC-00024261**

From: Lsmaf@mvps.org@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I concur and support the settlement with the DOJ. It is time to move on and finalize this case. The MA AG and probably some others enjoy grandstanding and are doing so to gain political mileage for a future run for higher office. The MA AG is doing nothing to protect MA residents in attempting to continue this case ad infinitum.

Sincerely  
Leonard Segal

**MTC-00024262**

From: Barry Burgamy  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 10:31am  
Subject: Microsoft Settlement

To Whom it may concern:

Please enter this as a statement of opinion regarding the settlement in this case. It appears to me and most of the contacts I have that the only outcome here that is right and proper is to allow our capitalism to have its full control in matters such as this. Monopolies are in existence in many places

and it is often for the benefit of the consumer. Policing by the means that has transpired is of value to keep larger firms in control and insure that unfair practices are not allowed, but to any understanding person, further litigation on this subject is counterproductive. Please take steps to close this matter and spend the funds on development and more productive pursuits. Thank You!

**MTC-00024263**

From: mjenks@anysoft.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

Please stop this nonsense. Do the settlement and let everyone move on. Stop using my tax dollars to pursue this ridiculous witch hunt.

**MTC-00024264**

From: bemlmorrow@erols.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

It is past time to put this case to rest. We have wasted millions of taxpayers' dollars trying to kill the American dream. Not many people can start with nothing and become a billionaire. We should be putting him on the front page showing what an American can do or better what you can do in America. Further, he gives more money to help others than any other single American. I guess that's what bothers the liberals: they want the money for themselves. And we can see that the crooked lawyers are getting rich and nobody is complaining about that. Put a stop to it now.

**MTC-00024265**

From: norma152@webtv.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

I agree with the settlement. Enough is enough. Let it be over and done with.

**MTC-00024266**

From: shiftkit@specialtytrans.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement

This is a total waste of taxpayers' time and money. This is what others do when they aren't #1: they waste everyone's time and money instead of putting all that effort & money into their product. The very same people that started this BULL are the only ones that will profit, not the taxpayers. MOVE ON!

**MTC-00024267**

From: hvgreen1@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

Dear Renata Hesse, I have closely followed the Government's unwarranted attack upon Microsoft on behalf of Microsoft's multi-millionaire competitors whose companies cannot compete well in the technology market and who seek to destroy Microsoft in their greed to make more millions of dollars while providing a high-priced, user-unfriendly and partially defective product.

There is no way that Microsoft cannot be considered a monopoly when it has buy consumer choice 80% of the market. I would think the Government would be proud to have an American company as the free world leader in computers and computer software. Instead the Government at the urging and money contributions of Microsoft's competitors are intent on destroying this great American icon. How shameful this is and what a laughing stock the USA government is making of itself to the rest of the world. Please do your job and stop this thrashing of the leading software company in the world. There are many other worthwhile areas for the Justice Dept to concern themselves with than carrying the water for incapable millionaire technologists.

Sincerely  
Harold V. Green  
1009 Kinsey Dr  
Huntsville AL 35803

**MTC-00024268**

From: deanr@avisloans.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I believe that Microsoft has helped and paved the way to make industry extremely efficient. Let them keep up the great work and help to make all of our lives easier through computers.

**MTC-00024269**

From: KarenShook@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I believe the terms of the Microsoft settlement are quite fair and in fact require Microsoft to disclose information to competitors that could give them a leading edge in competition. My understanding of the free enterprise system is that it fosters an environment for superior products and innovation. I don't believe that marketshare should be achieved through legal maneuvering but rather by producing superior products that the consumer wants. Perhaps Microsoft's competitors should spend more time and effort developing innovative products that can compete in the marketplace rather than squandering their resources on legal battles to make Microsoft look bad.

**MTC-00024270**

From: Paul.Witek@oakland.k12.mi.us@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I've been an educator for thirty years and involved in technology for the same amount of time. Microsoft has always supported education in a variety of ways including favorable pricing and support for teachers. Nobody talks about how their leadership has allowed for the integration of many software programs. This was not always the case and if they had not assumed a leadership role I believe that we would still be fighting the battle for a standard which all software companies could write if they chose. Microsoft in some aspects has become similar to a public utility. You want the

assurance of compatibility and reliability that is not a given if you don't have a leader.

**MTC-00024271**

From: als123@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
Let's stop wasting the TAXPAYERS money and accept Microsoft's generous offer.

**MTC-00024272**

From: arosen@microsoft.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:27am  
Subject: Microsoft Settlement  
The hidden agenda here is about Japan versus the US. If this settlement is not approved then the usage rule technology in your next TV set will be controlled by the foreign companies that already manipulate the MPA member Studios. I am a career television engineer and a former WarnerBros employee.

**MTC-00024273**

From: kneppar@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
Please be so kind as to settle the case with Microsoft. I believe you have spent more of the public's money than the case is worth.

**MTC-00024274**

From: thomaszhao@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
The proposed settlement WAS NOT enough to punish the guilty party and restore competition in the industry. Besides by funding and operating biased organizations Microsoft is further using its financial power to benefit itself using predatory techniques. The lengthy lawsuit is directly caused by Microsoft's intentional delay to make a de facto victory over Netscape using its monopoly power. Now with XP it is moving further in a more aggressive and illegal direction. It will be most unfortunate for America if this settlement is passed in its current form.

**MTC-00024275**

From: ssochor@stny.rr.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
We need to settle this case so that Business can come back to business.

**MTC-00024276**

From: mammacub2@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
Settle this suit. The Federal Government had no justifiable reason to attack Microsoft to satisfy their competition. This suit caused the stock market to start to tank last year. Microsoft has been the greatest cause of innovation and changes in the 20th century. Settle and let America get back to work.

**MTC-00024277**

From: jerry.doerr@c3ilex.com@inetgw

To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
It's hard for me to see that consumers have been harmed by Microsoft—consumer software is dirt cheap regardless of (or perhaps due to) Microsoft's activities. But it's possible that their power could lead to abuses of the consumer so the Settlement is perhaps a good thing to avoid future damage. Now let's get back to work!

**MTC-00024278**

From: harrytolen@attbi.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
Constantly incorporating new functionality into an operating system is a real benefit to the consumer and I hope that the government doesn't take it away. I have purchased communications software in the past and I am glad that I don't have to do that any more. For Netscape and other competitors to argue that they should have been able to gouge me for their products when I could get a better product built into my operating system is idiotic and anti-consumer. If I was determined to use them I could have downloaded them or gotten Linux and written my own...but I didn't. The vast majority of the American consumer marketplace wants service and convenience and Microsoft's dominance is due to their success at meeting those wants and needs. Leave them alone.

**MTC-00024279**

From: MyTeeMax2@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
This is a suit which should never have been brought in the first place. An equitable settlement has been reached and it is time to put an end to the litigation. The only reason for any state attorney general to keep going after Microsoft is greed. If these trends continue it won't be long until there's no businesses left in this country. Enough is enough!

**MTC-00024280**

From: wljw@jones@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
Tough competition has served this country very well. Big companies tend to create lots of opportunities where small aggressive companies can grow and often do. Don't kill the drive to be big and great for the sake of trying to be fair. It just doesn't work.

**MTC-00024281**

From: gary.wolfram@hillsdale.edu@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
Microsoft was able to gain and maintain its market position through its ability to offer customers a better product at a cheaper price than its competitors. It is impossible for government officials or judges to know that forcing Microsoft to take actions other than it would in the market will make the consumer better off. I direct your attention to the book Antitrust: The Case for Repeal or

Friedrich Hayek's discussion of monopoly in The Constitution of Liberty. The point is that the government should never have been involved in the Microsoft case to begin with and the settlement is better than might have been expected.

**MTC-00024282**

From: dbwhite@quixnet.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I have read the court settlement and reviews of the settlement. After reading the settlement I agree that the steps taken seem reasonable. I regret that the courts have to try and control Free Enterprise. I don't believe that Microsoft is the only Big company that is trying to have control.

**MTC-00024283**

From: amiller26@earthlink.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

This lawsuit has gone on too long. The browser issue has long been dead. The average consumer doesn't really care about it. The average consumer can download any browser it wishes and not use IE. Its true Microsoft did strong arm competitors but they are also strong arming their customers with product activation and licensing fees. Time to fine them heavily and go on with life. Source code is proprietary and they should not be forced to give it up. However this is not about lack of choice for consumers this is about aiding Microsoft competitors because in actuality they dropped the ball. Sun AOL etc didn't have the vision or marketing genius that Gates had. There is No reason at all to help the competition which is what this suit will do. Make MS pay a fine and get it over with. There are much more important issues than their security bug ridden software. Consumers do have a choice. They can speak with their wallets. Don't buy or build new computers. Use Linux or purchase a MAC. I wish the DOJ and government would get it through their heads. ITS THE ECONOMY GET PEOPLE BACK TO WORK. Quit wasting tax payer dollars on this nonsense. The software and computer industry will take care of itself. The consumer will take care of the industry also by speaking with their wallets. Government has an uncanny ability to botch things up. Leave things alone. Average Joe could care less. Get Average Joe back to work so he can pay bills and feed his kids

**MTC-00024284**

From: wguyc@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

After reviewing the final settlement I favor the agreement and see no reason that it should not be implemented as stated.

**MTC-00024285**

From: FUCK—  
MICROSOFT@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
FUCK MICROSOFT

**MTC-00024286**

From: russ@quickchange.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I strongly support the governments case against Microsoft and find the judgement against them to be if anything too lenient. Please continue to make it clear to the Microsofts of the world that unfair business practices will not be tolerated in a free capitalist society.

**MTC-00024287**

From: rskakun@yahoo.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

Often times rules and regulations do not fit. In these times talent like that at Microsoft from leadership to work-force is vitally needed and should not be hampered by poor achievers. It is really time to get off of the company's back.

**MTC-00024288**

From: bcyburt@acromag.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

If the government was acting in my best interests then this lawsuit would have never made it to court. The fact is that Microsoft has drastically increased my productivity while decreasing my expense to do so. The lawsuits are a government backed money grab that benefits lawyers and political agendas at the expense of the public. Please get off Microsoft's back so that they can get back to innovating my future and the future of my company.

**MTC-00024289**

From: swingc@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

My husband and I are for Microsoft. We do not believe it's a monopoly. Where would we be without Microsoft? No Where!!! Bill Gates is a fair and honest man. I think some people just envy him because of what he has. He has worked hard for ever dollar he has. Get a life and let people go on with theirs!

**MTC-00024290**

From: nhbrown@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

Those that spend my money to persecute Microsoft do not speak for or represent me. If Netscape AOL Word Perfect ect. would expend the same amount of energy on their products that they do on their lawyers they may be able to make a product that I wish to buy.

**MTC-00024291**

From: gbaron@eznet.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I have listened to the arguments for both sides of this case for years. In the end the only ones that I feel come out on top are the

lawyers. They have nothing better to do than go after the most successful business in the world. Companies like AOL Netscape Sun and Oracle are jealous of the success of Microsoft and feel that their products are not as good. Why not let them produce higher quality product(s) and let that beat Micosoft. I think that this should come to and end very fast with Microsoft allowed to innovate create and deliver their high quality integrated products that the consumer wants. All of this legal action makes the prices go higher. Let's put a stop to it now.

**MTC-00024292**

From: jwbowman@msn.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement  
I am for the settlement

**MTC-00024293**

From: sfc@whidbey.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

The sooner the gov't gets its meddling fingers out of this business the better. Do you really think the tech downturn (and the rest of the economy followed) and the timing of the anti trust case was pure coincidence? I place the full blame for the severity of this recession on a few pesky senators with a constituency of whiny second rate software companies. Let's organize and get control the worst monopoly of all... the US Gov't.

**MTC-00024294**

From: Miller, JP  
To: Microsoft ATR  
Date: 1/25/02 10:37am  
Subject: Microsoft settlement

Microsoft has been harassed enough. The whole case against them is an assault on brilliance, productivity, savvy marketing, quick acting, independence and the success that comes from it. Those who seek to gain by this case are sluggish, unproductive parasites who wish for windfalls at the hand of government coercion. Settle with the smallest restriction on Microsoft as possible. I want the best they can offer me at the lowest possible cost. I am not speaking on behalf of my employer,  
JP

**MTC-00024295**

From: michael.gaydar@computer.org@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I strongly support the settlement reach with Microsoft and wish to end the government prosecution. There is no monopoly and Netscape and AOL use more anti-competitive tactics than Microsoft. I routinely get AOL and Netscape icons and programs loaded without any say. In fact Verizon DSL loads a version of Netscape with no option to stop the installation. Stop all future prosecutions of Microsoft.

**MTC-00024296**

From: skeeling@redcreek.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I agree with the settlement

**MTC-00024297**

From: cudell@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

I strongly support any settlement that separates the operating system section of Microsoft from its applications section. Maybe then Microsoft will be more concerned about releasing a product that is good for all users when they release the next version of Windows.

**MTC-00024298**

From: raydeschenes@mpainc.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

It is high time to let Microsoft get back to the business of running its business. We have seen extreme damage inflicted on Microsoft by forces who believe that the easiest way to compete is via the court system and NOT by providing product excellence. Over the years Microsoft products have come to dominate their market niches simply by being the best of breed. Please don't let the government get in the way.

**MTC-00024299**

From: yesphonics@qwest.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:28am  
Subject: Microsoft Settlement

Let the settlement stand. Lets get on with business.

**MTC-00024300**

From: Eric Hughes  
To: Microsoft ATR  
Date: 1/25/02 10:38am  
Subject: Microsoft Settlement

**MTC-00024300 0001**

As a private citizen and software professional, I am troubled by proposed settlement in the Microsoft anti-trust case. As a computer scientist, I'm most troubled by the illogical definitions of "API" and "middleware", which considerably weaken the relevance of the proposed settlement, and in some cases negatively impact the competitive practices of other vendors, which the settlement should be helping instead.

As a US citizen, I'm left with the feeling that a great deal of time and money were spent to address illegal practices by Microsoft, but this investment will have no lasting benefit. It appears that the few potentially meaningful actions in the proposed settlement are eviscerated by simple loopholes, like changes to the names or version numbers of Microsoft products. The proposed settlement fails to identify Windows-compatible operating systems like Linux, which have an important role in the PC software market. In my opinion, this further erodes the position of US vendors in this crucial global market. I urge you to carefully reconsider the proposed settlement in light of the findings of fact in the case.

Thank you,  
Eric Hughes  
Waltham, MA

**MTC-00024301**

From: smachaevich  
To: Microsoft ATR  
Date: 1/25/02 10:38am  
Subject: Microsoft Settlement

The proposed settlement has not gone far enough to fixed what Microsoft has done over the years sweeping the little man out of the way for big prophets, the settlement should reconsider more harsh fines and implement safety checks to ensure that it CAN NOT continue its practice of killing fair play in software.

Steven A. Machaevich  
903 Fireside Circle  
Smyrna Tn 37167  
Thank you for listening.

**MTC-00024302**

From: nelindaschenk@hotmail.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:29am  
Subject: Microsoft Settlement

I implore you to end the settle the case sgainst Microsoft immediately. This is not and never has been about consumer protection but just a ploy by a few large corporations that are unwilling/unable to let the marketplace decide the leader. The marketplace has spoken. As I said in letters to the SC senators. There are no victims here please stop this harrassment of MSFT on behalf of AOL et al.

Respectfully submitted  
Melinda Fischer Schenk

**MTC-00024303**

From: John Bleichert  
To: Microsoft ATR  
Date: 1/25/02 10:39am  
Subject: Microsoft Settlement  
Greetings!

I am writing to express my concern with the proposed settlement in the anti-trust trial against Microsoft. I am concerned not only as an American citizen, but as a citizen who has chosen not to run Microsoft computer products at home and, as a result, has seen his ability to navigate and utilize the internet decrease due to the Windows-specific protocols that are pervasive on the network. I greatly fear that, should this settlement prove ineffectually, within 1 year I will no longer be able to even log on to the internet, much less use it in my daily life, unless I am running some version of a Microsoft operating system. There is one specific part of the proped settlement that presents a problem[1]:

"\* Further ensuring computer manufacturers" freedom to make middleware decisions by requiring that Microsoft provide uniform licensing terms to the 20 largest and most competitively significant computer manufacturers." This is rather vague and open to wide interpretation. To be frank, there are \*no\* "competitively significant computer manufacturers" in the areas that Microsoft maintains a monopoly. In the "middleware" area they are in fierce competition with several competitors, most of whose products are free and open-source, thus protecting them from being bought out of the business by Microsoft. The competition in middleware, while in peril, is still rather strong. The major monopoly that

Microsoft maintains (and mention of which is mysteriously small in document [1]) is that of their desktop operating system. Just try to go to Dell's website or CompUSA and buy a computer that doesn't have some form of Windows on it. Sure, one can purchase an Apple computer, but their share of the market is so small that, due to the economy of scale, Apple computers are very expensive relative to their Windows-based counterparts. It is this monopoly situation that is most relevant to the consumer, not the middleware situation. Microsoft faces intense scrutiny and competition in that area (middleware), and I think (hope) it will be won by an open standard based on technical merits, not the capital strength of one company. Please recall that most of Microsoft's actual competition on this planet is freely available from non-corporate entities who will probably not be helped (or hindered) by the proposal as it stands. The middleware provisions are aimed at the nebulous business competition of Microsoft, and the consumer may or may not profit from this.

Any business sanctions levied against Microsoft will prove ineffectual. This has been proven in the past. The reparations must be more fundamental in a computing sense:

1.) Force Micorsoft to publish (and adhere to) the specifications for its Internet Explorer browser and all it's add-on technologies (ActiveX, VBScript, etc.) so that other, competitive browsers can view the same content created with/for those addons and co-exist with Internet Explorer on the Internet.

2.) Force Micorsoft to publish (and adhere to) the specifications for all networking protocols used by its server and desktop operating systems, so that other operating systems may co-exist with Micorsoft systems on a network.

The publishing of these protocols must begin promptly to prevent Microsoft from sidestepping their publication in some manner. It is these exclusionary tactics in content and networking that provide the greatest threat to the American (and planetary) consumer. One corporate entity owning (yes, owning) the desktop operating system (and therefore all the data, personal and professional) of 95% of this planet's population is a disturbing thought. I thank you for your time and, as an engineer in the computing field, I trust in your resolution to close this anti-trust trial in a manner which provides the consumer with considerably more choice than they currently have.

Sincerely,  
John Bleichert

**MTC-00024304**

From: C.J. Keist  
To: Microsoft ATR  
Date: 1/25/02 10:35am  
Subject: United States v. Microsoft Settlement

I'm sending this note to show my full support and agreement with the Open letter to the DOJ by Dan Keigel. His letter can be found at the following URL: <http://www.keigel.com/remedy/letter.html> I just want the chance to prove "Money can't buy Happiness"—a bumper sticker

C. J. Keist

UNIX/Network Manager  
Engineering Network Services  
College of Engineering, CSU  
Ft. Collins, CO 80523-1301

**MTC-00024305**

From: Ron Shonkwiler  
To: Microsoft ATR  
Date: 1/25/02 10:32am  
Subject: Microsoft judgement  
Dear Judge Kollar-Kotelly,

I want to express my opinion that Microsoft's near monopoly has been harmful to innovation in the computer industry. I would cite these examples, from the past, of companies other than microsoft who brought great ideas to the computing scene. These companies are in danger of going away under the heel of Microsoft's near monopoly. To start with, Apple computer brought the mouse/icon oriented graphical user interface (GUI) to the general public in the early 1980's. This was a stunning innovation which opened up computing to the masses. The Unix community brought networking to the computing public in the early 1980's. Among the public benefits of this is Email and remote printing of documents. Networking comprises of several innovations such as ethernet, the TCP/IP protocol, methods for internet addressing and routing of data. All these and many other networking inventions make for the great world wide connectivity of computing today. Apple computer brought the innovation of proportional fonts to computing in the middle 1980's. With this, they opening the way to desk top publishing.

MIT brought the idea of X windows to computing, again in the 1980's. The innovation here is the method of combining a GUI with networking. X windows allows any computer, no matter what type, to have a graphical interface. It also allows for remote and distributed graphical computing. Sun microsystems brought the idea of network file sharing to computing and donated their tested and proven protocol to the computing public. With this innovation, computer programs can be centralized and maintained in a single location. Wordperfect brought the innovation of word processing software to the public. Wordperfect is now all but gone away. What helped to bring about their demise is that fact the Microsoft had a competing word processing product, Microsoft Word, and Microsoft controlled the operating system on which Wordperfect had to compete. Microsoft is known to have made Wordperfect's software difficult to run on their operating system. Sun microsystems brought the innovation of Java programming to the computing scene. This allows for a single version of software to be written that runs on all computers. This marvelous technology also allows actual computer programs to be run on any browser anywhere in the world. This invention has already been instrumental in several fields such as education over the internet. Besides not inventing something like Java, Microsoft actually attempted to destroy it. Fortunately the courts intervened and Java development continues.

Netscape brought the innovation of the internet browser to the general public. I don't

need to mention how big and important that has been. Microsoft initially did not appreciate this great invention. I think THIS IS A VERY IMPORTANT POINT. We might not still have browsers if it were not for Netscape. In time Microsoft realized their error. Then they attempted to squash Netscape just as they had Wordperfect. That Microsoft was criminal in their attempt to usurp the browser has been proven in court, it is without question. All these things, and hundreds more, show how much better off we are when thinking people have the freedom to develop their ideas. This could not happen if computing is dominated by one company. A company know more for usurping the creativity of others than for its own inventions.

The proven charges against Microsoft cry out for redress. This company has shown itself to be villainous in the computing community and a detriment to innovation for the good of the public. Laws have been broken and appropriate punishment must be meted out. How else to punish a company leveraging its near monopoly in one field to eliminate competing in another than by breaking it up? In my opinion, I thought the original requirement that Microsoft should be split into the operating system company and the applications company was marginally appropriate. The browser section might also have been split off. I still think that minimally Microsoft should be broken up. This would be beneficial in my opinion for the public.

