TO APPENDIX TO MEMORANDUM OF AMICI CURIAE IN OPPOSITION TO PROPOSED FINAL JUDGMENT IN CIVIL ACTION NO. 94–1564

SIGNED BY GARY REBACK

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Ruling still lets firm incorporate apps in its OSes.

Clerk, U.S. District Court

District of Columbia

BYLINE: Michael Csenger and adam Gaffin

BODY:

Washington, DC

The antitrust settlement Microsoft Corp. reached with the Justice Department skirted an issue central to network users, paving the way for the software giant to continue integrating applications with its desktop and network operating systems.

The consent decree, announced July 16, focused almost entirely on the way Microsoft sold operating systems to hardware vendors. But it does not prevent the company from integrating applications into the operating system itself.

Competing software vendors such as Lotus Development Corp. had long alleged that Microsoft's applications division received unfair information from its operating systems division that gave the company a leg up on the competition.

Some analysts and users said the decree, which also poses stricter controls on the royalties Microsoft can collect from personal computer vendors, leaves the path clear for Microsoft to mop up competitors that sell stand-alone applications, resulting in more limited user choice down the road.

SKEPTICISM

But others said Microsoft has yet to prove to the market that it has operating systems and networked applications worth betting a business on. ''A lot of its networking products are either futures or first-generation products,'' said Jamie Lewis, president of The Burton Group, a Salt Lake City consulting firm. The company faces entrenched and growing user bases for both Novell, Inc.'s NetWare operating systems and Lotus'' Notes groupware applications, he said. Users also expressed skepticism.

''Microsoft promises Chicago and Cairo and a whole lot of networking, but the question is, will it work before they run out of cities to name these things after?'' quipped a network manager whose major brokerage house network runs on Unix.

windows NT is not a truly open environment, he said, ''Because if Gates doesn't have it then neither do you, and I'd rather not put myself in his hands. That's why we've standardized on Unix for our trading floor.''

Frank Caro, technology transition team leader for Otis Elevator Co. in Farmington, Conn., cited interoperability problems with Microsoft's current Windows implementation of Transmission Control Protocol/Internet Protocol as an example of the company's network shortcomings.

''We've been trying to get into the networking capability of Microsoft's products and find there's one con, non theme: NETBIOS,'' Caro said. Microsoft does not yet support native TCP/IP, but uses NETBIOS or NETBEUI encapsulated within TCP/IP, he said.

''we're totally uninterested in any approach like this; it can't handle a network of more than 50 users and is terrible over the wide area,'' Caro said.

And Windows NT has proved unable to handle the applications that Otis wants to take off its mainframe system, because Windows NT is not a multiuser environment.

But Caro respects Microsoft's ability to change course as necessary and awaits the promised native TCP/IP support in Chicago.

''That one feature alone is going to cause dramatic change in network connectivity,'' said Nick Lippis, principal at Strategic Networks Consulting, Inc. in Rockland, Mass., referring to Windows'' TCP/IP.

Native TCP/IP support for Chicago could help Microsoft cut into Novell's installed NetWare client base by providing an alternative to Novell's Internetwork Packet Exchange (IPX) protocol. If the desktop operating systems supported TCP/IP directly, ''why continue with IPX?'' Lippis asked.

NOVELL NOT WORRIED

''I laugh when I hear people say it's all over for Novell now, we should pack up and go home,'' said David Bradford, vice president and general counsel for Novell.

''Microsoft has come against Novell [several] now with their networking products, and we've beat them every time,'' Bradford said.

Bradford also noted that this consent decree does not close Microsoft's books forever. ''They will be monitored, perhaps even more so than before,'' he said. ''The industry and consumers have an ally in the Justice Department.''

Frank Dzubeck, president of Communications Network Architects, Inc., in Washington, DC, agrees that the case may not yet be closed.

''If Microsoft gets very aggressive and starts burying things in their operating systems, then this whole issue will be revisited, he said. But it will require that another company first go bankrupt.''

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LOAD-DATE-MDC: July 27, 1994

TO APPENDIX TO MEMORANDUM OF AMICI CURIAE IN OPPOSITION TO PROPOSED FINAL JUDGMENT IN CIVIL ACTION NO. 94–1564

SIGNED BY GARY REBACK

Business Day

M??

The New Work Times

Microsoft's Barely Limited Future

By JOHN MARKOFF

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SAN FRANCISCO, June 17—Rath?? than reining in the Microsoft Corporation, the consent deeree that the Justice Department announced over the weekend with Microsoft. the world's largest software publisher, frees the company to define the computer mudstry's ground ?? through the rest of the decade.

The agreement leaves ??intouched what many computer in??justry executives say is Microsoft's ?? advantage—that it devel??ps both the basic operating-system ??oftware that makes personal com??ters run, known as MS-DOS. and ??pphactons software, like word-pro??essing programs or spreadsheets, ??nat perform spec?? ??

''Microsoft s whole empire is based in the interlocking nature of their ??perating-system and application oftware.'' said William Joy, a ??ounder of Sun Microsystems, and the ??uthor of one version of the Unix Perating system.

??Vol a Central Issue Microsoft officials said Saturday ??nal issues related to the relationship ?? their operating software and their ??ppicaons programs had not been ??ocus of their ?? nego??anons with us??ce Department officials.

MS-DOS and the Windows proram, which makes DOS easier to ?? are installed in millions of com. ?? worldwide White the Jusuce ??epartiment has decided that Micro?? does have a monopoly in opera?? ?? systems, it ?? that the ?? changes the c??unsent decree spells ??ut provide a remedy.

Yet many Microsoft compet??nors ??ce a broader problem, as well: the ??ne between where the operating system ends and the applications pro??las start is increasingly being ??lurred by advances in technology. ??Smaller compe??tors with innovave ideas in businesses as diverse as ?? man. ?? compression,

?? creates more storage space on disk, and screen savers, which pre?? ent damage to mounors, are finding ?? their business is evaporating because Microsoft keeps adding such programs to ?? operating system as ?? periodically brings out an updated version.

A Microsoft's operating system scheduled for release next year, called Chicago, will acceler?? the process The program will mer??e DOS and Windows and will include electronic mail, remote access, filesearching functions and screen savers. Since introducing MS-DOS in 1981.

Microsoft has continually campaigned to expand the ?? of what computing functions belong inside the computer operating system.

The early vers?? of DOS were small programs that did ?? more than control the storage and ?? of data and start and stop applications programs. But in the 14 years that followed, Microsoft's ??rating systems have greatly expanded the servtees they provide to users and programmers The other important issue not specifically addressed in the consent decree is whether Microsoft has been able to leverage us virtual monopoly ?? operating systems into domination of applications software—a far bigger and more lucrative market This matter is of great concern to companies like Lotus Development.

Boarland International and Novell, and its recently acquired Wordperfect—which specialize in applications software. About half of the 50 million computers that run Windows, for example use Microsoft's word processor, called Word, and its spreadsheet, Excel.

It was for that reason that lawyers at the Federal Trade commission toyed two years ago with the idea of breaking Microsoft into two companies, More recently, Justice Department investigators are believed to have

studied ways of creating some sort of ''Chinese wall'' that might limit the information traveling between the two sides of the business. Anne K. Bingaman, Assistant Attorney General in charge of annt??rust matters, refused to comment on the issue. But in response to a question whether, the department had considered trying to split Microsoft, she said Sa??day that her lawyers, bad looked at ''every possible legal th?? ory ?? Linkage Is Seft-Pedaled??

In an interview today, Ms. Bingsman: acknowledged that the decre?? was silent about any linkage ?? ?? Microsoft's power in operating systems and its, growth, in applications software. But she also said the Justice Department had decided against pursuing a ''second range of issues'' that had been raised by the F.T.C.'s earlier investigation.

''All I can tell you is we filed the complaint based on what we decided were the problems that needed to be corrected,'' she said.

What the consent decree announced on Saturday did achieve was this: Microsoft agreed to change the way it deals with the companies that make the hardware for personal computers, freeing them to offer customrs a choice of operating systems.

Microsoft will also alter its softwarelicensing policies and the way it gives information to software developers.

The expectation is that personal computer makers like Compaq. Dell and others will now be more receptive to the operating systems made by Novell, international Business Machines and Sun Microsystems.

Software companies will be able to develop versions of their programs for Microsoft's operating systems without making exclusive commitments to Microsoft, leaving them free to create applications for operating systems that other companies have designed.

Yet while the consensus is that Microsoft's influence will continue to increase, computer industry executives are divided over whether its power and influence will be good or bad for consumers.

''Microsoft has become the I.B.M. of the 1990's'' said J. Paul Gravson chairman and chief executive of Mr. crogra??, a software publisher it Richardson. Tex ''There are issues for anyone who wants to participa?? in this market because of their size and scope. Anything the Government does to slow them down would be welcome.''

Believes Bigger Is Better But others in the industry believe that Microsoft's strategy is benefiting consumers.

''If you really care about improving the personal computer, you wan Microsoft to take over all the pieces of the pre,'' said Stewart Alsop, edito?? of Infoworld, a weekly computer-in dustry newspaper.

Competitors like Novell, which were otherwise pleased by the agreement obtained by the Justice Department, said they were disappointed that the Government had not forced Microsoft to disclose ??formation about new versions of its operating systems in ways that would level the playing field for developers who are competing with Microsoft applications.

The company's competitors have argued that Microsoft has gained a special advantage for its applications programs by using hidden operating-system features and providing earlier access to technical information for its programmers.

Microsoft officials said the Government had found no evidence that such a special advantage existed. ''We don't think this is market power in the traditional an??trust sense.'' Said William h. Neukom, the company's vice president for law and corporate affairs. ''Anyone can come in and upset you with better technology. We think it's a ferociously competitive business.''

While the agreement may aid some companies like Novell, which makes a Microsoft-compatible operating system, it will not affect Microsoft's power with respect to smaller software developers.

''Microsoft will continue to be very powerful,'' said Martin Goetz, a cofounder of Applied Data Research, the nation's first software company ''The Justice Department hasn't ?? to the cries of the software companies.''

Michael J. Miller

The World According to Microsoft FILED

If you think Microsoft is too dominant in today's computer industry, a quick look at where the Bill Gates juggernaut is headed may prove disheartening. Already the leading provider of operating systems and office productivity applications, Microsoft wants to carry its success over to other areas, ranging from interactive television to financial services. With its recent announcements, acquisitions, and introductions. Microsoft is making its goal clear: It aims to become a ubiquitous part of tomorrow's information infrastructure.

THE RIGHT TOOLS

While Intel seems to face more competition than ever, Microsoft's position in the operating-system market has gotten stronger. The reason for this continued success is twofold. Confusion and a lack of focus from OS competitors—such as IBM and Apple—certainly helped, but Microsoft also gave itself quite a boost by developing tools like Visual Basic and Visual C++.

Not too long ago, Borland surpassed Microsoft in the quality of its tools. But more and more, the big firms I talk to are moving to Microsoft tools. This kind of support gives Microsoft the ability to decide which technologies to push and which platforms to support, as well as which technologies to license and which to keep for itself. For instance, Microsoft was first on the market with products that really supported OLE 2.0. Now that it wants OLE 2.0 to be widely supported, it has done a very nice job of making OLE support easier by providing Wizards in its Visual C++ package.

Microsoft wants OLE to be the object standard, and wants to establish it before OpenDoc or Taligent gets off the ground. Microsoft even wants to control object standards on other platforms, hence its introduction of tools that make it easier for developers to take Windows applications and move them to other platforms, such as Macintosh, with built-in support for OLE. Not only does this I by Mans Bishofs kind of accommodation push Microsoft's APIs. it also makes it easy for vendors to use Windows as their primary development platform, regardless of what their target system might be. This will, of course, lead to code that is optimized for Windows. (Okay. Microsoft is a bit confused here. This is because part of the company wants to protect the rights of its Word and Excel teams by insisting on special terms for using the cross-platform code for people who write word processors or spreadsheets.)

TIE RIGHT NETWORK

The dominance in tools, applications, and operating systems may be just the beginning. Consider Microsoft's recent announcements, such as Microsoft Network, a new on-line service that will be bundled with Windows 95.

Microsoft Network, once code-named Marvel, may well be the first thing users see when they start the new operating system and it may be the best way to get Microsoft support. If users choose to subscribe to Microsoft Network, the company could wind up getting a steady stream of $4 to $5 a month from everyone on its operating system, and that could mean several hundred million dollars a year.

Microsoft isn't the only one with this idea. IBM is doing the same thing with OS/2 Warp by bundling in Internet access through its Advantis service, which then sets up a continuing monthly fee. In fact, you can almost view these two operating systems as loss leaders for their suppliers'' on-line services. Since Microsoft is in a position where its operating system is dominant, however, users will be more likely to try its network service first. In order to be successful. Microsoft Network doesn't even have to be the best on-line service; it just needs to be good enough and the most convenient. And including Microsoft Network with windows 95 will certainly help.

Now take Microsoft's recent plans to acquire Intuit with its Quicken personal finance program (which links to a check-paying system), and add that to the likelihood of Microsoft Network's success. Because of its size. Microsoft is in a better position to work out relationships with large banks and other financial players. Imagine how Microsoft could extend electronic banking onto an online service such as Microsoft Network.

Microsoft could require just a small service charge on each transaction. Or it could make money on the float—the interest in the few seconds it takes to move money from one place to another, or both.

Microsoft's success in one area helps it extend its success in other areas. Because Windows is so successful, developers must develop for it. If Microsoft Network becomes successful, more developers and content publishers will support it. The same reasoning will apply to Microsoft's Tiger system for delivering video and other content to set-top boxes, or even to the far-off plan of developing wallet PCs with access to financial information.

UNCHARTED WATERS

All this may sound inevidtable, but it isn't. First of all, no one—not even Bill gates—is successful with every product he introduces. Just think about Microsoft Money. And does anyone out there remember the first Microsoft Access, the abortive Crosstalk

competitor? Not too many folks, obviously, or Microsoft couldn't have recycled the name for use on its database.

Microsoft still has a lot of strong competitors who envision a different future. Novell, for instance, is still the clear leader in network operating systems and has recently announced plans with General instruments, the leader in cable set-top boxes.

To date, Microsoft's track record in communications products is less than stellar, Lotus's cc: Mail and Notes have a larger marcompetitor in the world to come. Micro?? is getting into areas where it will face ?? competition, in addition to its ?? software competitors, from banks to tel?? sion and cable companies. in many ca?? these firms have unique relationships ?? customers or content that Microsoft ca?? easily duplicate.

This more Microsoft focuses on pushi?? its existing platforms and operating system?? the more likely it is that there will be so?? outside force, some new technology, th?? Microsoft either won't see or won't comm?? to quickly enough. This would leave roo?? for new competitors. Remember, it was?? too long ago that IBM. Digital Equipme?? Corp., and Wang were the dominant infor?? mation companies, and look what happene?? when the technology changed.

Still, if you're worried about Micros ?? dominance today, you have good reason. ?? may foreshadow a future where Microsoft has a hand in every area of your life—from communications to entertainment to pay?? ing your bills. the road to this future woo?? be easy, but Microsoft is very determined and is certainly in a better position tha?? inevitable storms.

There are 3,462 chances to make a mistake in this document.

(Typing it in is number one.)

If the ?? office is here. how come people keep handling you pieces of ?? paper, ?? faxes. photo-cop?? and newspaper ?? for you to ?? in your report? Even ?? to type if out in is a mistake. But it's got to be done one way or ??.

That's where WordScan Plus 3.0 from C??ro, can help. You see. WordScan Plus uses the ?? 32-bit Adaptive Recognition Technology so its accuracy rate is unparalleted— ?? when coupled with the enhanced image capabilities of any Hewlett-Packard scanner.

In fact, Hewteff-Packard's AccuPage 2.0 technology—including ?? image ?? that lets you read text on colored backgrounds, small text support, and ??-zoning—makes WordScan Plus ?? for complex mixed-media Input ?? well as straight forward type recognition And WordScan Plus's ?? features like de-skew, the Pop-up Proofer. ?? ?? defina?? page set-up and One?? OCRTM ?? its as simple to use as it is accurate, it even integrates ?? with your Windows ?? ?? thanks to ?? Chameleon Tool ??Tm, e-mail and direct fax Capabilities.

So stop by your local ?? to see for yourself just how quick. ?? and ?? WordScan Plus is.

It could stop mistakes for good.

PCWEEK

THE NEWSPAPER OF CORPORATE COMPUTING ?? JULY 25, 1984 VOLUME 11

NUMBER 29 S3.05

DOJ accord fosters ''too little, too late'' perception

NEWS ANALYSIS ''Chinese wall'' sidestepped, but some see new opportunities

BY JANE MORRISSEY

The justice Department and the European Commission won ?? concessions from Microsoft Corp., but ?? doubt the consent decree ?? agreed on will ?? much effect on the company or ?? competitors. The ?? got Microsoft to ?? up per-processor ?? and other business ?? ?? and will ?? us compliance for ?? and a half years, bus left ?? its ability to ?? share opera?? ??lern ?? with its application ??.

The consent decree will be open for public comment within the ?? 60 day, after which a federal judge will offer a final ruling. Legal experts expect the court to uphold the decree.

Although the government could take further action and Microsoft could face lawsuits from competitors, mo?? observer?? said both are unlikely because of the time and expense involved. Microsoft com?? ma?? ?? to live with the outcome, ?? mans are not ??.

''Anyone who said this decision went far enough isn't in touch with the industry.'' said Ed Zander, president of SunSoft Inc., Sun Microsystems Inc, software unit. ''Of the three or four issues [the DOJ] could have worked on. they picked the least contentions. The 'Chinese wall'' is more subtantive.''

But Microsoft officials, citing legal precedents to back them up. said ?? were able to convince the government that such exclusionary sharing ?? ?? is managers take sides; desplts?? the agreement, the government's Anne Bingaman and Microsoft's Will??am Neukom still don't sea eye-to-eye; Microsoft financ??als, meanwhile, are strong. in their rights. ''We encourage our systems people to talk with the apps people about potential new operating-systems fea??'' said Chairman Bill Gates

Operating-system makers such as IBM. Novell Inc.. Taligent inc.. (?? and Sun Soil said they were were encouraged that Justice took the actions it did on per-processor licensing practices,

''We're going to jump all over Otis,'' said Lee Reiswing president of IBM's Personal Sof??are Prod?? division, in Austin. Texas. ''It means a level playing field for us for the first time. We have the op?? to hit the OEMs.

''It will help us in the future in not disadvantaging us with a pricing mechanism,'' said .Joseph (??. chairman anti CEO of Taligent, in Santa Clara, Calif.

But some said it is too little, too lair''. ''To the extent [Microsoft's behavior] prevented other operating systems from succeeding. that war is over,'' said Mitchell ??, chairman of Powersoft Corp., in Concord, Mass. ''DOS is it and Windows is it: The ?? has close to zero impact

Novell. one of the insugaors of tile government ??. the decree is a good first step m addressing its concerns. The Provo. Utah. firm will discuss at an upcoming board meeting whether to submit objections or ?? litigation.

''Sure. I am somewhat disappointed.'' said Novell (?? Counsel David Bradford. ''Nevertheless. I understand how the justice Department and the EC got to where they did .... They did all in their power, wen the political and legal environment.''

Bradford expects the decree to help Novell fight the nextgeneration operating-system battle. ''The 32-bit OS market has not been won by anybody.'' he argued. ''This decree will al. low for freer competition.''

A major disincentive, to bringing its own charges against Microsoft is Novell's recent desire to forge a better relationship with Microsoft. Novell CEO Bob Frankenberg met earlier this month with (ales to re-establish ties that had broken off under Novell Chairman Ray Noorda.

''Noorda called us Nazis and. so far. Frankenberg hasn't engaged in that type of thing.'' (axes said. declining to ?? rate on any new accords. ''We're not going to conduct this phase in a fishbowl.''

Additional reporting ?? Mary Jo Fol??. Norvin Leach. and Sam W?? OEM licensing practices

?? no per-processor licensing deals

?? no minimum volume commitments required from OEMs

?? no contracts longer than one year: no penalty for non-renewal

?? no restrictions on OEM's licensing or sale of non-Microsoft operating systems

?? no requirement mat OEMs license DOS to gain a license for Windows

Non-disclosure agreements

?? duration not to exceed the products release, public disclosure by Microsoft, . or one year, whichever comes first

?? cannot restrict third parties from developing software that runs on competing operating systems.

THE CONSENT DECREE DOES NOT ADDRESS:

?? Microsoft benefiting from operating-system knowledge to develop applications, such as Microsoft applications group getting advance notice on operating-system advancements, and the use of undocumented APIs

?? Microsoft acquiring technology from third Datives under guise of making a deal

BUSINESS

Jesse Berst

Berst

Mode

Behind the smoke, Microsoft wins again

I know you've all heard about the settlement between Microsoft and the justice Department. But I thought I'd tell ?? some made information that hasn't made it into the press releases and official statements.

?? ?? MICROSOFT REALLY DECIDE TO SETTLE? Because the Justice Department and the European Commission both said they would ??ue unless Microsoft agreed by July 11.

W?? DID THE JUSTICE DEPARTMENT REALLY DECIDE TO SET- TI.E.? Because it got to wave the flag and talk in its most grown-up voice about protecting consumers without the risk of lengthy litigation—litigation it probably would have lost.

DOES THE AGREEMENT REALLY CHANGE ANYTHING? No, Microsoft has always let hardware manufacturers make other kinds of deals. But the price for those deals was so much higher that no one could afford to use them. Everybody ended up

making per- processor arrangements whereby they ultimately paid Microsoft rovalues for every machine shipped. There were always escape clauses. It's just that nobody could afford to take them. Now those escape clauses have been codified into the agreement. Because of the economics, however, few will use them, at least not in the short term. As for non-disclosure agreements. Microsoft was in the middle of creating a new standard agreement an??.

How pathetic to see Janet Reno prattling on about ''lower prices immediately.''

WILL CONSUMERS REALLY SEE LOWER PRICES? How pathetic to see At- Torne?? General Janet Reno prauling on about lower prices m??ed??cly. If the decree had come five years ago, when there were viable MS-DOS clones, it might have had some immediate impact. Now, in a world where MS-DOS is on the way out and Windows has no real clones, it will have no short-term effect.

WHAT CHANGES WILL REALLY COME ABOUT BECAUSE OF THE SETTLEMENT?

Very few. It will be slightly easier for computer firms to sell Net- Ware-rea?? s??ers without incurring financial penalties from Microsoft. In the long term, it may be slightly easier for a firm to introduce a new operating system.

WHO'S THE REAL WINNER? Microsoft. It gets two governmental bodies off its back. And it does so without admitting that it was wrong, without being forced to divest or break up, and without paving a cent in fines or restitution.

Best of all, it has the opportunity to restore us mage just when it needs it most. Microsoft wants to be a dommant plaver in the c??terpri??e market. To do that, it must convince global corporations that it is a trustworthy long-term partner. That job would have been much harder it governments on two contments were filing lawsuits. The company might as well have changed its slogan to ''Microsoft—the most antitrusted name in the business.''

HOW DO MICROSOFT'S COMPETITORS REALLY FEFL ABOUT THE SETTLEMENT? They feel like schoolboys who complained about a bully stealing their lunch money and the teacher let the bully keep taking money for four more years while ''investigating''—and then ?? him off with a token promise to be a good boy from now on. And the even got to keep the money he had collected.

Still, I think the announcement will ??mately benefit the rest of the m??ustry. It frees them from their silly fantasy that the government was going to come riding to their rescue. Now they can get back to competing on the basis of better products and features, not better lawyers and lobbvis??s. ??

?? ??SSF BEFST IS DIRECTOR OF THE WINDOWS SOLUTIONS CONFER-

?? EXPOST??. IF YOU WANT ?? TO YOUR ?? CREES. CONTACT ?? (JBERST?? OR ??

PC WEEK JULY 25, 1994

NOVEMBER 7, 1994 PC WEEK NEWS ??

Microsoft's Marvel beta leverages Win 95 desktop ?? ?? ?? AND ?? ??

The Microsoft Network. Microsoft Corp.'s new on4ine service. is taking the first steps toward ??ing the ranks of more established services such as CompuServe and America Online by tv- ??g itself into Windows 95's navi- ??tional tools.

Also known by the code name Marvel. Microsoft Network will reach beta testers in large numbers as part of the sec- and major beta version or Windows 95. due this week PC Week L??bs took a look at the on-line service on a late-release candidate of the second beta.

Microsoft Network's on-line services are well-integrated into the Windows 95 user interface. The content is very sparse at this ??ge. but once populated with ??rmation service providers.

Microsoft Network may prove to be a valuable information source for Windows 95 users. The information that is available is well-organized into a hierarchy of folders and icons.

Navigating discussion groups and chat areas was similar to navigating local titles and folders. Windows front ends to America Online and CompuServe, in contrast. are separate applications. With Microsoft Network, we were able to create a link (called a Shortcut) to a discussion group and place the link on the Windows 95 desktop, where it appeared like any other folder. When we double-clicked on the discussion group. Windows 95 automatically re-established our connection before opening the icon.

Shortcut icons can be embedded as Object Linking and Embedding 2.0 objects, allowing usors to distribute them.

Messaging services are just as well-integrated. We could use the standard Microsoft Exchange E-mail client included with Windows 95 to compose and send messages. ??

PCWEEK

THE NATIONAL NEWSPAPER OF CORPORATE COMPUTING * NOVEMBER 21, 1994

VOLUME 11, NUMBER 95 ??.95

PC vendors allege undue pressure from Microsoft

?? IBM, OEMs contend strong-arm tactics

BY MANY JO FOLSY AND LISA DICARLO

LAS VEGAS—IBM and other major hardware OEMs are complaining that Microsoft Corp. is unfairly pressuring PC vendors to refrain from bundling OS/2 and PC-DOS with their PCs.

Also last week. Microsoft disclosed to hardware OEMs at Comdex here the Windows 95 MDA (Market Development Agreement), outlining proposed licensing fees, incentives, and compliance criteria.

Concerning OS/2, the hardware makers claimed that Microsoft officials threatened to delav, if not withhold entirely, delivery of Windows 95 code: reduce market-development funds: and withhold sales and support training for vendors that offer IBM's OS/2 or PC-DOS preloaded on their systems, sources said.

Sources said IBM and the hardware vendors have held periodic discussions with the Department of Justice about the alleged unfair Microsoft practices. IBM, the Justice Department, and the vendors declined official comment.

''The [Justice Department] has turned into a Better Business Bureau for anvone who wants to shoot off a complaint against Microsoft.'' said David Williams, group manager of Microsoft's Personal Operating Systems Division, in Redmond, Wash. ''We've got some salespeople who sometimes can go too far.'' Williams said he was unaware of any new filings regarding Microsoft with the Jusuce Department.

''The playing field is not level.

SEE BUNDLJNC, PAGE 138

Bundling from page ??

and we have a problem with that.'' said an executive with a hardware maker, who requested anonvmity. Other hardware vendors, fearful of reprisals from Microsoft, also requested an?? nymity.

One Microsoft customer said further complaints to the Justice Department against the company would not affect any business dealings. ''We've been through this DOJ stuff with the ?? IBM?? said Pete Bavoso, vice president of information systems with The Darby Group Co., a medical supplier and PC Week Corporate Partner in Westbury, N.Y.

As for the MDA, several hardware makers complained about the high rovalties that could hike PC prices as well as the stiff provisions for preloading.

However, they also said the licensing figure is a mere trial balloon floated by Microsoft, with Windows 95 not scheduled to ship until mid-1995.

Also at Comdex, several PC vendors claimed to have been discouraged by Microsoft from demonstrating IBM's OS/2 Warp at the show. Hewlett-Packard Co. and Packard Bell were among the companies that decided at the last minute against showing OS/2 as a result of implied and suggested retaliation from Microsoft, according to several sources close to the companies.

Officials with HP, of Palo Alto, Calif., and with Packard Bell, in Chatsworth. Calif., declined to comment. Dell Computer Corp. and Toshiba America Information Systems Inc. showed OS/2 Warp in their booths.

''Microsoft has been very aggressive about staving off the IBM assault,'' said another OEM source. ''There were indications that the smoothness and flexibility of bundling Windows 95 would have been jeopardized'' if the vendor showed systems running Os/2 Warp, said the source.

''There's about 15 things in there where you get $3, $2, or $1 off if you do things like put the Win 95 logo in national advertising,'' said another OEM.