Ronald Shenk

**MTC-00024306**

From: Kennedy, Matthew  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 10:40am  
Subject: Microsoft Settlement

To Whom It May Concern,

I am a software engineer, I am young enough to remember my experience with computers in the course of my k-12 education. The proposed Microsoft settlement, particularly the portions regarding donations of software and computers to schools, benefits Microsoft and helps to extend their monopoly powers in disgusting ways that I can't even believe are being considered. Young people in schools become familiar with computers by using them as tools. It is important for the technology industry that the set of tools the rising generation of professionals is familiar with is a diverse one. If young people are exposed to many competing technologies, they will carry that knowledge into professional careers and foster competition among vendors. It does not behoove the health of the industry if young people are only exposed to Microsoft operating systems and software or Microsoft operating systems running on Macintosh hardware.

Furthermore, this is hardly a punishment for Microsoft. People who become familiar with Microsoft tools in school, will be more likely to buy Microsoft software later, hence generating revenue for Microsoft in the long run. It costs almost nothing in terms of real money for Microsoft to donate software, how is that punishment? The proposed settlement doesn't even require Microsoft to bear the

entire burden of hardware costs. There should be no mistake that Microsoft has acted unethically in its business practices and should actually be punished for that behavior. The schoolyard bully should be given detention, not allowed greater reign of the schoolyard.

-Matthew Kennedy

**MTC-00024307**

From: ESee@aicpa.org@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:40am  
Subject: I believe MS is an abusive monopoly

To whom it may concern, Thank you for taking the time to view my comment. I am an average, but informed computer user and have been using a PC (in various incarnations) since 1984. It is my informed opinion that Microsoft (MS) has greatly abused its position in the market place to stifle competition in all areas in which it competes. Most notably, the web-browser market. Given the flagrant disregard displayed by MS for the court, I beg you to take clear and decisive action to remedy the problem with MS. Please do not administer a simple slap on the wrist. No fine, no oversight committee, no reprimand will change the way they do business. MS has demonstrated this to us before. Every year that passes without a real remedy is another year MS has in the marketplace to destroy competition and innovation.

I want very much to quit using Microsoft's operating system but find it nearly impossible to find a competing product. If MS is left unchecked, those alternatives which have not yet been squashed by them will certainly be wiped out in the near future. Please take swift and sure action to mitigate the damage Microsoft has already done to the markets and stop any further abuse of power.

Thank you

Eric See

Inventory Control Coordinator

**MTC-00024308**

From: dculver@c4.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:38am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Dave Culver

6256 Andrews Drive East  
Westerville, OH 43082

**MTC-00024309**

From: Sue Kindzia  
 To: Microsoft ATR  
 Date: 1/25/02 10:41am  
 Subject: Microsoft Settlement  
 2208 Katherine Drive  
 Niagara Falls, NY 14304-3011  
 January 25, 2002  
 Attorney General John Ashcroft  
 US Department of Justice, 950  
 Pennsylvania Avenue, NW  
 Washington, DC 20530-0001  
 Dear Mr. Ashcroft:

This is to give my approval to the settlement reached between Microsoft and the Department of Justice. I think it is time to put this behind us and go forward. Our economy has suffered enough from hamstringing one of our most successful companies. Bill Gates built Microsoft from the ground up. Other companies had this chance also. Bill Gates just did it smarter and quicker than anyone else. I wonder if anyone remembers what the world was like before Microsoft. Computers and programs worked together poorly, if at all. Bill Gates changed that. He made the computer revolution real for the average person. It used to be that we rewarded innovation. Now it seems to be considered a major sin, punishable by lengthy, costly, time-consuming lawsuits. Microsoft has accommodated the Department of Justice. It has agreed to design future versions of Windows with the capability to make it easier to promote non-Microsoft software within Windows; and agreed to a technical oversight committee to ensure future adherence. Enough is enough. Please give your approval to this agreement. It is best for the country if we can allow Microsoft to get back to business. Thank you.

Sincerely,  
 Anthony Kindzia

**MTC-00024310**

From: Thad Hoffman  
 To: 'microsoft.atr(a)usdoj.gov'  
 Date: 1/25/02 10:42am  
 Subject: Microsoft Settlement

I believe that IE must be pulled from the OS. This all started when they forced Netscape out. Now the browser market has regained some momentum, Netscape 6.2 and the Mozilla movement both have working browsers available, if IE were to be a separate company, not tied to MS, then fair competition could return to the internet world. But with .Net and IE all being interrelated, MS is just furthering their monopoly stranglehold. AND DO NOT SETTLE TO HAND MS THE EDUCATION MARKET. What kind of idiots are you? Sue them for a Monopoly and you solve it by handing them another market?! Why am I paying taxes to pay for incompetence?

Thad Hoffman

**MTC-00024311**

From: Steven F. Crisp  
 To: Microsoft ATR  
 Date: 1/25/02 10:44am  
 Subject: Microsoft Settlement

Dear Sirs: The Microsoft/Windows monopoly continues to make life difficult for users, impedes progress towards interoperability, stifles competition from new

companies, and even marginalizes established companies due to loss of market share.

The proposed settlement does not, in my view, remedy Microsoft's ongoing monopolistic practice. I was very disappointed to see this administration step back from vigorous prosecution of this dispute, since it weakens the bedrock of our capitalistic free-market economy. I am sorry to see the State's left to pursue stricter remedies on their own. I include one specific problem area, but this is only illustrative of my overall view of the proposed settlement: The DOJ settlement would not restrict the core way in which Microsoft unlawfully maintained its Windows operating system (OS) monopoly, namely bundling and tying competing platform software (known as "middleware") like Web browsers and Java, to the OS. The Court of Appeals specifically rejected Microsoft's petition for rehearing on the bundling issue, and the DOJ settlement does nothing about it. Please reconsider your position on this matter,

Respectfully,  
 Steven F. Crisp  
 Work: MITRE Corporation  
 202 Burlington Rd: Voice: 781-271-4568  
 Bedford, MA 01730: Fax: 781-271-2096

**MTC-00024312**

From: Seth Anderson  
 To: Microsoft ATR  
 Date: 1/25/02 10:43am  
 Subject: Microsoft Settlement  
 Dear Renata B. Hesse, Antitrust Division, U.S. Department of Justice, I feel quite strongly that the proposed Microsoft settlement is not in the best interest of consumers. What stops Microsoft from continuing its normal, borderline illegal practices? thank you,

Sincerely,  
 Seth Anderson  
 CIO, DLA, Inc.  
 626 W. Randolph St., Ste 603  
 Chicago, IL 60661

**MTC-00024313**

From: Smith, Crystal  
 To: 'microsoft.atr(a)usdoj.gov'  
 Date: 1/25/02 10:38am  
 Subject: Microsoft Anti-trust Suit

January 24, 2002  
 Hon. Colleen Kollar-Kotelly  
 U.S. District Court, District of Columbia  
 c/o Renata B. Hesse  
 Antitrust Division  
 U.S. Department of Justice  
 601 D Street NW, Suite 1200  
 Washington, DC 20530  
 Dear Judge Kollar-Kotelly:

I would like to share with you my thoughts on the pending antitrust suit against Microsoft. While I appreciate the range of quality products and services that Microsoft provides, I am greatly concerned that they do so at the expense of their competitors via an unfair monopoly. Just as we cannot have one phone or cable company, we cannot allow the ever-growing technology field to be monopolized by a single corporate entity. I urge you to not let Microsoft off the hook by settling the lawsuit. Please keep my thoughts and concerns in mind when weighing

whether or not to settle and I thank you for your time.

Sincerely,  
 Crystal Smith

**MTC-00024314**

From: aridley@corrado.co.uk@inetgw  
 To: Microsoft ATR  
 Date: 1/25/02 10:42am  
 Subject: Microsoft Settlement

Dear Sir,

I write to you from the UK to express my views on the Microsoft Settlement. I do not doubt that you will have received much correspondence on this matter and realise the enormous responsibility it carries. I work as a computer engineer and in truth probably owe my career to Microsoft (indeed I am a Microsoft Certified System Engineer), they have brought great advances in computing and made it accessible to those who may previously have stayed away from it. This however does not mean that how they achieved this is right or that other companies would not have achieved the same thing in the absence of Microsoft. Given the amount of time that has elapsed since the original case and the pace of technology it is important to consider that any settlement based on the past will not impact the present or the future, and therefore ultimately will not bother Microsoft let alone prevent them from repeating such behaviour. As such any settlement must have an impact on present and future Microsoft business practices, and must leave no doubt in Microsoft's mind, or any other business that contemplates the same, that big business is above the law. Competing business" should now be given the opportunity of a level playing field against Microsoft products at the expense of Microsoft and its proprietary technology. Since this is the core of Microsoft's monopoly position and its strength, it is only fair that this should suffer in order to restore the balance. Microsoft is large enough to survive this event and it may give them pause to look to the quality of their products once more since users would then really have alternatives to turn to (this is particularly relevant given Mr. Gates recent memo to the company regarding the security of their products, an area that has been seriously under developed in recently times at the expense of Microsoft customers).

I have been following the media coverage of the case with great interest and find that the settlement agreed with Microsoft will have little or no effect on the company, stronger measures must be taken to punish the guilty and right the wrongs, the settlement proposed by the breakaway states is a very good start towards bringing this case to an effective resolution.

Regards  
 Ash Ridley, MCSE.

**MTC-00024315**

From: Les Millichamp  
 To: Microsoft ATR  
 Date: 1/25/02 10:46am  
 Subject: Microsoft Settlement

To Whom it May Concern:

You call this a settlement? I simply don't agree that it even comes close! It is difficult for me to believe that what has been

purported as a settlement is anything other than a sham as it fails to address the monumental multiple problems created by Microsoft's antics in the marketplace they dominate because of their unfair practices. Microsoft has stepped on every person who operates a computer system, from the smallest to the largest, and has deliberately hurt small business concerns in an effort to get rid of them!

Respectfully,  
Les Millichamp  
President,  
Compu-Aid, Inc.

**MTC-00024316**

From: baldeagle1@mcleodusa.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:48am  
Subject: Microsoft Settlement

Microsoft built a better mouse trap, lets not punish them for that. Where would the computer technology be if it were not for Microsoft.

David Day  
805 Jerome St  
Marshalltown, Ia. 50158

**MTC-00024317**

From: Bill MacKay  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 10:57am  
Subject: Microsoft Settlement  
To whom it may concern:

I believe the proposed settlement for the Microsoft anti-trust suit is NOT Good. In my opinion, it does NOT allow for Open Source usage under Windows to the extent necessary.

Sincerely,  
William T MacKay

**MTC-00024318**

From: Chuck Howell  
To: Microsoft ATR  
Date: 1/25/02 10:51am  
Subject: Microsoft Settlement

I am concerned about two aspects of the proposed remedy that in my opinion do not go far enough to foster true competition in the public interest. The PFJ's overly narrow definitions of "Microsoft Middleware Product" and "API" means that Section III.D.'s requirement to release information about Windows interfaces would not cover many important interfaces. No part of the PFJ obligates Microsoft to release any information about file formats, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry (see "Findings of Fact" ?20 and ? 39). Required full disclosure of APIs (including so called "hidden" APIs used by Microsoft products) and of file formats would enable third party developers to better integrate with Microsoft applications, leading to true competition in operating systems.

Sincerely,  
Charles C. Howell  
20508 Straham Way  
Sterling VA 20165-5147  
(703) 450-4928.  
I am a U.S. Citizen.

**MTC-00024320**

From: Leigh Letson  
To: Microsoft ATR

Date: 1/25/02 10:52am  
Subject: Microsoft Settlement

The settlement the government is considering for Microsoft does nothing but allow them an even larger share of the market thus negating any possible punitive effects such a settlement is intended to render. Please reconsider this action at this time and devise a punishment which will actually be a punishment.

Leigh Alan Letson

**MTC-00024321**

From: Leigh Letson  
To: Microsoft ATR  
Date: 1/25/02 10:52am  
Subject: Microsoft Settlement

The settlement the government is considering for Microsoft does nothing but allow them an even larger share of the market thus negating any possible punitive effects such a settlement is intended to render. Please reconsider this action at this time and devise a punishment which will actually be a punishment.

Leigh Alan Letson

**MTC-00024322**

From: Barry Wilson  
To: Microsoft ATR  
Date: 1/25/02 10:52am  
Subject: Microsoft Settlement

The settlement as proposed does not punish Microsoft enough for the crimes they have and continue to commit. Most of what I have read seems to be an attempt to stop Microsoft's future activities and yet they continue even now to abuse their monopoly power using new tactics. My greatest concern is Microsoft's forays into the media. They are attempting to buy public opinion even after they have been found guilty in court. Don't let Microsoft become the "corporate O.J." Put some teeth into the settlement.

-Barry Wilson

**MTC-00024323**

From: Alfred Petermann  
To: Microsoft ATR  
Date: 1/25/02 10:53am  
Subject:

Gentlemen: We are a small group of organizations, one not-for-profit Gentlemen: We are a small group of organizations, one not-for-profit targeted to the poor, which are often overwhelmed by data processing and by communication needs. We have experienced nothing but support from the Microsoft products and feel that their software is critical to our success. The attacks on Microsoft because of their size, because of their founder, because of their aggressive business practices and for other reasons have just about reached the limit. The time has come to put this episode to rest and to stop further attacks, especially the most recent AOL suit. When will these guys begin competing in the marketplace and stop using our government and the courts to try to get even.

Sincerely,  
Alfred R Petermann

**MTC-00024324**

From: Christian Roy  
To: Microsoft ATR  
Date: 1/25/02 10:53am

Subject: Comments on the appeal

Dear Reader,

I am canadian, i know i do not have your constitutional rights but i feel responsible in a way to voice my opinion. As you must know Canada and U.S are neighbors. You must also know that the decision you will make will not only make a difference in the United states but also all around the world. I would like alot if you would all take this fact into account when you propose a solution. It is true that Microsoft has a monopoly. And it is also a fact that justice isnt fast enough to react to it appropriately.

Thank you  
Christian Roy  
Independent Developer  
Quebec, Canada

**MTC-00024325**

From: Luke Fowler  
To: Microsoft ATR  
Date: 1/25/02 10:38am  
Subject: concerns about Microsoft case  
Hello,

I am writing to voice my concern with and disapproval of the proposed settlement in the Microsoft antitrust trial. I do not believe that the current settlement will do enough to prevent Microsoft from continuing to abuse their monopoly position in the operating systems market. I fear that if this abuse is not stopped, that Microsoft will use this power to unfairly leverage themselves into other sectors of computers and technology in general. They have already done this with their Internet Explorer browser. I was a steadfast Netscape user until Microsoft started to disregard the HTML standards, and build incompatibilities with Netscape. As a result, many web sites have been designed with Explorer and this non-standard HTML code in mind, causing Netscape to render these pages either incorrectly or not at all. The current settlement proposal does not come close to recouping the illegal gains that Microsoft has made from consumers. I am in favor of a settlement that, at the least, opens the Windows operating system and Office suite APIs (application programmer interfaces) and file formats.

Sincerely,  
Luke Fowler

**MTC-00024326**

From: Bill  
To: Microsoft ATR  
Date: 1/25/02 10:56am  
Subject: Microsoft Settlement

I feel the settlement with Microsoft for it's illegal practices, as it stands now, is a bad idea. While there are many problems with the situation as it stands now, one in particular disturbed me when I heard it: the possibility that Microsoft could get out of this by "donating" product to schools. This would bring us right back to the initial problem: their defective software being in so many places and used by so many that noone can find options that actually work. If you really want to hit them where it hurts, tell them to pay for the legal fees and the fines they've incurred in CASH. Giving it to schools would be a great idea, but make sure it's in currency and not in worthless product. They couldn't give enough of that junk away to make up for the damage they've done.



Sincerely,  
Bill Hubscher  
Huntsville, AL

**MTC-00024327**

From: Curtis Lisle  
To: Microsoft ATR  
Date: 1/25/02 10:58am  
Subject: Microsoft Settlement  
To: Renata B. Hesse or other appropriate official

Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Hesse,

I would like to register my opinion that the anti-trust decision against Microsoft should be further strengthened before its adoption. I agree with Mr. Dan Kegel's petition that some definitions and punitive measures are too narrow and provide Microsoft with opportunities to work-around the government's intended result. I have an extensive background in software design, including a Ph.D. in computer science to assist my understanding of the technical details of this anti-trust case. I request that the Department of Justice officials make every effort to maintain open practices for software engineering including fostering operating system competition and the propagation of free, reusable software. These freedoms will continue to fuel the creative results of both large and small businesses in the US. Please feel free to call if I can be of additional assistance. Thanks for your consideration.

Sincerely,  
Dr. Curtis R. Lisle  
Solution Architect,  
SGI (Silicon Graphics)  
Maitland, FL  
407-206-7940

**MTC-00024328**

From: William Verthein  
To: Microsoft ATR  
Date: 1/25/02 10:58am  
Subject: In Favor of Settlement

I am strongly in favor of the settlement and closing this ugly period of corporate warfare disguised as consumer protection. It has always been clear to me that this case has been primarily driven by the competitors of Microsoft and not consumers themselves. The so called consumer advocacy groups who have spoken out against Microsoft and the settlement are more often than not funded by the same competitors who have pushed this suit forward. Further efforts to prolong this case will only hurt the US economy and will never help consumers but instead help those companies who cannot win in the market.

Settle this case NOW.  
Bill Verthein

**MTC-00024329**

From: Mike Quan  
To: Microsoft ATR  
Date: 1/25/02 10:59am  
Subject: Microsoft Settlement

The proposed Microsoft settlement is an insult to our nations policy of fair play and justice. It was found and upheld on appeal

that Microsoft is guilty of being an illegal monopoly. Even without a court finding, anyone familiar with the computer market can see that Microsoft is the most ruthless monopoly this company has ever seen. It's actions have effectively crushed competition and it continues to use this power to illegally prevent any competitor to enter the market. I believe that the any effective and fair settlement should require a break up of Microsoft with at least two formerly Microsoft companies competing in the operating arena and two in the applications arena. If this is not possible, then the remedy must include strong and decisive regulation by the court with the intent of dissipating the monopoly and preventing the spread into other areas of technology until Microsoft's market share in the operating systems and applications areas are reduced at least 10 per cent. The settlement should also provide adequate compensations to past victims of their unfair practices such as Netscape, Apple, AOL, Word Perfect, and others.

Thank you for this opportunity to comment.

Michael Quan (a MSFT shareholder)  
P.O. Box 6277  
Torrance, CA 90504

**MTC-00024331**

From: NIKKI WHITTLE  
To: Microsoft ATR  
Date: 1/25/02 10:59am

I realize the Tunney period closes on Monday for the Microsoft Settlement. Being a resident of Washington, a tester of Microsoft software, and a person that recommend technology to other including seniors, I feel that the entire suit brought by the government is ridiculous. I also am someone who has worked with micro small businesses mainly minority owned for several years. I have spent my entire business life watching businesses struggle with cash flow and struggles to meet obligations and tax payments. I understand how hard it is to grow and get a chance with the big guys. However I also realize that it is extremely expensive to be innovative. I suggest that the smaller guys learn to work with the big guys rather than use the courts to control competition.

I train many people that are retired or homemakers who have never used computers before. I can't imagine what it would be like for them if they had to deal with their operating system and their browser separately. Face it Netscape just didn't keep up with the wants and needs of people. I could see computer manufacturer's putting in two browsers for your choice, but to break up the company would be adding to the frustration most people have with who to talk to on any problem.

I heard and read in the news all the arguments from the competitors, those terrible things Microsoft said in sales meetings. Well I beg you to sit in on any sales meetings of any companies that are successful, probably even some that aren't too successful. That is how businesses rally the troops.

As far as hurting the consumer which is the basis of this suit. Hurting us? Microsoft has built a better mouse trap. The are truly

interested in figuring out what the public wants and needs. Their pricing is very competitive and they also offer many ways to get into software at reduced costs.

It's time to get this thing settled, I think it has hurt the industry in general and hurt the economy. Let's get back to the work at hand and let Microsoft have the freedom to innovate.

Pacific Alliance Intl Inc.  
NW Business Services  
Whittle Whimsies

**MTC-00024332**

From: idiot@bumfuck.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 10:57am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; but the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Iman Idiot  
222 Fuckwit Drive  
Bumfuck, CA 90210

**MTC-00024333**

From: Mike Rice  
To: Microsoft ATR  
Date: 1/25/02 11:00am  
Subject: re: Microsoft Settlement  
Dear Sir,

The point of the anti-trust decision against Microsoft Corporation was, I hope, to reduce their effective capacity to act as a monopoly. Unfortunately, allowing Microsoft to propagate their software into the classrooms of America will only increase their market share. If the software forced onto school computers is the Microsoft product, this is like ramming a state-sponsored religion into the throats of every American child in the manner of a "captive audience". Please consider forcing Microsoft to contribute only hardware and not software to the schools, perhaps taking into account the advice by Rob Young of RedHat.

Already schools have a fair mix of Microsoft and Apple software, allowing a third software opinion into the schools can only increase the minds of our kids.

Thanks for your consideration.  
Mike Rice

**MTC-00024334**

From: Dr. Scott Steinman  
To: Microsoft ATR  
Date: 1/25/02 11:06am  
Subject: Microsoft Settlement

I am a user of both Microsoft and non-Microsoft products. I have been appalled by the business practices of Microsoft, as uncovered in the evidence presented in the antitrust trials and manifested by the company since the trials. Microsoft continues to use their monopoly status to bully other companies, whether they are allies or foes, to crush competition, to stifle innovation and to reduce the choices of consumers. Hardware manufacturers are forced to pay royalties to Microsoft whether or not Windows will be sold or used on that machine. Their new .NET strategy will strengthen their monopoly status by forcing users to pay for mandatory upgrades and funneling much of the internet's advertising and financial services through Microsoft channels. I realize that the government is averse to breaking up Microsoft (although I agreed with this plan). However, the current antitrust settlement is too simplistic and does not prevent Microsoft from maintaining and extending its monopoly and anticompetitive practices.

I encourage you to enforce strict restrictions and impose heavy punitive sanctions against Microsoft.

Thank you.

Scott Steinman, O.D., Ph.D., F.A.A.O.  
Chair, Biomedical Sciences  
Southern College of Optometry  
1245 Madison Avenue  
Memphis, TN 38104-2222  
Phone: (901) 722-3380  
Fax: (901) 722-3325

**MTC-00024335**

From: Jonas Roel  
To: Microsoft ATR  
Date: 1/25/02 11:01am  
Subject: Microsoft Settlement

To whom it may concern;

I feel that the proposed Microsoft settlement is a BAD idea. In the long run, Microsoft's monopolistic predominance of the American Tech market will only hurt American tech companies in the future. These are companies which try to innovate, and forward technology. Microsoft only tries its best to stagnate this innovation my snuffing out their competition. Please reject the Microsoft Settlement and save America's predominance in the tech sector.

Sincerely,

Jonas Roel  
Tampa, Florida, USA

**MTC-00024336**

From: Joe Dumais  
To: Microsoft ATR  
Date: 1/25/02 10:58am  
Subject: Microsoft Settlement

Dear Sir or Madam:

I would like to enter my comments on the ongoing Microsoft litigation. I believe it is time to close the case and reach a negotiated settlement. The measures the court is now suggesting are in my opinion sufficient. I disagree with those states that are pressing for further measures. I also believe that the case has left the realm of benefiting the consumer and has acquired the appearance of a personal quest by government lawyers to bring down this corporate entity. Please move forward with the existing settlement agreement.

Thank you.

Regards,  
Joe Dumais, Ph. D.  
1712 Westview Road  
Fort Collins CO 80524  
(970) 495-1053

**MTC-00024337**

From: Mark Morlino  
To: Microsoft ATR  
Date: 1/25/02 11:02am  
Subject: Microsoft Settlement

To whom it may concern:

You probably get a lot of these so I will keep it short. I believe that the Proposed Final Judgment in United States v. Microsoft matter is NOT in the best interest of the public. In my opinion, the PFJ will make it too easy for Microsoft to continue to be a ubiquitous and evil empire.

Regards,  
Mark Morlino  
Systems Engineer  
InterSystems USA  
303.858.1000

**MTC-00024338**

From: Michael C. Appe  
To: Microsoft ATR  
Date: 1/25/02 11:02am  
Subject: Microsoft Settlement  
TO: Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

This brief note is intended to express my support for a quick settlement to the prolonged ordeal that is the Microsoft anti-trust case. This case is ripe for settlement. An agreement exists which has your Department's preliminary blessing, the concurrence of Microsoft and most of the state complainants and the sanction of the trial court. There is no rational reason not to ratify this agreement.

The settlement requires Microsoft to offer its Windows products to computer manufacturers at uniform terms, without exclusive software tie-ins. It requires Microsoft to configure new Windows systems in ways that embrace the use of non-Microsoft software. It obligates Microsoft to essentially open up its technology to its competitors. In return for this and more Microsoft may continue to exist in its present corporate state. This is a fair compromise. Let us allow this productive company to get back to the business of leading the IT industry and our economy into the new century.

Sincerely,

Michael Appe  
30 Campfire Circle  
Alton, NH 03800

**MTC-00024339**

From: Hans-And-Lisa Hazelton  
To: Microsoft ATR  
Date: 1/25/02 11:04am  
Subject: Microsoft Settlement

I do not believe the proposed settlement does enough to address Microsoft's ongoing unfair business practices, nor does it do enough to correct the results of their past actions.

Hans Hazelton  
Anchorage, Alaska

**MTC-00024340**

From: Vocalal1@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:02am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen. Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Al Jacques  
490 Huntington Dr.  
Ann Arbor, MI 48104

**MTC-00024341**

From: red2@mac.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:06am  
Subject: Microsoft Settlement  
Hi,

I just wanted to express my opinion on this issue. I feel very strongly that Microsoft should not be let off with a weak settlement. Despite its claims of innovation, Microsoft has a history of squashing innovation with its Windows monopoly. Internet Explorer was clearly not nearly as good as Netscape several years back. But simply by supplying Explorer with Windows and not allowing vendors to include Netscape, Netscape became all but irrelevant and development basically stopped. The worse product one because it was not a fair market. If Microsoft is let of with a simple settlement, they have won.

Thank you for listening to my opinion.

-Sean Kennedy

**MTC-00024342**

From: Louis F. McDonald  
To: Microsoft ATR  
Date: 1/25/02 11:07am  
Subject: Microsoft Settlement

It's in the best interest of me and the rest of the nation's consumers that the antitrust litigation be terminated as soon as possible. Please, accept the proposed settlement. L  
Louis F. McDonald  
4250 Lansdowne Dr.  
Atlanta, GA 30339-4615  
(770) 434-3816

**MTC-00024343**

From: John W. Naylor, Jr., P.E.  
To: Microsoft ATR  
Date: 1/25/02 11:09am  
Subject: Microsoft Settlement

I am sure you have heard all the arguments of what MS is doing wrong and what MS proponents are saying they should be left alone. But one argument that I see being

avoided is what effect MS has on the "so called" independent marketplace. MS's position in the marketplace has been so dominant and their tactics so intimidating that the trade mags fear any negative reporting will cut them off from access to MS product information thereby destroying their very survivability. Lets go all the way back to 1995 when Windows95 came out. PC Magazine did an exhaustive review in their December issue where they benchmarked and reported on 100+ machines. About 65 of these PC's arrived at the testing labs with the new W95 OS and the rest had the older W4WGs. The magazine went into paragraphs of detail how machines with this type of Hard Drive outperformed those with another type by 3 % and that those with this type of video chip outperformed the others by 5%, etc. Yet, there was not a single mention that the machines the older W4WGs OS outperformed those with the new Windows 95 OS by 40 %. Three manufacturers (Gateway, Dell, Micron) submitted two almost identical machines. the ones with W4WGs outperformed those with Win95 by an average of 37 %. Now how could these authors make a big deal of the 3 and 5 % differences in hardware performance and fail to notice a 40 % difference in performance between two types of machines ? Why did PC magazine decide to place the tables containing the benchmarks of Win95 machines and W4WGs machines 100 pages apart ? A year or so later, PC mag compared database programs with the two primary ones being Lotus Approach and MS Access. The Lotus product scored 11 Excellence and 1 Good in 12 categories; whereas Microsoft scored 7 Excellents and 5 Goods in the same 12 categories....they tied for Editor's choice ! 11 to 7 is a tie ? Why couldn't we get that last year when the Mets played the Yanks....think how good that would have been for NY ! Yanks and Mets tie for World Series title, Yanks winning 4 games to Mets 1.

As a business owner , using the MS operating system becomes more and more cumbersome and more and more of a threat to security. I own an engineering firm and do work for the government. I have serious concerns about the security of MS operating systems when they illegally bundle their other products in the OS. Internet Explorer and Outlook Express are NOT part of the operating system. I do not want them and the security risks they represent on my office machines. I do NOT want a MS passport, but the only way I can get MS tech support is to sign up for another venture that MS has invested in.

To thwart competition from DR DOS, MS sold OEM's DOS/Windows for \$29.95 whereas Windows only \$45. That's like me having a choice of taking a bus and train to work or and having to pay more for the train ride if I decided to skip the bus and walk to the train station. The DOJ has got to stop this behavior and MS intimidation of the free press. As a minimum, the DOJ should insist that:

1. No products for other MS marketing initiatives are installed by default with the OS. If they can include Accessibility Options (stuff for handicapped users) as an install

"option", they should certainly be able to let Passport, MSIE, Outlook and all the other software bundled in XP as an "option".

2. MS should be forced to disclose and detail any "hooks" which it's MS Office and other programs use to interact with the OS.

3. The government must NOT become an accessory to the crime and accept MS's offer of establishing them in one of the few markets they don't control (schools). This penalty will make MS a ton of money when they are forced into the never ending MS Upgrade cycle. It would also squeeze out the companies that have been servicing this market before MS discovered them. 4. MS must not be able to disavow responsibility for their negligence. MS knew about the UnPnP security vulnerability before the OS was released but released it anyway, exposing millions of their customers to attack and financial loss for two months before they released a patch.....just so they could take advantage of the holiday buying season. I am concerned about my liability and the damage that could result if a terrorist hacked into our network and downloaded plans say to a federal courthouse building that my firm designed. I have taken all plausible steps to secure this network environment but now MS left a known hole in the OS that I had no knowledge of, that they did have knowledge of but didn't tell me about even though it posed a real threat to my own network's as well as national security since they didn't tell millions of usres with possible access to sensitive information just so they could rake in more cash for the Xmas season.

Jack Naylor, P.E.  
President, Naylor Engineering  
Executive Board Member, NYS Society of Professional Engineers  
Legislative and Government Affairs  
Committee, National Society of Professional Engineers.

#### MTC-00024344

From: Brian Allbee  
To: Microsoft ATR  
Date: 1/25/02 11:07am Subject" Microsoft Settlement  
[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

#### MTC-00024344 0001

To Whom It May Concern:  
With the deadline for public response to the proposed Final Judgement against Microsoft upon us, I've run out of time to make this as coherent as I would like, so some of this may be little more than citation of web- pages or other media that make some of the points I am concerned with. These problems lead me to conclude that the Proposed Final Judgment, as written, allows (sometimes encourages) significant anticompetitive practices to continue. I do not believe that the Proposed Final Judgment (as it stands now) is in the public interest, or that it should be adopted without addressing various issues:

Revised Proposed Final Judgement  
III.A.2: (Microsoft shall not retaliate against an OEM ... because it is known to Microsoft that the OEM is or is contemplating) shipping

a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System. What about machines that do not boot with ANY Microsoft OS? A VERY cursory count of alternative operating systems that are available for Intel-compatible PCs yields 18+ alternatives (see <http://dir.yahoo.com/Computers—and—Internet/Software/Operating—Systems/>), NOT including all the various different distributions of Linux (20+ different alternatives as a bare minimum) and varieties of Unix (6+ alternatives, at least). Is this remedy supposed to allow the companies that produce these "alternative operating systems" to compete on a fair basis with Microsoft? One of these alternatives has already essentially died (BeOS), and I strongly suspect that a good part of the reason it did was because it COULD NOT compete with Microsoft's on a fair basis, despite it being in my opinion) technically superior software.

III.C: (Microsoft shall not restrict by agreement any OEM licensee from exercising any of the following options or alternatives) [items paraphrased]:

1. Installing Non-Microsoft middleware/applications;
2. Distributing/promoting non-Microsoft middleware/applications within the Windows OS;
3. Auto-launching any non-Microsoft middleware/application(s) upon completion of the Windows boot-process;
4. Allowing third-party boot-loaders to launch a second OS (presumably installed by the OEM);
5. Allowing pre-boot promotion of its own IAP offer; 6. Exercising any of the options under section III.H (summarized below)

III.H: (Starting at the earlier of the release of Service Pack 1 for Windows XP or 12 months after the submission of this Final Judgment to the Court, Microsoft shall) [items paraphrased]:

1. Provide easy removal of Microsoft middleware/applications to users and OEMs;
2. Provide easy means to users and OEMs to allow non-Microsoft middleware/application configuration as defaults for various file/document types;
3. Make certain that no Microsoft product makes alterations to any OEM-configured defaults without alerting the end-user that such alterations are being made (and presumably what effects they will have); Again, I note no explicit language prohibiting Microsoft from acting against OEMs that provide non-Microsoft OS system-options (though III.C.4 is a step in the right direction). None of these points makes more than a token effort to allow a consumer (through the OEM) to CHOOSE whether they want a Microsoft OS or something else entirely/exclusively (including no OS whatsoever from the OEM). If the core of Microsoft's monopoly is the Windows OS (and derivatives thereof), then it seems logical that any final judgement must make some effort to address the potential consumer desire to NOT have Windows on their PC. To do otherwise is to take NO action towards allowing fair competition between the various OS options available.

Even simply guaranteeing an end-user the right to return an undesired/unused MS/Windows installation disk for a full refund from Microsoft would be better than nothing—If an end-user has no reasonable choice but to purchased a new PC from an OEM with Windows pre-installed, and they have no use for (or desire to use) that OS, they should be free to remove it from the machine without having to shoulder the burden of a non- returnable Windows disk. Frankly, even if they use Windows initially to retrieve an alternative OS from the Internet, so long as they are not using it when the new OS is installed, they should be allowed to return it (providing; of course, that they REALLY aren't using it again), in my opinion. It's not —that— different from taking a car for a test-drive, and seeing another car at another dealer during that test-drive, in my opinion. There seem to be no provisions to prohibit Microsoft from holding back application and/or protocol information that are required to be available to for-profit third-party competitive concerns from not-for-profit concerns (i.e., Open Source projects, which inarguably compete with Microsoft). From <http://www.pbs.org/cringely/pulpit/pulpit20011206.html>: “Well, Microsoft now appears to be exacting its revenge, leaning this time on the same letter of the old law to not only get a better deal, but literally to disenfranchise many of the people and organizations who feel they have been damaged by Microsoft's actions. If this deal goes through as it is written, Microsoft will emerge from the case not just unscathed, but stronger than before. Here is what I mean. The remedies in the Proposed Final Judgement specifically protect companies in commerce— organizations in business for profit. On the surface, that makes sense because Microsoft was found guilty of monopolistic activities against “competing” commercial software vendors like Netscape, and other commercial vendors—computer vendors like Compaq, for example. The Department of Justice is used to working in this kind of economic world, and has done a fair job of crafting a remedy that will rein in Microsoft without causing undue harm to the rest of the commercial portion of the industry. But Microsoft's greatest single threat on the operating system front comes from Linux—a non-commercial product—and it faces a growing threat on the applications front from Open Source and freeware applications. The biggest competitor to Microsoft Internet Information Server is Apache, which comes from the Apache Foundation, a not-for-profit. Apache practically rules the Net, along with Sendmail, and Perl, both of which also come from non-profits. Yet not-for-profit organizations have no rights at all under the proposed settlement. It is as though they don't even exist.

Section III(J) (2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: “...(c) meets reasonable, objective standards established by Microsoft

for certifying the authenticity and viability of its business, so much for SAMBA and other Open Source projects that use Microsoft calls. The settlement gives Microsoft the right to effectively kill these products.

Section III(D) takes this disturbing trend even further. It deals with disclosure of information regarding the APIs for incorporating non-Microsoft “middleware.” In this section, Microsoft discloses to Independent Software Vendors (ISVs), Independent Hardware Vendors (IHVs), Internet Access Providers (IAPs), Internet Content Providers (ICPs), and Original Equipment Manufacturers (OEMs) the information needed to inter-operate with Windows at this level. Yet, when we look in the footnotes at the legal definitions for these outfits, we find the definitions specify commercial concerns only. But wait, there's more! Under this deal, the government is shut out, too. NASA, the national laboratories, the military, the National Institute of Standards and Technology—even the Department of Justice itself—have no rights. It is a good thing Afghanistan is such a low-tech adversary and that B-52s don't run Windows. I know, I know. The government buys commercial software and uses contractors who make profits. Open Source software is sold for profit by outfits like Red Hat. It is easy to argue that I am being a bit shrill here. But I know the way Microsoft thinks. They probably saw this one coming months ago and have been falling all over themselves hoping to get it through. If this language gets through, MICROSOFT WILL FIND A WAY TO TAKE ADVANTAGE OF IT.” Other good points are raised (more succinctly and in more detail than I have time to go into) at <http://www.kegel.com/remedy/remedy2.html> (this list is taken from the end of the page, and is linked on the page it came from to the relevant sections of the article) \* The PFJ doesn't take into account Windows-compatible competing operating systems \* Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry. \* The PFJ Contains Misleading and Overly Narrow Definitions and Provisions \* The PFJ supposedly makes Microsoft publish its secret APIs, but it defines “API” so narrowly that many important APIs are not covered \* The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines “Microsoft Middleware” so narrowly that the next version of Windows might not be covered at all. \* The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET The PFJ should therefore allow users to replace Microsoft.NET with competing middleware. \* The PFJ supposedly applies to “Windows”, but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being “Windows Powered”. \* The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by

changing the requirements shortly before the deadline, and not informing ISVs. \* The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware— but only after the deadline for the ISVs to demonstrate that their middleware is compatible. \* The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows. \* The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents. \* The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users. \* The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft \* Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows. \* Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems. \* Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running Linux. (Similar licenses to OEMs were once banned by the 1994 consent decree.) \* The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft \* Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems. \* The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs \* The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. \* The PFJ allows Microsoft to discriminate against small OEMs—including regional “white box” OEMs which are historically the most willing to install competing operating systems—who ship competing software. \* The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas. \* The PFJ as currently written appears to lack an effective enforcement mechanism. Most of the article at <http://www.ccianet.org/papers/ms/sellout.php3> (though it may be a bit harsh) raises some good points, as does Ralph Nader's open letter

Brian D. Allbee

#### MTC-00024345

From: Daniel Boudrot  
To: Microsoft ATR  
Date: 1/25/02 11:10am  
Subject: Microsoft Settlement

To whom it may concern, Under the Tunney Act, I would like to add my opinion of the Microsoft settlement. I believe that this settlement in no way will cause Microsoft to behave any less anti-competitively than they have in the past. Not only are there enough

loopholes in the definitions to allow Microsoft to sidestep the settlement at any time, but even if they violate it there is no real enforcement mechanism other than to try them in court again.

Thank you.  
Sincerely,  
Daniel Boudrot

**MTC-00024346**

From: rayclyde@aol.com@inetgw

To: Microsoft ATR

Date: 1/25/02 11:07am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Ray Clyde  
112C Love Loop  
Richards, TX 77873-4207

**MTC-00024347**

From: Steven F. Neill

To: Microsoft ATR

Date: 1/25/02 11:10am

Subject: Microsoft Settlement

I Steven F. Neill, believe this settlement to be not nearly adequate. The monetary amount is not enough and the method of payment is ludicrous. Punishing a monopoly by further strengthening it is no solution. I sincerely hope that this will not stand.

-Steven F. Neill

**MTC-00024348**

From: Mcubed Technologies

To: Microsoft ATR

Date: 1/25/02 11:10am

Subject: Microsoft Settlement

We think the proposed settlement is a bad idea.

-Staff of Mcubed Technologies

**MTC-00024349**

From: bm@tempest.sonic.net@inetgw

To: Microsoft ATR

Date: 1/25/02 11:11am

Subject: Microsoft Settlement

Dear Sir or Madam,

I think that the Microsoft settlement is a bad idea. I think that it is a bad idea because the schools should have the money and choose for themselves what they want. In addition should Microsoft base their settlement on the "list" or "retail" price of the items, there would be the opportunity that I think is unfair, to take advantage of

everyone again, the schools, the government, and the people. If this were tax deductible, they could claim full list price on merchandise that they could not otherwise easily sell. Please do not let them get away with this.

Sincerely,  
Bill Marlin  
541 Emerald Park Court  
Santa Rosa, CA 95409

**MTC-00024350**

From: Bevill, Rob

To: Microsoft ATR

Date: 1/25/02 11:12am

Subject: NO to Microsoft!

The settlement is a BAD idea. I oppose it.  
-Rob

**MTC-00024351**

From: dcshaddix@netscape.net@inetgw

To: Microsoft ATR

Date: 1/25/02 11:10am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Doug Shaddix  
502 Stillwaters Drive  
Marietta, GA 30064-2551

**MTC-00024352**

From: Mars Cheung

To: Microsoft ATR

Date: 1/25/02 11:16am

Subject: Microsoft Settlement

Please leave Microsoft alone, for God's sake. You get better things to do than wasting tax payer's money.

**MTC-00024353**

From: Kyle Gaspar

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/25/02 11:16am

Subject: Microsoft Settlement

I am opposed to the settlement because it doesn't address the Microsoft OEM license agreements which penalize OEMs if they install another operating system (such as linux) in the bootloader.

Sincerely,  
Kyle Gaspar  
Philadelphia, PA  
Republican

**MTC-00024354**

From: Gotshall, Ron

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/25/02 11:17am

Subject: Microsoft Settlement

Ronald A. Gotshall  
5217 Starwind Point  
Hermitage, TN 37076  
January 25, 2002

Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

The purpose of this letter is to express my support of the settlement reached between the Department of Justice and Microsoft. After three long years of litigation, I was pleased to hear that the Justice Department had finally found an agreeable mediation. Too much money has already been squandered over this issue. Any more waste of taxpayer dollars is unconscionable in my opinion. I urge the Justice Department to enact the settlement at the end of January. Microsoft has made many concessions within the details of this settlement. Microsoft has agreed to license Windows at the same rate to the twenty largest computer manufacturers, which will thereby eliminate competition for rights between producers. In addition to this, Microsoft will also disclose some of the protocols internal to the Windows system. This provides for the design of competing software that is increasingly assimilated into the Windows operating system. It is clear, then, that Microsoft has made their share of concessions throughout the mediation process. I would hope that the Justice Department recognizes the importance of enacting this settlement. Thank you so much for your time regarding this issue.

Sincerely,  
Ronald A. Gotshall

**MTC-00024355**

From: Sean Rose

To: Microsoft ATR

Date: 1/25/02 11:18am

Subject: Microsoft Settlement

I am writing to express my concern with the settlement of the Microsoft anti-trust case. I find it hard to believe that a company that is guilty of fraud and anti-competitive prices is getting any breaks at all. I ask for the most severe restrictions and punishments that can be levied against Microsoft. I am a computer programmer. I have been working with computers since 1982 and have experience in a number of computer platforms. Apple is a wonderful technology company that almost everyone agrees has been hurt by Microsoft's illegal dealings. However, Apple's technology is so far ahead of MS, that I am not worried about them. The people that I worry about are the startup companies... the entrepreneurs that start the new revolutionary company that change the way will work and live. These companies cannot start under Microsoft's current reign. That hurts competition, deprives the consumer of choice and leaves us stuck with an overpriced inferior product called Windows. A perfect example is the stellar BeOS. BeOS is simply the best operating system created and put to market. It was easy to use and pretty, as well as being devilishly

fast and 100% reliable. When BeOS came out for the x86 platform (Intel Pentium compatible processors) the entire developer community was excited. Here you had a super stable OS with a great set of free developer tools and what looked to be a skyrocketing market of users.

But that fell through very quickly when Microsoft pulled out their license with OEMs and read, "You cannot put any other operating system on a computer sold with Windows (pick your version here)." So, all the excitement became, well, yeah it's the best, but what's the point? Microsoft shut them down and now all of those people are out of work and BeOS is gone. What very well could have been the next revolution in computing is now nothing more than a small blurb in a history book. That is adversely affecting the economy. They stole the Macintosh interface and called it Windows 95—hurting one of the most inventive and progressive computing companies ever. They killed Netscape. They have put security as a minimum priority, a Microsoft memo published on the web says, "unless security promotes the bottom line, it goes." Less than one month ago, Bill Gates himself said that the company would be focusing more on security. Why? The some 60,000 viruses for Windows are getting out of hand and after selling themselves to businesses as the best business platform, it's becoming quite obvious that any UNIX flavor is easily a better solution for a secure, business computer.