''There are strong merchandising incentives [in the MDA],'' said Steve Lair. Toshiba vice president of marketing, adding that he didn't see anything in the agreement that overtly demanded exclusivity to Microsoft's products.

In the weeks leading up to Comdex. Microsoft made it clear to OEMs that it could make the transition to Windows 95 a costly and bumpy move, according to one of the sources.

Hardware and operating-system vendors complained privately that despite the proposed justice Department consent decree—which required Microsoft to alter its OEM licensing and non-disclosure agreement practices—Microsoft has done little to modify its behavior.

With the MDA, ''we are not doing per-system incentives for OEMs. That would be in violation of the consent decree,'' said

Microsoft's Williams. ''Instead, we're offering incentives for OEMs who go that extra mile in marketing Windows 95,'' he said, specifying financial, training, and joint promotional incentives. ??

Additional reporting by Neal Boud??. Dan Farber, and John Dodge

BUSINESS

Jesse Berst

Berst

Mode

Microsoft's on-line rivals could end up in 'cyberia'' Microsoft has promised to bundle an on-line service called The Microsoft Network ?? Windows ?? next summer on tall. If that occu??s, I pre?? that competing on-line services will be sentenced to a long, cold w?? of discontent. Microsoft's service will have an ??beatable edge over Comp??Serve. Prod?? America Online, and other rivals.

I'm no an export ?? an?? law, so I don't know whether this ?? ??. But I do know it feels unfair. It feels like Microsoft is ??ing a monopoly in one area to gain a monopoly in another, Microsoft may change its terms and conditions before the final tele??. But as I understand it right now. OEMs will be ?? to include MSN What's more ?? will not be informed they have a??

Let's ?? XYZ Co. makes a deal to ?? ??pecial Pro?? package w?? ?? computer. It even goes to the trouble of ??ing for a Pro?? sign-on screen to appear the first time the ?? book up.

When XYZ ships its Win 95 PCs, it will have to include The Microsoft Network sign-on XYZ may not ?? to ?? MSN. It may have given money ?? consideration to Pro?? in ?? not the bundle. Yet, as far as I know, XYZ won the able to turn off the built-in MSN screen.

In essence. OEMs will be forced to distribute MSN if they want to access Windows 95—even it that distribution is to the OEM's detriment.

I also worry that consumers won't real??e they have options. It's as if your local phone company were to automatically sign you up for AT&T's long-distance service without letting you know that you have other choices. And I worry that Microsoft will use the MSN ''registration'' procedure to read information about customers computer configurations and send that information to a Microsoft da??base. At least one other compa??s (Delrina) has used on-line registration to scan and store configuration info.

Now, that would be a competitive advantage—if Microsoft knew the names of millions of Windows users and knew exactly what hardware and software they owned

GULAG ??IBROGLIO. I have no evidence that Microsoft intends to secretly capture and store contiguration info. But the fact that I worry about it points up how Microsoft creates problems for itself.

These fears are feeding the mounting opposition to Microsoft's Int?? purchase and to The Microsoft Network. The Justice Department is being press??ed to open another investigation—pressured by the same competitors that Microsoft cavalierly dismisses is ''wh??ers'' ?? quote a Microsoft exec). Luck??ly for Microsoft, it has no much money in can alford to waste millions in legal fees. It looks like it will get a chance to do just that very soon.

RESPONSE OF THE WEEK: From system Anal??st Jim Ga??nor of Columbus. O??io:

''The likelihood of a Big Crash on the Internet decreases ??ail??. Links between one portion of the net and another may tempora??y go down, but the Internet is genes??s was in a Department of Delense project to create a data network capable of withstanding a ??clear attack. Truly crashing the Internet for an extended period would require a bankrolled effort on the level of the most professional modern terrorism. However, I agree that the tourists will start leaving. While Mosa?? may be pretty, interaction requires both action and thought, foreign concepts to the pas??ve?? entertained masses.'' ??

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Top of the News

Microsoft Settles: Business as Usual

Now that Microsoft's licensing agreements for MS-DOS and Windows have been deemed ''unfair'' and ''monopolistic'' by the Department of Justice, will other operating systems have a fighting chance on the desktop?

According to computer manufacturers. industry analysts, and end users, the outtook is grim for Novell's DOS and IBM's PC-DOS and OS/2. They say there's not much motivation for PC manufacturers to preinstall a competing product, since Windows has millions of users and thousands of software applications. And since Microsoft's upcoming version of Windows Code-named Chicago) won't require DOS, the demand for all flavors of DOS is likely to plummet.

Has the train for Chicago already left the station? ''I think the world of OS/2.'' says Jerry Williams. vice president of data operations for Eglin Federal Credit Union in Fort Walton Beach. Florida. ''It's a good operating system. However, I think the momentum has swung in Windows favor. If you go with OS/2. you're kind of stepping off the ladder.''

''DOS is starting to go away and Windows is taking over everything.'' says Gary Shurman, president of the New Orleans Personal Computer Club. ''Unless somebody comes up with something earthshattering. I don't think there's a serious challenger to Microsoft.''

Despite the skepticism. Microsoft's competitors may have their best chance in years to challenge Bill Gates's desktop domination. After a lengthy investigation by the U.S. Department of Justice and the European Commission (the executive body that governs the European Community), Justice Department officials announced in July that Microsoft had agreed to end its ''illegal monopolistic practices'' and stop using ''unfair contracts that choked off competition and preserved its monopoly'' in the PC operating system market.

Terms of the Decree

Under the terms of the consent decree, Microsoft must change its licensing contracts with PC manufacturers (called OEMs). It can no longer make ''per processor'' agreements that require OEMs to pay a royalty to Microsoft for each PC shipped—regardless of whether the preinstalled operating system is from Microsoft or a competitor. The company also can't require OEMs to purchase a minimum number of Microsoft operating systems or sign a license with terms longer than one year (although the OEM can renew the license for an additional year).

Perhaps most optimistic about the Justice Department ruling is IBM. Which little success in convin??ing OEMs to preinstall its OS/2 operating system. ''This has really opened the door. We've ??ut proactively, contacting, hundreds of PC manufacturers already.'' says John ?? detector of IBM's Personal Software Products division in Austin. Texas. While So??ing expects some ''major North American manufacturers'' to pre??stall OS/2?? so far Big Blue's ??tories have been in Europe. Soyring says that

German PC makers Vobis and Escom already preinstall OS/2—and Escom expects to ship 440.000 ??tems with OS/2 over the next 12 months.

Despite the ruling from Justice, Micro soft's influence over PC manufacturers remains immense. Most of the leading OEMs contacted for this article had little or no comment on the Justice Department ruling, other than to say that their relationship with Microsoft would stay the same (in other words, they'd still preinstall Windows). And many industry pundits sec the consent decree as a weak slap on Microsoft's wrist. ''I think Microsoft is thrilled with the settlement.'' says Tim Bajarin. president of Creative Strategies in San Jose, California. Of course, if Microsoft is too aggressive, it is likely to find itself in the sights of regulators once again. That's a position even Bill Gates wants to avoid.

Jeff Bertolucci

Jan ??rancisco ??ronicle

THE ?? DAILY CIRCULATION IN HO??THE?? CA??FORMIA

MONDAY, JULY 18, 1994

Microsoft Unscathed By Settlement

Antitrust pact a slap on wrist for software giant

By Da??id E??ste??

Ch?? Staff Writer

Although the government claimed victory in its antitrust battle against Microsoft, it appears as if the world's largest software maker suffered little damage and in fact should continue to steamroller the rest of the industry.

By agreeing to halt some supposedly monopolistic practices, Bill Gates'' giant company has left the door open ever so &lightly for competitors to grab some piece of the market for operating systems that run moat of today's personal computers. It is a market Microsoft dominates with its MS-DOS and Windows programs, currently installed on more than 120 million computers worldwide.

But sometime late this year of early next. Microsoft intends to brush away its rivals once again when it introduces Chicago, the next generation of Windows. If PC users flock to Chicago as expected.

Gates actually could increase hit hold on the industry he helped create in the early 1990s.

There had been speculation that the Justice Department, which took over the Investigation from the Federal Trade Commission last year, might have gone so far as to break up Microsoft Just as AT&T was split up In 1984.

But ns the government closed the case late Friday, however, it was with a mere slap on the wrist. Microsoft admitted no guilt over allegations of monopolistic practices, and faces no fines or financial penalties. Its revenues, now over $4 billion a year, probably will not suffer.

No wonder Microsoft officials were happy with the terms of the settlement. ''It preserves our ability to do business In a way that IS effective,'' said Bill Neukom, vice president of law and corporate affairs.

But Attorney General Janet Reno professed satisfaction with the outcome of the first major antitrust case of the Clinton administration, saying the settlement ''levels the playing field and opens the door for competition'' by curbing Microsoft's ''monopollstic practices.''

Reno talked tough, adding that ''while the company fairly and lawfully climbed to the top of the industry ladder, It used unfair and illegal practices to maintain its dominant position.''

But the settlement did not address what many competing companics consider the real antitrust issue. Microsoft, they say, has used its control of DOS and Windows to extend lb hold on the software sector.

In fact. during the nearly four years the government Investigated Microsoft, the Redmond, Washbased behemoth managed to be the major player In the market not only for operating systems, but also for major applications such as word processing and spreadsheet software. And even as the consent decree goes Into effect, Microsoft is trying to tighten the screws on its major competitors by asking smaller software developers to adopt a standard that would make their programs dovetail with Microsoft's best-selling ''Office'' suite of applications. U??

Friday's consent decree, which steers the company and the government clear of the courts, includes an agreement to change the way Microsoft licenses its operating system. That Issue the government felt was its best chance to beat Microsoft had the antitrust case gone to court.

Microsoft no longer will offer PC makers steep discounts on volume purchases of DOS and Windows In return for royalities from every PC said—whether or not the Microsoft system was actually Installed on them. That ''per-processor'' licensing strategy had discouraged manufacturers from buying rival products such a Novell's version of DOS or IBM's OS/2 operating system, since they already were paying for Microsoft's version.

Novell's general counsel, David Bradford, saw the consent decree as a clear victory. ''This has been a long effort by many companies for many years.'' he said, ''and this decision will provide consumers with Increased choices and more innovative products.''

But the euphoria may wear off quickly. Microsoft's Chicago program reportedly will not require an underlying operating system, leading Industry experts to predict the irrelevancy or death of DOS once Chicago catches on. Industry Standard P??ts

Competitors may benefit more from Microsoft's agreement to'' loosen restrictions on its nondisclosure agreements—Industry. standard pacts that software companics must sign to get advance copies of new products such as Chicago. Microsoft In the past has forced companies to agree not to work with other operating systems in return for access to lb programs.

That may help large companies like Novell, which is updating its popular WordPerfect and Quattro Pro programs. But smaller companies still may find themselves ti??t- ing at windmills in trying to take on Microsoft.

Ernie Simpson. president of The Wizard Co. in Denton, Texas, called the settlement ''a waste of time.''

''Microsoft will continue to do as they have been doing, only they'll word their contracts a little differently.'' said Simpson, whose company develops software for some major Windows programs. ''Microsoft Is the de facto industry standard for operating systems, and they will continue to control the industry to the advantage of Microsoft and the detriment of everyone else.''

Microsoft had Insisted It would never settle antitrust charges out of court. Gates was positively adamant about it, complaining that the Justice Department was hounding him unreasonably, in the end, however, with antitrust charges looking more and more possible, the company decided to cut a deal. Judging from the first reviews, Gates appears to have done quite well by It.

Chronicle wiry ser??c?? to this report.

Sunday, July 24, 1994 C–5

San Francisco Examiner

COMPUTERS & TECHNOLOGY

Microsoft deal: too little, too late

A few days after the Department of Justice announced the settlement of its antitrust investigation of Microsoft, Bill Gates told the Wall Street Journal, ''I intend to defy gravity.''

Thanks to the nature of that settlement, it is likely that he will.

The Justice Department press release announcing the settlement quoted Attorney General Reno as saying, ''Microsoft's unfair contracting policies have denied other U.S. companies a fair chance to compete, deprived cop- ??mers of an effective choice ??ong competing PC operating systems, and alowed innovation.'' True enough.

She went on to state, ''Today's settlement levels the playing field and opens the door for competition.''

Unfortunately, it is unlikely to do either.

It is telling that in describing the harm caused to competition and innovation by Microsoft's practices, the attorney general used the past tense. The particular practices the settlement addressed were unquestionably key factors in Microsoft's rise to dominance in the 1980s.

Among other things, Microsoft required PC manufacturers to pay a license fee for its MS-DOS and Windows operating system software on every PC shipped with an Intel microprocessor under long-term agreements—whether or not those PCs actually contained that software—and unreasonably restricted independent software companies from working with Microsoft compatitors. In so doing, Microsoft managed to insinuate its technology into the heart and soul of 85 percent of the world's PCs.

By 1985, these practices had already had their intended effect: making Microsoft's operating system the de fact?? PC standard. The present source of Microsoft's domination in the PC world derives from the status as the standard-holders, not the practices the Justice Department condemned and which will now be prohibited under the settlement.

Microsoft, understands this perfectly well, which, of course, is why Bill Gates let the settlement happen. Nothing in the proposed settlement is likely to have anything other than the most marginal effect on Microsoft's future.

Inherent in the nature of software technology is the concept of dependence.

Operating systems are useless without application programs and vice versa. Neither has discrete, stand-alone value.

But of the two, operating systems software must come first and clearly provides the most potential for leverage. To its credit, Microsoft understood this earlier than everyone else and exploited its insight relentlessly. So technically dependent in the PC industry on Microsoft operating system software, that Microsoft could afford the luxury of a five-year period in which to perfect. Windows after its initial introduction in 1986.

When Apple introduced the Macintosh ''graphical user interface,'' which replaced ob??cure and hard-to-remember keyboard commands with easy-to-learn and easy-to-use screen icons and a mouse, it marked a watershed in the development of consumer-friendly computing. In response, Microsoft introduced Windows, which was supposed to provide Macintosh-like ease-of-use.

[See VIEWPOINT, C–6]

??VIEWPOINT from C–1

Too little, too late

But the first several versions of Windows were so poorly designed that very few people wanted them, preferring even the archaic DOS with its incredibly difficult keyboard commands. It wasn't until 1990, five years after its introduction, that Microsoft finally produced a version of Windows that was ready for prime.

Now, one would think that if genuine competition existed in PC operating systems, this five-year gap would have been exploited by one or more competitors of Microsoft. Indeed, it's hard to conceive that any company could have taken as long as Microsoft did to get a basic technology right and still survive.

Yet, Microsoft not only survived during this period, it prospered. The reason is that it was virtually impossible to shake free of MS–DOS, even when clearly better alternatives were available. The consumer investment in application programs that could only run on the Microsoft system was too large and the cost of switching to an alternative technology—even a clearly better one—too great.

While this was obvious to everyone by 1985 or 1986, Bill Gates understood it in 1980.

Almost 10 years later, PC manufacturers, consumers and software developers are even more tightly bound to Microsoft operatins system technologies. The ties that bind are not contractual, they are technical, which is why the Jus- rice Department settlement will be ineffective.

And while controlling this standard, Microsoft is free to compete on applications based on the standard. Companies that develop competing spreadsheet, word processing and other such programs have complained for years that Microsoft programmers have the unfair advantage of knowing changes to the operating system specifications well before anyone else.

The fact is Microsoft owns— and closely guards—the de facto standard for desktop computers, a critical part of our information infrastructure. And at least three steps could be taken to ensure fair competition. Microsoft could be required to:

??Publicly disclose its operating system interface specifications so that designers of competing operating systems could have assurance that application programs written for MS-DOS or Windows would run efficiently with their operating systems. Microsoft should update its specifications in a periodic and timely manner.

San Jose Mercury News

Se??ng Northern Cal?? Since 1851

?? NOVEMBER 13, 1994

Microsoft, Intel set to define technology

?? Duopoly: Apple, IBM, Motorola mounting last-ditch attempt to make PC alternative. BY RORY J. O'CONNOR

Merr??ry News Staff Writer

Tomorrow, when Silicon Valley's brain trust arrives in Las Vegas as part of a 200,000-strong crowd at the computer industry's largest trade snow, conversation will almost certainly center on one topic: Can anything stop Microsoft and Intel from controlling everything?

Some fear that as the digital future of the information superhighway emerges, an unchallenged Microsoft and Intel will wind up in total, undisputed control of the technology upon which the country's citizens and economy will depend. And few believe that a recently announced alliance between Apple and IBM will prove an effective roadblock.

Who will control COMPUTING'S FUTURE? First in an occasional series.

Today, Microsoft Corp. makes the world's most popular software for personal computers, operating systems that control 85 percent of the machines in use. Intel Corp.'s microprocessor chips are the brains in 75 percent of all the computers made.

But the personal computer is rapidly becoming a home appliance, and the PC is poised to expand from word processing and spreadsheets to controlling a myriad of other jobs in our everyday work and personal lives. The companies that control personal-computer technology are in a position soon to dominate much, much more.

From video telephones to intelligent fax machines, from office to home, from providing digital information and entertainment to managing credit-card and other financial transactions, Microsoft and Intel are already extending their reach far beyond traditional personal computing.

Both companies have deep pockets to back the technology— and their unofficial partnership is an effective duopoly that could let the companies dictate the price of technology, minimize consumer choices and slow the pace of technical progress.

In short, many believe, little stands between the two comparoes and technical control of the future.

''Increasingly, I'm believing it's all over, and we're going to be locked into Microsoft and Intel forever.'' said Dataquest analyst Kimball Brown.

In the 13 years since IBM transformed the PC from hobbyist toy to business tool. control of the industry has shifted from IBM and Apple to their once-tiny corn- petitors. Now, Apple and IBM, despite their combined annual revenues of nearly $75 billion, are the underdogs.

Except for Apple, whose research and development spending remains large despite a $100 million cutback in the past year, few PC companies invest significant sums in new technology research. The bulk of such money is spent by Intel to develop chips and Microsoft to further its lead in software.

Many people in the industry decry this state of affairs, but lack the money, the marketing or the technology to force meaningful competition. Even the federal government has declined to step in, punishing Microsoft with a slap on the wrist after a four-year investigation into what Attorney General Janet Reno called ''illegal, monopolistic'' practices.

Perhaps the only force large enough to change anything is an infant agreement announced last week by Apple, IBM and Motorola to build a new kind of personal computer, one that would neither use Intel microprocessors nor fea ture Microsoft operating systems.

The timing of their agreement, one week before the largest annual gathering of technology power brokers in the world, is no accident.

Even though the alliance will not produce a product until 1996, IBM and Apple need every ounce of momentum they can muster for what is probably the last- ditch attempt to topple Intel and Microsoft t or even to hope to play a role in defining the technical future.

But most analysts insist that Apple and IBM are waging the wrong war. ''The desktop operating system war is over,'' said venture capitalist Ann Winblad, whose Emeryville firm specializes in software companies. ''Microsoft has won.''

Instead. Apple and IBM should be looking to the information superhighway for opportunities to sell new technology, expand their business and regain the power to force technical competition, said Richard Shaffer, publisher of the Technologic Letter in New York.

That's because there is a potentially more lucrative market in the future, one that uses both the personal computer and its technology.

It goes by the catch-all term of information superhighway, but it encompasses a host of major changes in the role of personal computers at work and at home.

Some of the latest home, computers are already touted as being able to replace nearly everything in a small office except the coffee pot.

Phones and fax machines are becoming smarter, thanks to more-powerful computer brains. And when people are away from their home or office in the future, they may well carry portable devices that combine today's cellular phone with ready information access, offering yet another umbilical cord to the PC.

Over the next decade, even television is poised to become interactive, offering far more choices, two-way video and fountains of information on demand—activities that require heavy use of computer chips and sophisticated operating systems and other software. Computers will manage nearly all financial transactions, and will even be a citizen's primary conduit to the government.

Some experts envision a single intelligent box in the home, one that would use the

functions of a personal computer to connect the home to information and communications lines through phone-company wires or cable-television hookups.

There's little doubt that each of these areas will be the site of intense competition. In almost every case, Microsoft and Intel's dominance of the PC business would give them a crucial advantage.

If they succeed in controlling key technology in any or all of these areas, they will be able to determine much of how the devices work, and could even control how people receive information or make purchases. And the closer the digital world moves to merging control into just one or two boxes connected to monolithic networks, the better the chance Intel and Microsoft have to dominate them as they have PCs.

But Apple insists it is not blind to the digital future, despite initial failure in one new market— that for personal digital assisrants—and a very slow start for its E-World on-line service.

''Clearly, there's a feeling at Apple that these other technologies are very exciting areas,'' said Rick LeFaivre, the head of the company's Advanced Technology-Group. ''But at the same time we're making sure not to take our eye off the PC and say it's dead. ... The PC side of our business will be by far the dominant side for a long, long time.''

At the same time, Apple's partner is struggling to regain power it has lost in nearly every area of its business. Internally, it is replacing top managers, revamping its structure, changing key technology, laying off workers and trying to figure out how it fits into a world it once controlled. Externally, critics say they can't fathom the company's strategy, especially in personal computing, where it is unclear what software and hardware technology IBM considers strategic—and, there, fore, safe for customers to buy.

The problem for Apple and IBM, according to analysts, is that they probably have little'' hope of competing effectively in the digital future unless they can quickly establish their new computer as a viable mauve.

But to become a PC alternative. the companies must overcome a host of difficulties, from wrenching changes in their corporate cultures to damaged balance sheets to the improbability of the partnership they began with Motorola more than three years ago.

''The whole plan in 1991 was daring, kind of like chemotherapy,'' stud Shaffer. ''The therapy might kill the patient, but the al ternative is certain death.''

Few believe that Apple, IBM and Motorola can thrive against the Microsoft-Intel duopoly short of a move even more unlikely than the original IBM-Apple partnership.

''Without the merger of Apple and IBM into one corporate entity, they are executing separate strategies, no matter what they say,'' Winblad said. ''So while some people have called this the David and Goliath story, with Microsoft as Goliath, there is no David—perhaps a Tom, Dick and Harry.''

Not everyone believes that a world where two companies control most of the technology is a cause for alarm, however. ''What's wrong with there being just one operating system? It's supposed to be transparent to the user,'' said analyst Doug Kass of the Viewpoint Group in Aptos. ''I don't think that will lead to huge increases in price. It's not competition among vendors, but what the market will bear in terms of price. Consumers look for what works, not the cutting edge. If some new (software) is priced beyond the glass ceiling of what consumers are comfortable paying, it won't sell.''

Not surprisingly, Microsoft officials share that view

''Things are very competitive now,'' said Brad Chase, general manager of Microsoft's personal operating systems division. ''Apple is certainly not an uncompetirive company. IBM is a very aggressive company. And the thing about technology is you can't rest on your laurels. If you don't keep aggressive, your leadership will melt like butter.''

Tomorrow in Business Monday: How far can Microsoft go?

San ''Jose Mercury News,'' Wednesday, December 21, 1994

MICROSOFT'S DOMINATION

Microsoft's revenues in the world market for personal computer business grew more in 1994 than revenues in the market as a whole, according to preliminary estimates by Dataquest Inc. Total revenues grow by more than $550 million, while Microsoft's related revenue grew by more than$650 million. ''Lotus 1–2–3. WordPerfect. dBase.

Paradox and Harvard

Graphics once dominated their respective categories.'' said Dataquest analyst Karl Wong. ''Today, Microsoft products have replaced each of these one-time product category leaders.'' (Figures are in millions.)

''94 1993 ''93-'94 ''94 ''94 market

Rink Company Revenue % chg. ,Revenue, share (%)

1 Microsoft $2.221 +29.4 $2.873

34.7 District of Columbia.

2 Lotus 986—1.8 968 1

I. 7 3 Novell 698 -11.6 617

7.5 4 Adobe 197 +28.1 253 3.1 5 Symantec 207 +15.2 238

2,9 6 Clans 160 -t-9.3 175

2.1 7 Borland 360 -52.8 170

2.1 8 Intuit 104 +56.9 163

2.0 9 Corel 105 +41.6 148

t.8 I0 Delrina 65 +43.1 94

1.1 Others 2.617 -1.7 2.573

31.0 Total 7.720 +7.2 8.272

100.0

Source: Dataquest Inc

MERCURY NEWS

Positive Feedbacks in the Economy

A new economic theory elucidates mechanisms whereby small chance events early in the history of an industry or technology can tilt the competitive balance Conventional economic theory is built on the assumption of diminishing returns. Economic actions engender a negative feedback that leads to a predictable equilibrium for prices and market shares. Such feedback tends to stabilize the economy because any major changes will be offset by the very reactions they generate. The high oil prices of the 1970's encouraged energy conservation and Increased off exploration, precipitating a predictable drop In prices by the early 1980's. According to conventional theory, the equilibrium marks the ''best'' outcome possible under the circumstances: the most efficient use and allocation of resources.

Such an agreeable picture often does violence to reality. In many parts of the economy, stabilizing forces appear not to operate. Instead postitive feedback magnifies the effects of small economic shifts; the economic models that describe such effects differ vastly from the conventional ones. Diminishing returns imply a single equilibrium point for the economy, but positive feedback—increasing rerums—makes for many possible equilibrium points. There is no guarantee that the particular economic outcome selected from among the many alter-

W. BRIAN ARTHUR is Morrison Professor of Population Studies and Economics at Stanford University. He obtained his Ph.D ??om the University of California. Berkeley, In 1973 and holds graduate degrees In operations research, economics and mathematics. Until recently Arthur was on leave at the Santa Fe Institute, a research institute dedicated to the study of complex systems. There he directed a team of economists, physicists, biologists and others investigating behavior of the economy as an evolving. complex system. by W. Brian Arthur natives will be the ''best'' one. Furthermore. once random economic events select a particular path, the choice may become locked-in regardless of the advantages of the alternatives. If one product or nation in a competitive marketplace gets ahead by ''chance.'' it tends to stay ahead and even Increase its lead. Predictable, shared markets are no longer guaranteed.

During the past few years I and other economic theorists at Stanford University, the Santa Fe Institute in New Mexico and elsewhere have been developing a view of the economy based on positive feedback. Increasing-returns economics has roots that go back 70 years or mote. but Its application to the economy as a whole is largely new. The theory has strong parallels with modem nonlinear physics (instead of the pre-20th-century physical models that underlie conventional economics), it recluses new and challenging mathematical techniques and it appears to be the appropriate theory for understanding modem high-technology economies.

The history of the videocassette recorder furnishes a simple example of positive feedback. The VCR market started out with two competing formats selling at about the same price: VHS and Beta. Each format could realize Increasing returns as its market share Increased: large numbers of VHS recorders would encourage video outlets to stock more prerecorded tapes in VIIS format, thereby enhancing the value of owning a VIIS recorder and leading mote people to buy one. (The same would, of course, be true for Beta-format players.) In this way, a small gain in market share would Improve the competitive position of one system and help it further increase its lead.

Such a market is initially unstable. Both systems were introduced at about the same time and so began with roughly equal market

shares; those shares fluctuated early on because of external circumstance, ''luck'' and corporate maneuvering. Increasing returns on early gains eventually tilted the competition toward VHS: It accumulated enough of an advantage to take virtually the entire VCR market.

Yet it would have been Impossible at the outset of the competition to say which system would win, which of the two possible'' equilibria would be seleered. Furthermore, if the claim that Beta was technically superior Is true, then the market's choice did not represent the best economic outcome.

Conventional economic theory offers a different view of competition between two technologies or products performing the same function. An example is the competition between water and coal to generate electricity. As hydroelectric plants take more of the market, engineers must exploit more costly dam sites, thereby increasing the chance that a coal-fired plant will be cheaper. As coal plants take more of the market. they bid up the price of coal (or trigger the imposition of costly pollution controls) and so tip the balance toward hydropower. The two technologies end up sharing the market in a predictable proportion that best exploits the potentials of each, in contrast to what happened to the two video-recorder systems.

The evolution of the VCR market would not have surprised the great Victorian economist Alfred Marshall one of the founders of today's conventional economics. In his 1890 Principles of Economics, he noted that if firms'' production costs fall as their market shares Increase, a rum that simply by good fortune gained a high proportion of the market early on would be able to best its rivals; ''what. ever firm first gets a good start'' would corner the market. Marshall did not follow up this observation, however. and theore??cal economics has until recently largely ignored it.

Marshall did not believe that mcreasing returns applied everywhere; agriculture and mining—the marestays of the economies of his time— were subject to diminishing returns caused by limited amounts of fer??le land or high-quality ore deposits. Manufacturing, on the other hand. enjoyed increasing returns because large plants allowed improved organization. Modern economists do not see economies of scale as a reliable source of increasing returns. Sometimes large plants have proved more economical; often they have not.