To bring the problem back to a personal level—just think of using Word. How many times has it messed up a document you were working on? Do you know any one who likes Word? I don't. We have to use Word because Microsoft killed Word Perfect, Lotus Word Pro and all the other word processing programs. One thing Microsoft learned was good marketing can sell anything to everyone. I am not opposed to that either, obviously we all take responsibility for making uninformed choices. However, the bad choices of the public have steamrolled us into the position of no longer having a choice and leaving Microsoft to do as they please. I have stopped using Microsoft products and no longer develop software for Windows. I can only imagine that someday my family will be one of those getting laid off or unable to fulfill their dreams because we are trying to compete in a field where there is no competition and no rules. I won't be a part of that. Please take all steps you can to levy the heaviest punishment you can on Microsoft.

Sean Rose  
srose@cycline3.com

**MTC-00024356**

From: .  
To: Microsoft ATR  
Date: 1/25/02 11:20am  
Subject: Microsoft Settlement

Hello and thank you for listening.

I would like to state that I do not believe that the DOJ's settlement with MicroSoft is the best idea. MicroSoft as a company has shown too much disregard for the public and government already. They seem to believe that they are above the law.

Please do not allow them to continue their path of market domination and control. This is another example of America not paying attention. We will become as dependant on MicroSoft as we have been to Middle Eastern oil. And look where that has taken us.

Thank you again for listening.  
Respectfully,  
Matthew R. Ross  
P.O. Box 2613  
East Peoria, IL 61611

**MTC-00024357**

From: MGSeeley  
To: Microsoft ATR  
Date: 1/25/02 11:22am  
Subject: Microsoft Settlement

I am writing to voice my displeasure with the proposed judgment against Microsoft in the US vs. Microsoft antitrust lawsuit. I agree with the thoughts of many of the opponents of the settlement including Ralph Nader and Thomas Reilly, my home states AG. The settlement leaves far too many loopholes for Microsoft to continue in its anti-competitive practices and offers no more than a slap on the wrist for their past indiscretions.

I firmly believe that Microsofts actions warrant a harsher, more restrictive punishment or there will be no actual changes in the way they do business. —

Michael Seeley  
3 Knowles Avenue  
East Wareham, MA 02538-1330  
mgseeley@mediaone.net

**MTC-00024358**

From: Shon Frazier  
To: microsoft.atr(a)usdoj.gov  
Date: 1/25/02 11:20am  
Subject: Microsoft Settlement

I disagree with the proposed settlement. Regardless of the \*apparent\* intent of the proposed settlement, I believe it will server to further the monopolistic grip of Microsoft on the software industry. I am in agreement with many of the points presented in Mr. Dan Kegel's essay located at <http://www.kegel.com/remedy/letter.html>.

—Shon Frazier  
270 Five Oaks Drive  
Covington, GA 30014  
shonf@speedfactory.net

DISCLAIMER: The opinions and views expressed herein do not necessarily reflect the opinions or views of my employer and/ or clients. The content within this document is not endorsed by Spherion, Inc. or C.R. Bard, Inc.

**MTC-00024359**

From: Fred Malouf  
To: Microsoft ATR  
Date: 1/25/02 11:21am  
Subject: Microsoft Settlement

I am voting NO on this settlement.

I am writing with regard to the Tunney Act concerning the Microsoft Settlement, Civil No. 98-1232.

The settlement is unfair because it will not end Microsoft's monopoly on the market nor its unlawful conduct.

-Fred Malouf  
Fred Malouf  
1303 Snow Street, Apt. E  
Mountain View, CA 94041

**MTC-00024360**

From: Matthew M. Burke  
To: Microsoft ATR  
Date: 1/25/02 11:21am  
Subject: Microsoft Settlement

My name is Matthew Burke. I am a U.S. citizen residing at 7109 Wayne Dr., Annandale, VA 22003. For over 10 years I have been a professional software engineer, an Assistant Professor of Mathematics and Computer Science, and a graduate student in Mathematics and Computer Science. After following the Microsoft anti-trust case, reading the proposed final judgement (PFJ), and commentaries on the proceedings, I have come to the conclusion that the PFJ is not in the public interest for the following reasons:

1. The PFJ contains misleading and overly narrow definitions.

The definition of "API" in the PFJ is so narrow that many of the most important APIs are not covered. The definition of "Microsoft Middleware" is so narrow that the next version of Windows would not be covered. The PFJ fails to take into account the fact that Microsoft is phasing out their version of Java with .NET. Therefore, the provision to allow users to replace Microsoft Java with a competitor's version is meaningless. The PFJ does not cover Windows XP Tablet PC Edition, Windows CE, Pocket PC or the X-Box although all these products are based on essentially the same technology—the Win32 API—and all these products are supported by what the court has determined to be illegal uses of monopoly power. The PFJ fails to require advance notice of technical requirements. This allows Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline and not inform ISVs.

The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware. But they are not required to do so until after the deadline for the ISVs to demonstrate that their middleware is compatible.

The PFJ requires Microsoft to release API documentation. The PFJ, however, prohibits competitors from using this documentation to help make their operating systems compatible with Windows. The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents. This is despite the fact that Microsoft has been illegally using their Operating System monopoly to force consumers to use their Office products as well. The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

2. The PFJ fails to prohibit anticompetitive license terms currently used by Microsoft. Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of

computers which could run a Microsoft operating system—even for computers running Linux. (Similar licenses to OEMs were once banned by the 1994 consent decree.)

3. The PFJ fails to prohibit intentional incompatibilities historically used by Microsoft.

Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

4. The PFJ Fails to prohibit anticompetitive practices towards OEMs.

The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system. The PFJ allows Microsoft to discriminate against small OEMs—including regional “white box” OEMs which are historically the most willing to install competing operating systems—who ship competing software. The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

5. The PFJ as currently written appears to lack an effective enforcement mechanism.

Therefore I conclude that the PFJ allows and encourages significant anticompetitive practices to continue and is consequently not in the public interest. The PFJ should not be adopted until the above issues are meaningfully addressed.

Thank you for your attention in this matter. I would be more than willing to discuss these issues further and may be contacted at the address in the first paragraph of this letter, by return email, or by phone (703-645-9751).

Sincerely,

Matthew Burke

**MTC-00024361**

From: plwilliams@varco.com@inetgw

To: Microsoft ATR

Date: 1/25/02 11:18am

Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than “welfare” for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

Peggy Williams

2203 Barnett Drive

Cedar Park, TX 78613-4423

**MTC-00024362**

From: Matt Hucke

To: Microsoft ATR

Date: 1/25/02 11:22am

Subject: Microsoft Settlement

I urge you to REJECT the proposed Microsoft settlement. The proposal will have very little effect on Microsoft's proven anti-competitive behavior. They will continue to abuse their power over OEMs to discriminate against alternative operating systems. They will continue to pursue unfair license agreements that will make it nearly impossible for OEMs to ship any other operating system.

Microsoft has, in the past, used its high market share to pressure hardware manufacturers to not ship any competing operating system. They have done this by fixing markedly different price levels for those manufacturers that enter into an exclusive agreement to ship only Windows; while those who refuse are charged much higher rates, and cannot compete.

The proposal does nothing to stop this, and therefore must be rejected.

Sincerely,

Matt Hucke

7446 N Damen #2S

Chicago IL 60645

hucke@cynico.net

**MTC-00024363**

From: Miriana Clark

To: Microsoft ATR

Date: 1/25/02 11:24am

Subject: I oppose the settlement being considered

I am strongly opposed to the Microsoft settlement that is currently being considered. It calls into question why we should be proud to call ourselves Americans when the legal system can be bought and manipulated by one powerful company. This settlement forces me to unwillingly surrender my rights to a fair and arbitrary legal system. I am ashamed of it. Specifically, I am opposed to the amount of control that Microsoft has in administering the terms of the agreement.

Too many grey areas and judgement calls are left wide open as potential loopholes. They have been found guilty in a court of law, and shouldn't be their own guard. More importantly, I am opposed to the gag order of the 3 person oversight committee. Without a voice, there is no way that the can do their job effectively. Finally, I am opposed to the shortsightedness of this agreement. It does nothing to curb Microsofts illegal use of its Monopoly on the desktop to corner other markets. Innovation is stifled, and Americans loose.

I respectfully urge you to throw out the proposed agreement, and see that true justice is done.

With respect,

Miriana Clark

Portland, OR

**MTC-00024364**

From: Charlie Hunt

To: Microsoft ATR

Date: 1/25/02 11:28am

Subject: Microsoft Settlement

I would like to express my concerns on the proposed Microsoft settlement. Below are a list of concerns.

1. The DOJ settlement would not restrict the core way in which Microsoft unlawfully maintained its Windows operating system (OS) monopoly, namely bundling and tying competing platform software (known as “middleware”) like Web browsers and Java, to the OS. The Court of Appeals specifically rejected Microsoft's petition for rehearing on the bundling issue. Yet the settlement has chosen to ignore this fact.

2. The DOJ settlement has no provisions to create competition in the OS market that Microsoft unlawfully monopolized. The DC Circuit ruled that a remedy must “unfetter [the] market from anticompetitive conduct?” and . . . “terminate the illegal monopoly.” but the DOJ settle will do nothing to restore competition with Windows. The DOJ settlement allows firms better access to information (known as “APIs”) necessary to make software work with Windows, which only reinforces the Windows monopoly.

3. The DOJ settlement has no provisions directed to new markets where Microsoft is using the same bundling and restrictive practices to preserve and extend its Windows monopoly. Typified by Windows XP, which ties Internet services, digital media software and instant messaging (among other features) to Windows, Microsoft is demolishing potential competition in these new markets just as it did in 1995-98 to Netscape. The Court of Appeals ruled that a remedy must “ensure that there remain no practices likely to result in monopolization in the future.” but the DOJ settlement does not even try to restrict ways in which Microsoft could (and already has) leverage its Windows monopoly in the future. The settlement also suffers from a serious problem of ineffectiveness, because even its limited provisions (API disclosure, icon removal, etc.) rely exclusively on OEMs to pro-vide a competitive alternative to Windows. PC manufacturers have recognized Microsoft's power and have long refused to depart from the Microsoft strategic plan, since it is the source of their revenue.

In today's OEM market, with rapidly declining prices and profit margins, failures and mergers, and the slowing of PC demand for the first time in more than a decade due to market saturation, there is no likelihood that any OEM will use its small freedoms under the settlement to choose to compete with Microsoft.

In summary, the settlement would not prevent the central ways Microsoft was found to have illegally maintained its Windows monopoly, (2) does nothing to restore competition in the OS market, an express Court of Appeals requirement for a Microsoft remedy, and (3) has no provisions directed to Windows XP and other new endeavors of Microsoft to extend and protect its monopoly to new markets in the future, another express Court of Appeals requirement for a Microsoft remedy.

Sincerely,

Charles J. Hunt

(Software Architect)

**MTC-00024365**

From: MARCUSEE@aol.com@inetgw



To: Microsoft ATR  
Date: 1/25/02 11:24am  
Subject: Microsoft Settlement

I think that Microsoft should either be broken up or forced to reveal their source codes. It is not good for one company to be so dominant in such an important field. Competition would be preferable to standardization at all costs I do believe.

Marcus Edward Ellison  
1522 Rosemary Lane Apt. E  
South BEnd, IN 46637

**MTC-00024366**

From: Chris  
To: Microsoft ATR  
Date: 1/25/02 11:23am  
Subject: Microsoft Settlement

Does Microsoft hurt consumers? Yes it does. I've been paying a premium for my computer hardware and software for years, simply because I choose not to use a Microsoft-based computer. Should I not have a viable choice in the computer marketplace? Yes I should. Microsoft has built an empire on illegal practices, and a small fine is not going to remedy the problem. Fining Microsoft even a few billion dollars would be analogous to catching a bank robber who made off with a million dollars in cash, and fining him \$10,000. Sounds like a good business proposition, for the crook that is. Microsoft has violated the law. Its competitors have suffered as a consequence. Consumers have suffered. Consumers will continue to suffer as Microsoft expands its illegal monopoly into other markets. Once successful companies (WordPerfect, Novell, Lotus, Netscape, etc.) are now burned-out shells due to Microsoft's immoral and illegal business activities. Please do not squander this opportunity to make things right.

Chris Wirick  
Aliso Viejo, CA

**MTC-00024367**

From: Joseph Gledhill  
To: Microsoft ATR  
Date: 1/25/02 11:25am  
Subject: Against Proposed Settlement

I would like to state that I am strongly opposed to proposed Microsoft settlement. Microsoft is harming the industry and consumers by creating proprietary protocols and using their massive resources to force them on the general public. Then once they own the protocol or format then everybody is forced to pay licence fees to them, or are not granted the licence at all. Microsoft is also forcing consumers to use their products by bullying OEMs to distribute their operating systems. The proposed settlement will not alleviate these abuses and therefore needs to be reconsidered.

Thank you,  
Joseph Gledhill

**MTC-00024368**

From: Chris Gosnell  
To: Microsoft ATR  
Date: 1/25/02 11:25am  
Subject: comment in U.S. v. Microsoft

Please consider my opinions listed below in the judgment of this case. I believe that Microsoft operated in a non-competitive and predatory manner that harmed companies directly, and caused others to go out of

business altogether. Because Microsoft manufactures not only the operating system, but the applications and tools to develop applications for their operating system, they have an unfair advantage to promote their products before all others and have done exactly that.

1) I believe that I have been deceived by Microsoft when I bought software that did not work as advertised, but could not request a refund because of the End user License Agreement "EULA" that must be agreed to before inspecting the product. (Windows 95 USB support, for example). In this EULA, Microsoft cannot be held liable for the performance of the product.

2) Microsoft's operating system has been shown to intentionally damage the operation of competing application software. (Netscape Navigator and others)

3) Microsoft's sales practices to OEM's prevented the OEM's from selling computers with competing operating systems preinstalled. (BeOS and others)

4) Microsoft's dominant position in the market has allowed them to modify existing standards to make the result incompatible with all but Microsoft products. (C, Java, Kerberos, MPEG, etc...) Microsoft's development tools use the incompatible formats deny computer users the choice of applications to use.

All of the practices Microsoft has used were intended to promote their products and harm to all others unfairly.

Please rule for the dissolution of Microsoft Corporation into at least 3 separate companies; Operating systems (Windows 2000, XP, etc...), Applications (Microsoft Office, Internet Explorer, etc...), and Development tools.

You may notice that I am using a Microsoft application in drafting this e-mail. This is not by choice.

I'm a great believer in luck, and I find the harder I work the more I have of it.

- Thomas Jefferson  
Christopher Gosnell  
50 South Wade Ave.  
Washington, PA 15301  
(724)229-6075  
cgosnell2@earthlink.net

**MTC-00024369**

From: Sharon K Miller  
To: Microsoft ATR  
Date: 1/25/02 11:24am  
Subject: MICROSOFT SETTLEMENT  
LET'S SETTLE THIS CASE ONCE AND FOR ALL— IN FAVOR OF MICROSOFT.

**MTC-00024370**

From: J. C. West  
To: Microsoft ATR  
Date: 1/25/02 11:25am  
Subject: Microsoft Settlement Dear U.S. Attorneys...

I strongly encourage you to require Microsoft to relinquish their position of only protecting "for profit" competitors from predatory practices. There are no "for profit" competitors of Microsoft. The issue is a sham. The only competition to Microsoft domination of the OS and applications fields is the "not-for-profit" open source software community. Please take the time to re-read

the Halloween Papers. Linux, Unix, GNU, itself, and all their open source brothers are not only in need of protection, you are the only protector upon which they can ultimately rely. We are at the last showdown. Please, simply make Microsoft drop the "for-profit-only" concept.

I have the temerity to write to you... Because my state Attorney General suggested it to me. Because I am a quiet resident of Norwalk, a blue-collar city in lower Fairfield County, Connecticut where I publish scholarly reference books, college texts, and political fables and satires. I am not political and am a fairly average citizen of this state.

I graduated from both Harvard College (AB, 1970) and Dartmouth College (MBA, Amos Tuck, 1972) and did a bit of post-graduate work at the USN War College. At Harvard, my (undergraduate) Constitutional Law training consisted of Paul Freund's "Philosophy of the Law" classes in Sanders Theatre and Marty Shapiro's course on SCOTUS (he was visiting from UC Davis). Perhaps you know or will recall them. At Tuck my Business Law Professor was Justice Johnson of the NH Supreme Court. In short, I am no attorney, but I do have some insight into what Mr. Justice Holmes thought of the law, and why, and what he thought it could accomplish. And I have watched Microsoft abuse this country and its legal system for Mr. Gates' entire business career. As for today, my publishing houses are current recipients of multi-year grants from the Henry Luce Foundation, the Andrew W. Mellon Foundation, and the Korea Literature Translation Institute among several others. My CD-ROM publication of the US DOL DOT can be seen in every US Social Security office (including ALJ, appeals, and State level DDS hearing offices), nationwide. I learned to program in the BASIC language in 1970 (while its author, John Kemeny, was still president of Dartmouth).

I have taught several electronics technologies in several places and in several contexts and hold current mainstream certifications in a few computer technologies and am a member of IEEE, COMPTIA, and some other computer-related organizations. I serve on the advisory board for a local alternative high school and helped design their new computer technology career academy program.

I have no need to impress you and, frankly, I don't think I have. But I did need to catch your attention so I included the above pertinent mini-credential in hopes of raising my credibility above the background noise.

In summary...and seriously... Dear reader...Please take and/or encourage your colleagues to consider an even firmer stance against Microsoft—especially, and most importantly—regarding protection of the open source "nonprofit" competitors.

It is a bit dramatic to call it a crusade but, dammit, it is...and you, like it or not, are a crusader. The open source community is comprised of folks who can't afford to quit their day jobs but who have come up with Apache—over 80% of the web runs on it because it's superior to Microsoft—and who are the only competition to the richest man in the world. They're not revolutionaries—they're you and me. Over the years the



American people have entrusted me with a command or two and have decorated me, personally, several times for this and that but I never had it in my power to accomplish anywhere near what you can. You hold the key to the world in which my daughters (11 and 12) will live. You hold the power to shape their quality-of-life. Please wield it wisely on behalf of my daughters—and on behalf of yours.

Thank you.

CDR Joe West USCGR (ret)  
CC:Richard Blumenthal

**MTC-00024371**

From: Joel Barsotti  
To: Microsoft ATR  
Date: 1/25/02 11:27am  
Subject: Microsoft Settlement

I believe this settlement is bad for the public.

Microsoft will continue to build it's monopoly, stifle any independent innovation, and basically assimilate every computer on the planet at the cost of consumers rights.

**MTC-00024372**

From: Keith (038) Bobbye Bing  
To: Microsoft ATR  
Date: 1/25/02 11:24am  
Subject: Microsoft Settlement

I am a home PC user with Windows 98. After reading much of the complaints against Microsoft, I beg you to let this settlement go forward and dispense with this case against the company. Certainly, Microsoft has played hard-ball, but its products are exceptional and has made computer use easy enough for even me to learn and enjoy. If someone comes up with a better operating system, MS will not be in such a powerful bargaining position, but until then, they should be allowed to market their programs to their best advantage. OEM's are not forced to sign contracts; if they find a better operating system, they can tell MS to bug-off. To destroy this company simply because it has excelled at what it does cannot be constitutional. The government and the courts should stay out its way and let the market take care of it. As for antitrust, what is with letting Time-Warner/AOL consume everything in sight? Won't we soon be going through the same thing with them, or are they protected in some way not now evident?

Sincerely,

Bobbye Bing

**MTC-00024374**

From: Jan Hvilsted  
To: microsoft.atr(a)usdoj.gov  
Date: 1/25/02 11:27am  
Subject: Microsoft Settlement

To whom it may concern, I don't agree with the proposed settlement between the Department of Justice and Microsoft. A major reason for my position in this matter is that I'm the owner of several Microsoft licenses ranging from Windows 95 to Windows NT. I have never used any of the Windows operating systems, but it is and has for many years been impossible to buy any brand name computer without it being preloaded with a Microsoft operating system. As you can understand, I have been "forced" to pay licenses for Microsoft's products I have never

wanted, requested or even used, just because I wanted to buy a brand name computer.

The first thing I have always done is installing a different operating system (IBM's OS/2 and lately Serenity System's eComStation), without even booting the preloaded Microsoft operating system.

Thank for listening and best regards

Jan Hvilsted  
hvilsted@adslhome.dk

**MTC-00024376**

From: Gregory Gelfond  
To: Microsoft ATR  
Date: 1/25/02 11:27am  
Subject: Microsoft Settlement

To Whom It May Concern,

It has come to my attention from various sources, including a recent interview with Judge Robert Bork, that the current Microsoft antitrust settlement would do the opposite of what it intends. Instead of breaking Microsoft's monopoly of the personal computer operating systems market, it would enable the company to expand its monopoly into other arenas. Specifically, the areas of Internet service, and content.

As it currently stands, web sites created using Microsoft's Frontpage program are only viewable using Microsoft's Internet Explorer web browser. While by itself, such tight integration between products may seem a boon to consumers, it is actually quite harmful. What the company has done, is subtly change the open standards set by an independent body concerning the protocols, and language in which web sites are created, to a proprietary "standard" owned and controlled by Microsoft. This makes other browsers, and even in some cases other computer platforms unable to read such sites. In their recent iteration of the Internet Explorer web browser, Microsoft has also broken support for certain plugins, namely Apple Computer's Quicktime plugin. This has a similar effect to the one I described above, and also has the effect of rendering a substantial amount of web content Microsoft only. This defeats the entire purpose of the world wide web. Similar examples can be seen with the companies development of it's own Java language, which again breaks the open standard, and with it's .NET initiative.

If the company is allowed to continue in such a fashion, it would do a great deal of harm not only to the consumer public at home, but also in the education environment where the free flow of information is a vital necessity. Also with the recent security flaws in their operating system, a corporate monopoly would compound the problems by prohibiting better products from gaining a foothold in the marketplace.

One proposed remedy that I believe would benefit the consumer more is the following : Microsoft's preload agreements with computer vendors should be vacated and new ones prohibited, Microsoft's should open it's office suite data file formats, and Microsoft should submit present and future Microsoft networking protocols to an independent open standards body.

Thank You For Your Time,

Gregory Gelfond

**MTC-00024377**

From: Mark

To: Microsoft ATR  
Date: 1/25/02 11:28am  
Subject: Microsoft Settlement

I used to support Microsoft until they came out with the licensing for the Xp products. The company is clearly out of control. The settlement should open up the source code for the operating system, loosen the license, and encourage competitive products like WINE on Linux that will also run software designed for windows.

**MTC-00024378**

From: ruben276@cs.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:25am

Subject: Microsoft Settlement Ms. Renata B. Hesse, Antitrust Division 601 D Street NW, Suite 1200 Washington, DC 20530-0001 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,

James H. Nix

302 Forrest Hill Dr.

SA n Antonio, TX 78209-3054

**MTC-00024379**

From: Sharon K Miller  
To: Microsoft ATR  
Date: 1/25/02 11:30am  
Subject: MICROSOFT SETTLEMENT

IT'S TIME TO SETTLE THIS CASE ONCE AND FOR ALL—IN FAVOR OF MICROSOFT.

**MTC-00024380**

From: Guy Schroff  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 11:25am  
Subject: Comment on Microsoft Settlement for Public Review To whom it may concern.

I do not believe the proposed resolution in the Microsoft v. US will discourage Microsoft from the behavior that has led to the charges of which they have been convicted.

I offer these two examples that occurred recently.

1) Among other things, at work and as Manager of Information Services, I develop and maintain web content. In doing so I test the finished pages on both Microsoft Internet Explorer (IE) and Netscape Navigator (Netscape), both of which are installed on my workstation. Last week I upgraded IE to the latest version available at that time from the Microsoft Web Site. Prior to upgrading IE I had set Netscape to be my default browser—that is, it is used automatically when a browser is needed. Upon completion of the upgrade, the default configuration on my

workstation had been changed so IE, their product, was now the default browser.

The upgrade changed my preferred default configuration of my workstation to use their product. It made these changes without asking whether or not it should make the changes nor even alerting me that the changes either would be or had been made.

2) During installation of their operating system, Windows 98, upon choosing a custom installation, you have the option of removing the installation utilities for internet services including MSN, Microsoft's internet web service. If you choose to remove the option during installation, the installation will still install the installation utilities on the desktop. The users selection during the installation process is clear that the services are not wanted and that the installers should not be installed, yet Microsoft ignores this selection and tries to again push their products. I would expect that during this time, when these legal proceedings are nearing their completion, Microsoft would be on their best behavior. Yet they continue to demonstrate a disregard for the preferences of their customers and to use subversive methods to steer users to their products. As computers and the internet continue to be more central to this nations economy, it is imperative that the government protects the economy (and thereby the interests of its citizens) from a business that abuses the advantages of a monopolistic product. Therefore, in addition to a significant punitive judgment, Microsoft should be prohibited from any practice that gives an advantage to any of their "middleware" which utilize the advantages of having operating systems that monopolize the industry. "Middleware should include browsers, office productivity software including, but not limited to, word processors, spreadsheets, etc. as well as, and perhaps especially, any software which is utilized in the transactions for internet commerce. This prohibition, which in reality is just compliance with the law, must remain in effect for as long as Microsoft operating systems maintain their monopoly.

Any punitive judgment must be strong enough to be a true deterrent. It must be damaging to their business. Contributing their products to schools and other areas of public interest would not be punitive. Instead of being punished, they actually will use the settlement to further their domination and influence in the industry. It would be a marketing coup. Microsoft has and continues to demonstrate complete disregard for the laws that govern them. It is imperative that a strong judgment be made to show that such behavior will not be tolerated. Anything less would send the signal that they may continue such practices with impunity.

Guy Schroff

A Manager of Information Services for a not-for-profit trade organization  
1034 Knight Lane  
Herndon, VA 20170  
gysprime@aol.com  
gschroff@siaonline.org

**MTC-00024382**

From: Vladimir G. Kogut  
To: "microsoft.atr(a)usdoj.gov"

Date: 1/25/02 11:31am

Subject: If monopoly in any Industry (in this case IT Industry) is using its power

If monopoly in any Industry (in this case IT Industry) is using its power illegally to protect itself against innovations that could threaten its power, then finally the IT Industry itself is going to be affected. So if today USA is still keeping its world leading position in that Industry, it is unlikely that it'll be possible to save this position in a long term without breaking down such a monopoly.

Thanks,  
Vlad Kogut  
Application Analyst  
Chester Water Authority  
5th & Welsh Streets  
Chester, PA 19016  
Phone: 610-876-8185x295  
E-mail: vgkogut@chesterwater.com

**MTC-00024383**

From: wendy@spsi-az.com@inetgw

To: Microsoft ATR

Date: 1/25/02 11:28am

Subject: Microsoft Settlement Ms. Renata B.

Hesse, Antitrust Division 601 D Street  
NW, Suite 1200 Washington, DC 20530-  
0001 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Wendy Carney  
6903 W. Oraibi Drive  
Glendale, AZ 85308-5537

**MTC-00024384**

From: VANTUYL—JAMIE—

NONLILLY@LILLY.COM@inetgw

To: Microsoft ATR

Date: 1/25/02 11:33am

Subject: I do not agree with the pending

Microsoft decision the courts are ready

I do not agree with the pending Microsoft decision the courts are ready to pass down!

**MTC-00024385**

From: John Tebbutt

To: Microsoft ATR

Date: 1/25/02 11:33am

Subject: Microsoft Settlement To Whom It  
May Concern,

I write to register my opposition to the Revised Proposed Final Judgement in the case United States v. Microsoft. In particular, I write in support of Mr. Dan Kegel's "Open Letter to the DoJ, Re: Microsoft Settlement" (<http://www.kegel.com/remedy/letter.html>), and to confirm that I am a signatory to Mr. Kegel's letter. In my opinion, Mr. Kegel states the case against the Proposed Final

Judgement both elegantly and comprehensively, and there is little that I can add in terms of specific information.

The findings of fact in this case demonstrate that Microsoft has done everything in its power to stifle competition, not by building superior products, but through restrictive business practices and by using its sheer economic might in the industry to buy out or litigate away competition.

I am a computer scientist by profession, and have been since 1984. In my opinion, the single most important factor in the dramatic growth of the market for information technology has been the commoditization of personal computer hardware. Intense competition between PC component suppliers has driven down the cost of the electronic components required to build a PC dramatically over the last decade, while at the same time spurring enormous improvements in the quality and functionality of those components. The result is that many homes can now afford computer systems of such power that they would have been unthinkable outside of a corporate budget only a decade ago. Contrast this with the situation in software, and particularly operating systems, for these same machines. Microsoft cornered the lion's share of the PC market at an early stage, through luck more than judgement, and by placing their emphasis on the the profit to be made by the premature shipping of products at the expense of product quality control (which is to say at the expense of the consumer).

Thus, Microsoft has grown as a company by reliance on the innocence of the consumer and the colossal increases in the capabilities of PC hardware. And it continues to do so. Microsoft does not innovate, and never has. While there have been huge advances in computer science over the last decade, Microsoft's products have grown steadily slower, more "bloated", less reliable and less secure. Moreover, as the facts in this case show, Microsoft acts to stifle innovation where such innovation might threaten its monopoly.

In the United States we now have an IT infrastructure, a large part of which is constantly being compromised by viruses, worms, trojans, and other forms of attack. This represents a huge vulnerability to cyberterrorism, and is a direct result of Microsoft's casual attitude towards product quality, and particularly towards security issues. This, in turn, comes as a result of Microsoft's monopoly in the PC operating system market. There has never been an incentive for them to improve their product quality because there has never been anybody with a reasonable shot at competing with them.

The Proposed Final Judgement does little or nothing to curb Microsoft's monopoly (as Mr. Kegel's letter amply demonstrates), and thus in effect maintains the threat to homeland security that this monopoly has fostered. In times when our nation is under threat, this settlement is doubly unacceptable.

As a citizen and a taxpayer, I am shocked, saddened and furious that the federal government should take so much time and

spend so many taxpayer dollars on this case, only to effectively admit that somehow it was wrong to bring the case in the first place.

Sincerely,  
John Tebbutt  
10840 Gambrill Park Road  
Frederick, MD 21702-1618  
dettifoss@yahoo.com Linux: in a world  
without fences, who needs Gates?

**MTC-00024386**

From: Mendez, Wilson  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 11:35am  
Subject: Microsoft Settlement

I think the proposed settlement is a bad idea.

Wilson Mendez, Jr.

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**MTC-00024387**

From: michael lauer  
To: Microsoft ATR  
Date: 1/25/02 11:36am

Subject: Two Supporters for Microsoft Settlement PLEASE! Please print attached since we live in very rural North Carolina and do NOT have a fax.

Thanks!  
The Lauer

**MTC-00024387-0001**

Michael & Linda Lauer 4866 Moore Street  
Sherrills Ford, NC 28673  
January 25, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft:

The purpose of this letter is to express our strong support of the settlement reached last November between the Justice Department and Microsoft. The settlement is long overdue. The case has lasted three years, thus far. Too much money and energy has already been expended over this issue. The Justice Department should enact the settlement at its earliest ability. In addition, the terms of this settlement are altogether fair. Microsoft has made many concessions to resolve this thing. Among the most important of these is Microsoft's agreement to the formation of a technical review board. The purpose of this board will be to ensure that Microsoft enacts the terms of the agreement. The board is composed only of members external to the Microsoft system to assure objectivity.

Microsoft agrees to this to show its dedication to the settlement. I would hope that the Justice Department would agree with these sentiments and enact the settlement with haste.

Sincerely,  
Michael Lauer  
Linda Lauer

**MTC-00024387-0002**

**MTC-00024388**

From: Lee C "Bud" Smith  
To: Microsoft ATR  
Date: 1/25/02 11:27am  
Subject: Microsoft Settlement

Please do not let Microsoft get away with unfair business practices. I want to have a choice as to whom I do business. If you let them off that choice goes away for everyone.

Thank you  
Lee C Smith  
130 Meadowview Cir  
Tyronne, Ga 30290  
770-487-6043

**MTC-00024389**

From: Jim W Myers  
To: Microsoft ATR  
Date: 1/25/02 11:36am  
Subject: Microsoft Antitrust Settlement CC:  
fin@mobilizationoffice.com@inetgw

**MTC-00024389-0001 January 24, 2002  
com:office:office"**

To: Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
From: Jim W Myers  
40835 244th Ave  
S E Enumclaw, WA 98022

Dear Mr. Ashcroft:

I strongly recommend that the Court approve the Microsoft antitrust settlement agreement. The uncertainty of this situation continues to damage the economic condition of our country far more than any actions taken by Microsoft. As a business person, I am all too familiar with the dog eat dog climate in the business world. All Microsoft did was play the game too well and the other teams got mad and jealous.

The restrictions that will be placed on Microsoft pursuant to the settlement agreement will allow the competition an extra edge, but they will still have to learn to play the business game as well as Microsoft. Microsoft has agreed not to retaliate against computer makers who promote non-Windows software. They have also agreed to make it easier for consumers to replace features of Windows with non-Microsoft software. Additionally, a technical review committee will monitor Microsoft's business practices to ensure no further antitrust violations occur. No settlement can make Microsoft competitors stronger competition; they have to do it themselves. This settlement is good for the country but still unfair to Microsoft. Microsoft has approved it and so should the country! This case has dragged on for long enough. I am anxious to see the settlement agreement finalized and the case brought to an end.

Thank you,  
Sincerely,

Jim W Myers  
Thank you,  
Jim W. Myers  
myersjw@hotmail.com

**MTC-00024390**

From: Raymond Thompson  
To: Microsoft ATR  
Date: 1/25/02 11:32am  
Subject: Stop Microsoft Now!

I have been employed in the tech industry for 20 years. It has become increasingly alarming to watch a Microsoft become more and more powerful based on illegal behaviors. Many freedoms that we cherish as Americans will eventually be threatened if they are allowed to continue to MOCK the LAW.

Please pursue their misdeeds to the full extent of the law.

Raymond Edward Thompson  
787 S 1680 E  
Pleasant Grove, UT  
84062  
801-796-9467

**MTC-00024391**

From: todd ferguson  
To: Microsoft ATR  
Date: 1/25/02 11:34am  
Subject: Microsoft Settlement Dear Sir or  
Madam:

I feel that the settlement proposed in the Microsoft case will not be effective in curbing the anti-competitive practices of the company, and that the real issues of Microsoft's anti-competitive practices have yet to be addressed. The three chief concerns I have with Microsoft's business practices are as follows:

1) They have forced competing operating system (OS) makers out of business, and kept other operating systems to an extremely marginal market share through the illegal leveraging of their monopoly power in the software field to influence the decisions of manufacturers of computer hardware.

2) They have kept file formats (especially for the "Office" programs closed and proprietary, to the detriment of the consumer and to those companies that would want to compete with them on that front. 3) Their application programming interface (API) for Windows remains largely unpublished, making it more difficult to compete against them. I am a user of the Be operating system, produced by Be, Inc. This OS could never gain enough market penetration to become profitable because of Microsoft's restrictions upon, and threats against computer manufacturers. In one publicly known incident, the company Hitachi was ready to ship computers that would boot into either Microsoft Windows or the BeOS. When Microsoft heard about this, they threatened Hitachi by saying they would no longer license Windows to them to sell on their computer systems. Faced with this threat, Hitachi chose to disable the BeOS on those computer systems on which it had already been installed, and quit installing it on any others. Because people are far more likely to adopt an OS when it is pre-installed on their computer, and not very likely at all to go out and purchase an unheard of OS, the BeOS was dead in the water, so to speak, if it

couldn't come pre-installed on pre-manufactured computer systems.

My second grievance I think becomes clearer when we look some other areas of computer technology. There are numerous choices in the fields of computer graphics design, viewing, and editing, computer audio design, recording, playback, and editing, and computer video design, playback, and editing. These are also all markets where Microsoft has failed to gain the substantial market share that it has in other computer markets (e.g. OS's and Office software). I think the most important reason is that open file formats (e.g. jpeg, mpeg, .wav, etc.) became the standard in these areas of media production, before the closed file formats of Microsoft had a chance to take hold. In the area of Office suites, however, Microsoft was able to get an appreciable market share early on, and the world now has, literally, billions of documents, spreadsheets, etc. in MS Office format.

People will not try out another Office suite, because none of them will open up these files correctly, because Microsoft has not disseminated the necessary information about these file formats.

Third is the API. The only people that have full access to the Microsoft API is Microsoft. How can another company expect to publish competing software on the Windows platform, if they do not have access to all the tools necessary for writing software for that platform. Many companies have to write their own API's for Windows, because they cannot get the needed information from Microsoft. This is yet another clear abuse of Microsoft's monopoly.

The current settlement addresses these issues little, if at all. I would please ask you to reconsider the proverbial slap to the wrists that you are about to give Microsoft, and come up with a solution that will actually bring about change, and return fair play and competition to the computing industry. Any settlement needs to prevent Microsoft from bullying computer manufacturers, needs to force them to open their file formats, and needs to force them to publish their API's. Anything less than that, I feel, will be to little to do any good.

Thank you for taking the time to read this,  
Todd Ferguson  
William A. Blakley Library  
University of Dallas  
972-721-5329

#### MTC-00024392

From: ctryon@eng.mc.xerox.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:37am  
Subject: Proposed Microsoft Antitrust Settlement  
Sirs:

I wanted to add my comments regarding the proposed settlement in the antitrust case of the US vs. Microsoft.

I want to say that I am horrified at the current proposed settlement!

In my view, the proposed "solution" not only lacks any real remedy for the past illegal actions of Microsoft, or protection for the host of other corporations that they have already raped, but rather enshrines Microsoft's monopolistic Empire! In particular, it does nothing to curb the

exclusive relationships which Microsoft can now force on manufacturers and distributors of computers and other electronic products. In addition, the proposed settlement has no clear method of enforcement, so that whatever remedies might eventually be implemented, Microsoft will have a huge number of loopholes and intimidation tactics to work their way around them.

Given the government's and the court's current hesitancy to break up Microsoft into separate, competing corporations, the ONLY suitable behavioral remedy must involve the opening of all of Microsoft's secret API's, file formats (e.g., MS Word) and network protocols. While this would in no way diminish Microsoft's ability to compete on the basis of the quality and price of their products (the very HEART of our Free Enterprise economy), it would prevent them from creating an environment where it is impossible for other companies to get the slightest toe-hold in the market.

Please, do NOT let Microsoft off the hook for their long string of illegal activities with nothing more than a chuckle and a slap on the back. The future of the US Free Economy depends on a free and open market, run on the principle of Law, and not manipulated by tyrannical corporations acting with the implicit blessing of the US Government!

Thank you for your time!

Charles Tryon  
ctryon@ciber.com

ctryon@eng.mc.xerox.com

"Never laugh at live dragons, Bilbo you fool!"

—Bilbo, after a scorching from Smaug...

#### MTC-00024393

From: rswagner@prodigy.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:37am  
Subject: Microsoft Settlement Ms. Renata B. Hesse, Antitrust Division 601 D Street NW, Suite 1200 Washington, DC 20530-0001 Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Robert Wagner  
2723-A South Walter Reed Drive  
Arlington, VA 22206

#### MTC-00024394

From: Nathaniel Chan  
To: Microsoft ATR  
Date: 1/25/02 11:44am  
Subject: Microsoft Settlement

I'm sorry, but the Subject shouldn't read "Settlement". It should state reality: sell-out,

capitulation, or a weak-willed attempt at enforcing well-intentioned but easily-usurped-by-lobbyist\$\$ laws. You get the idea I hope.

It is sad enough that as soon as "I got a gentleman's C" Bush became President, the environmental laws were re-written by Texas Oil. Now, you are perverting the surprisingly noble work by Slick Willy Clinton at forcing the modern day equivalent of Standard Oil (close enough I hope) to actually play competitively. How many companies must fold before your jello spines stiffen?

Forget future dreams of a political appointment to a tropical island as an ambassador. Why not take a stand and fight for the people who suffer from MS? daily business practices? Not just rival software companies who either see their organizations bought out or even worse, their products copied almost verbatim without a single cent in licensing fees. How about the average consumer who has to spend countless hours keeping up with the almost daily patches to fix garbage software?

This is what complacency and more importantly, a dominant market position where you have crushed your "competition" by any means necessary, will result in. A company that no longer gives a damn about quality or the impact of its shockingly low level of ethics on consumers.

#### MTC-00024395

From: Bill Brooks  
To: Microsoft ATR  
Date: 1/25/02 11:28am  
Subject: Microsoft Settlement

I am opposed to the current Microsoft settlement as I believe that the settlement does NOT go far enough considering the damage that has occurred, the damage that is occurring, and the damage the will continue to occur because of the actions of Microsoft in the area of software products. I would also be opposed to any settlement that would have Microsoft providing Microsoft software products to Education as it is a self-serving action in that if Microsoft gives their software to Education, then the students would learn Microsoft software products, and as all of us know—we tend to lean towards using products that we currently know. Giving Microsoft software to Education is a MARKETING PLOY by Microsoft—not a valid settlement option.

The two products that have helped form my opinion are:

\* Microsoft Word vs. WordPerfect (word processors)—I have both products at home and feel that WordPerfect is more user friendly, a feeling that is shared with some others that have used both word processors. But many people use Word because it "came with their computer" and "did not cost them anything".

\* Another product is the web browsers IE and Netscape. For many years Netscape was far better, but as Microsoft gave IE with the operating system users started using it as it "came with the computer" and "did not cost them anything". IE is now better than Netscape—I believe because the cost of IE was included in the cost of the operating system whereas Netscape had to match the price of IE (this means give it away free). A

problem is that IE only works on Microsoft's operating system and the Apple operating system—what about the other operating systems? As a consumer I feel that I would be better served by splitting the Microsoft operating systems away from other Microsoft software products (word processors, web browsers, spread sheets, databases, etc). By this I mean to say—BREAK UP THE MICROSOFT MONOLOGY and give me the choice of what I want to buy.

Thanks  
Bill Brooks  
Consumer and Software Engineer  
bbbrooks@sisna.com  
bbrooks@clearstonecorp.com  
CC:bbbrooks@sisna.com@inetgw

**MTC-00024396**

From: Larry  
To: Microsoft ATR  
Date: 1/25/02 11:43am  
Subject: Microsoft Settlement

The settlement with Microsoft is not nearly adequate. They are being allowed to continue with their monopolistic practices. At the VERY least they should be required to separate their browser from the operating system. While I don't necessarily agree with a breakup of the company, I do feel that the current administration has decided to be way too easy. The separating of operating system from user programs is a minimum they should be required to do. Please stand up against MS and their anti-competitive behavior.

L. M. Basart  
Chicago, IL.  
lbasart@attbi.com

**MTC-00024397**

From: Bob Currie  
To: Microsoft ATR  
Date: 1/25/02 11:45am  
Subject: Microsoft Settlement Dear Judge Kollar-Kotally,

I spend 4–6 hours a day on my computer, using it for Sales Support to sell commercial printing.

I am appalled that our legal system allows one company to monopolize an industry and squelch competition.

In my business I expect to win sometimes and lose sometimes. A fair & free market is what makes our society valuable and desirable to work in.

Please do the right thing & hold Microsoft accountable for their actions, and protect our work environment for the rest of us.

Thank you,  
Bob Currie  
Color Copy Printing  
Sales Representative  
1649 Adrian Rd.  
Burlingame, CA 94010  
Ph: 650-259-0823

**MTC-00024398**

From: BILLINGSLEY BRENDAN W  
To: Microsoft ATR  
Date: 1/25/02 11:45am  
Subject: Microsoft Settlement

The proposed microsoft settlement is bad. It should not be allowed.

Brendan Billingsley

**MTC-00024399**

From: Jeanette Matte  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 11:42am  
Subject: Microsoft Settlement  
Settlement is a bad idea!

**MTC-00024400**

From: Frank Fountain  
To: Microsoft ATR  
Date: 1/25/02 11:46am  
Subject: Microsoft Case Gentlemen:

I strongly urge the Department of Justice to finally and completely settle the Microsoft case on the basis of most recent joint agreement between you and Microsoft.

While it is true that Microsoft is a very aggressive competitor, it is also true that the general public has greatly benefited from the Windows (Microsoft) standardization of computer's operating system. It is NOT true that Microsoft suppresses and dominates all competitors. Adobe, Intuit, IBM, and others all produce and successfully market products competitive with those of Microsoft.

The law should encourage the innovation and development superior products. Not the recourse to legal action when products are not competitive.