I would update Marshall's insight by observing that the parts of the economy that are resource-based (agriculture. bulk-goods production, mining) are still for the most part subject to diminishing returns. Here conventional economics rightly holds sway. The parts of the economy that are knowledge-based, on the other hand. are largely subject to increasing returns. Products such as computers, pharmaceuticals, missiles, aircraft, automobiles. software, telecommunications equipment or fiber optics are complicated to design and to manufacture. They require large initial investments in research, development and tooling. but once sales begin, incremental production is relatively cheap. A new airframe or aircraft engine, for example. typically costs between $2 and $3 billion to design, develop, certify and put into production. Each copy thereafter costs perhaps $50 to $100 million. As more units are built, unit costs continue to fall and profits increase.

Increased production brings additional benefits: producing more units means gaming more experience in the manufacturing process and achieving greater understanding of how to produce additional units even more cheaply. Moreover. expenence gained with one product or technology can make it easier to produce new products incorporating similar or related technologies. Japan-for example, leveraged an initial investment in building precision instruments into a capacity for building consumer electronics products and then the integrated circuits that went into them.

Not only do the costs of producing high-technology products fall as a company makes more of them. but the benefits of using them increase.

Many items such as computers or telecommunications equipment work m networks that require compatibility; when one brand gains a significant market share, people have a strong incentive to buy more of the same product so as to be able to exchange information with those using it already.

If increasing returns are important. why were they largely Ignored until recently? Some would say that complicated products-high technology-for which increasing returns are so Important. are themselves a recent phenomenon. This is true but is only part of the answer. After all, in the 1940's and 1950's. economists such as Gunnar K. Myrdal and Nicholas Kaldor identified positive-feedback mechanisms that did not revolve technology. Orthodox economists avoided increasing returns for deeper reasons.

Some economists found the existence of more than one solution to the same problem distasteful—unscientific. ''Multiple equilibria.'' wrote Joseph A. 5chumpeter in 1954, ''are not necessarily useless, but from the standpoint of any exact science the existence of a uniquely determined equilibrium is, of course, of the utmost Importance. even if proof has to be purchased at the price of very restrictive assumptions; without any possibility of proving the existence or [a] uniquely determined equilibrium— or at all events, of a small number of possible equilibria—at however high a level of abstraction, a field of phenomena is really a chaos that is not under analytical control.''

Other economists could see that

ALL A

RANDOM WALK on a convex surface illustrates increasing-returns competition between two technologies. Chance determines early patterns of adoption and so influences how fast each competitor improves. As one technology gains mort adherents (corresponding to motion downhill toward either edge of the surface), further adoption is increasingly likely.

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FLORENCE CATHEDRAL CLOCK has hands that move ''counterclockwise'' around its 24.hour dial When Paolo Uccello designed the clock in 1443. a convention for clockfaces had not emerged. Competing designs were subject to increasing returns: the more clockfaces of one kind were built, the more people became used to reading them. Hence. it was more likely that future clockfaces would be of the same kind. After 1530. ''clockwise'' designs displaying only 12 hours had crowded out other designs. The author argues that chance events coupled with positive feedback. rather than technological superiority, will often determine economic developments. theories incorporating increasing returns would destroy theft familiar world of unique, predictable equilibria and the notion that the market's choice was always best. Moreover, if one or a few firms came to dominate a market, the assumption that no firm is large enough to affect market prices on its own (which makes economic problems easy to analyze) would also collapse. When John R. Hicks surveyed these possibilities in 1939 he drew back in alarm. ''The threatened wreck. age.'' he wrote. ''is that of the greater part of economic theory.'' Economists restricted themselves to diminishing returns, which presented no anomalies and could be analyzed completely.

Still others were perplexed by the question of how a market could select one among several possible solutions. In Marshall's example, the firm that is the largest at the outset has the lowest production costs and must inevitably win in the market. In that case. why would smaller firms compete at all? On the other hand. if by some chance a market started with several identical firms, their market shares would remain poised in an unstable equilibrium forever.

Studying such problems in 1979, I believed I could see a way out of many of these difficulties. In the real world, if several similar-size firms entered a market at the same time, small fortuitous events—unexpected orders, chance meetings with buyers, managerial whims—would help determine which ones achieved early sales and, over time, which firm dominated. Economic activity is quantized by individual transactions that are too small to observe, and these small ''random'' events can accumulate and become magnified by positive feedbacks so as to determine the eventual outcome. These facts suggested that situations dominated by increasing returns should be modeled not as static, deterministic problems 94 SCIENTIFIC AMERICAN February 1990 as dynamic processes based on ??ndom events and natural positive feedbacks, or nonlinear??ties

With this strategy an increasingreturns market could be re-created in a theoretical model and watched as its corresponding process unfolded again and again. Sometimes one solution would emerge, sometimes (under identical conditions) another. It would be impossible to know in advance which of the many solutions would emerge in any given run. Still, it would be possible to record the particular set of random events leading to each solution and to study the probability that a particular solution would emerge under a certain set of initial conditions. The idea was simple, and it may

well have occurred to economists m the past. But making it work called for nonlinear random-process theory that cud not exist in their day.

Every increasing-returns problem need not be studied in isolation; many rum out to fit a general nonlinear probability schema. It can be pictured by imagining a table to which balls are added one at a time; they can be of several possible colors—white, red, green or blue. The color of the ball to be added next is unknown, but the probability of a given color depends on the current proportions of colors on the table. If an increasing proportion of balls of a given color increases the probability of adding another ball of the same color, the system can demonstrate positive feedback. The question is. Given the function that maps current proportions to probabilities, what will be the proportions of each color on the table after many balls have been added?

In 1931 the mathematician George Polya solved a very particular version of this problem in which the probability of adding a color always equaled its current proportion. Three U.S. probability theorists, Bruce M. Hill of the University of Michigan at Ann Arbor and David A. Lane and William D. Sudderth of the University of Minnesota at Minneapolis. solved a more general nonlinear version in]980. In 1983 two Soviet probability theorists. Yuri M. Ermoliev and Yuri M. Kaniovski, both of the Glushkov Institute of Cybernetics in Kiev, and I found the solution to a very general version. As balls continue to be added, we proved, the proportions of each color must settle down to a ''fixed point'' of the probability function—a set of values where the probability of adding each color is equal to the proportion of that color on the table. Increasing returns allow several such sets of fixed points.

This means that we can detern the possible patterns or soluti?? of an increasing-returns problem by solving the much easier challenge of finding the sets of fixed points of its probability function. With such tools economists can now define increasing-returns problems precisely, identify their possible solutions and study the process by which a solution is reached. Increasing returns are no longer ''a chaos that is not under arialytical control.''

In the real world, the balls might be represented by companies and their colors by the regions where they decide to settle. Suppose that firms enter an industry one by one and choose their locations so as to maximize profit. The geographic preference of each firm (the intrinsic benefits it gains from being in a particular region) vanes; chance determines the preference of the next firm to enter the industry. Also suppose, however, that firms'' profits increase if they are near other firms (their suppliers or customers). The first firm to enter the industry picks a location based purely on geographic preference. The second firm decides based on preference modified by the benefits gained by locating near the first firm. The third firm is influenced by the positions of the first two firms, and so on. If some location by good fortune attracts more firms than the others in the early stages of this evolution, the probability that it will attract more firms increases. Industrial concentration becomes self-reinforcing.

The random historical sequence of firms entering the industry deter. mines which pattern of regional setdement results, but the theory shows that not all patterns ate possible. If the attractiveness exerted by the presence of other firms always rises as more firms are added, some region will always dominate and shut out all others.

If the attractiveness levels off, other solutions, in which regions share the industry, become possible. Out new tools tell us which types of solutions can occur under which conditions.

Do some regions in fact amass a large proportion of an industry because of historical chance rather than geographic superiority? Santa Clara County in California (Silicon Valley) is a Likely example. In the 1940's and early 1950's certain key people m the U.S. electronics industry—the Varian brothers, William Hewlett and David Packard. William Shockley-set up shop near Stanford University; the local availability of engineers, supplies and components that these early firms helped to create made Santa Clara County extremely attractive to the or so firms that followed. If these eatly entrepreneurs had preferred other places, the densest concentration of electronics in the country might well be somewhere else.

On a grander scale, if small events m history had been different, would the location of cities themselves be different? 1 believe the answer]s yes. To the degree that certain locations are natural harbors or junction points on rivers or lakes, the pattern of Ones today reflects not chance but geography. To the degree that industry and people are attracted to places where such resources are already gathered, small early chance concentrations may have been the seeds of today's configuration of urban centers. ''Chance and necessity,'' to use Jacques Monod's phras??ract. Both have played crucial ro?? the development of urban centers ?? the U.S. and elsewhere.

Self-reinforcing mechanisms other than these regional ones work in international high-tech man. ufacturing and trade. Countries that gain high volume and experience in a high-technology industry can reap advantages of lower cost and higher quality that may make it possible for them to shut out other countries.

For example, in the early 1970's, Japanese automobile makers began to sell significant numbers of small cats in the U.S. As Japan gained market vol. tune without much opposition from Detroit. its engineers and production workers gained experience, its costs fell and its products improved. These factors, together with improved sales networks, allowed Japan to increase FERROMAGNETS AND REGIONAL RAIL GAUGES become ordered in much the way. As a disordered magnetic material is cooled (left% the atomic dipoles inside it exert tortes on one another, causing neighboring dipoles to align. Eventually all the dipoles in a sample line up, but the direction they all take (up or down) cannot be predicted beforehand. Similarly, as Douglas Puffert of Swarthmore College has shown, neighboring private railroads (right) ha the past century adopted the same gauge to extend their range mole easily. Eventually all (or most) railroads used the Same gauge. Similar equations describe the behavior of these two system.5. SCIENTIFIC AMERICAN February 1990 95 its share of the U.S. ?? as a resuit. workers gained ?? expert. ence, costs fell further and quality improved again. Before Detroit responded seriously, this posture-feedback loop had helped Japanese companies to make serious inroads into the U.S. market for small cars. Similar sequences of events have taken place m the markets for television sets. rotegrated circuits and other products.

How should countries respond to a world economy where such rules apply? Conventional recommendations for trade policy based on constant or diminishing returns tend toward lowprofile approaches. They rely on the open market, discourage monopolies and leave issues such as R&D spending to companies. Their underlying assumption is that there is a fixed world price at which producers load goods onto the market, and so interference with local costs and prices means of subsidies or tariffs is unp?? ductive. These policies are appropriate for the diminishing-returns parts of the economy, not for the technology-based parts where increasing rerums dominate.

Policies that are appropriate to success in high-tech production and international trade would encourage industries to be aggressive in seeking out product and process improvements. They would strengthen the national research base on which hightech advantages are built. They would encourage rums in a single industry to pool their resources in joint ventures that share up-front costs, marketing networks, technical knowledge and standards. They might even foster strategic affiances, enabling comparues in several countries to enter a complex industry that none could NONLINEAR PROBABILITY THEORY can predict the behavior of systems subject to Increasing terns, in this model, balls of different colors are added to a table; the probability that the next ball will have specific color depends on the current proportions of colors (top). increasing term-ns occur in A (the graph shows the two-color case: arrows indicate likely directions of motion): a red ball is mote likely to be added when there is already a hi fib proportion of'' red halls. This case has two equilibrium points: one at which almost all balls are red; the other at which very few are red. Diminishing terns occur in B: a higher proportion or red balls lowers the probability of adding another. There is a single equilibrium point. A corn. bination of increasing and diminishing returns (C) yields many equilibrium points. 98 SCIENTIFIC AMERICAN February 1990 tackle alone. Increasing-returns theory also points to the Importance of timing when undertaking research initiatives in new industries. There is little sense in entering a market that is already close to being locked-in or that otherwise offers Little chance of success. Such policies are slowly being advocated and adopted in the U.S.

The value of other policies, such as subsidizing and protecting new industries—bioengineering, for example-to capture

foreign markets, Is debatable. Dubious feedback benefits have sometimes been cited to justify goveminent-sponsored white elephants. Furthermore, as Paul R. Krugman of the Massachusetts Institute of Technology and several other economists have pointed out, if one country pursues such policies, others will retaliate by subsidizing their own high-technology industries. Nobody gains The question of optimal industrial and trade policy based on increasing returns is currently being studied In. tensely. The policies countries choose will determine not only the shape of the global economy in the 1990's but also its winners and its losers. Increasing-returns mechanisms do not merely tilt competitive balances among nations; they can also cause economies-even such successful ones as those of the U.S. and Japan-to become locked into inferior paths of development. A technology that improves slowly at first but has enormous long-term potential could easily be shut out, locking an economy if. to a path that is both inferior and difficult to escape.

Technologies typically improve u more people adopt them and firms gain experience that guides further development. This link is a positive-feedback loop: the more people adopt a technology, the mote it improves and the more attractive it is for further adoption. When two or more technologies (like two or more products) compete, positive feedbacks make the market for them unstable. If one pulls ahead in the market, perhaps by chance, its development may accelerate enough for it to comet the market. A technology that improves more rap. idly as mote people adopt it stands a better chance of surviving—it has a ''selectional advantage.'' Early superiority, however, is no guarantee of long-term fitness.

In 1956, for example., when the U.S. embarked on its nuclear, power program. a number of designs were proposed: reactors cooled by gas, light water, heavy water, even liquid sodi

COMPANIES CHOOSE LOCATIONS to maximize profits, which are determined by intrinsic geographic preference (shown by color) and by the presence of other companies, in this computer-generated example, mast of the first few companies set. de in the green region, and so all new companies eventually settle there. Such clustering might appear to imply that the green region is somehow superior. In other runs of the program, however, the red and blue regions dominate instead. urn. Robin Cowan of New York University has shown that a series of trivial circumstances locked virtually the en??e U.S. nuclear industry into light water. Light-water reactors were originally adapted from highly compact units designed to propel nuclear submarines. The role of the U.S. Navy in early reactor-construction contracts, efforts by the National Security Council to get a reactor—any reactor— working on land in the wake of the 1957 Sputnik launch as well as the predilections of some key officials all acted to favor the early development of Light-water reactors. Construction experience led to improved light-water designs and. by the mid-1960's, fixed the industry's path. Whether other designs would, in fact, have been superior in the long run is open to question, but much of the engineering literature suggests that high-temperature, gas-cooled reactors would have been better.

Technological conventions or standards, as well as particular technologies, tend to become locked-in by positive feedback, as my colleague Paul A. David of Stanford has documented in several historical instances. Although a standard itself may not improve with time, widespread adoption makes it advantageous for newcomers to a field—who must exchange information or products with those already working there—to fall in with the standard, be it the English language, a high-definition television system, a screw thread or a typewriter keyboard. Standards that ate established early (such as the 1950's-vintage computer language FORTRAN) can be hard for later ones to dislodge, no matter how superior would-be successors may be.

Until recently conventional economics texts have tended to portray the economy as someflung akin to a large Newtonian system, with a unique equilibrium solution preordained by patterns of amoral resources, geography, population, consumer tastes and technological possibilities. In this view, perturbations or temporary shifts—such as the oil shock of 1973 or the stock, market crash of 1987—are quickly negated by the opposing forces they elicit. Given future technological possibilities, one should in theory be able to forecast accurately the path of the economy as a smoothly shifting solution to the analytical equations governing prices and quantities of goods. History, in this view, is not terribly important; It merely delivers the economy to its inevitable equilibrium.

Positive-feedback economics, on the other hand, finds its parallels in modern nonlinear physics. Ferromagnetic materials, spin glasses, solid-state lasers and other physical systems that consist of mutua?? elements show the same properties as the economic examples I have given.

They #phase lock'' into one of many possible configurations; small perturbations at critical tunes influence which outcome is selected, and the chosen outcome may have higher enerr/(that Is, be less favorable) than other possible end states.

This kind of economics also finds parallels in the evolutionary theory of punctuated equilibrium. Small events the mutations of history) are often averaged away, but once in a while they become all-important in tilting parts of the economy into new structures and patterns that ate then proserved and built on in a fresh layer of development.

In this new view, initially identical economies with significant increasing. returns sectors do not necessarily select the same paths. Instead they eventually diverge. To the extent that small events determining the overall path always remain beneath the resolution of the economist's lens, accurate forecasting of an economy's future may be theoretically, not just practically, impossible. Steering an economy with positive feedbacks into the best of its many possible equilibrium states requires good fortune and good timing—a feel for the moments when beneficial change from one pattern to an. other is most possible. Theory can help identify these states and times, and it can guide policymakers in applying the right amount of effort (not too little but not too much) to dislodge locked-in structures.

The English philosopher of science Jacob Bronows??d once remarked that economics has long suffered from a fatally simple structure imposed on it in the 18th century. I find it exciting that this is now changing. With the acceptance of positive feedbacks, economists'' theories are beginning to portray the economy not as simple but as complex, not as deterministic, predictable and mechanistic but as process-dependent, organic and always evolving.

FURTHER READING MARKET S'TRUCTURE AND FOREIGN TRADE. Elhanan Helpman and Paul Krugman. The MIT Press. 1985. PATH-DEPENDENT PROCESSES AND EMERGENCE OF MACRO-STRUCTURE W. Brian Arthur, Yu M. Ermoliev and Yu M. Kaniovs?? in European Journal of Operational Research, Vol. 30. pales 294–303; 1987.

SELF-REINFORCING MECHANISMS IN ECDNOMICS. W. Brian Arthur in The Economy as an Evolving Complex System. Edited by Philip W. Anderson. Kenneth J. Arrow and David Pines. Addison. Wesley Publishing Co., 1988.

PATH-DEPENDENCE: PUTTING THE PAST INTD THE FUTURE OF ECONOMICS. Paul David. I.M.S.S.S. Tech Report No. 533, Stanford University; November, 1988.

COMPETING TECHNOLGIES, INCREASING RETURNS, AND LOCK-IN BY HISTORICAL ??TS. W. Brian Arthur in The Economic Journal. Vol. 99. No. 394, pages 116131; March. 1989.

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BYLINE: From LARRY CAMPBELL in Atlanta District of Colum??ia

BODY:

NETWORK computing industry leader Novell is bailing out of a number of its existing markets and terminating several product lines—including Novell DOS 7 to concentrate on new ''technology initiatives'' and usher in an era of ''pervasive computing''

Novell is initially pulling out of the personal computer operating system business by stopping production of Novell DOS 7, a product it acquired as part of its take-over of Digital Research.

''The battle for the office desktop is over and MS-DOS and Windows have won,'' Novell chairman and chief executive Robert Frankenberg said at last week's Networld+Interop ''94 conference in Atlanta, Georgia, in the United States.

''We will support Novell DOS, but we will not enhance it.''

''Novell has as much DOS marketshare as Microsoft has network marketshare,'' said Novell executive vice-president John Edwards.

''we are focusing on strong areas.''

Novell used Networld+Interop ''94 to introduce these strong areas, which are part of its vision of the future of computing.

Novell sees networking as it is today evolving to encompass a much wider, global concept. It envisages everyone now owning a computer will use networking technology—through the global information superhighway, among other things.

It also expects a growing number of people using computers for the first time in future will also need to connect to information hubs to share and exchange information.

''Our goal is to take people one step at a time,'' Mr Edwards said.

''The future is pervasive computing: connecting people to allow them to work anytime they want—any way.''

The term ''Pervasive computing'' is one Novell has chosen to define its

South China Morning Post, September 20, 195 vision for the future. To usher it in, the company is turning its attention to a range of new products—encompassing operating systems and user interfaces—and services.

Top of the list is SuperNOS, a planned killer operating system that will see the best of Novell's existing NetWare network operating system being combined with the best of UnixWare—its UNIX counterpart.

There are an estimated 40 million NetWare users on four million local area networks (LANs) worldwide—more than double the number of users of all other network operating systems combined.

In addition, there are about 30 million users of UNIX applications around the world.

It is this formidable market that Novell aims to capture with SuperNOS, according to Mr Frankenberg.

''The time has come for NetWare NOS to provide all the services of an operating system,'' he said.

''This is why we are evolving a SuperNOS with NetWare and UNIXWare on a common Novell microkernel.

''We have left the world of the mainframe. Organisations have many servers. By ensuring that NetWare and UNIXWare work perfectly together, we allow our customers to chose which technology they need on which servers.''

Novell planned to make both products run on a single set of hardware, or ''as a single system image on multiple hardware sets'' on a network.

''You get the best of both and a progressive, evolutionary path from today's specialised, robust backend,'' he said.

''All applications, trained programmers, tools, interoperability, support, and network services continue on without change. Perhaps best of all, we build on success, adding functionality rather than simply re-writing the old.'' SuperNOS is still a ''concept'', according to Mr Edwards.

''(It is a) codename for a technology initiative to bring the best of UNIX and NetWare together in a common system''

When complete, the system would be open to licensing and would be provided on a wide range of platforms, he said.

In addition to its focus on the network operating system market, Novell is also looking at the client side of the business.

Last week Mr Frankenberg unveiled plans for an ''advanced Novell client interface that will make it compelling to be connected networks''

Featuring a graphical three-dimensional user interface with a ''world metaphor'', the system would make network navigation simple for the first time, he said.

South China Morning Post, September 20, 199.,

However, it would not be a new operating system in its own right, Mr Edwards said.

Instead, it would be built on existing systems such as Windows 95.

''We will see over four to six months of demonstrating and customer testing of this system (before it is brought to market),'' he said.

''It will browse the Internet, NetWare and NCS networks and live in MS Windows, Chicago, UNIXWare and other desktop operating systems,'' Mr Frankenberg said.

''It will bring not only these end user services, but also compelling consistent NAPIs (network application programmer interfaces) for Windows, UNIX and other developers to unlock the power of the network from client applications.''

These new areas of focus do not just see Novell pulling out of the desktop operating system market—which was itself a move the market ''welcomed'', Mr Frankenberg said.

In addition, Novell is pulling out of the database business, up to a point. Having sold off Btrieve, its database product, the company is now only working with partners in the database area.

It will steer clear of creating vertical applications and, while working with information service providers as part of its networking technology initiative, it will not become an information service provider itself, or attempt to provide communications infrastructure.

''This frees up a considerable number of people who are now making the network fulfil our vision,'' Mr Frankenberg said.

Hardware would also be an area that Novell would abstain from dabbling in, he said.

''(Former Novell chairman and chief executive) Ray Noorda got us off hardware in the ''80s. I will keep us on the wagon in the ''90s,'' he said.

Microsoft's Operating System and Application Strategy for Servers Fine-Tuning Microsoft's Server Strategy

Microsoft competitors have taken great pleasure in the slow acceptance of the much hyped NT. Some of this gloating is certainly well deserved. After a long period of anticipatory eulogies for competitive operating systems, NT barely shipped 400,000 units in its first full year of availability. This is one-sixth the number of OS/2 shipments and only marginally higher than Solaris'' 1993 shipments (see Figure I). Moreover. the majority of NT shipments axe either free copies or axe being used for development or evaluation.

2.400

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Figure 1: Licenses of 32-Bit Operating Systems Shipped in 1993 (thousands of units)

Are competitive OS vendors beginning their celebrations too soon? After all, consider how much solace Apple took in the slow acceptance of Windows. Just as importantly, many NT cynics are finding their evidence in the wrong places. They axe looking at the small number of total NT units, the minimal acceptance on the desktop and the technical deficiencies of the operating system. Many of those competitors who view NT as a server operating system are focusing on comparisons with and difficulties in displacing NetWare.

Those who want to objectively assess the prospects for NT should instead examine the positioning, capabilities and increasingly high-profile endorsements of NT as an application server operating system. While NT's acceptance as a desktop and file server OS has been slow. a growing number of large, leading-edge corporate customers see tremendous potential for NT as an application server in department-sized environments. More importantly, Microsoft has optimized NT's server capabilities by segmenting its development focus between desktop and server versions and by introducing a broad range of complementary server offerings.

Meanwhile, most of the leading server application vendors—including those introducing client/server versions of applications that had been available only on minicomputers and mainframes— have selected NT as one of their first server operating systems, and the one offering the largest market potential. What are NT's real prospects as a server operating system': How can one capitalize on its potential without making their company's future too dependent on Microsoft and ,'OT?

Windows NT: The Rumors of its Death Are Premature

Make no mistake. Windows NT and its successors are Microsoft's strategic operating system. As Microsoft Executive Vice President Mike Maples states. ''by the end of the 1990s there will be one Microsoft operating system—NT— but there will be three of them: NT Advanced Server, NT Advanced Workstation and Windows NT'' (see Figure 2) Microsoft views the slow initial acceptance of NT as only a relatively minor delay in its quest for global software domination.

As discussed in Summit Strategies'' report, Profiting from the Transition from Personal Desktops to Enterprise Desktops, initial NT desktop acceptance will Figure 2: Future of the Windows Architecture be limited primarily to engineering, publishing, software development, trader workstation and a few other specialized applications with particular performance. security and reliability requirements. This will begin to change as developers write applications to Win32. Most of these applications will be optimized for Chicago. but they also will provide hative performance on NT Workstation and. then, on Cairo.

The story is very different for NT Server. NT Server is Microsoft's future. It is THE FOUNDATION of all of Microsoft's target growth markets— workgroup, department, enterprise. advanced consumer and information highway. Microsoft, however, has little or no experience or credibility in those markets. It must develop them essentially from scratch.

Microsoft recognizes these limitations and is dedicating extensive commitment and resources to its efforts to establish NT as a standard server operating system. It has carefully studied the factors that made other enterprise and server operating systems successful and has developed a strategy that combines some of the most important of

these factors with Microsoft's own unique twists. NT Server as the Foundation for Microsoft's Solution Platform Microsoft's most obvious work on NT is in the form of Daytona. which will be more formally known as Windows ,NT 3.5. Daytona will deliver higher performance with smaller memory and will provide better reliability, robustness. SMP support and connectivity than version 3.1.

It will be divided into two optimized versions—one for advanced desktop users (NT Workstation) and one for servers (NT Server). This division will mark the beginning of separate, but still binary compatible code bases that are targeted at separate markets. Daytona also will provide a migration path to Cairo I NT version 4.0), the scaleable, object-oriented OS that Microsoft plans to release by the end of 1995.

However. as important as all of these operating system enhancements may be. they are only the foundation of a much broader Microsoft server strategy. This strategy is based on a broad range of server applications that Microsoft is developing to run on top of NT Server and which will tailor the OS for use in specific functions.

Microsoft plans to ship five server applications that will run on top of NT Server. some of which are already shipping: SQL Server. SNA Server. Systems Management Server. Exchange Server. and ''Tiger'' Video Server.

These server applications will likely be joined by others, including a search and navigation engine, server versions of many of its client-based Microsoft Ofrice applications and. possibly, some ''diagonal'' server-based business applications, such as accounting, human resources management and sale, automation. Microsoft is also developing an online service t code-named Marve?? that ,a ill generally compete with Prodigy and America Online.

Although these server applications are very different from each other, all share at least two important factors: They are designed as general, extensible frameworks on which partners are encouraged to write their own specialized applications: and each is available on and optimized for use with NT Server and is designed to work seamlessly with all other Solution Platform tools and applications.

The combination of these factors will make NT Server a unique, very formidable server operating environment. Creating a Consistent, Universal Server Environment Each Microsoft server applications competes with some third-party offerings. SQL Server. for example. competes with Oracle7 and Sybase System 10. Exchange competes with Lotus Notes and Novell GroupWise.

,Microsoft. however, is positioning each of these applications as generalized. extensible platforms on top of which smaller, more specialized and verticallyfocused applications can be when.

Like Oracle and Sybase. Microsoft is attracting third-party developers to write specialized applications on top of its own generalized platforms. Unlike Oracle and Sybase, however, Microsoft will not develop these applications itself. It will leave this add-on market exclusively to third-party partners and has developed a number of large, well-funded cooperative technical, marketing, distribution and consulting programs to help these partners enter and expand their markets. .Microsoft has already attracted more than 600 partners to write applications on top of SQL Server. more than 25 to write for Systems Management Server. and 70 partnets to write for Exchange Server. SQL Server applications, for example, range from diagonal accounting and document management through vertical applications for insurance and health care.