Yours truly,  
Frank S. Fountain  
2 Park La. Delaire  
Wilmington DE, 19809-2012

**MTC-00024401**

From: Kine, Peter J  
To: "microsoft.atr(a)usdoj.gov"  
Date: 1/25/02 11:47am  
Subject: Tunney Act review & MS Settlement  
I believe that the settlement that was reached between the DoJ and Microsoft is a productive way to return value to consumers. Please put an end to these legal proceedings that are sucking up consumer/taxpayer money. PLEASE PUT AN END TO THIS CASE.

Microsoft (MS) understands that it can't afford to eliminate its competition and it continuously works with its competitors to ensure this. As a result of the legal actions of late, the competition has gained some advantages—is that fair? Some competitors to MS have resorted to a legal war rather than focusing on becoming more competitive on a product and service level. Consumers have many choices when it comes to IT products and there is nothing stopping them from purchasing those products. It seem that consumers like the MS product and that is why they buy it. If they didn't like it, they can go purchase something else.

The competitive landscape is very different now than when the action started years ago. Lets move on.

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expressed in the governing KPMG client engagement letter.

**MTC-00024402**

From: Zane Horton  
To: Microsoft ATR  
Date: 1/25/02 11:47am  
Subject: Microsoft Settlement  
I think the proposed settlement with Microsoft is a bad idea.  
Zane Horton

**MTC-00024403**

From: Adam Bauer  
To: Microsoft ATR  
Date: 1/25/02 11:48am  
Subject: Microsoft Settlement Your Honorable Kollar-Kotally,

I wish to register my disappointed with the proposed final judgment between the U.S. Department of Justice and Microsoft.

Currently, I'm a CEO/Co-founder for start-up firm in Silicon Valley. Though my firm does not compete directly with Microsoft, I experienced first hand the company's anti-competitive practices.

In the mid-1990, I worked for Borland International, a chief competitor to Microsoft in office software and programming tools products. During that time, I witnessed the price collapsed in the software market. Products that once sold for \$400 per individual license now cost less than \$100. Bundling became the rage, pushing average selling prices even lower.

Many at Borland believed Microsoft's revenue from operating systems unfairly subsidized their office software. Microsoft possessed no cost advantage yet was able to offer their products at dramatically lower prices. Ultimately, Microsoft won the office software market with this approach. Companies such as Borland could not economically produce comparable products (access to DLLs also hampered development). Ultimately, I watched the demise of our office software business unit.

I witnessed this same situation again while at Claris Software, a subsidiary of Apple Computer. Microsoft sold products that we directly competed against as lower price points. Their practices took away Claris' market share leadership in the large education sector.

Thirdly, I recalled interviewing for Microsoft in 1997 for the Visual Studio product line, which are programming tools. During the my interview, a senior person in the Visual Studio group shared Microsoft's objective for this product was not profit but rather market share. In short, more developers using Microsoft programming tools protect their operating system market share position. A dominate tools position helps with other software tools as well.

In short, I believe this agreement does not go far enough to restore competitiveness in large segments of the PC software market. Moreover, future markets, including not just software but on-line services as well. As a citizen who's passionate about the internet ability to further positive societal changes that beget prosperity, I'm deeply concern that a single company might hamper competitiveness hence innovation and growth in on-line services. Services offered

over the Internet will fundamentally change how we live and work. In the coming decade, massive consumer and business spending will shift from off-line to on-line. It's inevitable given the law of transaction economics that given our free-market, capitalistic economic system. So you think Microsoft a problem now, just you wait. What should be done? Breaking the company into three. Albeit, I personally dislike pulling apart such a glorious American success story. Mr. Bill Gate and et al were simply pursuing an end state our economic system encourages, which ironically is monopoly. However, when a firm reaches this end-state, we marvel and acknowledge them at their accomplishment, and then do what's right: break the company apart. Natural breakpoints for the company come from the current marketplace structure. Operating System, Business/Consumer Software, On-line Services. This breakup will foster competition in critical marketplaces, the benefits to which you're no doubt aware. I know you have a tough choice to make. And you heard many complex, compelling arguments. But the laws of economics in our system are surprising quite straightforward.

I hope you find my opinion helpful. If I can be of service to your court, don't hesitate to contact me.

Best regards,  
Adam Bauer  
CEO / Co-founder  
eSanti Corporation  
abauer@esantecorp.com

#### MTC-00024404

From: Barbara O'Connor  
To: Microsoft ATR  
Date: 1/25/02 11:48am  
Subject: Microsoft Settlement  
Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001  
Ms Hesse:

I am writing to express my concern over the current proposed settlement with Microsoft. I am prompted by my interest in technology policy in general and, more specifically, as an educator concerned with the impact of technology in the lives of our students.

I have been a professor of communications for over 25 years with much of that time spent focusing on the role of media and technology in society and its impact on citizens, institutions, and the democratic process. I also served for eight years, by appointment of the Governor, the California Legislature, and the Superintendent of Public Instruction, as chair of the California Educational Technology Committee. The committee has an annual budget of over \$16 million and is charged with infusing technology in California's K-12 schools. I also served as the founding chair of the Alliance for Public Technology, a national non-profit organization devoted to fostering full and equitable access to advanced information technologies and services.

My experience leads me to believe that without significant changes, the Microsoft

settlement simply will not be in the public interest. The recommendations of the nine dissenting Attorneys General, however, if implemented, could bring us much closer to true competition. They would require Microsoft to:

? Produce a basic version of Windows that gives computer makers and consumers the ability to pick and choose components;

? Share its code for Internet Explorer with competing developers;

? Auction the right to create versions of the Microsoft Office suite of software for other operating systems; and

? Include Sun Microsystems' version of Java in Windows XP—allowing competing software developers to provide expanded interoperability of products and consumer options.

Furthermore, I agree with the Attorneys General that the proposed enforcement mechanism lacks any real "teeth," and support the appointment of a "master" to enforce the judgment, as well as a meaningful penalty system. Right now, the only penalty would be to extend the monitoring period. Instead, I support the recommendation of the Attorneys General. If Microsoft is found to be acting in an anti-competitive manner, it should be forced to make the source code for Windows available to competitors.

I urge you to consider my views and make the amendments suggested above. Only then can you preserve the greatest possible innovation and choice in the technology marketplace for all Americans.

Dr. Barbara O'Connor  
Professor of Communications

#### MTC-00024405

From: cindymay4@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:45am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Cindy May  
PO Box 110  
Cortland, IL 60112-0110

#### MTC-00024406

From: BURNELL Jeff  
To: Microsoft ATR  
Date: 1/25/02 11:49am  
Subject: Proposed microsoft settlement

I am Jeff Burnell, US Citizen. I have bought two Microsoft Operating Systems for home use. I am also a computer programmer and work with Microsoft products on a daily basis.

Regarding the proposed settlement between Microsoft Corp. and the US Dept of Justice and the nine states signing on to the settlement:

I AM AGAINST THE PROPOSED SETTLEMENT BETWEEN MICROSOFT CORP AND THE US DEPT OF JUSTICE AND THE NINE STATES WHICH HAVE AGREED TO THE SETTLEMENT

It is my opinion that the settlement does not discourage Microsoft from continuing to take advantage of its Operating System monopoly to artificially raise the prices and stifle competition in the markets it enters. This harms consumers and the economy in general.

My work experience has shown me that the one of the biggest challenges organizations face is the management of data. If Microsoft had not stifled and driven out of business many other companies on its path to power, consumers and the economy would be much better off than they are today.

I am concerned that if this settlement goes forward, Microsoft will see this as free reign to continue stifling competition and raising prices.

- Jeff Burnell  
Oregon State Police Application  
Development  
503-378-3720 x 4814  
jeff.burnell@state.or.us

#### MTC-00024407

From: Hibdon  
To: Microsoft ATR  
Date: 1/25/02 11:49am  
Subject: Microsoft Settlement  
I think the proposed settlement is bad idea.  
Thank you,  
Terry Hibdon  
5689 Barcroft Dr  
Grandville,  
MI 49418

#### MTC-00024408

From: Craig Campbell  
To: Microsoft ATR  
Date: 1/25/02 11:50am  
Subject: Microsoft Settlement  
I would like to comment on the proposed Microsoft settlement. I believe that there are a number of problems with the current proposal. These are described in great detail in an open letter from Dan Kegel and others including myself. Please carefully consider these arguments in your judgement.

Thank you.  
Craig Campbell  
Everett, WA

#### MTC-00024409

From: Page Laughlin  
To: Microsoft ATR  
Date: 1/25/02 11:50am  
Subject: Dear Sir: My husband and I hope you will read the attached letter. I feel very strongly about this a  
Dear Sir: My husband and I hope you will read the attached letter. I feel very strongly about this and trust you will give it consideration.

Sincerely, Dr. and Mrs. Henry P. Laughlin

**MTC-00024409 0001**

3200 Baker Circle Unit [03S  
Adamstown, MD 21710-9656  
January 227 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft settlement that was reached in November. I support this settlement and urge you to do so as well. This settlement is fair and was reached after extensive negotiations. Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software that competes with programs included within Windows. Microsoft has also agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. This settlement contains many more provisions similar to these, which will benefit competing companies. This settlement will serve in the best public interest. Again, I urge you to support this so Microsoft can get back to the business of creating innovative software. Thank you for your time.

Sincerely,  
Page Laughlin

**MTC-00024410**

From: polk60@home.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:47am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user.

This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Carl A. Polk  
1548 Max Avenue  
Chula Vista, CA 91911-5419

**MTC-00024411**

From: Patrick J. LoPresti  
To: Microsoft ATR  
Date: 1/25/02 11:51am  
Subject: Microsoft Settlement

I oppose the PFJ in the Microsoft case. The PFJ will accomplish nothing.

Please reconsider breaking the company into two or three pieces. That would be the

single best thing the DoJ could do for consumers and the computing industry as a whole.

Thank you.  
Patrick LoPresti  
Cambridge, MA

**MTC-00024412**

From: devinney@mts.jhu.edu@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:01pm  
Subject: Microsoft Settlement

I am opposed to this settlement. Microsoft clearly has a monopoly on the operating systems market. Americans always prefer a choice and the way things are going, they will soon have only one choice, Microsoft. Thank you.

Sincerely,  
Jason DeVinney

—  
Jason DeVinney  
Dept. of Mathematical Sciences  
Johns Hopkins University  
301 B Whitehead Hall

**MTC-00024413**

From: Madoli@ao1.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:51 am  
Subject: Re: Microsoft antitrust suit

Attached please find my letter relating to this matter which I feel very strongly about!

**MTC-00024413 0001**

Isabel N. Blackburn  
88 Elm Street  
Cohasset, MA 02025  
January 23, 2002  
Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Dear Mr. Ashcroft:

I am in favor of the settlement agreement in the Microsoft antitrust case. It is clearly in the best interest of consumers that this case be resolved.

In my view, the terms of the settlement agreement are fair. In fact, the concessions Microsoft has made go well beyond the complaints initially made against Microsoft. Microsoft has agreed to take steps to prevent any further allegations of predatory business practices. They have agreed not to retaliate against computer manufacturers who promote software that competes with Windows. They have also agreed to license Windows to the main computer makers at a uniform price.

There is no reason to continue litigating the case, especially since Microsoft's compliance with the settlement agreement will be monitored by a review committee. In such difficult economic times, the focus should be on encouraging thriving businesses not trying to weaken them. I also ask you to consider this: smaller companies and others like to attack Microsoft because of their huge success and power, in much the same that the United States is disliked and attacked by many countries, (especially those that actively promote terrorism)

**MTC-60024413-0002**

because it is such a successful and powerful nation. Why is success being punished?

Other companies should expend more of their energies on finding new and innovative products instead of piggybacking on the success of Microsoft.

I am hopeful the Court approves the settlement agreement in its present form and this suit comes to a conclusion as soon as possible.

Sincerely,  
Isabel Blackburn  
cc: Representative William Delahunt

**MTC-00024413-0003**

**MTC-00024414**

From: smithjo@mediaone.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:51am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough. Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Joseph Smith  
15 Woburn Abbey Dr.  
Bedford, NH 03110

**MTC-00024415**

From: Charles J. Lingo  
To: Microsoft ATR  
Date: 1/25/02 11:53am  
Subject: Comment on DOJ vs. Microsoft

Charles J. Lingo  
9240 Dabney Dr.  
Denham Springs, LA 70726-2265  
E-mail: clingo@i-55.com

Date: Jan. 25, 2002  
To: Judge Colleen Kollar-Kotelly,  
U. S. District Court.

Washington, DC 202  
RE: Comments about the proposed settlement between DOJ and Microsoft

Your Honor:

It is my opinion, and I hope yours as well, that the playing field in the computer software industry must be returned to level. The slope came into existence when Microsoft was allowed to keep the anti-competitive licensing fees agreements for MS-DOS based upon number of CPUs sold rather than upon the number of installed operating systems. That license agreement placed the Microsoft license fee upon top of the license fee of any other operating system

effectively impeding the sale of competing operating systems by forcing the payment of a second license fee in order to choose any other system.

I believe that now the only way to effectively level the playing field is to absolutely prohibit the installation of operating systems and application software by the computer manufacturer. The sale of the computer hardware and software including operating systems must be maintained separate until the sale to the end user. Neither the price of the computer nor that of the software may be reduced if they are purchased together. Simply prohibiting the "exclusive contracts" that Microsoft has used in the past will not level the field as the hardware will remain closed to others when it is shipped with software already installed. The lack of an "exclusive contract" will be meaningless. Hardware manufacturers may be allowed to offer an operating system with the hardware, provided that they offer at least three choices and that they comply fully with the price separation described above.

Microsoft, and other software companies must be prohibited from supplying software that invades the hard drive and modifies existing software without first advising the installer of exactly what will be done. Modification of existing software without warning to and approval from the installing party MUST be treated as distribution of a virus. I mention this because I have personally had Microsoft software that I installed modify non-Microsoft software that was already installed on the computer onto which the Microsoft software was being installed. Windows 3.1 installation replaced both the memory manager and the disk cache in the Digital Research 6.0 operating system when it was installed. No warning that this action would be performed was given. No warning that this was about to be done was given. No approval was sought. Windows 95 OSR2 installation onto a hard drive, which already had Novell DOS 7.0 and IBM OS/2 Warp 3 installed and controlled by the IBM Boot Manager, invaded the Boot Manager and changed the settings to remove choice and allow only Windows 95 to be booted. Again, no warning was given nor approval sought. This invasion and modification without warning is the action of a virus. It should be treated as such. Any software which deliberately interferes with the operation of other software should be considered a virus. The obvious exception is anti virus software which is intended to prevent the virus from functioning. I realize that the scope of this trial most likely does not give to you the authority to define a computer virus. I believe that in the penalty assignment phase however, that you can specifically prohibit the virus like activity.

Please, in your decision in this case do four things.

1.) Prohibit the preloading or bundling of Microsoft software products with any hardware products prior to retail sale. The purchaser must perform the installation himself or pay separately to have the installation performed.

2.) Prohibit any modification of existing software without complete disclosure and acceptance by the installing party.

3.) Do not allow an exclusion of liability for merchantability, fitness for a particular purpose, or infringement, with respect to the product. The manufacturer, or supplier of any product must be held liable for the performance of the product in the manner in which it is intended to be used, and must be liable for any infringement upon the rights of others. It is unconscionable to hold the buyer liable for checking for copyright and patent infringement by the seller. This is especially true when the seller is a large corporation and the buyer is an individual person.

4.) Require that Microsoft "de-integrate" any "productivity item" from the operating system if any other software supplier offers substantially the same thing as a stand alone application. (Allow the item to be "bundled", that is, shipped with but not "integrated", that is, part of the operating system. "Bundling" is fair competition. "Integration" is restraint of trade.

Sincerely yours,  
Charles J. Lingo

**MTC-00024416**

From: Jim Wiedman  
To: Microsoft ATR  
Date: 1/25/02 11:53am  
Subject: Tunney Act Comments

Tunney Act Comments by Jim Wiedman

I am a Computer System Administrator with experience maintaining Operating Systems from numerous vendors including Microsoft. Over the past seven years I have grown increasingly frustrated by the severe limitations in Operating System choice. I have frequently had to pick an Operating System, not because it was the best for the job, but because it was the only OS that would work with the required software. Because of Microsofts monopoly, this situation has grown increasingly worse. For this reason, I felt compelled to comment when I realized how poorly the agreement between the United States, nine of the plaintiff states and Microsoft (henceforth, the Agreement) will protect consumers.

The Agreement between Microsoft and some of the plaintiffs is surprising in that it is dramatically less comprehensive than the earlier decision in the District Court and the unanimous decision by the Circuit Court would warrant. More importantly, this agreement, rather than preventing Microsoft's abuse of its monopoly, actually protects Microsoft as it extends its monopoly into new areas.

According to the government's "Competitive Impact Statement", page 24, because Microsoft put up a barrier to competition in the form of blocking competing Middleware, the remedy must be to prevent Microsoft from blocking future Middleware. This does not follow. The Agreement is the anti-trust version of closing the barn door after the horse has been stolen. Since overcoming its challenges from Netscape and Java, Microsoft is structuring Windows in such a way as to be immune from future competitive Middleware products. Nothing in this agreement deprives Microsoft from the benefits received from their abuse of monopoly, and very little in this agreement will restore competition to the industry.

There are numerous loopholes in this agreement. Section III.H (page 6) allow Microsoft to invoke its own Middleware in any instance when the Middleware "would be invoked solely for use in interoperating with a server maintained by Microsoft ..."? Through its .Net strategy, Microsoft is already moving toward a model where each end user system will do more and more work with Microsoft servers. This restriction is already well on its way to obsolescence. Despite government assurances to the contrary, the plain language of the agreement allows Microsoft to restrict "portions of the APIs or Documentation or portions or layers of Communications Protocols" that deal with security. Section III.J.1. While at first this restriction seems reasonable, this exception swallows the rule. Recently, Microsoft Chairman Bill Gates has announced that every aspect of Microsoft programming will put security first and foremost. While this emphasis at Microsoft is long past due, it also gives them ample opportunity to exclude programs from interacting with Windows.

Requiring Microsoft to "[a]llow end users ... and OEMs ... to enable or remove access to each Microsoft Middleware Product ..." is inadequate. Section III.H1., page 5 (emphasis added). This neglects two things: 1) removing access leaves the bulk of the unused program taking up space on a user's hard drive, thus ensuring that end users who chose a competing product may require twice as much disk space (Microsoft's product, plus the competitor's product) as they would if they stuck with Microsoft's product, and 2) even after an end user or OEM has chosen to remove access to a Microsoft product, Microsoft can restore access to that product in seconds, while end users may be required to take hours downloading a competitor's product. This requirement is practically meaningless. Further, the Agreement is vague. Phrases like "complies with reasonable technical specifications" invite varied interpretation and abuse. Agreement page 3.

**Weak Enforcement Mechanisms**

The Agreement includes too many sections that leave enforcement up to Microsoft itself. Microsoft can exclude anyone from access to APIs that it deems has no "reasonable business need for the API?". Language from the Agreement includes "established by Microsoft for certifying the authenticity and viability of its business," or "approved by Microsoft". Section III.J.2 page 7. Microsoft has too much control over its own anti-trust enforcement, something they have proven incapable of doing in the past. By using MSDN to give access to those who wish to work with APIs, Microsoft can restrict vendors from sharing products created using Microsoft APIs. This would require each separate vendor to create independent tools, and discourage standardization. This reinforces Microsoft's control over the industry. Further, access to MSDN is expensive and nothing in the Agreement controls the price of this access. Using MSDN and a vehicle for API access gives Microsoft an immense amount of control.

The primary weakness is the committee that the Agreement proposes to monitor the agreement. Section IV.B establishes a



?Technical Committee? (TC) to oversee compliance with the Agreement. It is problematic that a group of three technical people will be responsible for ensuring the enforcement of a complex and vague agreement, but this is not the most pressing problem with this section.

The Agreement gives Microsoft an incredible amount of influence over the Technical Committee. First, Microsoft gets to directly chose one-third of the Committee. Secondly, Microsoft's choice for the committee gets to help choose another committee member. Thirdly, after the TC has been at work for thirty months, these two committee members will rely, directly or indirectly, on Microsoft's approval. If these committee members have acted in a way that displeases Microsoft, they can be certain of finding themselves unemployed at the end of their first term. Finally, by establishing the committee's main office on the Microsoft campus, Microsoft has an immense direct opportunity to influence the committee. Further, Section IV.B.5. Allows removal from the committee only on the U.S. governments initiative, not that of other plaintiffs in the case. Section IV.B.8 does not explain what vote of the TC would be required to report violations or settle disputes. Must these be unanimous votes? Can any member initiate such action? This is too vague and leaves too much open for abuse.

Agreement excludes the only serious competition to Microsoft Evidence is mounting that OpenSource software allows for the only viable competition to Microsoft, yet Section III.J.2 excludes OpenSource projects and government agencies from access to network protocols and APIs. According to the definitions section, ?ISV?, Section VII, means ?an entity other than Microsoft that is engaged in the development or marketing of software products.? (Emphasis added). While this definition should include private OpenSource developers, the ?V? in ?ISV? suggests ?Vendor?, and other sections of the Agreement state that Microsoft can require these entities to be ?businesses?. This certainly was written to exclude OpenSource projects. Thus, the Agreement allows for the exclusion of a vast number of private programmers who work on independent projects. These projects including SAMBA, Apache, Openssh, Linux and a plethora of others are the primary forces competing with Microsoft. Microsoft competitors such as IBM, Apple, Hewlett-Packard, RedHat and others have used projects created and maintained by these independent programmers as foundations for their software offerings. Independent programmers provide standards that disparate computer vendors can rely on, which lets these businesses compete on a fair footing, while consumers benefit from products that work together. By excluding these programmers from access to the Windows API, the Agreement hinders the very tool that will allow all computer vendors (Microsoft included) to compete fairly.

This agreement is not in the public interest and should be reworked to resolve the deficiencies outlined above.

James W. Wiedman

9180 #L Hitching Post Lane  
Laurel, Maryland, 20723  
jim@wiedman.com

**MTC-00024417**

From: jsaultz@cityscope.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:49am  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:  
Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Saultz  
7230 Olson Ln  
Pasadena, TX 77505-2612

**MTC-00024418**

From: Sally Campbell  
To: Microsoft ATR  
Date: 1/25/02 11:53am  
Subject: To the Justice Department: When will this end? Why is a contribution to the Justice Department: When will this end? Why is a contribution that exceeds what the government can donate a bad thing? Think of the children who will benefit from this company's contribution to education. Please side with a company that does things so well that their competitors can only compete thru the judicial system. Thank you.  
Sally Campbell

**MTC-00024419**

From: John  
To: Microsoft ATR  
Date: 1/25/02 11:53am  
Subject: Microsoft Settlement  
Hello,  
Just wanted to comment quick on the Microsoft issue. From my understanding, no where in the settlement is Microsoft obligated to release any information about file formats, even though undocumented Microsoft file formats form part of the Applications Barrier to Entry. This alone makes the proposed settlement a bad idea. Microsoft seems to be able to get away with anything they want, and as a software developer myself, I'm tired of it. Here's a typical Microsoft ploy from an article I read (<http://msn.com/2100-11-503840.html?legacy=zdnm>). I quoted part of the article: Question: "Does Microsoft plan to make more of its source code available to customers? You already do that with Windows; do you plan to expand that in any way to the applications?"  
[Answer From Mr. Gates:]

We have some very cool tools now where we don't have to ship you the source. You can debug online, through the Internet. So it means you don't have to get a bunch of CDs. If you really want it for debugging and patching things, we can do that through the Internet. That's a real breakthrough in terms of simple source access. I don't know that anyone has ever asked for the source code for Word. If they did, we would give it to them. But it's not a typical request."

I requested the source code for Word, and after several e-mails with a representative of Microsoft this was the final answer I received:

"Hello John,

Please except my apology for the delay in our response. I have done quite a bit of research to find out what our exact position on our Source Code is and I have come up with quite a bit of information for you.

Due to the article you have listed below, Microsoft actually did open its Source Code to certain companies that partner with Microsoft. I have found that Microsoft's position on Source Code is Shared Source NOT Open Source meaning that we only release the Source Code to Specific companies and not to the general public.

Here are a few Official Microsoft Documents that I found regarding this issue that you are more than welcome to read.

<http://www.microsoft.com/presspass/exec/craig/05-03sharesource.asp>

<http://www.microsoft.com/PressPass/features/2001/may01/05-03csm.asp>

<http://www.microsoft.com/BUSINESS/licensing/sharedsource.asp>

<http://www.microsoft.com/BUSINESS/licensing/sscommitment.asp>

I apologize that I am not able to fulfill your specific request but I hope that I have given you the information explaining why.

Thanks again for your interest in our products,

Calvin  
Microsoft.com Products Web Feedback Team

Microsoft Corporation"

My response to that which never was replied to follows:

"Hi,

I just wanted to thank you for taking time to acknowledge my reply and giving me further information on the issue. I know that like everyone else you're swamped with work. The only issue I have with this is that when the president of the largest software company makes a public statement he should stand behind it. I guess my point is this. If someone at Microsoft makes a statement that if a person asks for something that they'd be more than happy to give it to them that's an important statement; whether it's from a customer service person on the phone, or a technical support person giving some help. But as often happens with companies sometimes people that are new, or are not aware of policies offer things that they really shouldn't be doing. From that perspective it's frustrating to the customer, but at times can be overlooked. However, when the president of a company does the same thing I believe that his statement should hold much more weight. After all, he's running the proverbial ship. If the company won't stand behind

what the president states (in this case Mr. Gates) in a public interview, then I believe that he's misrepresenting his company. If as a small business owner I tell my client that I will give him software I'm developing for free, but then when he asks for it I tell him only certain people may get it he's going to question my ability to come through in the future. As a small business person I can't afford to do that because I would lose a client. If Mr. Gates did this when he first started perhaps he would not have grown his business to what it is today. I believe just because Microsoft is such a large company that they take advantage of this and their customers. I believe this leaves a bad feeling amongst many people in the community. If you can't go by someone's word, well it's hard to go by anything. In any event, that's just my opinion, a small businessman who runs a company with his wife whose word to his clients is the only thing that allows him to keep his clients. I wish larger companies would follow the same principles.

Thanks again for your time and effort in providing me the information you did.

Sincerely,  
John"

So to sum that up, on one hand Mr. Gates in a public interview states he will give the source code away if someone asks for it, but when a person asks for it, that person is told only certain people will get it. Microsoft seems to always be talking a "different game" as opposed to what they actually do.

Please do not accept the tentative settlement. Thank you.

Sincerely,  
John Quinn

#### MTC-00024420

From: ashley niblock  
To: Microsoft ATR  
Date: 1/25/02 11:54am  
Subject: Microsoft Settlement

I do not think that the Microsoft settlement was sufficient punishment for a company that broke the law. Please find harsher measures to ensure fair competition going forward as well as the redress of historic wrongdoings. yours

Ashley Niblock

#### MTC-00024421

From: prashanth@jibenetworks.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:53am  
Subject: On the Microsoft Antitrust Settlement

January 25, 2002  
Honorable Judge Colleen Kollar-Kotelly  
United States District Court for the District of Columbia  
333 Constitution Avenue, NW  
Washington, DC 20001  
Your Honor:

I am a software engineer in the Bay Area, and am working on developing networking client software that runs on Microsoft's Windows platform.

I am of the strong belief that open and accessible standards, especially for activities that are central to everyday living and commerce, are an unqualified good. Examples of this are email and web standards

like HTML. And text document standards should be as well; unfortunately, the Word document format prevails in most of the business world today (prevalent from employee applicant resumes, to forms, to meeting minutes). In order to interact with most people, businesses and publications via email, one needs to run Windows Office software due to these unofficial standards. For quite a lot of people, Windows platforms are not the platforms they would willingly choose to run.

The antitrust settlement is flawed in that it allows Microsoft to propagate its platform on even more users, specifically schools, even though as is well known, most schools would rather prefer to use an Apple Macintosh platform (or increasingly, the Linux platform).

I would urge the court to reconsider this settlement. There have been numerous criticisms of it, both from IT industry analysts as well as ordinary users. One recommendation for a settlement design I would like to draw your attention to is at: <http://www.gnu.org/philosophy/microsoft-antitrust.html>

I repeat the best points below:

- \* Require Microsoft to use its patents for defense only, in the field of software. (If they happen to own patents that apply to other fields, those other fields could be included in this requirement, or they could be exempt.) This would block the other tactic Microsoft mentioned in the Halloween documents: using patents to block development of free software. We should give Microsoft the option of using either self-defense or mutual defense. Self defense means offering to cross-license all patents at no charge with anyone who wishes to do so. Mutual defense means licensing all patents to a pool which anyone can join—even people who have no patents of their own. The pool would license all members' patents to all members. It is crucial to address the issue of patents, because it does no good to have Microsoft publish an interface, if they have managed to work some patented wrinkle into it (or into the functionality it gives access to), such that the rest of us are not allowed to implement it.

- \* Require Microsoft not to certify any hardware as working with Microsoft software, unless the hardware's complete specifications have been published, so that any programmer can implement software to support the same hardware.

Secret hardware specifications are not in general Microsoft's doing, but they are a significant obstacle for the development of the free operating systems that can provide competition for Windows. To remove this obstacle would be a great help. If a settlement is negotiated with Microsoft, including this sort of provision in it is not impossible—it would be a matter of negotiation.

These two provisions would provide more choice for both participants and consumers in the IT industry. This should be central to the design of an antitrust settlement, especially since Microsoft has been found guilty, via the court's Findings of Fact, of obstructing competition. Respectfully yours,

Prashanth Mundkur  
Software Engineer

Jibe Networks, Inc.  
3 West 3th Ave., Suite 17  
San Mateo, CA 94403.

#### MTC-00024422

From: Dan DeClerck  
To: Microsoft ATR  
Date: 1/25/02 11:54am  
Subject: Problems with the Microsoft settlement

To the powers that be at the Anti-trust division of the Department of Justice.

We are now in the era of reduced cost wireless communications. Cell phones are increasing in complexity, features, quality, security and capability, while reducing in size and cost.

The consumer has benefited the most in this evolution and revolution of the managed public airwaves.

What drives this huge benefit for the consumer?? Competition, plain and simple.

Multitudes of companies with new features, concepts and innovation. New technologies being standardized in forums with open communication, and usually the best technology wins

Let's take a look at the computing industry. Since Microsoft has gained a monopoly share of software for computing the cost to the consumer has gone up (windows was less than \$100 at its inception, and now costs well over \$300). Defects and security issues abound.

Let's take a look at innovation: the basic configuration of a personal computer has not changed since about 1990. We still have a mouse and keyboard, and display. Even Cell phones have eclipsed PC's in one area, voice recognition. Since Netscape was forced to sell itself to AOL to survive, browser innovation has slowed to a snails' pace.

Ever since Microsoft tied its office suite with Windows and dominated the industry, we haven't had any major breakthroughs in workgroup computing and collaboration.

It is clear to those of us in the technology industry that innovation has stagnated during the "Microsoft Era of Dominance".

To allow Microsoft to remain intact as one company, will enable it to extend its desktop monopoly into future data and voice communications industries. These industries, through competition, are greatly benefiting the consumer. In the present slowdown of the economy, it is not prudent to disallow innovation by allowing one company to hold the keys to the digital future.

Dan DeClerck  
Distinguished Member of the Technical Staff  
Motorola

#### MTC-00024423

From: cwohimes@bellsouth.net@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:51am  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the

fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
James Himes  
PO Box 324  
5 Ella Lane  
Etowah, NC 28729-0324

**MTC-00024424**

From: Kennedy, Beth  
To: Microsoft ATR  
Date: 1/25/02 11:54am  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft settlement. I agree with the problems identified in Dan Kegel's analysis (on the Web at <http://www.kegel.com/remedy/remedy2.html>), namely:

\*The PFJ doesn't take into account Windows-compatible competing operating systems

\*Microsoft increases the Applications Barrier to Entry by using restrictive license terms and intentional incompatibilities. Yet the PFJ fails to prohibit this, and even contributes to this part of the Applications Barrier to Entry.

\*The PFJ Contains Misleading and Overly Narrow Definitions and Provisions

\*The PFJ supposedly makes Microsoft publish its secret APIs, but it defines "API" so narrowly that many important APIs are not covered.

\*The PFJ supposedly allows users to replace Microsoft Middleware with competing middleware, but it defines "Microsoft Middleware" so narrowly that the next version of Windows might not be covered at all.

\*The PFJ allows users to replace Microsoft Java with a competitor's product—but Microsoft is replacing Java with .NET. The PFJ should therefore allow users to replace Microsoft.NET with competing middleware.

\*The PFJ supposedly applies to "Windows", but it defines that term so narrowly that it doesn't cover Windows XP Tablet PC Edition, Windows CE, Pocket PC, or the X-Box—operating systems that all use the Win32 API and are advertised as being "Windows Powered".

\*The PFJ fails to require advance notice of technical requirements, allowing Microsoft to bypass all competing middleware simply by changing the requirements shortly before the deadline, and not informing ISVs.

\*The PFJ requires Microsoft to release API documentation to ISVs so they can create compatible middleware—but only after the

deadline for the ISVs to demonstrate that their middleware is compatible.

\*The PFJ requires Microsoft to release API documentation—but prohibits competitors from using this documentation to help make their operating systems compatible with Windows.

\*The PFJ does not require Microsoft to release documentation about the format of Microsoft Office documents.

\*The PFJ does not require Microsoft to list which software patents protect the Windows APIs. This leaves Windows-compatible operating systems in an uncertain state: are they, or are they not infringing on Microsoft software patents? This can scare away potential users.

\*The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft

\*Microsoft currently uses restrictive licensing terms to keep Open Source apps from running on Windows.

\*Microsoft currently uses restrictive licensing terms to keep Windows apps from running on competing operating systems.

\*Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system—even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)

\*The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft

\*Microsoft has in the past inserted intentional incompatibilities in its applications to keep them from running on competing operating systems.

\*The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

\*The PFJ allows Microsoft to retaliate against any OEM that ships Personal Computers containing a competing Operating System but no Microsoft operating system.

\*The PFJ allows Microsoft to discriminate against small OEMs—including regional "white box" OEMs which are historically the most willing to install competing operating systems—who ship competing software.

\*The PFJ allows Microsoft to offer discounts on Windows (MDAs) to OEMs based on criteria like sales of Microsoft Office or Pocket PC systems. This allows Microsoft to leverage its monopoly on Intel-compatible operating systems to increase its market share in other areas.

\*The PFJ as currently written appears to lack an effective enforcement mechanism. I also agree with the conclusion reached by that document, namely that the Proposed Final Judgment, as written, allows and encourages significant anticompetitive practices to continue, would delay the emergence of competing Windows-compatible operating systems, and is therefore not in the public interest. It should not be adopted without substantial revision to address these problems

Regards,  
Elizabeth Kennedy

**MTC-00024425**

From: Mary Beth Lohse  
To: Microsoft ATR

Date: 1/25/02 11:55am  
Subject: Microsoft Settlement  
To whom it may concern:

I am writing to express my strong opposition to the proposed settlement in the Microsoft antitrust trial. The current proposed settlement is inadequate in that it does not fully redress the actions committed by Microsoft in the past, nor does it inhibit their ability to commit similar actions in the future.

Microsoft's past transgressions are quite serious, yet the vast majority of the provisions within the settlement only formalize its current practices. None of the remaining provisions effectively prohibit Microsoft from abusing its current monopoly position in the operating system market. The most unacceptable aspect of the proposed settlement is that it does nothing to correct Microsoft's previous actions. It contains no provisions for redress of their previous abuses. It prohibits only the future repetition of those abuses. The effect of this is to allow Microsoft to benefit from its illegal acts. In my opinion that is not justice. I understand the Court's desire to reach a settlement and avoid lengthy litigation. But hasty approval of this ill-conceived settlement will not serve the American people.

Thank you very much for your kind consideration.

Sincerely,  
Mary Beth Lohse  
Senior Lecturer  
Department of Computer and Information Science  
The Ohio State University  
2015 Neil Avenue  
Columbus, OH 43210  
(614) 292-1309  
lohse@cis.ohio-state.edu  
CC:Mary Beth Lohse

**MTC-00024426**

From: Jim DeLong  
To: Microsoft ATR  
Date: 1/25/02 11:57am  
Subject: Microsoft Settlement

Attached are the comments of the Competitive Enterprise Institute.

James V. DeLong  
Senior Fellow- Project on Technology & Innovation  
Competitive Enterprise Institute  
1001 Connecticut Ave., NW—Suite 1250  
Washington, DC 20036  
(202) 331-1010 TEL (202) 331-0640 FAX  
jdelong@cei.org www.cei.org/  
HighTech.shtml

MTC-00024426\_0001  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA  
UNITED STATES OF AMERICA,  
Plaintiff  
Civil Action No. 98-1232 (CKK)  
v.  
MICROSOFT CORP.  
Defendant  
COMMENTS ON THE PROPOSED SETTLEMENT

BY:  
Competitive Enterprise Institute  
James V. DeLong  
Senior Fellow—Project on Technology & Innovation

1001 Connecticut Ave., NW—Suite 1250  
Washington, DC 20036  
(202) 331-1010 TEL (202) 331-0640 FAX  
jdelong@cei.org www.cei.org

Mr. DeLong is a former Assistant Director for Special Projects in the Bureau of Consumer Protection of the Federal Trade Commission and a former Research Director of the Administrative Conference of the United States. He is a graduate of Harvard Law School, where he helped edit the law review, and has written both academic and popular articles on antitrust law and administrative law. For his full biography, see [www.cei.org](http://www.cei.org).

**RECOMMENDATION: ACCEPT THE SETTLEMENT** The proposed settlement provides extensive relief for the alleged offenses, more than the court would find proper were proceedings to continue. It should be accepted. A serious argument can be made that the settlement goes too far and should be rejected as a misguided effort at industrial policy imposed by the lawyers and economists of the "antitrust industry" 1 that is antithetical to the public interest. Supporters of this view can cite the detail of the settlement and its underlying premise that the drafters know how competition should be structured in a highly complex and rapidly-changing industry. By attempting to put relations among the companies into a straight jacket, the settlement may suppress competition rather than enhance it.

However, on balance, the damage the litigation is doing to the industry and to the legal system is serious and the sooner it ends, the better. Also, Microsoft has accepted this settlement as better than continued proceedings, and it seems unfair to force it to maintain the battle to protect the interests of the public rather than itself. The involved government(s) are supposed to exercise that function. The serious intellectual and analytic failings afflicting antitrust law and policy are topics for public debate and for Congress, but should not delay the termination of this proceeding.

#### THE DECREE IS SUFFICIENT

The context within which the settlement must be evaluated was set forth by Charles James in testimony before the Senate last month:

The D.C. Circuit, however, significantly narrowed the case, affirming the district court's finding of liability only as to the monopoly maintenance claim, and even there only as to a smaller number of specified anticompetitive actions. Of the twenty anticompetitive acts the court of appeals reviewed, it reversed with respect to eight of the acts that the district court had sustained as elements of the monopoly maintenance claim. Additionally, the DC Circuit reversed the lower court's finding that Microsoft's "course of conduct" separately violated Section 2 of the Sherman Act. It reversed the district court's rulings on the attempted monopolization and tying claims, remanding the tying claim for further proceedings under a much more difficult rule of reason standard. And, of course, it vacated the district court's final judgment that had set forth the break-up remedy and interim conduct remedies.

The antitrust laws do not prohibit a firm from having a monopoly, but only from

illegally acquiring or maintaining a monopoly through interference with the competitive efforts of rivals. There has never been any serious contention that Microsoft acquired its operating system monopoly through unlawful means, 1 See Robert Reich, *The Antitrust Industry*, 68 *Geo. L. J.* 1053 (1980); James V. DeLong, "The New Trustbusters," *Reason* (March 1999) <[www.reason.com/9903/fe.jd.the.shtml](http://www.reason.com/9903/fe.jd.the.shtml)> and the existence of the operating system monopoly itself was not challenged in this case.<sup>2</sup>

Mr. James could have added that the Court of Appeals opinion also said: "We have found a causal connection between Microsoft's exclusionary conduct and its continuing position in the operating systems market only through inference," and quoted the late Phillip Areeda to the effect that imposition of any remedy going beyond a simple injunction against the illegal conduct should be based on a clear causal connection, and emphasized that "great caution" is necessary in crafting intrusive relief.<sup>3</sup> The court's cautionary remarks focused on the remedy of divestiture, which was then still on the table, but they apply to any radical remedy—and the remedies in the settlement are unprecedented in their scope and intrusiveness.

Granting full respect to concepts of "fencing in" and other doctrines to the effect that a remedial decree should prevent future illegal activity, the requests by opponents of the decree go far beyond what is proper. They seem based on the premise that the government won on all its counts. Even if this premise were true, even if the government had proven all of its charges, the proposed settlement would be a more than adequate remedy.

Nor is the opposition entitled to play "gotcha," assuming that because the Court of Appeals decided that some of Microsoft's actions should be held to be illegal—and it must be remembered that this is an *ex post facto* judgment because the law applicable to dominant firm behavior remains blindingly unclear—the plaintiffs are entitled to *carte blanche* on the remedy. The dissenting plaintiffs want the equivalent of the death penalty for a speeding ticket.

#### HARM TO THE LEGAL SYSTEM

Another powerful argument for accepting the settlement is that this case is doing for antitrust law what the O. J. Simpson trial did for the criminal law—it is making it into an object of public derision, and is greatly contributing to public cynicism about the law and the legal system in general. For example:

As has been extensively documented, the case was conceived in spin, so to speak, as various players in the computer industry spent millions of dollars 2 Charles James, AAG Antitrust Division, Statement before the Committee on the Judiciary, United States Senate, *The Microsoft Settlement: A Look to the Future* (Dec. 12, 2001) <<http://www.senate.gov/judiciary/te121201f-james.htm>> 3 *U.S.v. Microsoft Corp.*, 253 F.3d 34, 80, 106-07 (DC Cir. 2001). retaining former government officials to develop arguments that would create a comfort zone for the head of the Antitrust Division. 4

The contacts between the trial judge and the press were the subject of unusually scathing language by the Court of Appeals.

Since the settlement was announced, numerous press releases by interested parties and by the attorneys general of the non-consenting states have misrepresented the situation by charging that the government "won" and is now surrendering. These traduce Charles James, and even seem designed to put pressure on the court to decide according to political factors rather than legal ones.

Were the case to continue, its destructive impact could only worsen because the nature and validity of the Findings of Fact on which any revised remedy would have to be based are hopelessly confused. Many of them are what administrative law classifies as "legislative facts." As the undersigned wrote before the Court of Appeals decision:

Among the judge's 412 findings of fact, covering 140 pages of text, are some specific conclusions about who did what when. But they are overshadowed by complex technical assessments about the results of these actions, by conclusions about the economics of the high-tech world, and by predictions about the future. .... Even if the rules on dominant-firm behavior were clear, which they are not, and even if the assessment of when a firm is dominant were straightforward, which it is not, the computer and communications revolutions have so changed the context that the proper application of the antitrust rules has become a matter of considerable bafflement.

A reviewing court will have a tough time determining which of the findings in Microsoft are real, factual findings to which it must defer, which are conclusions of law disguised as facts, and which are legislative facts<sup>(5)</sup> To uphold Judge Jackson's findings, the Court of Appeals had to determine that Microsoft had failed to challenge them, not that they were correct. The Supreme Court declined to hear the argument that the Findings of Fact should be vacated *ab initio* because of the bias of the trial judge.

Because of these decisions, if the remedies phase of the case were to be re-opened, this court would face an impossible task. It would be required to craft a 4 John Heilemann, "The Truth, the Whole Truth, and Nothing but the Truth," *Wired*, Nov. 2000, p. 260 <[www.wired.com/wired/archive/8.11/microsoft.html](http://www.wired.com/wired/archive/8.11/microsoft.html)>. 5 James V. DeLong, "No Fool for Microsoft," *Legal Times*, Nov. 6, 2000 <available on [www.westlaw.com](http://www.westlaw.com)>. For a detailed analysis of the Findings, see Alan Reynolds, *The Microsoft Antitrust Appeal: Judge Jackson's "Findings of Fact" Revisited*, Hudson Institute 2001. remedy based on findings that do not qualify as real "facts" in a situation where all parties are acting strategically and attempting to retry the original action in the guise of an inquiry into the proper remedy.