This base of third-party applications will help make the generalized Microsoft Server Platform a viable foundation for a broad range of highly specialized applications. In and of itself, however, this is not different from what is provided by competitive OSs (i.e., NetWare and Unix), databases (such as Oracle7) and groupware environments (such as Notes). Microsoft. though, takes a giant step beyond these competitive environments by:

Optimizing its applications for, and integrating them closely into its OS to provide fast performance, permit the application to take full advantage of all operating system capabilities (without duplicating them) and provide the basis for integrating important application capabilities directly into future versions of the OS.

Providing a common set of development tools and integration protocols that allow third-party applications to be easily integrated into and take full advantage of the operating system and all Microsoft server applications and to integrate closely with Microsoft desktop OSs and applications.

This integration is critical to Microsoft's entire server strategy, it provides developers with a single set or'' APIs and communications protocols with which they can develop to all Microsoft desktop and server OSs and integrate with all compliant Microsoft and third-party applications. It provides customers with a modular, comprehensive. ''easy-toown'' server environment.

Microsoft also is laying out a road map under to make this integration closer and deeper. As a result, data semantics and query technology will be common across both desktop and server components and communications will be facilitated between them.

More importantly, the OLE object model—already supported by all Microsoft and a small, but growing number of third-party applications—will form the foundation of Microsoft's next-generaLion Cairo operating system. In addition. many new Microsoft products are based on a technology that will be used in Cairo. This will simplify the upgrade path to Cairo and will allow the new OS to take over many of the capabilities of previously distinct applications.

Since Cairo will be a pure object-based OS, it will be highly modular. Components will be easily added, deleted or replaced, making it relatively easy for resellers or customers to customize the operating system and incorporate traditionally distinct functions into it. In fact, since all Microsoft server applications will fit into a single, integrated Cairo model, it will be almost impossible to distinguish between the operating system and the applications.

Redefining Server Industry Rules to Match Microsoft Strengths Microsoft's approach promises to make NT Server a much more comprehensive. integrated server environment than is available from any other client/server operating system, relational database or messaging backbone vendor. In fact. NT Server will approach the level of integration that previously had been available only in proprietary mainframe and minicomputer environments.

In and of itself, this integration will be attractive to large numbers of customers. application developers. OEMs and resellers, but Microsoft plans to go even further. It will offer these capabilities in a new way that no other competitor can directly match. It will combine capabilities that had traditionally been available only as high-priced, customdeveloped solutions on expensive platforms with price levels and distribution channels that were available only for basic PC-level solutions. In other words. Microsoft plans to redefine the rules of competition in the server operating system and applications market.

It will rewrite these rules in a way that builds on its existing business model and makes it difficult, if not impossible, for other vendors to follow.

Summit Strategies believes that Microsoft will execute this strategy gradually and in a way that permits the incremental extension of its traditional low-overhead, product-oriented, virtual company business model.

It will establish this presence in a niche in which there is very little entrenched competition—department-level, decision support application servers (see Figure 4). It will position the NT server environment as a more functional, scalable application platform than NetWare and a less expensive, easier-to-own alternative to Unix. While Microsoft plans to ultimately replace NetWare and Unix, initially it will coexist with them by emphasizing connectivity with Unix and its use as an application server within existing NetWare file server environments.

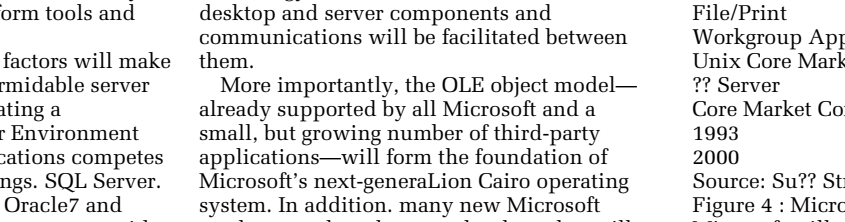

Figure 4 : Microsoft's Trojan Horse Strategy

Microsoft will use this market as a beachhead from which to expand gradually into complementary segments, such as department-level and branch transaction servers, workgroup application servers. file and print servers and eventually, into some division-level environments. Summit Strategies expects this strategy to allow Microsoft to grow NT's position in the network server operating system market from about 2.5 percent in 1993, to almost 15 percent by 1997. It will play much larger roles in the application server market and. especially, in the lowend to midrange of that

market. Obstacles to Microsoft's Dominating the Application Server—

Part I

Microsoft is certainly well-positioned to establish a strong position in the application server market. Its success, however, is far from assured. The company still faces a number of strong competitors and must overcome a number of self-imposed obstacles. These obstacles fall into two primary categories: some are product-based while the others are a result of the company's business model. Microsoft's productbased obstacles are:

The perceived unreliability of

Microsoft server solutions Everybody recognizes the limitations inherent in the Windows desktop environment. Most customers are willing to put up with these Limitations in return for the benefits of low cost, application availability and standardization. Customers, however, are much less willing to accept such limitations in application server environments, particularly when they are using the servers to run business-critical applications that had previously been entrusted only to mainframes and mini-computers.

On one ban''. NT is relatively robust for a Version 1.0 operating system. However. it is still immature, unproven and lacks many of the complementary tools that will be required for acceptance in business-critical environments. Microsoft does promise more robust upgrades to its operating system. RDBMS and communications software, new versions of needed system management and messaging software, and improved fault tolerance and recoverability. However. its continual missed shipment deadlines do not instill great confidence.

The limited openness and scalability of the Microsoft solution

Although Microsoft operating systems may be standards, they are not open. This creates a risk, since customers who adopt them will have a difficult time migrating to another operating systems, should the need arise. This problem will be particularly acute for customers who buy into Microsoft's server applications. since these applications will be available exclusively on NT Server and will be integrally linked to it.

This lock-in could be particularly dangerous for customers who require that their applications be highly scaleable, up through enterprise environments. Microsoft solutions currently support symmetric multiprocessing and will support clustering and be portable to all major processors. However, NT Server is currently tuned for single and dual processing. Its next implementation is only likely to scale to four processors. which is far below the 16- to 30-CPU tuning of a number of versions of Unix. There are, however, mitigating factors for each of these concerns. Consider robustness. While Microsoft has missed deadlines in shipping virtually all of its key products, once they do ship. they are reasonably stable and deliver on most of the company's promises. When push comes to shove, most customers would prefer to receive a stable product late. than a buggy product on time. But. regardless of when Microsoft ships. computing environments with overwhelming needs for proven, reliable server environments are unlikely to select Microsoft products, at least for the next several years.

As for openness and portability, it is largely a question of target markets and tradeoffs. Generally speaking, large corporate MIS departments are most likely to demand that their server environments be open, flexible and scalable. Most of these MIS groups have the capabilities or the resources required to configure. develop for and administer these solutions. In contrast, many small businesses and department-level customers will be willing to trade off such benefits in return for solutions that are easier and less expensive to buy, configure and manage, and for which off-the-shelf applications are generally available.

The percentage of the market that will fall into each camp is certainly debatable. While everyone says that they want open, scalable and robust solutions, when it comes time to make a final decision. Summit Strategies believes that many more customers will choose easy, cheap and standard.

Obstacles to Microsoft's

Dominating the Application

Server—Part II

The other, and more difficult obstacles to Microsoft's success in the server market are more dependent on the company's business model and style of operation, than on its technology. Summit Strategies sees three primary. obstacles in this category.

Microsoft's penchant for making enemies

Microsoft has always had a way of making enemies due to such factors as its sheer market power, position as industry upstart, cockiness, and the ruthless way in which it often deals with competitors and partners alike. On one hand. vendors have no choice but to cooperate with a company that is dominant in the market in which they wish to participate (as Microsoft is on the desktop). On the other hand. vendors can avoid, or actively help to defeat those companies which do not yet have market dominance.

Microsoft's lack of an enterprise marketing and support organization Microsoft developed its business model around a product-focused, low-overhead. indirect sales and support model. This model was well-suited to the company's initial goal of selling high volumes of low-cost, non-mission-critical products into low levels of business organizations.

However, Microsoft is now targeting with its server products towards the business solutions market, which developed around a totally different business model. Its customers, therefore, have very different requirements. Microsoft does not have or plan to develop the type of direct sales. Implementation consulting or 7124, heterogeneous, on-site support capabilities that many business customers expect from their key system software vendors. While Microsoft is enhancing its direct marketing, consulting and support capabilities, it will rely on third-party partners to provide most of these capabilities. There is no evidence to suggest that its new target market is ready for this type of ''virtual company'' model.

Microsoft's confusing market messages

Microsoft doesn't seem to know what it wants to be when it grows up. On one hand, it insists that it is preparing to become an enterprise solutions vendor.

It claims that NT Server and its accompanying applications will provide the robustness, scaleability, reliability, capabilities and features of traditional enterprise solutions. On the other hand, its product releases, actions and distri bution and support programs suggest that Microsoft is really targeting department- level markets. These mixed messages are extremely confusing to customers and partners, and damages Microsoft's credibility as a business systems provider. Summit Strategies believes that Microsoft will ultimately recognize that its most natural and responsive customer base, its partner franchise, and its largest potential, most strategic market lies in department-level and branch environments. It will focus its product development, its marketing resources and its partnership programs at this segment.

Once it captures a dominant and sustainable position in this core market, it will expand in both directions—downward into file server and workgroup markets and upward into enterprise-level markets.

Microsoft, however, must address a number of other issues before it can nope to effectively address even these department-level and branch application server markets. It must build the type of in-house infrastructure required to establish credibility in these markets and attract the type of application, distribution, integration and support partners that can address these customers'' real needs.

As fully discussed in the next report m this series, Microsoft's Market. Channel and Partner Development Strategy for Servers. Microsoft recognizes many of these requirements and is making more progress in addressing them than is generally recognized.

In summary, Microsoft will certainly be a force to be reckoned with in the application server market. Anyone who hopes to play in this market must understand where Microsoft is going and how the company will change the rules of competition to its own advantage. Only by understanding these critical factors can a company decide whether they will partner or compete with Microsoft and what they must do to survive this competition or premiership.

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How Microsoft's Server Strategy Will Change the Industry Part II: Microsoft's Market, Channel and Partner Development Strategy for Servers

Microsoft's goal is to establish NT Server as the AS/400 of the client/server world. It is developing a seamless, optimized, easy-to-use and administer environment that will provide access to a broad range of packaged, business-critical applications.

The server platform will be sold to the same types of customers who have bought

IBM's AS/400-based business solutions— a combination of small and midsized businesses and departments of larger corporations.

Similar to the AS/400 which comes standard with its own specially tuned and optimized operating system, database and management tools, Microsoft is developing a complete suite of base-level server applications that axe available exclusively on and optimized for bit Server. Microsoft, however, cannot provide the type of bundled solution that IBM is offering. NT Server must run on multiple off-the-shelf servers and must accommodate databases. communications, management and other tools from a large number of competitive vendors.

Novell is another network operating system vendor who has successfully sold into small and midsized business and departments of larger corporations. As with Microsoft, Novell relied on partners and third-party partners for distribution and support and had to integrate NetWare into heterogeneous environments. However, Microsoft will face more difficult challenges than Novell did since NetWare is primarily a file server operating system. In general, file server LANs are easier to configure and manage and do not require the level of integration, earring or solutions- oriented sales capabilities that client/server networks do.

Although Microsoft must provide the value of supporting a broad range of platforms and accessory software, it recognizes that too many options lead to the same type of confusion that has restrained the growth of Unix. Microsoft. therefore, is taking something of a middle path by providing customers with the choice to purchase its server operating system and applications either as:

Separate, standalone products that can be integrated with any other vendors'' NT Server products or as

A single, integrated bundle (called Back Office), which includes the server operating system and Microsoft server applications as a preconfigured, integrated set of tools designed to work together. Pricing for this package is 40 percent less than if all packages were bought separately. As discussed in the first report of this series, Microsoft's Operating System and Application Strategy for Servers, all Microsoft server products share a number of important factors. Each is:

Available exclusively on, and optimized for use with NT Server,

Designed for use with a common set of Microsoft development tools and integration protocols;

Designed to work seamlessly with all other Solution Platform tools and applications:

Positioned as a generalized, extensible framework on which partners are encouraged to write their own specialized applications.

This commonality and integration is critical to Microsoft's server strategy. The goal is to attract large numbers of developers, resellers and administrators to the broad Microsoft environment, facilitate the availability, of hundreds of specialized, packaged server applications and to provide customers with a modular, comprehensive, easy-to-own server environment. Microsoft plans to offer capabilities that have traditionally been available only as high-priced, custom- developed solutions on expensive platforms, at price points and through channels that were previously associated with PCs. The company also will provide migration paths from PCs.

Thus, Microsoft will redefine the rules of competition in the server operating system and applications market. If it succeeds, many of Microsoft's competitors will find it difficult—if not impossible—to compete.

Building a Business-Critical Solutions Infrastructure Microsoft faces a number of challenges in its bid to enter these new markets. Its corporate infrastructure was well-suited to the marketing and support needs and the economic mandates of the PC industry. It had a small direct marketing organization to promote desktop productivity, products to storefront computer dealers and a small telephone-based support staff to answer questions. It did not have, however, a large customer direct sales force, a consulting or integration group, or comprehensive support capabilities to which MIS managers and CIOs are accustomed. It could not hope to compete with vendors such as IBM, Hewlett-Packard and Oracle in selling bet-your-business server products to large corporations. Microsoft, therefore, has begun to build new marketing, integration and support infrastructures that are intended to improve its credibility and more effectively address the needs of new customers. The company built a:

3,000-person direct marketing organization, 40 percent of whom are dedicated to addressing the needs of large corporate customers:

500-person consulting and systems integration group to help large corporate customers plan, design and implement sophisticated client/server business solutions around Microsoft products:

3,000-person, around-the-clock support group, 400 of whom are trained specifically on the complexities of server operating systems and heterogeneous networking, Premier customers get access to higher-level support people, an accelerated escalation procedure, a dedicated manager who will help them with proactive planning and, in, some instances, access to on-site support capabilities.

Microsoft also formed a new marketing group, the Organization Customer Unit, that is responsible for developing and managing ongoing relationships with business organizations. This unit is divided into two primary groups: one to manage large corporate customers, the other to build sales into small and midsized companies. The Organizations Unit is responsible for: Managing the company's Select volume licensing program, which is intended to make it easier for large corporations to buy from Microsoft and to build ongoing relationships with them;

Recruiting and managing relationships with client/server application developers and systems integrators who will be most important to Microsoft's efforts to sell client/server solutions into large corporate accounts;

Responsibility for the Microsoft's value-added Solution Providers programs. It recruits and manages resellers who will be capable of selling Microsoft server products and client/ server solutions and other partners who are specially qualified to train customers on and support these new implementations.

The Organization Customer Unit also owns Microsoft's Industry Marketing group which targets vertical markets that can potentially generate large sales of Microsoft-based client/server solutions.

Defining a New Client/Server Business Model

Microsoft's direct work with corporate accounts, through its newly enlarged direct sales force, consulting services and support arm, is somewhat similar to that provided by traditional enterprise system and software vendors. But there are two major differences between Microsoft's approach and those of enterprise vendors. Under the Microsoft program:

Third parties handle all product delivery and much of the implementation and actual support requirements. All Microsoft product sales, even those under the Select program, are fulfilled by third parties. Microsoft's consulting and support groups will typically refer customers to third-party partners or bring these partners into a project themselves, with the goal of having the partner handle the implementation and most of the follow-up work.

The primary goal in working directly with customers is to transfer Microsoft's knowledge to its customers, not to actually do the work themselves. For example, the company generally confines consulting work to fast-in/fast-out projects where it defines architectural requirements, plans transitions and trains or supervises customer employees and third parties to provide the actual implementation work and to fully handle future projects themselves.

Virtually all aspects of these services have the ultimate goal of helping third-party partners address the needs of corporate customers without direct involvement by Microsoft. While all product fulfillment is handled exclusively through third parties. Microsoft is trying to involve appropriate partners directly in the demand creation process.

Microsoft's consulting and support organizations have even more formal structures for training and for bringing partners into accounts. MCS consultants. for example, dedicate approximately ten percent of their total billable hours to helping Microsoft Solution Providers (SP) and count on partners for providing more than half of all their billable hours in some of its practices.

This cooperation with SP partners also carries through Microsoft's support and training organizations. For example, Microsoft Education Services no longer deliver training directly to end users. The company has two new channels, Authorized Training Centers and Technical Education Centers, that it established specifically to deliver courses on Microsoft products and to certify partners who have completed specialized training.

The company's support group, meanwhile, provides only very limited support for

Microsoft products'' connections into heterogeneous environments. One class of partners, Authorized Service Centers, have been authorized to provide such capabilities. Furthermore, the company provides very little on-site work and will not even go on-site without a Solution Provider. If the customer does not have an SP, Microsoft will help it select one and then bring the Solutions Provider up-to-speed on the customer's environment.

Developing Partnerships to Enable Microsoft's Virtual Company Model: Phase One

Every vendor, irrespective of the degree of its horizontal integration, relies on partners to help sell its products.

Microsoft's virtual company model will require much closer partnerships with many more types of partners than most other companies'' models.

Various partners will play different roles in the Microsoft server business model, but these roles will change significantly as the market for client/server solutions matures. During the earliest stages of the market, Microsoft must work most closely with solutions-oriented systems vendors, systems integrators and software developers. After all:

Systems vendor partners such AT&T GIS and Digital Equipment and systems integrators such as Andersen and Business Systems Group work directly with large corporate customers to help define the need for, develop, implement and support custom solutions;

Infrastructure software developers will provide the capabilities required for more demanding and sophisticated applications such as enterprise transaction processing;

Application vendors develop the solutions that will be required to attract customers who cannot or do not want to develop their own applications. Microsoft has already gained commitments from vendors of leading client/server accounting, MRP, groupware, document management, and customer management applications;

Relational database vendors will play particularly important roles in the early stages of this market. RDBMSs are critical client/server infrastructure technologies and most of the vendors have their own solution-based sales, consulting, application development and support capabilities. Moreover, once an RDBMS is ported to an operating system, it is relatively easy for all of the applications written to these RDBMSs to be ported.

Microsoft will always want to play a role in the type of large, corporate, custom implementations that are handled by large system vendors SI. RDBMS and application partners. Therefore, it will have a continuing need to work with these first- generation client/server partners. However, Microsoft will be ready to shift its primary emphasis to a new group of partners once client/server computing (especially Microsoft's approach to it) becomes more widely understood and accepted and a critical mass of applications become available for NT Server.

Developing Partnerships to Enable Microsoft's Virtual Company Model: Phase Two

Microsoft's primary strength is in selling large quantities of standard products to smaller companies and individual customers through large numbers of third-party channels. It will attempt to apply this same business model to its server business.

A number of Microsoft partners are already established in and committed to this type of business.

Microsoft is encouraging current server vendor partners (everyone from AST through Tricord) to bundle NT Server and the Back Office application suite with some of their servers. Some partners such as Compaq and Informix will play critical roles as ''bridge vendor'' partners, helping to ''repackage'' the capabilities developed and lessons learned from direct sales of client/server solutions into third-party channel programs. (Summit Strategies'' report, The New Age of Client/Server Applications, contains a full examination of the roles of bridge venders.)

Microsoft already has signed up almost 6,000 third-party Solution Provider resellers, and plans to grow this number to about 15,000 resellers by rind- 1995. The company is focusing SP recruiting efforts primarily at established, successful resellers of products including the AS/400.

Novell NetWare. Sun workstations, Unix RDBMSs and vertical and diagonal applications. It is targeting resellers who are best situated to address Microsoft's targeted verticals in geographies that lack adequate coverage. Microsoft also is devoting extensive efforts to training and generating business for these partners. For example, it is:

Establishing large, formal programs (e.g., DevCast, BusCast, TechNet and Microsoft Partner Network) to educate and train these channels:

Passing large numbers of leads to these channels, and is developing vehicles (e.g., trade shows, road shows and seminars) to generate demand;

Using Microsoft consultants and support engineers to train partners to perform functions currently provided by Microsoft personnel, and to actively bring these partners into accounts; Actively helping high-end, traditionally direct sales system vendors (e.g., AT&T GIS and Digital), database vendors (e.g., Oracle and Sybase) and application vendors (e.g., SAP and D&B Software) to develop and offer their own products through third-party channels;

Encouraging distributors and aggregators to provide built-to-order, custom-configured server bundles (that combine Back Office back-end, Vertical Office front-end, and specialized third-party applications) to their resellers.

Microsoft plans to use its market position, vendor partnerships and aggressive channel development programs to build a broad, third-party, client/server distribution and support channel well before its competitors. It will then try, to lock these channels into Microsoft solutions by ensuring that they are familiar and comfortable with Microsoft products. Microsoft will do this by providing the best technical and marketing support, by using its marketing muscle to generate more sales than competitors (with less effort and resources from SPs), and by promising never to directly compete with its partners (as proprietary and Unix vendors often do).

Microsoft's Prospects for Success in the Client/Server Server Market

Unix vendors will most likely offer client/server server solutions that are more open, robust, flexible and scalable than those offered by Microsoft IBM will most likely offer AS/400 solutions that are more turnkey and easier to manage. Novell will most likely offer solutions that are lower priced. Microsoft, however, will combine some of the best of all of these capabilities with a number of its own unique advantages. For example, it will offer:

The largest base of binary compatible servers and off-the-shelf applications of any server environment;

Access through the broadest range of distribution channels in the industry;

Probably, the lowest cost, best price/performance application servers in the industry (due to a combination of Microsoft's aggressive software pricing, availability on all hardware platforms and broad distribution);

A turnkey solution (based on Back Office and Vertical Office) in which all of the components will integrate seamlessly with each other and support the same APIs (e.g., OLE, ODBC and MAPI);

A strong development platform to which custom and packaged application developers can write using a broad range of Microsoft and third-party tools:

Strong scalability ranging from uniprocessor 486-based PC servers to 30 CPU Sequent servers and a broad range of uni- and multiprocessor RISC servers; and

Systems and software that provide reliability, availability, manageability, security and robustness that will be suitable for all but the most demanding applications and environments.

Given the strategic importance of the server market to Microsoft's future, the company can be expected to compete ferociously, and offer the largest, best- funded partner recruitment, training, advertising and marketing programs in the industry. However, as discussed in the first report of this series on Microsoft's NT Server strategy. Microsoft's Operating System and Application Strategy for Servers, the company will still be hampered by factors such as:

Novell's strong established position in the channel and in the file server and low-end database server markets;

Unix's perceived (and in many instances, real) advantages in areas such as reliability, scalability and openness;

Microsoft's reputation for ruthlessness and for competing with its software partners in a segment of the market in which partnerships are critical; and

Whether the market or channel is prepared for the virtual company model on which Microsoft is staking its future. Summit Strategies views this last issue as the single most important, most open question in assessing Microsoft's prospects for success in this new market. Will customers who are accustomed to a single vendor solution really accept such a diffuse, nontraditional chain of responsibility for support of mission-critical, line-of- business solutions?-Will Microsoft's partners be able to address the demands that this model will place on them?

As discussed in a number of our previous reports. Summit Strategies believes that this

model will work and that Microsoft is building the type of infrastructure that is required to support it. But even if the virtual company model works, there is still a question as to when it will work.

While the virtual company model will almost certainly succeed when client/ server technologies and markets become more mature, how suitable is it during the early stages of the market? After all, few people currently understand how to design, develop or maintain client/server solutions, the tools are immature and most configurations are still custom developed.

Microsoft's initial reliance on the virtual company model has the potential of effectively locking the company out of the market before its business model has a chance to prove itself. This, however, is not likely to occur. After all, Phase One partners such as AT&T GIS, Digital Equipment Sequent, Andersen, EDS and SAP typically assume full responsibility, for their solutions.

Ultimately, customers anti partners must rely on Microsoft rather than on system vendors for the stability of the operating system and the foundation server applications. However, this should not be much of a problem since no systems integrator or vendor (including IBM) assumes full responsibility for every component of a solution. Although it may cause some consternation, everybody uses some type of third-party products. While the risk may still be greater for a Microsoft- based solution than for a vendor-specific Unix system, the level of risk will decline as Microsoft's server products mature (as with bit Server 3.5) and as implementations of leading reference accounts become proven.

Overall. Summit Strategies is quite optimistic about the prospects for NT Server. As fully discussed in the first report Of this series, we expect NT Server to account for a rapidly growing share of the network operating system market, growing from about 2.4 percent in 1993 to 14 percent in 1997.

More important than the raw numbers, are the segments in which NT Server will experience its greatest acceptance.

Penetration will be relatively low in file server and enterprise application server markets, yet NT Server is likely to dominate the large, highly strategic midrange (large workgroups, departments and branch office) application server markets. As shown in Figure 1, this entry, will provide a perfect vehicle by which Microsoft will be able to extend its penetration downward into the file server and workgroup application server markets, and gradually upward into the division and enterprise application server markets.

Opportunities and Threats for- Microsoft Partners and Competitors

Microsoft's likely success in the application server market presents some significant opportunities for partners. Each phase of the market will offer significant revenue and profit opportunities, but the opportunities will vary greatly by type of partner and over time.

During Phase One, turnkey solutions partners who can define, develop, implement and support custom applications will have a great advantage. In Phase Two, as NT Server and applications become more es- tablished in the market, and as client/server solutions become poised to enter broader markets and channels, Microsoft will shift its attentions to ''bridge vendors'' who can help translate the capabilities and lessons of Phase One-implementations into the type of ''cookbook'' approaches and solutions that will spur broad market, third-party sales. When the market enters Phase Three, the lowest cost producers with access to the broadest, most effective distribution channels will be best situated.

Divisional Application Server Unix Core Market

Enterprise Application Server

Source: Summit Strategies, Inc.

Figure 1: Microsoft's Server Market and Expansion Strategy

By this time. Phase One partners will have to either:

Evolve their business models to play by Phase Three rules:

Adapt their value-add to ever more specialized, demanding, and narrower segments of the market such as distributed, object-based transaction processing environments;

Find another market such as global, enterprise Unix solutions; or

Go out of business.

All types of partners—hardware vendors, software vendors and resellers—will be susceptible to this type of shake-out.

Microsoft is using its unique product line and market position to change the rules of competition in these markets. It is optimizing its applications for its NT Server operating system, providing the type of bundling incentives and using the type of pricing approaches that few, if any, competitors will be able to follow.

Even though Microsoft currently is competing only with vendors of the broadest server foundation applications, all partners need to beware. As the client/server market grows, previously specialized applications will become increasingly mainstream. As discussed in previous reports such as Developing and Leveraging Client/Server into Broad Markets and Channels. Summit Strategies believes that diagonal applications such as accounting and sales automation will become just as broad and strategic in the client/server age as data-base and presentation graphics were in the personal computer age. If Microsoft decides to enter these markets, some server application vendors may face the same types of options in competing with Microsoft that server operating system vendors will face over the next several years,

If Microsoft does succeed in changing the rules of competition, few will be able to go head-to-bead with Microsoft products.

They will be faced with a choice of one of two primary strategies: either focus their product and market development efforts on segments of the market m which they have a clear advantage and can establish a reasonably defensible position; or introduce highly focused products that are optimized for a market niche that is too narrow to attract the direct (or at least focused) attention of Microsoft.

In summary,, partnering with Microsoft may be as dangerous as competing with it. Partners can protect themselves by continually adapting their value-add to provide capabilities that Microsoft will require during different stages of its server products'' life cycle.

Vendors still have about a three-year window of opportunity before Microsoft establishes the level of market power that will make it difficult or impossible to compete head-to-head in its core market.

Even after Microsoft attains this level of power, competitors will have many opportunities to ''hit Microsoft where it isn't'' by targeting segments where Microsoft and its solutions are weak or by focusing on niches that are too small or specialized to draw Microsoft's focus (future Summit Strategies'' reports will address this and related issues in greater detail).

Although partners and competitors will always have plenty of opportunities. every vendor and reseller in the server mar- ket will have to learn to play by new rules.

These rules will be generally defined by Microsoft, around the vendor's own capabilities, channel strengths and business model. For better or worse, the rules of the application server market will come to look increasingly like those that currently shape the personal computer market.

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MICROSOFT AND VISA TO PROVIDE SECURE TRANSACTION TECHNOLOGY FOR ELECTRONIC COMMERCE

Secure Transactions Across Networks Mean Lower Costs, Expanded Markets

PARIS, France, November 8, 1994—Microsoft Corporation and Visa International today announced that the have signed a letter of intent to jointly provide a standard, convenient and secure method for executing electronic bankcard transactions across global public and private networks. Their secure solution will held expand the market for electronic commerce by providing new opportunities for consumers, merchants and Visa member financial institutions.