And overhanging the enterprise would be the issue—still undecided by the Supreme Court and not waived by Microsoft—whether the original Findings of Fact should have been vacated and the liability issue retried.

To a certainty, if the settlement is reopened, more years of litigation are in prospect, to the further detriment of the legal system and the economy.

**CONCLUSION**

The settlement presents an opportunity to escape from the Big Muddy that should not be missed.<sup>6</sup>

RESPECTFULLY SUBMITTED,

James V. DeLong

Competitive Enterprise Institute

Senior Fellow—Project on Technology & Innovation

1001 Connecticut Ave., NW—Suite 1250

Washington, DC 20036

(202) 331-1010 TEL (202) 331-0640 FAX

jdelong@cei.org www.cei.org

6 See Pete Seeger, "Waist Deep in the Big Muddy" (1967)

<http://www.dickalba.demon.co.uk/songs/texts/bigmuddy.htm>.

MTC-00024426\_0006

**MTC-00024427**

From: Dave Hopper

To: Microsoft ATR

Date: 1/25/02 12:05pm

Subject: Microsoft Settlement

By the way, I felt a need to respond, as this site <http://www.codeweavers.com/jwhite/tunney.html> run by a competitor of Microsoft's is lobbying for people to negatively respond about the settlement.

I feel that the proposed settlement is a GOOD IDEA. It is fair and not overly harmful to a corporation that is desperately needed by this country. Microsoft is a true innovator and their ability to innovate should not be hampered. Already we are seeing litigious activity by AOL who aquired Netscape specifically as a result of Netscape's poor business dealings. Netscape has a poor product that they gave up on and when their stock price reflected this, AOL plucked them, taking advantage of their low stock price. Now, they wish to sue Microsoft, whose innovation and development coupled with Netscape's poor management and development efforts assisted AOL in being able to afford Netscape. How can AOL claim damages, when if Netscape would have had better management and no competition, AOL would not have been able to buy them.

The easy way to do the "right" thing

1.. Open an email window to [microsoft.atr@usdoj.gov](mailto:microsoft.atr@usdoj.gov) (with a subject of "Microsoft Settlement").

2.. Read through some of the many comprehensive resources on this case and the Tunney Act proceedings:

a.. Dan Kegel's excellent collection of resources (mirror is here).

3.. Pick your favorite problem with the proposed judgement. One is fine; hopefully a lot of people will be doing this.

4.. Compose a simple, polite, email describing the problem and how you feel about it.

5.. Send the email, and if you like, bcc (important do not cc) us at [tunney@codeweavers.com](mailto:tunney@codeweavers.com).

6.. [Optional, but nice] Print your letter out (maybe reformat it a little), and mail it to:

Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington, DC 20530-0001

**MTC-00024428**

From: Tim Sullivan

To: Microsoft ATR

Date: 1/25/02 12:00pm

Subject: Microsoft Settlement.

Department of Justice,

I want to start out by acknowledging that I am a shareholder in several Tech companies. I own stock directly and indirectly ( mutual funds ). I own both Microsoft and AOL directly.

I am a firm believer in free enterprise and a fair playing field. I am coming to the conclusion that many of Microsoft's problems seem to be coming from companies that have not been able to compete in the market place and feel that litigation is the answer to their prayers. Let me add that many States seem to fit a subcategory of this group, (Shakedown artists for companies and poor constituents.) Yesterdays announcement by AOL is a case in point. I am outraged at this ploy. I have been able to use both Netscape and Explorer. I choose to use Explorer.

Microsoft has been a godsend to a non tech like me. I am more productive and able to work my way through most computer related applications. I want as seamless and easy to use programs as possible. I want Microsoft to be able to expand their products as much as possible. I also would like for Microsoft to be able to use the money that they are spending for legal representation to be used for more productive endeavors.

I would like the Justice Departments overview to consider this. Is Microsoft the terrible company that some are saying, or are the 9 states, some companies, and the European Union just using the courts to shakedown Microsoft. If you can't compete in the marketplace you can always go to court. I hope that the review process will quickly and fairly settle this mater.

I find it tragic that I look at the nine states that are holding out for more flesh from Microsoft as being greedy self serving blood suckers. I think many look at Microsoft as they looked at tobacco companies.

As an easy mark to get dollars. Shame on them!

Best Regards.

Tim Sullivan

8111 Cameron CT SE

Caledonia, MI 49316

**MTC-00024429**

From: Kevin Bailey

To: Microsoft ATR

Date: 1/25/02 12:02pm

Subject: Microsoft Settlement

Dear Sirs:

I am a US citizen as well as a long time user of Microsoft's operating systems and other "competing" operating systems so I would like to comment on the proposed settlement with Microsoft as specified under the Tunney Act.

I do not believe the proposed settlement will curb Microsoft's illegal behavior and furthermore it does nothing to lower the barrier to entry faced by competitors.

The proposed settlement may require Microsoft to publish the documentation to its APIs but it doesn't specify what an API is well enough to cover everything that's

needed by a competitor. Furthermore, the settlement requires competitors to pay royalties to even use the API and leaves copyright and patent issues unclear.

Competitors like Wine are left worrying as they make an alternative to Microsoft's operating systems.

Above all, there is no enforcement of this settlement. An oversight group is formed but it has observational powers only which is further diluted by one of the members being a Microsoft representative. It seems to me that we're left hoping that Microsoft will police itself which we know that they are incapable of doing since they claim they've done nothing wrong to this day. I predict they will continue doing everything they've done until they're are brought back to court. Even if they are brought back to court, there is enough ambiguity within the settlement that any competent lawyer could make the case that Microsoft hasn't broken the settlement, as mentioned above.

Regards,

Kevin Bailey

**MTC-00024430**

From: Janis Grinhofs

To: Microsoft ATR

Date: 1/25/02 11:58am

Subject: Microsoft Settlement

Hello,

just give us education market to Microsoft as a "punishment" and you will have what we have over here in Latvia: the only school with Macintoshes is a private art school in the end: only guys with rich parents will be able to find a job in a graphic design—media—publishing company, where macintosh knowledge is a must

Best regards,

Janis Grinhofs

**MTC-00024432**

From: Edmund J. Klein

To: Microsoft ATR

Date: 1/25/02 12:02pm

Subject: Microsoft's Freedom to Innovate

I am in full support of Microsoft's Freedom to Innovate Network. I don't believe the government should be involved in this lawsuit. Curtailing Microsoft's efforts to innovate would seriously hurt not only millions of customers but also the government. I strongly recommend the government find a way to diplomatically bow out of this needless lawsuit.

Ed Klein, retired from McDonnell Douglas Corp as Director of Electronics Technology

**MTC-00024433**

From: Joseph Regina

To: Microsoft ATR

Date: 1/25/02 12:01pm

Subject: Microsoft Settlement

Gentlemen:

I am writing regarding the current developments involving actions by AOL Time Warner to subvert the proposed settlement between DOJ and Microsoft. I am in favor of the settlement and believe that the government needs to stay neutral in the battle between AOL and Microsoft and others. Taxpayer have already suffered enough expenses as a result of previous administration picking sides. Each litigant needs to pay their own lawyers and pursue

their own legal objectives without the government playing favorites. All parties involved have substantial resources to make their case. It is my opinion that the best that the government can do is to provide an unbiased court where each party can make their case before an impartial judge. That has already proven to be a tall order, given the conduct of Judge Jackson.

Best regards and good luck  
Joseph Regina

**MTC-00024434**

From: eda31 Keefe  
To: Microsoft ATR  
Date: 1/25/02 12:02pm  
Subject: Microsoft Settlement  
6426 N. Campbell Avenue  
Chicago, IL 60645  
January 25, 2002

Attorney General John Ashcroft  
US Department of Justice, 950  
Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Ashcroft:

You are doing a wonderful job. I and my family are very grateful that you are our Attorney General. Keep up the good work!

I would like to communicate some of my views regarding the Microsoft antitrust case. I believe that after three years of litigation that the issues have been addressed. I think it is best for our nation to settle the matter and move on.

The settlement agreement your office reached is fair and reasonable, and has proven extensive enough to be approved by nine of the suing states. I do not see the need for further federal action, especially while Microsoft is negotiating with the remaining states to reach an agreement. The concessions it has agreed to make antitrust precedent and will require changes in the way that Microsoft licenses, develops, and markets its products.

Computer makers and software engineers will be allowed to configure Windows so as to promote non-Microsoft programs that compete with programs already included within Windows. A technical oversight committee will ensure that Microsoft complies with the terms of the settlement. Perhaps most importantly, the competition will be allowed to sue Microsoft directly if they feel they've been treated unfairly, thus avoiding future federal action.

I think the necessary changes have been made to allow us to close this case. The sooner the IT industry returns its focus to innovation, rather than litigation, the sooner the market and the economy can move forward.

Sincerely,  
Edmund A. Keefe

**MTC-00024435**

From: omar@madscientist.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 11:51am  
Subject: Comments regarding the Microsoft Antitrust settlement

Your Honor,

I respectfully submit a few thoughts regarding Microsoft and subsequent proposals for settlement.

In October 1997, I was employed by Netscape as the Webmaster. During my

tenure I watched our share of the browser market plummet, our revenues chopped in half and several hundred people laid off. The cause was the free availability of browsers from Microsoft.

I took advanced courses in manufacturing during my college days, and learned of the decline of US chip making during the RAM dumping era of the 1980's. The analogy between the behavior of Japanese chip makers and the subsequent effect upon US manufacturers, and the current issues with Microsoft are striking. At the beginning of the "chip war" there were eleven manufacturers of DRAM in the US, by the time the war was over, there was one. The government became aware and national security interests were raised—remedies were enacted, but it took many years for the modest recovery of US production capability.

The foreign chip makers did only one thing—they offered product at below cost and knew their deep pockets would crown them the winner in the long term.

Microsoft did the same thing. Products that had thriving competitive markets have been effectively terminated by price undercutting and free distribution that a deep pocket company can afford. This behavior has neither brought better product nor greater innovation. It has effectively driven many companies out of business—not because they had poor products or were not innovating but because Microsoft made similar products available and used monopoly power and deep pockets to drive competition away.

To summarize my thoughts:

1. The breakup of Microsoft into products and OS will lead to greater competition & innovation. This division of the corporation will be a benefit to the American people and a benefit to the industry.

2. To keep Microsoft as a single entity fosters an opportunity for inappropriate and anticompetitive behavior.

3. Fiscal penalties need to be done in cash and \*not\* in-kind products.

The proposals that have been reported in the media for in-kind reparations are simple self serving and will \*not\* address the core issues of the anti-competitive behavior.

I thank you for your consideration.

Respectfully submitted,  
Omar Ahmad  
San Carlos, CA

**MTC-00024436**

From: pckizer@nostrum.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:03pm  
Subject: Microsoft Settlement  
To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Under the Tunney Act, I wish to comment on the proposed Microsoft Settlement. I have over 14 years of professional experience in the computer field. In all of that time I have seen many claims of Microsoft being innovative. Almost all of those situations involved them purchasing said innovation from a competitor or putting that competitor out of business to lay claim to the new

method or product. In a few cases, they just take existing technologies and claim they are the best in the field, which a majority of the public seem to believe since they are the loudest self-promoters/advertisers.

I have seen them egregiously take existing methods of inter-operation between computer systems and say they are using that method within their own systems; yet, the reality is that they took a standard and modified it such that existing systems would not actually inter-operate with their new operating systems due to not having certain modifications to the methods they will not even document.

It would actually be very easy for me to take the emotional line of saying that the Microsoft corporation is the one company that has actually done more to harm the computing industry than any other over the past 10 years. As I stand back and attempt to look at the issues a bit more rationally, I have to admit that the emotional response really is not that far off. Time after time, products that were technically better in some way or products that were easier to use and serving needs very well have been purchased and suppressed by Microsoft, or a Microsoft offering bundled into the Microsoft operating system seemingly for free to the public, or had an interface upon which they relied changed without notice, or explicitly marked, without technical cause, within a Microsoft product as not allowed to operate.

The entire situation of them being dominant is not due to technical superiority, but only due to marketing and anti-competitive business practices.

After reading the settlement, I do not feel that the root causes of their anti-competitive behavior will be change in any significant way. The settlement does not address not-for-profit entities. The settlement fails to make known the methods of communicating with their products available, even to government entities. Source code is not even necessary, only inter-operation. The settlement does not address the needs to ensure that they compete fairly in a technical arena.

As such, I feel the proposed settlement should not be allowed.

Thank you,

Philip Kizer

Philip Kizer, Senior Lead Systems Engineer, Texas A&M University USENIX Liaison to Texas A&M University <usenix@tamu.edu> Texas A&M CIS Operating Systems Group, Unix <pckizer@tamu.edu>

**MTC-00024437**

From: bjcfrank  
To: Microsoft ATR  
Date: 1/25/02 12:03pm  
Subject: Microsoft Settlement  
U.S. DEPARTMENT OF JUSTICE  
TO WHOM IT MAY CONCERN:  
RE: MICROSOFT SETTLEMENT

I think that "THE MICROSOFT CASE" should be settled immediately!!! Why punish a Company or Corporation for being successful? If You punish One; why not punish Wal-Mart; the biggest monopoly going at this time!!!

Microsoft has brought technology to the World!!!

Please settle and get on with Our Economy..  
RESPECTFULLY,  
Frank Crawley  
2909 N. Downing Ave.  
Bethany, Oklahoma 73008

**MTC-00024438**

From: kjmoore269@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:02pm  
Subject: Microsoft Settlement  
Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001  
Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Kenneth E. Moore  
269 Indian Road  
Wayne, NJ 07470-4917

**MTC-00024439**

From: Rose Ricker  
To: Microsoft ATR  
Date: 1/25/02 12:05pm  
Subject: Microsoft Settlement

This matter has been dragging on more than necessary.

I am 81 years old, and more than timid about working with my computer, but find that my Microsoft software is more than helpful to me. Leave them alone to continue to provide their excellent service.

Sincerely yours,  
Rose P. Ricker (Mrs. George A. Ricker, Jr.)  
26 S. Hodgdon Hill Road  
Buckfield, ME 04110

**MTC-00024440**

From: postmaster  
To: Microsoft ATR  
Date: 1/25/02 12:06pm  
Subject: Microsoft Remedy

Your Honor,

I am a software engineer and have worked at Sun Microsystems, Inc. for the past six years. I wish to make clear that my opinions are my own and not those of Sun Microsystems. Further I am not writing to you based primarily on my experience at Sun, but rather based on my 27 years in the software industry, and my extensive experience with Microsoft over the past two decades.

I could write a book based on first hand experience detailing the behaviors which I have seen Microsoft engage in during that time. However, I know you have a large number of opinions to read. So let me just say this. In my opinion Microsoft is not an

honest company. In my experience they are aggressive, hostile, dishonest, and will break any prior agreement they have made or any law of the land with little concern for the possibility of negative consequences. Hence any resolution to Microsoft's continued illegal use of its monopoly position must be structural. I personally believe it would be best to break Microsoft into three companies, segregating its business as follows: operating systems; development platforms; and applications

Regarding applications, although Microsoft maintains that Internet Explorer is an integral part of its operating system, it is in fact an application which has by choice been closely tied to the underlying operating system. Operating systems consist of components which are by nature integral and must be supplied by the operating system vendor or someone working closely with them. No one makes an add on file system to replace Microsoft's, or an executive, or a scheduler, or an alternate device driver API. That is because these things can not be done by third parties. Browsers on the other hand can be and are written by third parties to run on top of Microsoft's operating systems.

Sincerely,  
Michael A. Moran, Ph.D.  
901 Nobel Drive  
Santa Cruz, CA 95060  
mamoran@erstatz.com

**MTC-00024442**

From: matt.weigle@wardmfg.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:04pm  
Subject: Microsoft Settlement

Ms. Renata B. Hesse, Antitrust Division  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Ms. Renata Hesse:

Please put a stop to the economically-draining witch-hunt against Microsoft. This has gone on long enough.

Microsoft has already agreed to hide its Internet Explorer icon from the desktop; the fact is, this case against Microsoft is little more than "welfare" for Netscape and other Microsoft competitors, with not a nickel going to those supposedly harmed by Microsoft: the computer user. This is just another method for states to get free money, and a terrible precedent for the future, not only in terms of computer technology, but all sorts of innovations in the most dynamic industry the world has ever seen.

Please put a stop to this travesty of justice now. Thank you.

Sincerely,  
Matthew Weigle  
Williamsport, PA 17701

**MTC-00024443**

From: shred  
To: Microsoft ATR  
Date: 1/25/02 12:08pm  
Subject: Microsoft Settlement

Microsoft has crippled the computing industry for long enough, and this settlement amounts to little more than a light slap on the wrist.

Sincerely,  
Randy Froc

**MTC-00024444**

From: Ryan Damm  
To: Microsoft ATR  
Date: 1/25/02 12:08pm  
Subject: Comment from a law student on the proposed settlement

I've been watching Microsoft squash other companies' products since the early Nineties. While the "commonality" of desktop software we're now surrounded with makes some things simpler, it weakens our overall technology base in two ways:

1) The strength of the Internet is in platform-neutral interoperability; but Microsoft has a history of corrupting Internet standards (their "embrace and extend" philosophy) which results in the de facto standards being /Microsoft's/. We weaken ourselves when the growth medium of our electronic communications systems is hostile to new genotypes—but that is exactly the sort of environment a monopolist wants.

2) Like it or not, there are forces in the world hostile to American interests. A homogeneous software environment makes virus writing and vulnerability exploitation easier, especially when the environment allows coders to do so much with so little caution. Even Mr. Gates's recent memo to his employees telling them to "focus on security" can't overcome the basic weakness of a single strain of operating system and application suite. If we allow this to persist we're setting ourselves up for extinction when a /real/ challenge (not just a business challenge) to our technological survival rears its head. Darwin's theory assumes that variation in type already exists. We (and Microsoft) won't have time to "create a new way" when the crisis comes. —

I don't think the settlement does enough to restrain this very powerful (and very self-absorbed) company. —

Ryan Damm  
email:dammitt@u.washington.educell: 206-391-0054

**MTC-00024445**

From: Graham Hunter  
To: Microsoft ATR  
Date: 1/25/02 12:08pm  
Subject: Microsoft Antitrust Ruling

As an empoyee in the tech sector, I strongly disagree with Microsoft's monopoly position being allowed to continue. Over the years I've seen Microsoft's predatory practices not only wipe out companies, but reduce the number of new companies entering the market with innovative products.

Why spend the time building something new when a massive gorilla will jump on your back as soon as you're showing some signs of success. I'm a believer in the government staying out of the economy, but this is one case where we need the intervention of another powerful body to stop this. Please don't allow Microsoft to continue on its trail of rampage!

Graham

**MTC-00024446**

From: Christopher White  
To: Microsoft ATR  
Date: 1/25/02 12:13pm  
Subject: Microsoft Settlement

Dear Renata B. Hesse and the United States Department of Justice Antitrust staff, I believe that the proposed settlement between the DOJ and Microsoft is woefully inadequate.

Microsoft broke the law and harmed other companies. Its monopoly status in the consumer OS world, its continued attempts to dominate other markets (like high-end servers), and its arrogant stance regarding the law and ethical business practices, needs to be addressed in the firmest manner. The nine states that refused to sign on to the proposed DOJ/Microsoft settlement have the right idea. Microsoft needs to be punished for breaking the law. Microsoft needs to open up its proprietary systems and allow others to have a chance to build software for its operating system (OS) instead of bundling everything into one monolithic system (look at Windows XP—there is an example of even worse bundling!). I favored Judge Jackson's remedy of breaking up the company, but failing that, Microsoft at least needs to be severely disciplined, its business practices scrutinized carefully, and its monopoly status destroyed. Without a severe remedy the computer industry will still be at the mercy of Microsoft—and other OSes (like Linux and Mac OS X) will languish for lack of support.

I am a professional in the computer industry. I am a programmer and systems administrator. I have to use and support Microsoft's OSes, as well as others, every day in various capacities (desktop and server). I like many things about Microsoft, and the company makes many good products. But it is harming its own reputation within the industry, and alienating many of its potential friends, by its behavior. The problem is that Microsoft just can't seem to behave like a team player. It has become a monopoly. It

now behaves as such. Just as the DOJ broke up AT&T years ago, so it needs to break up Microsoft—or at least severely restrict its predatory business policies.

Please don't waste this opportunity to help the computer industry by reining in Microsoft before it owns the entire industry. Abandon your inadequate settlement proposal and put your weight behind the nine states that did not agree with this settlement.

Sincerely,  
Christopher T. White  
Santa Rosa CA

**MTC-00024447**

From: Donamarie Keefe  
To: Microsoft ATR  
Date: 1/25/02 12:11pm  
Subject: Microsoft Settlement  
6426 N. Campbell Avenue  
Chicago, IL 60645  
January 25, 2002  
Attorney General John Ashcroft  
US Department of Justice, 950  
Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
Dear Attorney General Ashcroft:

I agree with my husband that you are doing a wonderful job.

I would like to advise some of my views regarding the Microsoft antitrust case. I believe that after three years of litigation that the issues have been addressed. I think it is best for everybody to settle the matter and move on.

The settlement agreement your office reached is fair and reasonable, and has proven extensive enough to be approved by nine of the suing states. I do not see the need for further federal action, especially while

Microsoft is negotiating with the remaining states to reach an agreement. The concessions it has agreed to make antitrust precedent and will require changes in the way that Microsoft licenses, develops, and markets its products.

Computer makers and software engineers will be allowed to configure Windows so as to promote non-Microsoft programs that compete with programs already included within Windows. A technical oversight committee will ensure that Microsoft complies with the terms of the settlement. Perhaps most importantly, the competition will be allowed to sue Microsoft directly if they feel they've been treated unfairly, thus avoiding future federal action.

I think the necessary changes have been made to allow us to close this case. The sooner the IT industry returns its focus to innovation, rather than litigation, the sooner the market and the economy can move forward.

Sincerely,  
Donamarie Keefe

**MTC-00024448**

From: ThePlanRes@aol.com@inetgw  
To: Microsoft ATR  
Date: 1/25/02 12:12pm  
Subject: microsoft settlement

To Whom It May Concern:

We think it would be best for consumers, the economy and for business if the Microsoft settlement happens quickly. Lawsuits should not be allowed to drag on for years.

Sincerely,  
Peter and Nancy Nottonson  
171 Marlborough Street  
Boston, MA 02116