The secure transaction technology will consist of software that supports both the cardholder and merchant sides of a transaction and works with the visaNet payment system to authenticate buyers and sellers and to secure transactions for clearing and settlement. Microsoft and visa wil1 publish specifications that make secure transaction technology available to other software vendors and card systems to implement themselves or license from Microsoft.

The technology will be developed initially for the Microsoft?? Windows TM operating system family and is scheduled to be available in 1995. It will include extensive encryption capabilities based on technology from RSA(r) Data Security, Inc.

''The technological leadership of Microsoft, along with the global financial reach of visa, allows :he consumer to make payments over networks worldwide as easily and safely as payments made in person.'' said William L. Chenevich, group vice president. Visa International. ''Our relationship with Microsoft will held to accelerate the growth of commerce over electronic networks and will open up new opportunities for our member institutions, merchants and cardholders worldwide. As the information highway becomes defined, we must look at a variety of alliances and a variety of ways to protect :he financial relationships of our members and their cardholders.'' Chenevich also indicated that the two companies welcomed the interest and support of other parties.

''Right now, we're all street people on the information highway; we can't protect our privacy and information: we can't prove who we are; we can't buy anything,'' said Nathan Myrhvold, senior vice president of Advanced Technology at Microsoft. The Microsoft-Visa technology solves these problems by using public- key technology Co assure safety and privacy, and easy-to-use client software which allows consumers to use their existing bankcards co pay for goods and services across multiple applications and merchants.''

Will F. Nicholson, Jr., chairman of the board of directors of Visa U.S.A. and president and CEO of Colorado National Bankshares, Inc., added that U.S. financial institutions were facing new challenges in a changing payments environment to provide their customers with service and support, ''with Microsoft, we have an opportunity to bring together :ethnology and banking, as consumers explore alternative methods of purchasing at new points of transactions.'' he said.

Founded in 1975, Microsoft is the worldwide leader in software for personal computers. The company offers a wide range of products and services for business and personal use, each designed with the mission of making it easier and more enjoyable for people co cake advantage of the full power of personal computing every day. Microsoft is headquartered in Redmond, Washington, U.S.A.

Visa, the world's largest consumer payment system, has more than I1 million acceptance locations. Visa member financial institutions have issued more than 357 million cards worldwide including more than 185 million in the U.S. Visa also has the leading global ATM network. Visa, headquarters in the U.S., has offices An London (Europe region), Tokyo (Asia Pacific region), Toronto, (Canada region) and Miami (Latin America region). Microsoft is a registered trademark and windows is a trademark of Microsoft Corporation.

RSA is a registered trademark of RSA Data Security, Inc.

. . . THE WALL STRRET JOURNAL MONDAY. DECEMBER 5. 1994,

Trade Group's Board Cancels Hearing On Microdot's Plan to Acquire Intuit

BY VIVECA NOVAK

And DON CLARK

Staff Reporters of THE WALL STREET JOURNAL

WASHINGTON-An unusual trade-group hearing on Microsoft Corp.'s pending acquisition of Intuit Inc., scheduled to take place today, was canceled after Microsoft successfully'' pressed for an eleventh-hour meeting of the group's board.

Mike Maples, a Microsoft executive vice president, said the Information Tech- nology Association of America board voted overwhelmingly Friday to cancel the hearing, after he invoked his right as a director to call a board meeting. ''It wasn't a Microsoft-driven decision,'' he said.

But he complained in an interview that scheduled speakers at the hearing were all opponents of the Intuit deal who are believed to be talking to the Justice Department's antitrust division. That division is reviewing the transaction.

News of the cancellation reverberated. ''It's pretty apparent that Microsoft squelched it,'' said Dan Schley, former lead of a tax software firm who was ??cheduled to give his views at the session. The Industry is clearly up in arms about this.'' ITAA's 325 members include such giants as International Business Machines Corp. and General Motors Corp.'s Electronic Data Systems Corp., as well as Microsoft.

''I'm very disappointed,'' said Bernard Goldstein, a former chairman of ITAA, ''It was very obvious Microsoft was unhappy with this process, but this really is, for the industry, a very large issue. It's worthy of venting. . .''

ITAA chairman Jim Mann, who formed the committee last month, said he believed the group's diverse membership would make for a range of opinions.

Instead of holding today's hearing, the committee will broaden its inquiry to evaluate Microsoft's overall impact on the information technology industry.

Rick Crandall, an ITAA board member and chairman of Comshare, a software company in Ann Arbor, Mich., said a larger look is needed. ''The question is, where does the industry stand with regard to Microsoft, what are its competitive ''tactics, and are they illegal or unhealthy for the industry?''

The latest developments add to the intensity surrounding the review. Justice Department staff are being inundated with The views-mostly negative-of companies and individuals about the impact of the deal beyond the ?? software market that it most directly affects.

Stephen Case, chief executive of America Online, was to speak at the ITAA event today. Two on-line service pro- viders—Compuserve Inc., a unit of H & R Block Co.; and Prodigy Services Co., a joint venture of International Business Machines Corp. and Sears, Roebuck & Co.—have talked to the antitrust division about the Microsoft deal.

Mr. Schley has been a key source of information about the personal financial software industry for antitrust division staff. He said that in a conference call with seven lawyers and eight economists from the division a couple of weeks ago, he told the staff that he didn't believe that Microsoft's plan to sell its personal finance package, Money, to rival Novell Inc., will lead to real competition for Intuit's much more popular Quicken program. Microsoft hopes the divestiture will allay govern- ment concerns about any anticompetitive effects of its Intuit acquisition.

B6 THE WALL STREET JOURNAL MONDAY. DECEMBER 12. 1994

Microsoft's New Marketing Tactios Complaints

Hard Push to Get Commitments to Windows 95 May Hurt''

By DON CLARK And LAURIC HAYS

Staff Reporters of TICZ WALL ?? JOURNAL

Five months after a controversial settlement with the Justice Department. Microsoft Corp. is using aggressive new marketing tactics that have angered some key customers.

The software powerhouse is seeking more money and more marketing support from personal-computer companies for Windows 95. a fundamental rewrite of the operating system used on more than 100 million personal computers. Microsoft's proposed licensing terms have caused a eborus of complaints from PC maters, who are under severe pressure to lower their own prices.

Microsoft's terms include an extensive list of marketing incentives to get PC makers to quickly commit to the new program . which could bring more than 81 billion in sales in its first 12 months.

Windows 95 also could help Microsoft further undermine International Business 1Fdichines Corp.'s 0S/2 program, which has about 5% of the market compared with Microsoft's 80%.

Some computer makers contend the new terms raise an unfair barrier to their offering 0S/2 and may violate the spirit of Microsoft's consent decree with the Justice Department. Vobis Microcomputer AG. Germany's biggest personal-computer maker, also has publicly com. plained about Microsoft's proposed licensing terms for its previous operating systems and announced plans to start loading machines with 0S/2.

Microsoft insists it is operating strictly within the guidelines of the settlement. Several large computer makers, including Compaq Computer Corp. and Packard lieu Electronics Inc, also said they see no unfair anticompetitive bias m the market. ing incentives.

Still. the harsth response to its biggest. ever selling job suggests that even mighty Microsoft has to tread carefully in prod- cling the industry toward a major modernization effort. A serious misstep could wind up boosting 0S/2, which IBM is promoting heavily to take advantage of delays in shipping Windows 95. There are signs that Microsoft already has begun backing away from a major price increase for the product.

''Now is not a sane time to be unreasonable,'' said Steven Ballmer. Microsoft's executive vice president of sales and support. ''IBM has never been thumping the drum harder for OS/2 than they are :. now ....I don't think they're going to be successful, but you don't gamble the company on it.''

Microsoft doesn't disclose its terms for PC maters. Several PC maters said Microsoft representatives mentioned possible prices from $55 to S75 before discounts for Windows 95. an increase that could be more than 100% over the estimated average for the combination of its existing DOS and Windows programs.

But Michael Culver. senior director of product management at Acer Inc.'s PC unit in San Jose. Calif., said Microsoft more recently dropped the proposed price sharply and reduced the size and number of marketing discounts offered.

''The ultimate goal is to have a similar price as what we are paying for DOS and windows now,'' Mr. Culver said. ''In the end, whether they've been forced to be more accommodating, or it's just negotiating strategy, I think in the end. it's going to work.''

After the haggling, some analysts believe Microsoft will wind up settling for a 'Microsoft can kill us,'' the chairman of one PC maker said. ''I worry more about my dealings with Microsoft than I do about my competitors.'' rice increase of 15% to 2% over earlier operating systems. Rick Sherlund. an analyst at Goldman. Sachs & Co. estimated that computer makers would wind up paying about $43 a machine for windows 95.

The flap is just the latest reverberation from the advent of Windows 95. which replaces both DOS and Windows and is scheduled to be shipped in the second quarter of next year.

The stakes are equally high for IBM. which is batting to build acceptance for its latest version of OS/2, called Warp. IBM's operating system is based on DOS and Windows. and runs application programs written for them. But Warp won't run rams tailored for windows 95 unless IBM makes some major changes to the program, a process that Microsoft expects could take years. The new software gap could remove a prop keeping IBM's softwere on the market Microsoft believes.

Mr. Ballmer asserted that IBM is offering computer makers 0S/2 for free and may be even paying some to take it. An IBM .spokeswoman denied both contentions: she wouldn't disclose exact pricing, but conceded that IBM is ''going for market share.'' IBM said it has sold 500.000 copies of Warp in five weeks, and the spokeswoman added that the company viewed the recent friction between Microsoft and computer maters as ''an opportunity.''

Complaints about Microsoft's latest tactics come as the Justice Department prepares for a final appearance before a federal judge on the consent decree this week. Robert Litan. deputy assistant attorhey general in the department's antitrust division, declined to comment on specific allegations against the company but said he has continued to talk to rivals about Microsoft's actions.

The consent decree, signed in July, ended Microsoft's practice of ''per-processor'' licenses, which Justice contended excluded competitors by forcing computer makers to pay for every PC: they shipped that contained particular microprocessor chips. It also prohibited ''minimum commitments,'' under which computer makers were compelled to pay for a set number of copies of Microsoft's programs, regardless of whether they sold the estimated number of computers or not.

Mr. Ballmer said Microsoft's new marketing incentives for Windows 95 were designed to take the place of minimum commitments while accelerating the move to the new product. According to a draft of one of the ''market development agree menus.'' PC maters can choose among a series of ''milestone'' steps that can reduce theft royalty payments as much as S20 a machine.

For example. PC makers can get a L3 discount a system if they agree to install Windows 95 on at least 50% of their desktop systems within 30 days of the time it appears on the market. They can earn another $2 if they sign a license agreement by March 1, another S3 by completing a certification program to earn a Windows 95 logo by next April 1. plus $2 more for putting that logo on PC cases and keyboards.

But some PC maters contend they have little choice but to sign the agreements. Executives at these companies, who requested anonymity because of potential retaliation from Microsoft, said they could face prices for Windows 95 that will put them at a disadvantage against competitors if they don't sign up.

''Microsoft can kill us.'' the chairman of one company added. ''I worry more about my dealings with Microsoft than I do about my competitors.*''

Some exectives said promoting Windows 95 and designing systems to win certification for its logo program reduces the money they have to spend promoting other operating systems. An executive at one PC mater said it already has cut back on his 0S/2 Warp support after agreeing to tile Microsoft marketing steps. He said his understanding with Microsoft prohibits him from exhibiting Warp at a trade show booth alongside Windows, although that restriction isn't explicitly stated in the contract.

''We have to sit there and swallow it. What else do we do?'* said the computer executive. He added in a reference to activities permitted under the consent decree, ''Microsoft ham just found a new way to skin the cat.''

Microsoft's Mr. Ballmer rejected such assertions, stating that the incentives are entirely voluntary and don't discrete against other operating systems. 'The amount of work isn't a strenuous set of activities.'' he said. ''If there isn't a payback. you lust don't do them.''

Vobis, the German PC maker, claims that Microsoft insisted on computing discounts for its existing'' operating systems based on Vobis's total PC shipments. In August. just after the consent decree was signed. Microsoft proposed a contract to Vobis that estimated its annual ship-merits of 88 models at around 475.000 and quoted a Windows price of 528 a copy based on that total.

Theo Lieven. chairman of Vobis, said he wanted a discount based on lower estimated sales, so that he could accommodate customers that may ask for 0S/2. But Microsoft Wouldn't quote him a price based on a smaller number of computer shipments, he said. Instead. in oral negotiations. Microsoft said Vobis would have to pay S63 for each machine under a so-cailed per-copy license, a more costly licensing scheme that doesn't use estimated sales.

The consent decree permits volume discounts and says they may be based on estimates of future sales. Microsoft's Mr. Ballmer said Mr. Lieven wasn't being required to put windows on every machine he shipped in order to receive the S28 price. Vobis would pay that price only on copies it used; if the number wound up to be less than 475,000, the royalty rate would be renegotiated next year. he said.

But Mr. Lieven insisted that once he agreed to a price based on total shipments. he would be forced to use Windows on that many machines, regardless of what customers ended up wanting. Microsoft ''is doing exactly the same u before'' the consent decree, Mr. Lieven charged.

''I have everyday negotiations with Microsoft, but it's difficult for them to understand that this decade of monopolism has ended. We want a choice of operating systems,'' he said.

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LENGTH: 1472 words

HEADLINE: Microsoft Deal Came Down to a Phone Call; With Bill Gates on the Line, Justice Dept. Ends a Lengthy Probe

SERIES: Occasional

BYLINE: Elizabeth Corcoran, Washington Post Staff Writer

BODY: By last Friday afternoon, the dozen lawyers gathered in a conference room at the Justice Department were exhausted. They had spent the past day and a half wrangling over the terms of a settlement that—if signed—would close the most extensive antitrust investigation of a software company in history.

''Get Bill Gates on the phone,'' demanded Anne K. Bingaman, the department's assistant attorney general for antitrust.

After almost five years of investigation, the Justice Department was on the verge of settling its charges of monopolistic practices with software giant Microsoft Corp. But not near enough to sign an agreement. Two previous negotiating sessions had broken off each time in a stalemate.

Bingaman believed she had to talk to the man at the top, Gates, the 38-year-old co-founder and chairman of Microsoft. Over the course of 19 years Gates had turned a simple software program into a company with $ 4.5 billion in annual sales. For much of the industry, he didn't just run the company, he was the company.

Soon Gates came on the line. Bingaman recalled that after an hour's back-and-forth over details of Microsoft's licensing practices, Gates said the words she wanted to hear: ''I can live with this.''

Meeting with reporters on Saturday, Bingaman said the settlement would end a virtual monopoly by Microsoft with its MS-DOS and Windows ''operating system'' software, which controls the basic functions of personal computers. It would mean lower prices and greater choice for consumers, she said.

Microsoft, at its own press conference here an hour later, offered a different assessment: ''I'm going to invite your attention back to the facts and cut the rhetoric,'' Microsoft general counsel William Neukom said. The company had settled a costly, bothersome suit; Microsoft's business would not be affected by the changes.

The following reconstruction was based on interviews with Bingaman, Gates and others involved in the negotiations.

After a long winter of studying evidence, Bingaman was convinced that Microsoft's licensing practices for its operating system were unfair. In mid-June, she informed her boss, Attorney General Janet Reno, that she thought there was enough evidence to sue. As as a matter of course, Bingaman's office then contacted the company.

Bingaman asked Microsoft if it was interested in settling. Neukom said the company was willing to listen. Microsoft was fed up with the investigation, which had begun in 1989 with an inconclusive Federal Trade Commission inquiry. The Justice Department picked up the case last August.

Although Microsoft had provided what Gates described as ''millions of documents and every piece of e-mail,'' or electronic mail, for more than four years, it never knew precisely what the government was trying to prove, he said. News reports floated ideas such as breaking up the company.

''In some ways, a lawsuit would have been a more just environment,'' Gates said yesterday, because Microsoft could have publicaly aired its side of the case. ''Things were just so random.''

Gates had once been proud about having virtually nothing to do with Washington politics. But in the past year he had become a more frequent visitor to the nation's capital, hiring a local public relations firm and calling on journalists and administration officials to discuss the software industry, the information highway, foreign trade—and the investigation.

When Bingaman and Neukom finally met in late June, the assistant attorney general laid out a narrower case than many of the press reports had suggested.

The Justice Department wanted Microsoft to change licensing practices that the department contended unfairly discouraged computer makers from buying operating systems from Microsoft's competitors. She broached terms for a possible settlement.

A day or so later Neukom responded. Microsoft was willing to negotiate. He requested, however, that the European Commission, which was investigating similar charges against Microsoft in Europe, be part of the negotiations. According to Neukom, Microsoft did not want to finish one battle in the United States, only to face another overseas.

Bingaman and the European Commission agreed to negotiate jointly with Microsoft in Brussels.

Bingaman had a vacation coming up, the week of July 4, which she traditionally spent in Silver City, N.M, the hometown of her husband, Sen. Jeff Bingaman (D-N.M). But this year, she would miss it. She told only a handful of key staff members she and a team were heading across the Atlantic.

For a week, nine people—three each from the Justice Department, Microsoft and the commission—spent hours at a time discussing licensing minutia in conference rooms at the commission's headquarters in Brussels. ''I'd say the discussions were very civilized,'' said Neukom, who headed the Microsoft team.

''There was a lot of information to be exchanged.''

For a week the negotiators met several times a day, often picking up again late in the evening so they could cover new information or terms that had been faxed from Microsoft headquarters in Redmond, Wash., which was nine hours behind Brussels. By Friday, they had reached an impasse—the Americans flew home. In interviews, neither side would say what had caused the breakdown.

They had agreed to a telephone conference on July 11, but Bingaman was not betting on a happy ending. ''I had to play out the hand,'' she said. ''I figured, if it works, great; and if not, we gave it our best try.''

In the conference call, the parties agreed to return to the bargaining table. This time the date was set by the Europeans, who could not arrive in the United States until late the next day. They agreed to convene again last Thursday morning. Although the European delegation was down to two, a few more Justice Department lawyers had joined the talks.

Bingaman had not officially threatened a suit, she said, but she was ready to file. On Thursday a Justice Department attorney had flown to a district where Bingaman wanted to file, a place, she later said, ''where the dockets are thin—'' If the negotiations fell irreparably apart, all Bingaman needed was a final okay from her boss, Reno.

Neukom was uncertain if Bingaman would take Microsoft to court. ''People negotiate in lots of different ways,'' he said. ''But we were confident of our position and felt the courts would agree with us.''

By about 4 a.m. Friday the talks had stalled. Bingaman suggested that a call to Gates to try to resolve some of the disputed terms. The conversation was brief—and futile. The lawyers quit the offices, convinced that their differences were widespread.

Yet one more phone call from the Justice Department to the Microsoft people drew the negotiators back to the table later on Friday. By early afternoon, with only a few points unresolved, Bingaman again asked to speak to Gates. ''He's the ultimate decision maker,'' she said. ''I just wanted to get this settled with him.''

For the next hour or so, Gates talked via speakerphone with Bingaman and a small team of Justice lawyers, along with representatives from the European Community and Microsoft. They gathered near the speakerphone in Bingaman's office, occasionally leaving in small groups to debate a point in private.

''I sat on the phone for a long time,'' Gates recalled. ''People seemed to be coming in and out of the room'' where Bingaman was talking.

Then came the breakthrough, according to Bingaman. ''Bill finally said, ''I can live with this,'' and I said the same thing.'' The representative from the European Commission also agreed.

''She asked me if Neukom had the authority to sign for me and I said, 'Yeah,' '' Gates added.

The lawyers scrambled to turn dog-eared pages with scribbles in the margins into a single document. They finished the set for the European Commission first, so the representatives could make the last flight back to Brussels, which left at just before a p.m. Friday.

By 9:30 p.m. the signed settlement was filed in the U.S. District Court in the District of Columbia, which must now decide whether it will be implemented.

''I just went home,'' Bingaman said. ''It was a weird feeling. Even after 4 o'clock [and the discussion with Gates] I wasn't clear it was going to happen.''

Gates said: ''It's over. I like to work on products. This could have been a distraction, we've settled it in a way that doesn't affect our business.''

Gates pointed out that the company has seven divisions that work on a variety of products. ''None of the people who run those divisions are going to change what they do or think or forecast. Nothing. There's one guy in charge of [hardware company] licenses. He'll read the agreement.''

And when Microsoft signs future licensing agreements with hardware makers, Bingaman promised, ''we'll be watching.''

TAB 43

TO APPENDIX TO MEMORANDUM OF AMICI CURIAE IN OPPOSITION TO PROPOSED FINAL JUDGMENT

IN CIVIL ACTION NO. 94–1564 (SS)

SIGNED BY GARY REBACK

SECTION: FINANCIAL; PAGE C1

94–1564

FILED

LENGTH: 663 words

HEADLINE: Microsoft's Plan To Buy Intuit Raises Concern; Trade Group Calls 2 Hearings To Get Industry Opinion on Deal

SERIES: Occasional

BYLINE: Elizabeth Corcoran, Washington Post Staff Writer

BODY: The reach of software giant Microsoft Corp. has so vexed some in the computer industry that a major trade association is convening two meetings to talk about it.

Yesterday, the Arlington-based Information Technology Association of America (ITAA) said it was asking companies throughout the industry to voice their opinions on Microsoft's latest proposed conquest—Intuit Inc., the leading maker of personal finance software. Microsoft announced on Oct. 13 that it planned to buy Intuit for stock worth $ 1.5 billion.

''This is a dramatic acquisition by a very elite and powerful company,'' said Bernard Goldstein, who will chair a special ITAA committee to solicit industry comments on the deal. ''We want to understand why many firms in the information technology industry are agitated by this proposed transaction.''

The ITAA, which represents 325 software and hardware companies, plans to turn over relevant comments to the Justice Department, which is reviewing whether the proposed deal might squash competition. The agency

must give approval before the deal can be consummated.

To gather comments, the ITAA plans to host two industry hearings, one in Washington and another in San Francisco, in early December. The ITAA also will accept written comments submitted by Dec. 2.

In hopes of skirting criticism that the deal might inhibit competition, Microsoft plans to transfer its own personal finance software package, called Microsoft Money, to Novell Inc. of Provo, Utah. As payment, Novell would give Microsoft royalties on every copy of Money it sells for a fixed period.

Microsoft is clearly trading up. Intuit's software, called Quicken, is estimated to have 6 million customers while Microsoft Money has only about 700,000. Among other points, observers suggest that the Justice Department will weigh the market strength that Money would have in Novell's hands and whether it would continue to offer real competition to Quicken.

Sources said that about 10 days ago, Justice Department representatives met with Microsoft to request additional details on the proposed deal. Once the department receives that information, law requires that it spend only a few weeks finishing its analysis.

In the course of its review, the Justice Department would be likely to interview industry representatives. But some industry players have suggested that few are willing to criticize the software giant publicly because so many must work with Microsoft to ensure that their software applications will run smoothly on top of Microsoft's DOS or Windows operating systems, software that is used in most personal computers.

By offering to accept written comments and promising to keep some names confidential, the ITAA hopes to loosen a few tongues. ''I guess we'll find out how inhibiting a factor that [concern] is,'' said Jim Mann, who chairs the ITAA. If no one offers criticism of the Microsoft-Intuit deal, he suggested, ''it would be responsible to conclude that would be due to business relationships with Microsoft. We know there's concern.''

Other software associations have chosen not to get involved in the issue. But the ITAA has not shirked such issues in the past. The association offered comments during the government's investigation of the business practices of International Business Machines Corp. during the 1970s. Within the past year, the association also voiced concerns about whether IBM was still honoring the conditions of a consent decree it had signed with the government. Both IBM— and Microsoft—belong to the ITAA.

In July Microsoft tentatively settled another Justice Department inquiry by agreeing to end certain licensing practices that the Justice Department alleged were anti-competitive. Last week, the department released the public comments it had received on the proposed settlement, along with its response. The department received only five letters, including one arguing that the government should leave the company alone.

TAB 44

TO APPENDIX TO MEMORANDUM OF AMICI CURIAE IN OPPOSITION TO PROPOSED FINAL JUDGMENT

IN CIVIL ACTION NO. 94–1564 (SS)
SIGNED BY GARY REBACK
The Washington Post
Sections
No 343
SUNDAY, NOVEMBER 13, 1994
Microsoft Heads Home

Software Giant Targets Huge Consumer Market With a Host of High-Tech Innorations

REDMOND, Wash.

Behind tall. wooden doors, in a modest building on the grounds of software giant Microsoft Crop., visitors can take a peek at the company's vision of the future. The doors swing open to a suite of subtly elegant rooms—a model home-of-the-future—dubbed ''the Taj'' by those at Micro-soft. The Taj is filled with familiar icons of modern, upper-middle-class life: plush chairs in the living room, crayon drawings on the refrigerator, grungy sneakers kicked under a table.

Yet technology has seeped into every corner. In the living room, just to the left of the hearth, is a huge video screen. Another screen is above the kitchen counter. A children's corner has its own computer. The screen in the dining room glows with what could be modern art. The home office is ready for a video conference. Lights, temperature and music are controlled by central nervous system. Microsoft—whose software lions of offices—wants to. Not just to the homes of a few, but to as many of the nation's million homes as possible. It wants to ofter as a of images and information that will fly across screens in every room. And it wants to build the invisible software web that will make such systems work.

Microsoft Seeks Pump Streams of Information Into Homes

''Tomorrow in Las Vegas, at the intrade show known as Microsoft will offer a of one part of this new con-on-line service. rode-named ''Marvel.'' As with existing on-line services such as America Online or CompuServe. Marvel customers will use their computers and modems to tap into a range o[discussion groups, as well as products and services from Microsoft and others. But Microsoft promises its service will be a show-stopper. To woo customers, Micro-soft plans to include access to Marvel in every copy of its next operating system, Windows 95.

Gates's Vision

The new world according to Microsoft will be sketched tomorrow morning, when the company's chairman, Bill Gates, delivers a state-of-cyberspace keynote address at Comdex. tie will describe life in a world where people work in ''virtual offices,'' collaborating with colleagues around the world via portable computing and communications devices. They will use on-line services to get medical advice anywhere at anytime. tour the world's art galleries without leaving their sofas, and pay for goods and services with ''electronic currency.''

Yet when Gates describes the future. Ins images do not have the scientific fuzziness that eventually grounded that other high-flying visionary, former Apple Computer Inc. chairman John Sculley. The difference is that Gates's audience knows—sometimes from hitter experience—that he can turn it into a Winning business.

''I'm taking a 10-year horizon, hut everything will be within use [in] live years,'' Gates said m a telephone interview on Friday. ''We want to be one of the companies that's going to make that happen.''

Gates's hard-nosed pragmatism scares his competitors.]'hey snipe that even though Microsoft now employs some of the country brightest software engineers. ,Is work lacks the originality and wh??sy of Apple. Such comments irritate Gates. But he can lake comfort m the belief that runs through the core of Microsoft: Business isn't about formenting cultural revolutions, it's about selling products.

With the thoroughness of an engineering corps, Gates and his team of executives have mapped out a strategy that they hope will make Micro-soil products as familiar to consumers .is Ivory soap.

This is no tentative effort. Gates has said lie i.-, willing to invest more than a billion dollars over I0 years to develop consumer products, lie has committed $100 million to an advertising campaign to bolster Micro-soft's brand name so that consumers will remember its products. And Gates has just hired a chief operating officer—Richard J. Herbold, a former Procter & Gamble Co. senior vice president, who is credited with revising P&G's pricing strategy to keep it competitive. Tapping the Market

For Microsoft, the consumer market is tantalizingly large. Microsoft is already the biggest computer soft-ware company in the world, with revenue of $46 billion in fiscal 1994. But that looks puny measured against such consumer products giants as Procter & Ga??ble. which had more than $30 billion in sales last year, or even video game maker Nintendo Co.. whose estimated worldwide revenue will total about $9 billion ties year.

To get into the consumer market, Microsoft is applying the lessons it learned in the computer software business. Gates got his start by honing the layer of software called the ''operating system,'' which controls the basic functions of the machine and also shapes the look of the ''applications,'' or programs such as spreadsheets and word processors, that run on top of it.

When International Business Machines Corp. decided to use Gates's disk operating system, or DOS, on its personal computers, his software became essential to millions of consumers. Over time, Microsoft tightened its hold on the market with the ''Windows'' operating system, which gave DOS a face that was easier to use.

Microsoft has used tills base to vault into the lucrative business o[building applications, such as Microsoft Word [or word processing and Excel for spreadsheets. These and other applications now generate a big share of the company's revenue.

Microsoft's market lead bothers others. ''it's like a greyhound race, and the CEOs are all greyhounds.'' said Scott McNealy, chairman of Sun Microsystems Inc., in Mountain View. Calif. ''This guy [Gates] caught the bunny. He's driving the damn bunny cart.... No one's supposed to be driving that cart.''

Microsoft executives shrug off such criticisms. ''There are competitors of ours who don't like us. who are envious of our success, said Nathan Myrhvold, a senior vice president. ''And they've gone to great lengths

trying to claim that our success is not due to something fair.''

But. he said, ''In every forum that's been raised, it's been formally decided that no. that isn't the case.''

He pointed to the Justice Department's decision m July to close its investigation of Microsoft's business

Microsoft Seeks to Pump Streams of Information Into Homes No Slowing Down

Even the tussle with the Justice Department hasn't slowed Micro-soft's plans lot growth. ''We said. a computer on every desk sad m every home.'' (;ales said. And indeed. the company seems poised to make that slogan a reality.

Michael Maples. executive vice president for products, reels off a strategy (or the company's future. Continue the current businesses and grow two other divisions, namely, the ''consumer'' division (which is now churning out about one new CD-ROM title per week) and the ''business systems division.'' which is building software for corporate computers. When those businesses are maturing lout or bye years from now, Maples predicted. Microsoft's investments in future consumer products will begin to ''hit their stride.''

The company's forthcoming online service. Marvel. will he a key part of the strategy. What will be different about Marvel.) ''We think you have to create an economic model where it's worth creating content.'' Gales said.

To do so, Microsoft plans to offer content providers, such as newspapers, the tools to build all[active displays [or their on-line products and then, effectively price their wares as they please. Subscribing to Marvel The software giant is developing a wide range consumer products and services with many partners. Among the initiatives:

NON-LNE SERVICE: Code-named ''Marvel,'' details of Microsoft's plan to take on Prodigy, CompuServe and America Online are to be announced tomorrow Four telecommunications companies me expected !o be partners, along with ''content providers'' such as newspaper publishers.

MICROSOFT'S WORLD

FINANCIAL SERVICES: Proposed acquisition of ?? Inc . maker of Quicken personal finance software, would enable on-line banking

CREDIT CARD SERVICES: Deal announced with Visa International seeks to refine the technology for ensuring the privacy of financial information transmitted over networks.

BOOK$ ON-LINE: Microsoft's consumer division is generating about one new CD-ROM book per week. Hall of these are done with partners Many are aimed at children, such as ''Free Artist'' and ''Creative Writer'' Plans are m the works to put some of these on-line

BROADBAND SERVICES: To create the Technologies lot ''broadband'' interactive television and computer networking Microsoft would write the software Partners would provide the computer hardware lot sending the information, consumer devices for receiving and skills to make it work together Tele-Communications Inc and General Instruments are major partners.

UNLITY SERVICES: Plans to develop technologies, with partners such as Pacific Gas & Electric, that would respond automatically to consumers'' energy and other needs.

Microsoft Chairman Bill Gates Microsoft Seeks to Pump Streams of Information Into Homes Phone charges may also be low, as four telecommunications companies are expected to say on Monday that they are working with Microsoft to make dialing into Marvel a local call for many subscribers.

When subscribers peruse on-line magazines, they will be charged by those journals. Like the owner of a mall, Microsoft will exact a percentage front what content providers earn via the network. Microsoft is not yet saying who those content providers might be.

The company also has a potent plan for spreading Marvel. ''We'll give you access to it with Windows 95.'' Gates said. ''If [the software] notices you have a modern, it will ask you if you want to register electronically.''

Rick Sherlund, an analyst at Goldman Sachs & Co. in New York, estimates that as many as 14 million people may upgrade their software to Windows 95 in the first year it ships them. In contrast. America On-line Inc. was boasting last month that it had 1.25 million subscribers. Even if Microsoft includes other on-line services in Windows 95, the Microsoft brand name could lure customers to Marvel.

A Wary Word

Steve Case, president of America Online in Vienna, is wary of Gates's plans. Computer operating systems are becoming the ''dial tone of the computer age.'' he said. Just as the government regulates telecommunications, be suggested, the country may need new policies to ensure that consumers can easily reach any company's products or services through the dominant operating system.

''Ultimately, customers will prefer broad range of content, with an engaging presentation and offered at an affordable price,'' Case said. ''There's not yet evidence that Microsoft will offer consumers something that they'll want.'' he added.

Meanwhile, Microsoft is fitting other elements of its on-line strategy into place. Last week, Microsoft and Visa International said they were working on ways to protect on-line information, such as credit card numbers. That security will prove handy as people begin to use Marvel to buy products on-line.

Microsoft has other plans for helping people check their bank accounts or pay bills remotely. In mid-October. Microsoft made a bid to buy Intu?? Inc., the biggest maker of personal finance software, for $1.5 billion in stock. Microsoft's homegrown package, called Microsoft Money, has only won about 700,000 users since it went on sale three years ago. About 6 million people use Intuit's Quicken.

'''Money'' is really quite a good product.'' Maples said. But he explained that Quicken's broader customer base would acce??te Micro-soft's entry into electronic commerce. One hurdle Microsoft must clear, though, is a Justice Department investigation into the possible anticompetitive effects of the merger.

Microsoft has other products it would like to see go live as well. Its 660-person consumer division, for example, hopes to deliver CD-ROMs via communications networks at some point. But to pump information-rich video into consumers'' home will take faster and more powerful networks than those Mar vel will use.

Getting Organized

Microsoft is working to develop these superhighway-size, broad-band networks, through its Advanced Consumer Technology group, headed by Vice President Craig Mundie. By next June, the group will employ more than 500 people, working on the technologies that will turn Gate's Comdex address into reality: everything from interactive television and utilities that ''know'' when a house is too hot or cold, to personal gadgets such as a ''wallet PC,'' which could automatically update a bank account, or show a video of the kids. For two days in late October,

Mundie's group covened about 65 companies from around the world for an information ''summit.'' In effect, this was a meeting of construc tion crews. Behind closed doors. Microsoft executives laid out their plans for pumping streams of information into consumers'' homes by way of their personal computers, in late 1996 or early 1997, and eventually through their television sets. More than a dozen companies have pledged to work with Microsoft to develop—and commercialize— the technology. They include Alcatel Alsthom SA, Anderson Consulting, Deutsche Bundespost Telekom, General Instruments Corp., Hewlett-Packard Co., Nippon Telegraph & Telephone Corp. and US West Inc.

According to Mundie, the ''rollout'' of advanced networks will begin in the Seattle area late next year. By the end of 1996 or early 1997, Mundie hopes the technology will be ready to be ''cloned'' throughout the country. Ultimately, if consumers like what they see, every room in a home could have a connection to the information highway, much like Microsoft's Taj, he believes. ''Our view is that in the long run this is a very risky but potentially very rewarding business activity.'' Myrhvold said. He recalls that it look about five years before Microsoft's current operating system. Windows, became a hit. ''I assert it was a good idea to have done Windows.'' he said. ''Today, that is a no-brainer.''

EXHIBIT 5

TO THE COMMENTS OF RELPROMAX ANTITRUST INC.

) CIVIL ACTION NO. 98–1232 (CKK)

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA UNITED STATES OF AMERICA) Plaintiff,)) v.)) MICROSOFT CORPORATION,)) Defendant.)

) CIVIL ACTION NO. 98–1233 (CKK)

STATE OF NEW YORK ex rel.) Attorney General ELIOT SPITZER, et al.,) Plaintiffs,) v.)) MICROSOFT CORPORATION,)) Defendant.)

DECLARATION OF BRIAN DAUTCH

My name is Brian Dautch. I am a law clerk for Peter Peckarsky, Esq. I have personal knowledge of the facts testified to below and

if called as a witness could testify to those facts. I am over the age of twenty-one (21) years old.

2. On January 25, 2002, I placed a telephone call to 800–915–3355 to contact the Dell Computer Corporation (''Dell''). I spoke with Ray at extension 61468. Ray refused to state his last name. I asked what the price was for a Dell Dimension Model 8200 desktop personal computer. Ray said the price was $1,577. I asked what operating system was on the machine at that price. Ray said the operating systems was a Microsoft Windows XP operating system and advised that I could have the Home or Professional versions of the operating system. I asked whether I could buy the same desktop computer from Dell with any other operating system. Ray said that Dell would sell its desktop personal computers only with a version of the Microsoft Windows XP operating system (Home or Professional). Ray said that Dell would not sell a desktop personal computer without an operating system. If Dell were willing to sell me a desktop personal computer without an operating system I would be able to endeavor to arrange to use an operating system made by a software vendor other than Microsoft on the Dell desktop personal computer.

3. On January 27, 2002, I placed a telephone call to 800–915–3355 to contact Dell again. I spoke with Jack at extension 58680. Jack refused to state his last name. I asked what the price was for a Dell Inspiron Model 8100 laptop personal computer. Jack said the price was $1,379. I asked what operating system was on the machine at that price. Jack said the operating system would be my choice of either a Microsoft Windows XP operating system (Home or Professional version) or a Microsoft Windows 2000 operating system. I asked whether I could buy the same laptop computer hardware from Dell with any other operating systems. Jack said that Dell would sell its laptop personal computers only with a version of the Microsoft Windows XP operating system (Home or Professional) or Windows 2000. Jack said that Dell would not sell a laptop personal computer without an operating system. If Dell were willing to sell me a laptop personal computer without an operating system I would be able to endeavor to arrange to use an operating system made by a software vendor other than Microsoft on the Dell laptop personal computer.

4. On January 25, 2002, I placed a telephone call to 800–888–0220 to contact the Compaq Computer Corporation (''Compaq''). I spoke with Bob at extension 21679. Bob refused to state his last name. I asked what the price was for a Compaq Presario Model 8000 desktop personal computer. Bob said the price was $1,510. I asked what operating system was on the machine at that price. Bob said the operating systems was a Microsoft Windows XP operating system and advised that I could have the Home or Professional versions of the operating system. I asked whether I could buy the same desktop computer from Compaq with any other operating system. Bob said that Compaq would sell its desktop personal computers only with a version of the Microsoft Windows XP operating system (Home or Professional). Bob said that Compaq would not sell a desktop personal computer without an operating system. If Compaq were willing to sell me a desktop personal computer without an operating system I would be able to endeavor to arrange to use an operating system made by a software vendor other than Microsoft on the Compaq desktop personal computer.

5. On January 27, 2002, I placed a telephone call to 800–888–0220 to contact Compaq again. I spoke with Tim at extension 5249. Tim refused to state his last name. I asked what the price was for a Compaq Presario Model 2700 laptop personal computer. Tim said the price was $1,299. I asked what operating system was on the machine at that price. Tim said the operating system would be my choice of either a Microsoft Windows XP operating system (Home or Professional version) or a Microsoft Windows 2000 operating system. I asked whether I could buy the same laptop computer hardware from Compaq with any other operating systems. Tim said that Compaq would sell its laptop personal computers only with a version of the Microsoft Windows XP operating system (Home or Professional) or Windows 2000. Tim said that Compaq would not sell a laptop personal computer without an operating system. If Compaq were willing to sell me a laptop personal computer without an operating system I would be able to endeavor to arrange to use an operating system made by a software vendor other than Microsoft on the Compaq laptop personal computer.

6. On January 25, 2002, I placed a telephone call to 888–999–4747 to contact the Hewlett-Packard Company (''HP''). I spoke with Ann at extension 3721. Ann refused to state her last name. I asked what the price was for an HP Pavilion Model 7966 desktop personal computer. Ann said the price was S 1,999.99. I asked what operating system was on the machine at that price. Ann said the operating systems was a Microsoft Windows XP operating system and advised that I could have the Home or Professional versions of the operating system. I asked whether I could buy the same computer hardware from HP with any other operating system. Ann said that HP would sell its desktop personal computers only with a version of the Microsoft Windows XP operating system (Home or Professional). Ann said that Dell would not sell a desktop personal computer without an operating system. If HP were willing to sell me a desktop personal computer without an operating system I would be able to endeavor to arrange to use an operating system made by a software vendor other than Microsoft on the HP desktop personal computer.

7. On January 27, 2002, I placed a telephone call to 888–999–4747 to contact HP again. I spoke with Jackie at extension 3707. Jackie refused to state her last name. I asked what the price was for an HP Pavilion Notebook Model N53 10 laptop personal computer. Jackie said the price was S 1,349. I asked what operating system was on the machine at that price. Jackie said the operating systems was a Microsoft Windows XP operating system (either Home or Professional version or Microsoft Windows Millenium or Microsoft Windows 2000 or Microsoft Windows 98. I asked whether I could buy the same computer hardware from HP with any other operating system. Jackie said that HP would sell its desktop personal computers only with a version of the Microsoft Windows XP or Microsoft Windows Millenium or Microsoft Windows 2000 or Microsoft Windows 98 operating systems. Jackie said that HP would not sell a laptop personal computer without an operating system. If HP were willing to sell me a laptop personal computer without an operating system I would be able to endeavor to arrange to use an operating system made by a software vendor other than Microsoft on the HP laptop personal computer.

8. On January 25, 2002, I placed a telephone call to 888–746–7426 to contact International Business Machine (''IBM''). I spoke with Andy at extension 37229. Andy refused to state his last name. I asked what the price was for an IBM Model M67922EU desktop personal computer. Andy said the price was $1,289. I asked what operating system was on the machine at that price. Andy said the operating systems was a Microsoft Windows XP operating system and advised that I could have the Home or Professional versions of the operating system. I asked whether I could buy the same computer hardware from IBM with any other operating system. Andy said that IBM would sell its desktop personal computers only with a version of the Microsoft Windows XP operating system (Home or Professional). Andy said that IBM would not sell a desktop personal computer without an operating system. If IBM were willing to sell me a desktop personal computer without an operating system I would be able to endeavor to arrange to use an operating system made by a software vendor other than Microsoft on the IBM desktop personal computer.

9. On January 27, 2002, I placed a telephone call to 888–746–7426 to contact International Business Machine (''IBM''). I spoke with Jim at extension 37289. Jim refused to state his last name. I asked what the price was for an IBM Thinkpad Model 265620U laptop personal computer. Jim said the price was $1,099. I asked what operating system was on the machine at that price. Jim said the operating system was a Microsoft Windows XP operating system (Home or Professional versions) or Windows 2000. I asked whether I could buy the same laptop computer from IBM with any other operating system. Jim said that IBM would sell its laptop personal computers only with a version of the Microsoft Windows XP operating system (Home or Professional) or Windows 2000 operating system. Jim said that IBM would not sell a laptop personal computer without an operating system. If IBM were willing to sell me a laptop personal computer without an operating system I would be able to endeavor to arrange to use an operating system made by a software vendor other than Microsoft on the IBM laptop personal computer.

I declare under penalty of perjury that the foregoing is true and correct, executed in Washington, DC, on January 27, 2002.

Brian Dautch

MTC–00030631 0255

EXHIBIT 6

TO THE COMMENTS OF RELPROMAX ANTITRUST INC.

HTC-00030631 0594

HTC-00030631 0595 Civil Action No. 98–1232 (TPJ)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA UNITED STATES OF AMERICA, Plaintiff, v. MICROSOFT CORPORATION, Defendant. STATE OF NEW YORK, ex rel. Attorney General ELIOT SPITZER, et al.,

Plaintiffs and Counterclaim-Defendants, V. MICROSOFT CORPORATION, Defendant and Counterclaim-Plaintiff. Declaration of Paul M. Romer

I, Paul Michael Romer, declare as follows:

I. Qualifications and Scope of Testimony

1. I am the STANCO 25 Professor of Economics at the Graduate School of Business, the Dean Witter Senior Research Fellow at the Hoover Institution, and the Ralph Landau Fellow in the Stanford Institute for Economic Policy Research, all at Stanford University. I have also held the position of Assistant Professor in the Economics Department at the University of Rochester and Professor in the Economics Departments of the University of Chicago and the University of California at Berkeley. I received my B.S. degree in Physics in 1977 and my Ph.D. degree in Economics in 1983, both from the University of Chicago. I am a Fellow of the Econometric Society, a Research Associate at the National Bureau of Economic Research and a former member of the Executive Committee of the American Economics Association.

2. My 1983 Ph.D. thesis and my subsequent papers revitalized the study of economic growth and were the foundation for a body of work known as ''new growth theory.'' My contribution was to formalize a theory in which the rate of technological change is determined by incentives created in the marketplace. This kind of theory lets one trace the effects that social institutions in general, and legal institutions in particular, have on incentives, and thereby on the rate of technological change. Over time, small changes in this rate cumulate into large differences in standards of living. As a result, decisions about the law, and especially about antitrust law as it applies to high technology industries, can be among the most important economic policy decisions that a society makes.

3. The Court's decision in this case will profoundly affect the information industry, the most technologically dynamic sector in our economy. Because technological change has been the central concern in my work, the Department of Justice has asked me to evaluate the economic effects of its proposed remedy.

II. Summary of the Analysis

4. In its Findings of Fact, the Court found that Microsoft has a monopoly in the market for PC operating systems that is protected by the applications barrier to entry. By exposing to applications developers APIs which were independent of the Windows operating system and thereby eroding the applications barrier to entry, Netscape's browser and Sun's implementation of Java posed a direct threat to this monopoly. In response to this threat, Microsoft engaged in a series of anticompetitive acts designed to stifle the technological progress and market success of Netscape and Sun. These acts directly harmed consumers by, among other things, denying them the choice of a browserless operating system, foreclosing opportunities by OEMs to make PCs more user friendly, making it more difficult for consumers to obtain competing browsers, and by preventing some software innovations (Intel's platform-level NSP software) from reaching the market. FOF 410.

5. Most importantly, these acts have interfered with the process of innovation in three distinct ways. First, consumers did not get the innovative products that the technology being developed by Netscape and Sun might have delivered. Second, Microsoft's predatory acts had a chilling effect on innovative efforts by all people who might have developed other software technologies that Microsoft found threatening.

Third, Microsoft harmed the innovative process because it limited competition, and competitive markets are, on balance, the best mechanism for guiding technology down a path that benefits consumers.

6. The government's proposed remedy will prevent these harms from recurring. The most important element of the remedy is a reorganization that creates independent applications and operating systems companies. It will deprive the operating systems company of some of the tools that Microsoft used to limit competition. It will also create an applications company with the incentive and the ability to lower the applications barrier to entry in the operating system market. The applications company can do this by porting its key applications to competing operating systems and by providing new middleware that other applications developers can use. This could further increase the number of applications available on the competing operating systems and thereby lower the applications barrier to entry. By lowering the barriers to entry, the creation of a separate applications company increases the likelihood of entry in the PC operating system market. Even if actual competition in the market for PC operating systems does not emerge, the increased potential for entry will limit the strategic options available to the operating system monopolist. Furthermore, the presence of this powerful applications company will lead to larger expected payoffs for other innovators in the software industry by providing two independent distribution channels. The presence of these two independent distribution channels will also increase the likelihood that users can choose among alternative technologies on the merits. For all these reasons, a reorganization that introduces a significant competitor will dramatically reduce the likelihood that the harmful acts identified in this case will recur.

7. This reorganization returns the software industry part way toward the competitive environment that prevailed before Microsoft took its illegal actions. There is no way to revive the threat posed by the specific technologies that Netscape and Sun were developing, nor to recover the innovative efforts that were deterred by Microsoft over the last five years. The market has moved on. Consumers and applications developers have made investment decisions that are irreversible. This remedy does, however, return us to a point where an important software firm outside of the control of the operating system monopolist has an incentive to lower the applications barrier to entry and to develop new middleware technologies with cross-platform capabilities. This was the state of the software industry in the mid 1990s with the entry and early successes of Netscape.

8. In support of the basic strategy of creating independent companies, the remedy prohibits specific acts that could frustrate the creation of the separate companies or undermine their independence. It also prohibits acts that Microsoft has used and that the new operating systems company could use to exclude potential competitors. Until the reorganization is completed and the applications company has had a chance to change the structure of the operating systems market, the operating systems monopoly will persist. The company that controls this monopoly could limit the access to final users by the new applications company or any other software developer. These prohibitions apply only for a limited period of time. Ultimately, the remedy relies on the market forces created by the reorganization to curb anticompetitive behavior.

9. When I evaluate the potential costs and benefits of this remedy, my overriding concern is the effect that it will have on the rate of innovation. Information processing is a pervasive activity in our economy. Even small changes in the rate of innovation in this area can, over time, lead to large productivity gains and big improvements in the standard of living. Because of the rapid progress in microprocessors, memory chips, data storage systems, and communications networks, the hardware infrastructure for information processing is vastly more powerful than it was just ten years ago. It takes innovative software products like the browser to harness this power and put it to use throughout the economy. By creating conditions that encourage increased competition in the operating system market, this remedy will increase the rate of innovation in the software industry and thereby increase the rate of growth for the economy as a whole. The lasting stream of benefits that can be expected to follow from this remedy will substantially outweigh any temporary costs that it might involve.

10. My detailed analysis of the remedy is divided into four sections. The next section, Section III, expands on the harm to innovation caused by Microsoft's actions. Section IV looks in detail at the effects that the reorganization will have on the incentives and behavior of the successor companies and on competing firms. Section V shows how the conduct provisions of this remedy support the independence of the two successor companies and prevent specific anticompetitive acts identified in this case from recurring. Section VI examines the benefits and costs of the remedy both for society as a whole and for Microsoft's

shareholders. Section VII presents my conclusion.

III. How Microsoft Has Undermined Innovation

11. The Court identified a reduction in the rate of innovation as the most serious harm that flowed from Microsoft's illegal acts. FOF 411–412. This reduction can take several forms. The first type of harm arises because consumers were deprived of new types of software or received them only with a lag. Innovative efforts at Netscape and Sun were directly impeded by Microsoft's actions. As a result, applications developers who could have written programs that were complements with the Netscape browser or Java also faced substantially reduced incentives to do so. It is impossible to know with certainty the types of applications that might have developed had innovation continued with full force on both fronts. We do know, however, that some types of applications forecast by the advocates of the browser and the Java virtual machine are finally emerging. For example, companies are only now bringing to market server-based applications accessed via a browser that substitute for traditional desktop productivity applications. In the absence of Microsoft's actions, it is likely that this class of applications would be farther down its development path.

12. The second type of harm springs from the message Microsoft sent to developers of potentially competitive software. In the browser wars, Microsoft showed that it had the power to reduce the return Netscape and Sun earned on their investments in innovative technologies and that it was willing to use this power. This reduces the expected profits that outside innovators can expect to earn from developing technologies that threaten to create additional competition for Microsoft's operating system monopoly.

13. Historically, people working outside of the dominant firms in the software industry have been responsible for the development and commercialization of many of its most important innovations. Notable examples include email, the electronic spreadsheet, the word processor, the window based-graphical user interface, the web browser, user friendly handwriting recognition on a handheld device, and instant messaging. This pattern is not unique to software. In many industries, new entrants are a critical source for the innovations that take technology in fundamentally new directions. Although they may not innovate themselves, dominant firms sometimes learn how to exploit the new innovations that do arise.1 Because outsiders are such an important source of innovative energy, Microsoft's threatening message reduced the rate of innovation in the software industry as a whole.

14. The third and final type of harm is the most familiar and fundamental. Microsoft has harmed the innovative process because it has limited competition, and competitive markets are, on balance, the best mechanism for guiding technology down a path that benefits consumers. No system of comprehensive central planning, neither one controlled by a government, nor one controlled by the managers of a single firm, can hope to be as robust and reliable a mechanism as competition among many actual and potential firms for purchases by final users. Before the breakup of AT&T, engineers described the advantages of having a single firm that produced all the telephone desksets that connected to the telephone network. Since the breakup, consumers have benefited from the wider range of choice and more rapid innovation in the handsets that competition made possible.

1 According to one Microsoft insider, this has been the pattern at the company: ''and let's face facts, innovation has never been microsoft's strong suite, we're much better at ripping off our competitors. For example, we did not invent either ASP [active server pages] or IE, we bought them!'' RX8

IV. Analysis of the Reorganization

A. General Characteristics of the Proposed Reorganization

15. The proposed remedy creates two companies that sell different types of software (operating systems and applications) with minimal overlap in the product lines that each company would offer immediately after the reorganization takes effect. Over time, however, each company would be free to develop any new type of software product, including the types of software products supplied by the other company.

16. The internet browser is the most important product in the initial overlap in the product lines. To handle this case, the government's proposal gives the applications company the intellectual property associated with Internet Explorer and the developers who worked on it. However, because Microsoft has placed code that supports browsing in operating system files that contain code that supports non-browsing features of the operating system, the operating system company will receive a license to use and distribute the parts of the code for Internet Explorer that are shipped with the Windows operating system product. FOF 164.

17. The reorganization creates two powerful software companies with roughly similar strategic assets. They will each have annual revenue of more than $8 billion and annual profits of more than $3 billion. 2 This is much larger than the revenues and profits for 2 To be specific, according to Microsoft's 1999 10K filing, the Windows Platforms division, which corresponds roughly to the proposed operating systems company, had revenue of $8.5 billion. The Productivity Applications and Developer division and the Consumer, Commerce and Other division together had revenue of $11.2 billion. Total profit for the entire company was $7.8 billion. Microsoft does not publish profit figures by division, but as a very rough guide, we can assume that profits are proportional to revenue. This would imply profits of $3.4 billion for the Windows Platforms division and $4.4 billion for the remaining units. other companies that specialize in selling software for the PC. For comparison, Novell, Adobe, Intuit, Symantec, Rational Software, Corel, and Macromedia together had total revenue of $3.8 billion and total profit of $0.9 billion in the most recent year. As the Court has found, the Windows operating system has a market share that has been increasing over time and that has reached the level of 95% in recent years. FOF 35. They also have a comparable presence among users. According to one market analyst, Microsoft's Office suite captures 95% of the revenue in the office productivity suite business. RX37. Microsoft's CEO Steve Ballmer recently claimed that about 80% of all the electronic information in most companies is stored in Microsoft Office documents. RX14.

18. After the reorganization is fully implemented, the operating systems company will control the Windows user interface. The applications company would control the user interfaces presented by the Office applications. Hence, each company has a powerful means of presenting final users with choices about new software products. For example, if they were promoting alternative browsers, the operating system company could put an icon that starts its browser on the desktop. The applications company could put a choice on its View menu that lets a user view a document using its browser.

19. Each company will have products that present applications programming interfaces that can be used by ISVs. The operating systems company can continue to offer all of the APIs presented by its desktop and server operating systems. On the desktop, the applications company will control the APIs supported by Internet Explorer and by Office. These APIs are already widely used. Declaration of E. Felten, 36. For example, Microsoft claims that there are 2.5 million developers who use Office as a platform for building applications. RX38. On the server, the programs controlled by the applications company expose APIs and communications interfaces that let them be linked together as building blocks in large server side applications. For example, a corporate developer building an e-commerce application can have the application company's web server application, IIS, capture data from a customer and then transfer it to its database application, SQL Server.

B. The Emergence of Competition in the Operating System Market

20. By freeing the applications company, this remedy will reduce the barrier to entry faced by a new operating system company. As separate entities, the applications and operating systems companies will each have an incentive to compete with the other, or at least to encourage other firms to do so. The applications company will perceive both the opportunity to take revenue away from the operating system company and the threat that the operating system company will take revenue away from it. This opportunity and threat will create incentives for the applications company to write versions of its applications that run on other operating systems. By itself, this will lower the applications barrier to entry protecting the Windows operating system. The opportunity and the threat will also create incentives for the applications company to develop its products into full- featured, cross-platform middleware products that other applications developers can use to develop programs that run on multiple operating systems. This will further reduce the barrier to entry.

21. This reorganization places the operating system monopolist in a competitive

situation comparable to that which prevailed in the mid 1990s. At that time, Netscape had access to a large fraction of desktops and had an incentive to develop its browser into a critical piece of middleware on the PC. The reorganization recreates this situation with the applications company in the role played by Netscape.

22. To see why incentives drive these two companies toward this outcome, even though they start from positions where they are not direct competitors, it is useful to look in more detail at the threats and opportunities that each company will perceive when they are separate.

23. The best outcome for the operating systems company would be one in which it maintains a dominant position in the operating systems market and also captures some (or all) of the profits from the sales of applications. If the operating systems company cannot achieve this goal, the next best outcome would be to retain its dominance of the operating systems market and to induce enough competition in the Windows applications business to increase innovation in applications. This will increase demand for the operating system because, as the Court found, applications are critical complements to the operating system. FOF 37. To complete this three-way classification, the worst possible outcome for the operating systems company would be one in which it faces direct competition from companies offering alternative operating systems and in which the applications company maintains a dominant position as an applications vendor for the various operating system platforms.

24. The ranking of outcomes for the applications company is exactly the reverse. It understands that the operating system company has an interest in driving down prices for Windows applications and trying to capture some of the revenue from the applications business. The applications company will therefore recognize that it would be a risky strategy for it to continue to write applications only for the Windows operating system.

25. One of the key advantages protecting the application company's $10 or $11 billion stream of revenue are the switching costs that users would face if they tried to adopt a competing set of applications. These users would have to learn the new interfaces presented by any new applications. They would also have to convert the large amounts of data that are stored on desktops and on servers in Microsoft Office file formats. See Declaration of E. von Simson, 4a. Right now, any user who wanted to switch operating systems would have to incur the large costs of switching applications. If, however, the new operating system runs the applications that the user currently uses, the costs of switching to the new operating system will be relatively low compared to the costs of switching applications. Hence, the applications company will have an incentive to write versions of its applications that run on an alternative operating system. It will also want the providers of complementary applications to support the alternative operating system. To reduce the porting costs for ISVs, the applications company will have an incentive to develop its applications into middleware that ISVs can use and to sell tools that programmers can use to write cross-platform software.

26. The applications company's defensive strategy of porting its applications and developing them into full-featured middleware products can be converted into an offensive strategy that takes revenue from the Windows operating system company. Just as the operating systems company can gain by encouraging innovation in applications, the applications company can gain by encouraging innovation in a critical complement that it does not own, the operating system. It can do this by offering its own operating system or by supporting an open source operating system such as Linux.

27. Among all existing or potential applications vendors, the newly created applications company would be uniquely positioned to implement the kind of strategy outlined above. From a defensive point of view, it has a much stronger incentive to take acts that protect its current revenue stream. In principle, the newly created applications company should be willing to spend up to the present discounted value of this stream, a sum that could be worth anywhere from $40 to $100 billion dollars, if doing so would successfully protect this income stream from attack. In addition, the existing applications already possess much of the functionality that would be required for these applications to serve as middleware that offers a complete set of APIs to developers. No other applications vendor has such a powerful combination of assets—an incentive to protect its existing revenue stream, wide availability on user desktops, and existing middleware functionality—for bringing competition to PC software.

C. Advantages of a Second Company Even in the Absence of Operating System Competition

28. Even if the inherent rivalry between the operating systems company and the applications company does not lead to actual competition in the operating system market, the threat that each company poses to the other will profoundly change the dynamics in the software industry. To illustrate this point, it is useful to consider how events might have turned out if the separation into an operating system company and an applications company had taken place just before Netscape commercialized the web browser. Imagine that neither company had yet taken any steps to threaten the other. In particular, the applications company had not yet written versions of its products for other operating systems; the applications barrier to entry into the operating system market had not been reduced; no competition in this market had materialized.

29. Imagine that in this hypothetical scenario, Netscape is initially able to distribute its browser freely and achieves wide market penetration. Then, both the operating system and the applications company perceive the threat presented by the Internet and the browser. The key difference in this scenario is that this new threat is superimposed on top of the underlying threats and opportunities that the applications and the operating system companies present to each other.

30. In this situation, it is likely that one company would work with the new entrant in an attempt to gain an advantage over the other. Either company could consider forming an alliance with Netscape, giving it an important distribution channel that reaches many final users. This strategy might be well worth adopting if it increased the likelihood that one incumbent would be able to displace the other. The applications company could use the Netscape browser as part of its strategy for developing full-featured cross platform middleware.3 The operating system company could use the Netscape browser as a way to 3 There is evidence that Office developers were required to support IE preferentially over competing browsers. In a January 1997 email, Bill Gates made clear his priorities: ''In one piece of email people were suggesting that Office had to work equally well with all browsers and that we shouldn't force Office users to use our browser. This is wrong and I wanted to correct this.'' GX351 Later, in July 1997, Paul Maritz noted in an email to Gates and other executives that the Office group (consistent with Gates'' comment in January 1997) was going to target certain features of Office for IE, but ''this was hard decision for them (based on IE's current market share).'' GX514. move quickly to a position where it is the dominant vendor of a new type of applications suite that relies on more server-side computing or a user interface based on the browser.

31. Looking ahead from today, rivalry between the two companies will be particularly important when transforming new technologies like the browser arise. In coming years, portable devices, wireless communications and voice recognition may obsolete many deeply embedded assumptions about when, where, and how users access digital information. At the same time, improvements in the bandwidth of fiber optic data communications networks and the extension of these networks ever closer to the desktop may narrow the gap between the capacity of the pipe that connects two different computers and the pipe that connects components located inside the case of a single computer. Either one of these developments, and especially the two of them together, could lay the foundation for new software innovations as powerful as the browser and the Web.

32. Take for example, the Palm operating system, the first operating system that could recognize handwriting and run for an acceptable period of time on a small battery powered handheld device that fit comfortably in a shirt pocket. This new product, which was not developed by any of the leading players in the computer industry, has already brought very significant benefits to consumers. As it evolves wireless links with the Internet and tighter links with mobile phones, an entirely new window of opportunity opens up. As voice recognition software becomes more powerful, the window opens up into an entirely new world of unexplored possibilities.

33. As an integrated company that controls both the Windows operating system and the Office productivity suite, Microsoft has a powerful set of tools that it is using to

influence the path of competition in this new space. It is developing a substitute operating system, Windows CE, that competes with the Palm operating system. It has further indicated a willingness to change the details of its Office applications to favor devices that run Windows operating systems, even if doing so disadvantages its customers who now rely on the Palm Pilot. ''

REDACTED

''RX1 (Bill Gates to senior Microsoft executives, July 11, 1999).

34. If the companies were separate, the applications company would try to meet consumer demand rather than support the strategic goals of the operating system company. It might form an alliance with providers of handheld computing devices rather than aid the operating systems company in its effort to handicap and defeat them. For example, it could develop a client application that runs on the Palm Pilot and that communicates efficiently with Exchange, the server program that stores email, calendaring, and task scheduling information. Because of the popularity of the Palm handheld, these features would further solidify the position of Office and Exchange. Doing so would also offer larger potential rewards to the developers of the Palm platform, and would thereby encourage other new entrants to strive to develop equally innovative new products.

35. The separation might also change the dynamics of the competition that is taking place in the server market. Right now, Microsoft is using security protocols that discourage the use of non-Microsoft servers in enterprises that install Windows 2000 on the desktop. See Declaration of R. Henderson, 49, 119–120; Declaration of E. Felten, 78–79. If the applications company is successful in creating a viable alternative on the desktop—a competing operating system, a version of Office that runs on it, and a complementary set of applications—these enterprises will have the choice of switching away from the Windows desktop operating system instead of switching to the Windows server operating system.

36. In fact, the discriminatory security features would increase the chances that the competing operating system succeeds. When the operating systems company makes Windows 2000 less attractive to enterprises with non-Microsoft server operating systems, it increases the demand for an alternative desktop operating system. The applications company would therefore see a larger payoff from porting its applications to the alternative. Other applications developers might then try to get an early seat on the new bandwagon. The resulting increase in available applications would further encourage the adoption of the new operating system.

37. Working back, we see that if a separate applications company existed, the operating system company might refrain from introducing these discriminatory security features in the first place. In a world where there is no separate applications company, the discrimination features increase sales of Windows server operating systems without decreasing sales of desktop operating systems. In a world with a separate applications company, this strategy could lead to significantly decreased sales of desktop systems.

38. This counterfactual scenario about the development of the browser and the forward looking hypothetical scenarios about handheld computing and security protocols between the desktop and the server suggest several general points. First, the separation of the applications and operating systems developers into different organizations could increase the rate of innovation that emerges from just these developers alone. The threat that the incumbents pose to the other could induce technological races that spur the rate of innovation achieved on both sides, just as the race with Netscape spurred innovation within Microsoft. FOF 135.

39. Second, the separation would also increase the expected returns to outside innovators. It would create two distinct paths or channels that a technologically successful new entrant could use to reach and maintain contact with final users. Competition between these two organizations would give a new entrant like Netscape or Palm much more bargaining power than it has when it faces a single, monolithic organization. By playing one of the incumbents against the other, the new entrant could therefore expect to extract a much higher return from its innovative effort and early market successes.

40. Finally, even an increased possibility of competition in the market for operating systems could deter an existing monopolist from engaging in some anticompetitive tactics. This benefit arises from the mere creation of the independent applications company. To the extent that the competition becomes real competition instead of potential competition, the monopolist will face even stronger incentives not to engage in socially harmful anticompetitive practices.

V. Effects of the Conduct Provisions

41. In addition to the reorganization, the proposed remedy puts in place a number of prohibitions directed at specific types of conduct. These prohibitions can be separated into two categories—provisions that support the reorganization and provisions that keep the company that controls the operating systems monopoly from engaging once again in the specific types of illegal behavior that Microsoft used before, and that the successor company might use again, to limit entry, restrict competition, depress the rate of innovation, and distort the operation of the market.

A. Provisions Designed to Make the Separation Effective

42. The proposed remedy includes several specific provisions that are designed either to maintain the feasibility of a separation or to ensure that this separation is a true separation into organizations with independent economic interests.

43. Because its most important assets are software and people, Microsoft could take steps that would frustrate the ability of the Court to implement a division of these assets. Microsoft has already demonstrated to the Court its willingness to impose technical linkages on its software code without technical justification in order to achieve certain strategic goals (e.g. binding the browser to the operating system). FOF 175–77. Between now and the time when the reorganization is implemented, Microsoft could use these kinds of tactics to present the court with a fait accompli that makes it technically impossible to separate existing applications from the operating system. Thus, Provision 1 d of the proposed remedy requires Microsoft to maintain the separation between the operating system business and the applications business that exists on the date of entry of the Final Judgment. It further provides that Microsoft should take no action that makes the separation more difficult.

44. Once the companies exist as legally separate entities, it is important that their managers operate them as economically independent entities. Trivially, this requires that one company be prohibited from buying the other (Provision 2b). The covered shareholder provision has the same intent. It ensures that a dominant shareholder cannot force the managers of one company to support the financial interests of the other (Provision 2a). For the two companies to be economically independent, they must not be able to enter into any legal agreement that would require or facilitate collusion between them. The proposed remedy therefore requires that the operating systems company and the applications company file any agreements between them with the Department of Justice (Provision 2c). It also specifically prohibits the two companies from entering into special agreements concerning distribution, discriminatory disclosure of technical information, or discriminatory terms for one to license the other's products (Provision 2b). The Court has found that Microsoft has used these specific acts to limit competition by other firms or to induce other firms to participate in its schemes to limit competition by other firms. FOF 79, 83–89, 95–103.

B. Provisions Designed to Prevent Continued Exploitation of Monopoly Power in the Market for Operating Systems

45. The reorganization that is proposed here will create conditions that make it possible for operating system competition to emerge, but it does not guarantee that this will happen. For some period of time that extends beyond the implementation of the reorganization, the operating systems company will continue to be a monopolist in the market for Intel-based desktop operating systems. The proposed remedy therefore includes specific provisions designed to prevent the operating systems company from engaging in the same anticompetitive acts that it used against Netscape's browser and the Java technology to undermine their competitive potential.

1. Provisions relating to OEMs

46. The Court found that Microsoft used its monopoly control of the operating system market to induce OEMs to participate in its attempts at limiting competition. Among the specific illegal measures taken by Microsoft were:

. making access to technical support or information about new programs contingent on an OEM's support in Microsoft's attempts at limiting competition (FOF 128- 129);

. offering reductions in the royalty price for Windows 95 in exchange for this kind of support. (FOF 64, 139, 230–241);

. threatening withdrawal of its Windows license to OEMs if it failed to offer this kind of support. (FOF 203–208);

. refusing to allow OEMs to reconfigure the start-up sequence or the PC in ways that give competitors access to final users. (FOF 209–227);

. binding Internet Explorer to the operating system in order to make it impossible for an OEM that wanted to support a single browser to select a product other than IE. (FOF 175–77, 191,192).

47. Because OEMs will be a critical distribution channel for the separate applications company in the early years of its existence, the operating systems company will be tempted to use the same kinds of tactics to limit potential competitors, the most important of which will be the newly formed applications company. If the operating systems company could succeed in these efforts, it would undermine the reorganization that is at the heart of this remedy.

48. For this reason, the remedy prohibits, for a limited period of time, specific types of conduct by Microsoft and the successor operating system company. All of these provisions are designed to protect the freedom of an OEM to choose the applications and middleware that it ships with a Windows operating system in response to consumer demand. The first provisions prohibit financial threats and inducements. Provision 3aii (Uniform Terms for Windows Operating System Products Licensed to Covered OEMs) keeps the operating systems company from using changes in the price for an operating system license as a means of punishing an OEM that distributes a product supplied by another firm or from rewarding the OEM for refraining from distributing such a product. Provision 3ai (Ban on Adverse Actions for Supporting Competing Products) keeps the operating systems company from using marketing programs or technical support to achieve the same end.

49. The next set of provisions frees OEMs to configure the PCs that they sell. Provision 3f (Ban on Contractual Tying) prevents the operating systems company from writing licenses for the operating system that require OEMs to distribute any other software products. Provision 3aiii (OEM Flexibility in Product Configuration) lets the OEMs undo choices about such things as the boot sequence, location of icons, and menu choices that the operating system company might use to force the OEM to feature, and therefore to support, applications or middleware supplied by the operating systems company. Provision 3g (Restriction on Binding Middleware Products to Operating Systems) requires that OEMs and end users have the ability to remove end user access to any middleware that the operating system company has included with its operating system software. Provision 3i (Continued Licensing of Predecessor Version) gives the OEMs an alternative way to configure its PCs. It lets them license older versions of the Windows operating system and add new features by adopting software from independent vendors.

2. Provision regarding other distribution partners

50. Microsoft also used its monopoly power to interfere with distribution channels other than OEMs. Among the actions taken by Microsoft were:

. giving valuable consideration (e.g. placement on the Windows desktop, free licenses to software for customizing IE) at no charge to Internet Access Providers (IAPs) who agreed to distribute and promote IE and restrict distribution and promotion of competing browsers (FOF 242–310);

. giving Windows promotion to Internet Content Providers (ICPs) such as Intuit who agreed to restrict distribution of Navigator and payments to Netscape (FOF 311–335);

. threatening to withhold MacOffice from Apple unless Apple distributed IE as the default browser on Macintosh PCs (FOF 341–356).

51. Provision 3e (Ban on Exclusive Dealing), which applies to any contracts with third parties, is intended to prohibit these and similar acts. In particular, it prohibits any agreement that limits the distribution of competing middleware or operating system products.

3. Provisions regarding developers and competitors

52. The Court also found that Microsoft used its monopoly power to undermine competing middleware products such as Sun's Java technology and Intel's platform level NSP software. Actions taken against Java include efforts to create incompatibility between its implementation of the Java virtual machine and the Sun implementation (FOF 387–394), inducements to ISVs to refrain from using use or distributing non-Microsoft Java technologies (FOF 395–402), and impeding expansion of Java class libraries (FOF 404–406). Microsoft also threatened to withhold support for Intel's next generation of microprocessors unless Intel agreed to stop developing platform-level interfaces like NSP that might draw support away from interfaces exposed by Windows. FOF 94–103.

53. The Court's findings demonstrate how varied Microsoft's anticompetitive behavior has been in the past. Since the trial, new and unexpected acts such as the discriminatory security protocol built into Windows 2000 (described earlier in paragraph 35) have already come to light. This reaffirms how many possible anticompetitive tactics are available and how difficult it will be to anticipate the precise form of future tactics. Therefore, the proposed remedy includes two provisions that prohibit anticompetitive behavior in general terms. Provision 3f (Ban on Contractual Tying) lays down a blanket prohibition against contracts that are designed to limit competition. Provision 3c (Knowing Interference with Performance) prohibits actions that are designed to degrade the performance of competing middleware on the Windows platform.

54. The remedy also contains a provision that makes it possible for ISVs, OEMs, and independent hardware vendors (IHVs), to uncover and ameliorate a wide range of illegal acts. Provision 3(b) (Disclosure of APIs, Interfaces and Technical Information) requires that Microsoft disclose to these third parties all interfaces they need to make their products interoperate effectively with the Windows operating system.

55. Finally, if the operating system company could use these kinds of agreements with third parties to discriminate against hardware and software vendors who support the middleware strategy of the new applications company or any other middleware vendor, it could impede the development of operating system competition. Provision 3d (Developer Relations) prohibits them from doing so.

4. General comments

56. Under the proposed remedy, all of these conduct provisions apply only for a limited period of time. Specifically, they are in force until three years after the reorganization becomes effective, roughly the time it would take for one of the successor companies to complete one product cycle. This limitation is appropriate because the most reliable and most effective mechanism for preventing anticompetitive acts is market competition that erodes, or at least threatens to erode, the monopoly power that lies at the heart of the problems identified in this case. The conduct provisions support the reorganization in its vulnerable early years of life. They raise the probability that the reorganization will introduce competition into the market for operating systems. This means that the conduct provisions will have a social value that is much higher if they are used in combination with the reorganization than if they are used alone.

VI. Costs and Benefits of the Proposed Remedy

A. Benefits of the Remedy

1. More innovation

57. As the discussion has already suggested, the most important benefit for society that will be created by this remedy will come from faster innovation. Some of the benefit will arise because constraints will be lifted from the creative developers working in the applications group. They will no longer be under the control of an operating system monopolist whose highest priority is to maintain this monopoly. See above footnote 3. The reorganization will free them to respond to consumers and adopt new technologies even if they encourage competition for the desktop operating system.

58. Some of the additional innovation will arise because of the race that threatens to breakout between the applications and operating systems companies. Much of this innovation may be of an incremental form, but it can still be very valuable to consumers. This kind of race will spur the developers in both the successor companies, just as the threat from Netscape spurred innovation at Microsoft as a whole. FOF 135.

59. Finally, this remedy will significantly increase the returns that outside innovators, the potential new entrants, can hope to earn if they develop and commercialize a powerful new technology like the browser. Because outsiders have been a critical source of innovative energy for the software industry, this change in expected returns has the potential to generate large benefits for society. One of the key lessons from the economics of technological change is the recognition that even in an undistorted market, innovators earn a private return on their efforts that is lower than the social

return. As a result, too little innovation takes place. This problem becomes much worse when a powerful player like Microsoft further depresses the return to outside innovators through the tactics that it uses to maintain its monopoly.

2. Price changes

60. If competition emerges in the market for operating systems, this should have the usual effect of reducing the price for the operating system. Symmetrically, more competition for office productivity applications, which could emerge, should also lead to reductions in prices for these products.

61. These price changes will reduce the extent to which consumers are exploited by Microsoft. If so, they will lead to a large gain for consumers and to a corresponding reduction in the profits Microsoft derives from its exploitation. One of the purposes of the antitrust laws is to prevent sellers from using monopoly power to achieve this kind of transfer of wealth from producers to consumers.

62. We also know that monopoly pricing leads to reductions in social welfare to the extent that it causes some people who might be willing to pay more for a good than it costs to produce it are deterred from making a purchase. In a market where a monopolist can charge different consumers different prices, few such buyers may be deterred. In practice, we know that Microsoft currently charges different prices for academic institutions, small and large businesses, people who do and do not buy the Access database program as part of the Office suite, who do or do not buy the operating system as part of a package from an OEM, who do or do not buy the program as an update to a competitive program, who use the Office productivity suite instead of the less complete Microsoft Works package, and who do or do not buy a Microsoft provided technical support contract, to name just a few examples. As a result, there is reason to believe that the reduction in output resulting from Microsoft's monopoly pricing may, on net, be relatively small. Moreover, current changes in technology mean that in the future, software vendors will be better able to use fine-tuned pricing mechanisms such as software rental or purchases of specific services from an application service provider. In competitive markets these mechanisms could bring important benefits to consumers. In markets that are under monopoly control, they may further reduce the number of willing buyers who are deterred but increase the exploitation of consumers.

B. Costs of the Remedy

63. There are several potential types of cost associated with this remedy. The costs that concern us most are costs to society. However, to assess whether the remedy is disproportionately punitive, one must also look at the costs from the point of view of Microsoft shareholders.

1. Corporate reorganization

64. There are real costs such as legal fees, moving expenses, marketing and promotional expenses that are associated with a corporate reorganization that creates independent business units. In the ordinary course of business, firms voluntarily incur such costs. Any reasonable calculation of these one-time costs will show that these are very small compared to the value to society of the increased innovation that can reasonably be expected to follow from the reorganization.

65. This reorganization does means that people who used to work for the same legal entity now work for different legal entities. However, any communication that could take place between two people when they worked for the same firm can still take place when they work for different firms. If, for example, close communication between operating systems developers and applications developers is critical to the success of each, both the operating systems company and all of the applications companies, not just the new one created by this reorganization, will have an incentive to make sure that this communication still takes place. Whether this takes direct phone or email contact, or face-to-face meeting in one person's workplace, or even in offsite retreats, the companies involved will have a large incentive to make sure that these lines of communications remain in place. The only change, and this presumably is a change that will benefit society as a whole, is that the information flows back and forth to applications developers will now treat all developers symmetrically and will remove any preferential treatment that Microsoft applications developers may now receive.

2. Conduct provisions

66. With two major exceptions, the conduct provisions do not force Microsoft to undertake any act. These exceptions aside, the conduct provisions prohibit Microsoft and the successor companies from breaking the law, from taking actions that made it easier for it to break the law in the past, or from taking actions that could be used to conceal illegal acts in the future. Assuming that Microsoft and the successor companies intend to comply with the law, these prohibitions should not impose undue costs on their legitimate business activities.

67. The first exception is the mandate that Microsoft continue to license, on the original terms, the previous operating system product after the release of a major new operating system product. See Provision 3i. The direct cost to society from this provision is virtually zero because the code already exists. If there are additional costs associated with technical support for users of the old operating system, Microsoft is free to charge for any technical support that it, rather than the OEM, provides.

68. The second exception is the requirement that Microsoft disclose all the information about APIs and interfaces that other developers need to be able to interoperate with its operating systems. Microsoft has extensive experience with the process of designing interfaces to its operating system in ways that make them useful and easy to understand for outside developers but that still protect any intellectual property associated with the internal workings of the operating system. Based on this experience, it should, at reasonable cost, be able to provide this information about all the interfaces that it uses.

3. Costs imposed on Microsoft shareholders

69. A reasonable benchmark for estimating the costs of this remedy to Microsoft shareholders is to compare what their wealth will be after the remedy has been imposed to the wealth that they would have possessed if the company had never engaged in any illegal acts. By this standard, this remedy may not impose any costs at all on the shareholders. In the mid 1990s, the Netscape browser and the Java virtual machine posed a very serious threat that the stream of monopoly profits that Microsoft collected from its operating system business would be lost. Because it did break the law, it was able to preserve and increase these profits up until the present. If it had obeyed the law, some of this profit might have been lost to operating system competition. The company could therefore be worth less than the combined companies will be worth after the reorganization. Said another way, even if the top executives at Microsoft had known that the course of action that they were about to undertake would lead, with certainty but also with a delay of between five and eight years, to the imposition of the remedy outlined here, they may still have elected to follow their anticompetitive course of action. The gains from defeating the immediate threat and from postponing the emergence of operating system competition by five or more years would have exceeded the low costs to shareholders associated with the eventual imposition of this remedy.

70. Of course, the position of the Microsoft shareholders would be better still if the company were able to violate the antitrust laws. However this additional gain to shareholders imposes large costs on society as a whole. It is precisely these social costs that antitrust law is intended to prevent.

VII. Conclusion

71. In any assessment of the net costs and benefits associated with this proposed remedy, one simple fact stands out. Because it will raise the rate of innovation for the economy as a whole, the remedy creates a stream of benefits that will persist and grow far into the future. There is genuine uncertainty about the exact magnitudes of the benefits and any costs. But any reasonable calculation shows that the expected benefits overwhelm the costs.

72. Because it will encourage competition and innovation in the vitally important software industry, it is my opinion that this remedy will have a profoundly beneficial effect on our economy.

I declare under penalty of perjury that the foregoing is true and correct. on April 27, 2000 in Washington, DC

Executed

Paul M. Romer

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Paul M. Romer

TO THE COMMENTS OF RELPROMAX ANTITRUST INC. UNITED STATES

DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, UNITED STATES OF AMERICA, Plaintiff, V. MICROSOFT CORPORATION, Defendant.

STATE OF NEW YORK, ex rel. Attorney General ELIOT SPITZER, et al., Plaintiffs and Counterclaim-Defendants, V. MICROSOFT CORPORATION, Defendant and Counterclaim-Plaintiff.

Declaration of Carl Shapiro
April 28, 2000

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I. Qualifications and Scope of Testimony

I am Carl Shapiro, the Transamerica Professor of Business Strategy at the Haas School of Business at the University of California at Berkeley where I have taught for ten years. I also am Director of the Institute of Business and Economic Research at U.C. Berkeley. I have served as the Editor of the Journal of Economic Perspectives, a leading economics journal published by the American Economic Association. I am also a Senior Consultant with Charles River Associates, an economics consulting firm.

I am an economist who has been studying antitrust, innovation, and network industries for roughly twenty years. My recent book with Hal R. Varian, Information Rules.'' A Strategic Guide to the Network Economy, discusses competitive strategy in the information economy, emphasizing the pricing of information, the creation of multiple versions of information products such as software, the switching costs and lock-in associated with information technology, and network economics.

I have considerable experience in the application of economics for the purposes of enforcing the antitrust laws. I served during 1995 and 1996 as the Deputy Assistant Attorney General for Economics in the Antitrust Division of the Department of Justice. I have served on several occasions as an expert witness or consultant to the Antitrust Division or the Federal Trade Commission. Over the years I have also consulted or served as an expert witness on numerous antitrust matters for private companies in a range of industries, including several companies in the hardware and software business. My curriculum vitae is attached to this Declaration. In this proceeding I have been asked by the Plaintiffs to offer an economic analysis of the likely effects of the Plaintiffs'' proposed remedy on competition, innovation, and ultimately consumers.

II. General Approach to Remedy and Ultimate Goals

A. The Court's Findings and Remedy Objectives

The Court has found that Microsoft engaged in illegal and anti-competitive conduct to maintain its monopoly in the market for Intel-compatible PC operating systems (''operating systems'').

(Conclusions of Law at 9, 21) The Court also has found that Microsoft attempted to monopolize the market for browsers. (Conclusions of Law at 24) Consistent with these findings, the three primary measures by which I am evaluating the proposed remedy are: (1) creating conditions conducive to entry into the market for operating systems (or expansion by small firms already in that market); (2) preventing Microsoft from using its monopoly over operating systems to gain control over adjacent markets, as it has attempted to do in browsers; (3) restoring competition in browsers. I also consider whether the proposed remedy is likely to create inefficiencies that might diminish the benefits it generates to competition and innovation.

Objective (1) is directly driven by the finding that Microsoft illegally maintained its monopoly and raised barriers to entry into the market for operating systems. Objective (2) flows from the fact that entry into the market for operating systems is more difficult if Microsoft, the monopolist in that market, also controls products complementary to its Windows monopoly, especially complementary products such as the browser that it views as strategic threats to its Windows monopoly. Objective (2) also follows from the finding that Microsoft used its operating systems monopoly to distort competition in browsers. Objective (3) follows from the finding that Microsoft has attempted to monopolize the browser market and has attained its current position in that market using anticompetitive means. [1]

Remedy is directed towards future competition and innovation, so all of my analysis is done on a forward-looking basis, even as it is informed by historical experience drawn from this and other markets. Microsoft has emphasized repeatedly that the computer industry is very fast moving and subject to ongoing technological change. I quite agree, and for

[1] As of April 2000, Microsoft's Internet Explorer had achieved a browser market share of at least 69%. See RX23 and the Declaration of Rebecca Henderson.

just this reason I urge the Court to embrace a remedy that puts in place a market structure conducive to competition and innovation, so that consumers can rely as much as possible on market forces rather than court orders to serve their interests. Likewise, in this fast-moving industry any conduct provisions imposed by the Court should be broad enough to prevent Microsoft from engaging in a number of categories of anticompetitive tactics in the future, precisely because the specific tactics that Microsoft might employ in the future are hard to predict today in the face of changing products and technology. So, for example, several of the provisions of the proposed remedy apply to the category of ''middleware,'' not just to the specific types of middleware that were featured in this case, such as the browser or the Java Virtual Machine. Finally, I take as a working principle that the remedy should operate in a dual manner: first, to prevent a recurrence in the future of conduct by Microsoft akin to its past anti-competitive behavior, and second to affirmatively bolster competition, which Microsoft has stifled.

B. Enabling Competition to Windows

Given the goal of enabling, but not compelling, competition to Windows in the market for operating systems, it is important to identify, as best we can, the likely sources of such competition in the foreseeable future, both to make sure that Microsoft cannot blockade operating systems rivals, and to inform any remedial provisions designed positively to foster operating system competition.

Following the traditional steps used by antitrust economists, I consider first the current competitors in operating systems, and then inquire into barriers to entry and the most likely sources of entry into the operating systems market. As the Court found, current competition in operating systems is virtually non-existent. In addition to Apple, the most promising alternative to Windows today is the Linux operating system. Linux, while increasingly popular as a server operating system, has limited popularity on the desktop for two primary reasons: (1) Linux still is regarded as overly difficult to use for many consumers, and (2) many of the most popular applications on Windows, including especially Microsoft Office, are not available on the Linux platform. [2] In other words, Linux suffers from the applications barrier to entry emphasized by the Court in its Findings. And the ability of Linux to challenge Windows is limited by the fact that Microsoft controls Office, making the barrier to entry even higher than it would be if Office were owned separately from Windows.

Moving from actual to potential competitors, and looking farther into the future, challenges to the Windows monopoly may come from various directions, some of which we surely cannot anticipate today. But we can illustrate the principle of ''enabling entry'' by looking at two examples of possible challenges that can currently be seen on the horizon. [3] One promising entry path into the market for operating systems is via cross-platform middleware. If such middleware becomes widely used, more and more applications may be written to that middleware, making it far easier for new operating systems to run many popular applications. I do not believe it is possible to identify today with any confidence the specific middleware that will play this role in the next several years. Therefore, the remedy chosen by the Court should broadly prevent Microsoft from blocking the emergence or widespread distribution of middleware. Establishing an entity with strong middleware assets and broad distribution that is independent of Windows will clearly help support this mode of entry. Another promising route by which entry could occur into operating systems, especially in the corporate setting (as opposed to residential users), is through the increased use of ''thin clients'' or ''network computers'' working in conjunction with servers. Microsoft has pointed to such client/server architectures as a potential threat to Windows. (Direct Testimony of Richard Schmalensee at 151–153.) Under this approach, network computers running non-Microsoft operating systems would be linked to servers, many of which run versions of the UNIX operating system. Although the network computer has failed to live up to its promise so far, network computers could displace at least some PCs if they ran the applications desired by businesses. And such applications could run in whole or in part on servers, placing less burden on the client computer. All of this suggests that entry into operating systems will be encouraged if applications are made available to run both on servers and on the thin clients themselves. [4] Another way in which entry into the market for operating systems may occur is that operating systems for handheld devices could be modified to become substitutes for desktop operating systems. Microsoft also has noted this source of potential competition in the desktop operating systems market. (Direct Testimony of Richard Schmalensee at 154–156.) Again, this type of entry will be promoted if key applications are made available to run on these ''thin'' operating systems outside Microsoft's control.

Consistent with the Court's findings regarding barriers to entry into the market for operating systems, the key to success for all of these possible entrants is their ability to run many popular applications currently available on desktop machines running Windows. As I discuss below, splitting off Microsoft's Applications Business from its Operating Systems Business will create incentives for the resulting Applications Company to make important applications such as Office available to run on rival operating systems, thereby significantly lowering barriers to entry.

C. Lessons about Entry from Other Markets with Network Effects

We can learn a great deal about entry barriers in network markets, and how they are overcome, from historical experience in other markets with network effects in which dominant firms have been successfully challenged. Consider the following examples: Nintendo vs. Atari in Video Games: Atari was the dominant firm in video games during the early 1980s. Nintendo displaced Atari as the dominant firm by the late 1980s. Nintendo based its challenge on its strengths in two complementary products: games designed originally for arcades (rather than home machines) and the provision of video game systems in Japan. [5]

Microsoft Word vs. WordPerfect in Word Processing Software: WordPerfect was the leading supplier of word processing software for personal computers during the provision of programming tools and leadership in object-oriented programming. [9]

The common lesson from these and other such episodes is this: While network monopolies can be very strong, they are most vulnerable to attack by firms with a strong position in the provision of a widely-used complementary product. In the current case involving Microsoft, this principle implies that the strongest threat to Windows is likely to come from a company with a strong position in widely-used applications software for PCs, middleware that runs on Windows, hardware for PCs, and/or operating systems for devices other than PCs. Indeed, the liability phase of this case focused on the threat posed to the Windows monopoly by one extremely popular complementary middleware product running on Windows, namely the Netscape browser. What distinguishes the Windows story of ongoing monopoly from the examples above of successful entry is that Microsoft engaged in anti-competitive conduct to fend off the threat posed by Netscape, the dominant browser company circa 1995–96. Microsoft is keenly aware of the principle that companies providing these complementary products tend to pose the most immediate threat to their Windows monopoly. Indeed, Microsoft has long recognized that the best way to avoid or defuse challenges to its desktop dominance is by controlling more and more functionality surrounding its desktop operating system and to limit the development and popularity of non-Microsoft middleware. [10]

[2] Microsoft has stated that ''Linux as a desktop operating system makes no sense. A user would end up with a system that has fewer applications, is more complex to use and manage, and is less intuitive.'' See ''Linux Makes No Sense at the Desktop,'' p. 4 of ''Linux Myths,'' available at www.microsoft.com/NTServer/nts/news/msnw/LinuxMyths.asp.

[3] The fact that we cannot confidently predict today the most significant modes of entry in the future supports the structural relief proposed by the plaintiffs, which will serve to create a strong new entity (the Applications Company) with the economic incentives to promote or support entry into the market for operating systems, from whatever source such entry arises.

[4] See the Declaration of Rebecca Henderson for a further discussion of how the availability of applications on servers would promote entry in to the market for operating systems.

[5] Some years ago I studied competition in the video game market during the 1980s as part of my work on behalf of Atari Corporation in its antitrust case against Nintendo.

[9] I studied competition in the market for database software as part of my work in the early 1990s on behalf of Borland in connection with its acquisition of Ashton-Tate.

[10] Findings 68 (''Microsoft was apprehensive that the APIs exposed by middleware technologies

It follows that the Court can greatly facilitate entry and competition in operating systems by creating an independent company with a strong set of widely-used Windows applications, middleware, and other complements to Windows. The Applications Company will be most impressive in these respects, with its unmatched complex of Windows applications. Put differently, the Applications Company will possess assets sufficient to threaten the Windows monopoly, the earlier threat from Netscape and Sun having been eliminated through anti- competitive means. In addition, the Court can enable entry into operating systems by preventing Microsoft from using its Windows monopoly to gain control of other complementary products, especially server operating systems, ''thin'' operating systems, and middleware for the Windows operating system.

D. Evaluation of the Economic Effects of Plaintiffs'' Proposed Remedy

With these economic principles in mind, I turn now to an evaluation of the likely economic effects of the Plaintiffs'' proposed remedy. I emphasize the role played by the various provisions of the proposed remedy in lowering the barriers to entry into the market for operating systems. I also consider whether the proposed remedy will inhibit pro-competitive conduct or integration. demolish Microsoft's coveted monopoly power. Alerted to the threat, Microsoft strove over a period of approximately four years to prevent middleware technologies from fostering the development of enough full-featured, cross-platform applications to erode the applications barrier. In pursuit of this goal, Microsoft sought to convince developers to concentrate on Windows-specific APIs and ignore interfaces exposed by the two incarnations of middleware that posed the greatest threat, namely, Netscape's Navigator Web browser and Sun's implementation of the Java technology. Microsofts campaign succeeded in preventing—for several years, and perhaps permanently—Navigator and Java from fulfilling their potential to open the market for Intel-compatible PC operating systems to competition on the merits.'') Findings 409 (''Microsoft also engaged in a concerted series of actions designed to protect the applications barrier to entry, and hence its monopoly power, from a variety of middleware threats, including Netscape's Web browser and Sun's implementation of Java. Many of these actions have harmed consumers in ways that are immediate and easily discernible. They have also caused less direct, but nevertheless serious and far-reaching, consumer harm by distorting competition.'') See also Findings 411 (''It is clear, however, that Microsoft has retarded, and perhaps altogether extinguished, the process by which these two middleware technologies [Netscape's Navigator and Sun's Java] could have facilitated the introduction of competition into

Although the proposed remedy must be evaluated as a package, for the purposes of exposition I first discuss the reorganization and then the conduct provisions.

HI. Proposed Reorganization—1, 2

The proposed remedy (1, 2) calls for a reorganization of Microsoft into two separate companies, an Applications Company containing the Applications Business and an Operating Systems Company containing the Operating Systems Business. The key economic features of the proposed reorganization are that each company be operated independently of the other, and that the two companies continue to develop, distribute, license and sell their products independently.

My analysis of the proposed reorganization focuses on how the economic incentives of these two companies will differ from the economic incentives facing a combined company controlling both applications and operating systems. Based on these altered incentives, and on the limitations under which the two companies will operate (2(b)), we can use economic principles to make some general predictions about how the proposed reorganization will affect competition and innovation. I also consider legitimate ways in which the two companies may need to cooperate to offer improved products at lower prices, and whether the limitations imposed upon them in 2(b) of the proposed remedy will prevent them from achieving such pro-competitive ends.

A. Lower Entry Barriers into Operating Systems

The overarching economic effect of the reorganization is to create a strong company, the Applications Company, that will have the ability and incentive to make its offerings more ''cross- platform.'' For example, the Applications Company will have a greater incentive to make Microsoft Office available to run on non-Windows platforms, and to enhance the value of Microsoft's Visual Studio suite of developer tools for ISVs seeking to develop programs for non-Windows operating systems. The improved availability of the Application Company's products as complements to rival platforms will thus help those actual and potential rivals to Windows to overcome the applications barrier to entry that currently protects the Windows monopoly.

The Applications Company unquestionably will have greater incentives to facilitate entry and expansion by rivals to Windows by virtue of its independence from the Operating Systems Company. Currently, Microsoft considers the loss of revenues and profits from its Windows monopoly when considering whether its Applications Business should cooperate in various ways with actual and potential rivals to Windows. After the reorganization, the Applications Company will no longer have any incentive to protect the monopoly profits associated with Windows. Therefore, to the extent that the Applications Business can facilitate or frustrate entry into the operating systems market, such entry will be easier and more likely as a result of the reorganization,

Indeed, after the reorganization, the Applications Company will positively benefit from the improved quality and lower price of operating systems that can be expected to result from lower entry barriers into the market for operating systems. This follows from a well-known economic principle: the supplier of one product (here, Office) benefits if a complementary product (here, Windows) is improved or made less expensive as a result of enhanced competition for the complementary product.

As a tangible example of the pro-competitive effects of the reorganization, I expect that an independent Applications Company today would have an incentive to port at least some aspects of Office to Linux. Corel has already ported its Perfect Office suite to Linux. There is already a sizeable installed base of Linux users. The Applications Company could begin by porting over those aspects of Office that are easiest to port and/or have the greatest demand on Linux, e.g., Excel and Word. And the Applications Company could offer Linux users file compatibility between Office on Linux and Office for Windows, a very valuable feature indeed given the size of the installed base of Office users. [11]

Another example of how the Applications Company will have incentives to facilitate entry by rivals to Windows relates to Microsoft's popular Visual Studio suite of programming tools, which includes Microsoft's Java development tools, Visual J++. My understanding is that these tools are familiar to, and widely used by, developers writing to the Windows platform. An independent Applications Company will have a greater incentive than does Microsoft today to make these tools more valuable for developers writing to rival platforms or to cross-platform middleware.

As a final example of how entry barriers will be lowered by the reorganization (and one that is especially fitting given Microsoft's antitrust violations found by the Court), the Applications Company will have a greater incentive than does Microsoft today to make its browser work well with operating systems other than Windows. So, the reorganization will help promote the original promise first offered by Netscape Navigator, namely cross-platform browsing functionality offered by a

would attract so much developer interest, and would become so numerous and varied, that there would arise a substantial and growing number of full-featured applications that relied largely, or even wholly, on middleware APIs. The applications relying largely on middleware APIs would potentially be relatively easy to port from one operating system to another. The applications relying exclusively on middleware APIs would run, as written, on any operating system hosting the requisite middleware. So the more popular middleware became and the more APIs it exposed, the more the positive feedback loop that sustains the applications barrier to entry would dissipate. Microsoft was concerned with middleware as a category of software; each type of middleware contributed to the threat posed by the entire category.'') Conclusions at 9 (''In this case, Microsoft early on recognized middleware as the Trojan horse that, once having, in effect, infiltrated the applications barrier, could enable rival operating systems to enter the market for Intel-compatible PC operating systems unimpeded.

[11] GX 514 gives one example of how Office has been used by Microsoft to protect the Windows monopoly by favoring Internet Explorer in Microsoft's battle with Netscape. This 1997 e-mail by Paul Maritz explains that he told the Office group ''that they will target their XL and Access publishing features only at IE4, this was hard decision for them (based on IE's current market share)'' but was done to promote the major goal of getting browser share up to 50% or more.

firm that is financially independent of Windows.

B. Lessons from the Relationship Between Intel and Microsoft

I believe we can learn a great deal from the relationship between Intel and Microsoft about how competition is engendered through the healthy tension that exists between two companies that are dominant in their respective complementary products, [12] One can think of the reorganization as creating a relationship between the Applications Company (with Office) and the Operating Systems Company (with Windows) comparable to that which has existed for a number of years between Microsoft (with Windows) and Intel (with its microprocessors such as the Pentium). Therefore, lessons from the Intel/Microsoft relationship should be very valuable in understanding how the proposed reorganization will affect competition.

The key point is that Intel has repeatedly taken actions to strengthen operating systems that hold out the promise of one day becoming an alternative to Windows. The most significant example is Intel's strong support for Linux. More specifically, Intel Capital, the group within Intel that

I am invests in technology complementary to Intel's microprocessor products, has made significant investments in Red Hat Software, Inc., TurboLinux, Inc, and VA Linux Systems, Inc. [13] All of these companies market versions of the Linux operating system. Following the mission statement for Intel Capital, these investments were made to ''create and expand new markets for [14] In addition to investing in Linux companies, Intel also writes software drivers for Linux. [15] Beyond Linux, Intel is supporting a broad array of operating systems on its new 64-bit family of microprocessors, known as IA-64 chips. Intel is working with: HP to enable HP-UX as an operating system on IA-64 chips; a number of companies through the Trillian Project to ensure that Linux is available on IA–64 chips; Novell to assist in the writing of a new operating system (Modesto) on IA-64 chips; IBM and Santa Cruz Operation to create an enterprise-class UNIX operating system on IA-64 chips; and Microsoft for the Windows 2000 operating system on IA–64 chips. [16] In other words, Intel is following its own self interest in working with multiple operating systems. In similar fashion, the Applications Company will have incentives to be ''platform neutral'' following the reorganization, rather than favoring the Windows platform. We see the same tendency on Microsoft's part to do an ''end run'' around Intel, i.e., to cooperate with Intel's rivals and thus encourage competition in microprocessors and reduce Microsoft's not currently doing any work on behalf of Intel, and am not relying in this Declaration on any confidential Intel information reliance on Intel chips. More specifically, Microsoft has repeatedly provided support for technologies competitive to the Intel Architecture. For example, Windows NT was written to run on Digital's Alpha processor soon after the release of Windows NT Advanced Server 3.1. [17] Microsoft expressed its continued support for the Alpha architecture in 1998, with its Alliance for Enterprise Computing with Digital. This support included concurrent releases of Microsoft server-based products for Alpha and Intel systems, as well as the development of a complete set of Microsoft C++, Visual Basic, and Visual Studio tools on Alpha-based systems. [18] Microsoft also has provided support for AMD microprocessors. For example, in designing its DirectX 6.0 software development kit, Microsoft ''optimized implementations of the geometry and lighting pipeline for Pentium II, MMX instructions, and the new AMD 3Dnow! Instruction set.''[19] In fact, Microsoft recognized that it had an incentive to support AMD's new instruction set even though this would likely be adverse to Intel's interests. [20]

A final key lesson from the Intel/Microsoft relationship is that Intel, based on its strong market position and technical skills, can play a special leadership role in promoting new technologies that can at least potentially threaten Microsoft. In network markets, where consumer confidence can be self-fulfilling and endorsements by industry leaders are so valuable, credible leaders can play a critical role in breaking down entry barriers. I am very hopeful that the Applications Company will, like Intel, be strong enough to play such a leadership role and help overcome the chicken and egg problem faced by potential entrants into the market for operating systems. In fact, Intel and the Applications Company may choose to team up in various ways to help promote Linux, or some other partial or complete substitute for Windows.

C. Added Competition in Browsers

The proposed reorganization also will lead to somewhat greater competition in the browser market, by creating two companies immediately capable of offering browsing functionality. The Operating Systems Company can continue to offer the browsing functionality already included in Windows (so long as it does not violate the anti-binding provision, 3(g)), and is free to develop its own browsing software in the future. The Applications Company will own Internet Explorer itself, and will have incentives to improve Internet Explorer and to support cross-platform capabilities so that Internet Explorer will work well on multiple operating systems.

D. Costs of Reorganization

The benefits from the reorganization to competition in operating systems and in browsers can in principle be weighed against the costs of reorganization, which come in two general forms: (1) one-time costs associated with implementing the reorganization, and (2) possible ongoing costs resulting from the separation of Microsoft into two business entities.

I focus here on any ongoing costs, especially costs that might cause a reduction in the rate of innovation or an increase in the cost of developing software. [21] In classic economic terms, we can ask whether there are significant and genuine efficiencies associated with the integration of the Operating Systems Business and the Applications Business within a single company. For the reasons described immediately below, there are good reasons to believe that the collaboration necessary between those developing operating systems and those developing applications to achieve pro-competitive ends can take place across corporate boundaries, so the reorganization will not significantly impede the development of either applications or operating systems. First, one can ask whether development of applications at the Applications Company will be impeded by separating applications development from the development of operating systems. This does not appear to be a major issue, since Microsoft has indicated repeatedly that the Windows platform is ''open'' and that Microsoft provides the information necessary for ISVs to develop innovative applications on the Windows platform. [22] Conversely, one

[12] I consulted and testified for Intel during 1998 and 1999 in the antitrust case brought by the Federal Trade Commission against Intel regarding Intel's intellectual property practices.

[13] See Intel Capital Investments as of April 1, 2000 as listed on http://www.intel.com/capital/portfolio/cspt.htm (downloaded 26 April 2000). Intel's investments include owning 5% of Red Hat Software at the time Red Hat went public (See Form S- 1 for Red Hat Software filed June 4, 1999), owning 10.4% of VA Linux Systems, Inc. at the time VA Linux went public (See Form S–1 for VA Linux Systems filed October 8, 1999), and an undisclosed investment in the private company TurboLinux.

[14] See http://wwwintel.com/capital/about/goals.htm downloaded 26 April 2000.

[15] For example, see Intel Press release ''Intel announces new Linux driver for its family of 10/100 megabit-per-second network adapters and LAN on motherboard products'' dated March 15, 2000, available at http://wwwintel.com/network/tech bulletins/lin pro 100.htm

[16] See ''The Intel IA-64 Processor Family: A Multi-Operating System Architecture'' for a description of these projects, available at http://developer.intel.com/software/idap/media/pdf/esp/IA-64 OSWP Rev2.pdf

[17] See ''A Brief History of the Windows NT Operating System'' available at http://www.microsoft.com/PressPass/features/1998/winntfs.htm

[18] See Microsoft Press Release ''Digital and Microsoft Announce Expanded Alliance to Accelerate Adoption of Windows NT Across the Enterprise'' dated January 28, 1998, available at http://www.microsoft.com/PressPass/press/1998/ian98/digallpr.asp.

[19] See ''A Look at DirectX 6.0, Fahrenheit, and the Future of Microsoft's Multimedia API's'' released September 4, 1998, available at http://msdn.microsoft.com/library/Welcome/dsmsdn/msdn torborg.htm

[20] See GX 290, in which Jim Alchin says he would like to support AMD's new instruction set for its K6 processor even while noting that Intel will be opposed to such support.

[21] I would expect the one-time reorganization costs to be modest in comparison with the market value of Microsoft or the magnitude of commerce involved in the operating systems market.

[22] Bill Gates has written that ''Windows is a piece of intellectual property whose ''facilities'' are totally open to partners and competitors alike. Windows programming interfaces are published free of charge, so millions of independent software developers can make use of its built-in facilities (e.g., the user interface) in the applications they design.'' See ''Compete, Don't Delete,'' The Economist, June 13, 1998, p. 19.

can ask whether the development of operating systems will be impeded by the separation of operating systems and applications. Again, Microsoft has stated that its operating systems development teams are fully capable of incorporating suggestions from ISVs into their development process for Windows. [23] This gives me some assurance that the most important

Microsoft also states: ''Microsoft does not simply disclose Windows APIs to third party software developers. Rather, it actively ''evangelizes'' the Windows APIs to software developers. In fact, Microsoft devotes about $100 million per year and 2,000 employees (nearly 10% of the Microsoft workforce) to developer support. No other computer company provides anything like this level of support to the developer community. As part of this developer support, Microsoft offers a free, dedicated Web Site where developers can access information, technical support and Software Development Kits. These tools and support all help developers create software that can run on the Windows platform. Microsoft takes the extra step to have dedicated staff designated to help developers quickly absorb and utilize new technologies, and other resources such as seminars, training sessions and speakers to communicate the information needed to develop the most innovative software.'' See ''Competition in the Software Industry,'' January 1998, p. 10, available at www.microsoft.com/PressPass/doj/1–98whitepaper.htm

Microsoft also states that: ''Microsoft runs an elaborate program—far and away the most extensive in the industry—to solicit input from the computer industry about the development of Windows APIs. (Traditionally, third party software developers played little role in the development of operating systems; their contribution essentially being limited to testing for bugs.) Microsoft solicits input and feedback from other software developers from the earliest stages of the development process. The Win32 APIs, which are the basis for Windows 95 and Windows NT, provide a good example. Windows NT, the first operating system to implement the Win32 APIs, was released in 1993. But Microsoft had provided initial specifications for the Win32 APIs to 25 third party software developers three years earlier, in November 1990, and obtained valuable feedback from them in a series of meetings that followed. During 1991 input from applications developers to those writing new versions of operating systems or fixing bugs in operating systems can take place across corporate boundaries. Moving from product development to pricing, there is a theoretical concern that Microsoft today has an incentive to set a lower price for Windows and Office together than will the Operating Systems Company and the Applications Company setting those prices independently immediately following the reorganization. [24] For the reasons articulated above, as a theoretical matter this concern is very likely outweighed by the lowering of entry barriers into operating systems that the reorganization will cause, especially when one considers non-price as well as price considerations, specifically the innovation that will be stimulated by the reorganization. [25] In any event, companies selling complementary products commonly find ways to solve the ''complementary monopolies'' problem when necessary, and I expect as well the Operating Systems Company and the Applications Company would be able to overcome this problem if it proved to be commercially significant.

IV. Interim Conduct Remedies— 3

The proposed conduct remedies will lower entry barriers into the market for operating systems until the reorganization of Microsoft has been accomplished and the Applications Business has Microsoft provided updates to the Win32 APIs to more than 300 third party software developers. By January 1992, the Win32 APIs were posted on CompuServe, America Online and the Internet, and in March 1992 the Win32 APIs were published by Microsoft Press. By the time Windows NT was commercially released in 1993, the Win32 APIs were the most thoroughly reviewed set of APIs in history, ensuring quality and increasing the likelihood that the APIs would be widely used. Updates of the APIs continued through the release of Windows 95 and to date.'' See ''Competition in the Software Industry,'' January 1998, p. 9, available at www.microsoft.com/PressPass/doj/1–98whitepaper.htm. had some time, namely three years, to help enable competitors to Windows. These interim conduct remedies thus serve two related purposes: (1) to force Microsoft to halt anti-competitive conduct of the type that the Court has already found until the reorganization takes place; and (2) to expressly prohibit the Operations System Company from resuming such activity during the delicate period following the reorganization when it is especially vital that there be no artificial entry barriers into the market for operating systems.

For all of these reasons, I am confident that any costs to consumers associated with the proposed reorganization plan will easily be outweighed by its pro-competitive benefits.

A. No Exclusionary Contracts—3(a), 3(d), 3(e), 3(h)

Microsoft has employed a wide range of contracts that to a varying degree are ''exclusive,'' in the sense that they prohibit companies dealing with Microsoft from also dealing with Microsoft's rivals, or provide financial disincentives to doing so. As the Court has found, these contracts have had a significant exclusionary impact. [26] As the trial record shows, exclusivity has taken many forms, and Microsoft has applied pressure to a wide range of companies, including OEMs, ISVs, IAPs, and ICPs, as well as Apple and Intel. Examples of the behavior that the Court found include: (1) Exclusionary agreements with the most important distribution channels for browsers; [27] (2) Conditioning ISV access to key

10. (''The core of this strategy was ensuring that the firms comprising the most effective channels for the generation of browser usage would devote their distributional and promotional efforts to Internet Explorer rather than Navigator. Recognizing that pre-installation by OEMs and technical information on exclusive use of Microsoft technology through ''First Wave'' agreements; [28] (3) Exclusive agreements with ICPs in exchange for coveted placement on the ''Channel Bar;''[29] and (4) Conditioning

[23] Microsoft's economics expert, Richard Schmalensee, has testified that Microsoft ''talks to [independent] developers about what features they would like in view [new] versions.'' (Trial Testimony of Richard Schmalensee, June 22, 1999, p.m. Session at 59) Michael Devlin, the President of Rational Software Corporation, a Windows ISV, testified at trial (Direct Testimony of Michael T. Devlin, at 17) that ''Microsoft often seeks input from ISVs and other sectors of the software and computer industry when it develops new APIs.''

[24] This theoretical possibility is known as the ''complementary monopolies'' problem, or as the problem of ''double marginalization.''

[25] So, for example, consumers stand to benefit as a cheaper operating system, namely Linux, becomes more attractive.

[26] Findings 410 (''...by enticing firms into exclusivity arrangements with valuable inducements that only Microsoft could offer and that the firms reasonably believed they could not do without, Microsoft forced those consumers who otherwise would have elected Navigator as their browser to either pay a substantial price (in the forms of downloading, installation, confusion, degraded system performance, and diminished memory capacity) or content themselves with Internet Explorer.'') See also Findings 296 (concluding that the ''marked increase'' in the proportion of AOL subscribers using AOL software that included Internet Explorer (from 34% to 92%) ''resulted in no small part from AOL's efforts to convert its existing subscribers to the newest version of its client software'' following agreements entered into between AOL and Microsoft), and Findings 309 (stating that Internet Explorer's weighted average share of shipments of browsing software by ISPs who agreed to make Internet Explorer their default browser was 94% by the end of 1997, compared to 14% share for ISPs who made no such agreement).

[27] Findings 230–38 and Conclusions at 11 (''Microsoft used incentives and threats to induce especially important OEMs to design their distributional, promotional and technical efforts to favor Internet Explorer to the exclusion of Navigator.'') and Findings 143 and Conclusions at

[28] Findings at 401–02 and Conclusions at 19 (''...Microsoft impelled ISVs, which are dependent upon Microsoft for technical information and certifications relating to Windows, to use and distribute Microsoft's version of the Windows JVM rather than any Sun-compliant version.'') and Findings 339–40 (stating that Microsoft promised ''preferential support, in the form of early Windows 98 and Windows NT betas, other technical information, and the right to use certain Microsoft seals of approval, to important ISVs that agree to certain conditions. One of these conditions is that the ISVs use Internet Explorer as the default browsing software for any software they develop with a hypertext-based user interface. Another condition is that the ISVs use Microsoft's ''HTML Help,'' which is accessible only with Internet Explorer, to implement their applications'' help systems. By exchanging its vital support for the agreement of leading ISVs to make Internet Explorer the default browsing software on which their products rely, Microsoft has ensured that many of the most popular Web-centric applications will rely on browsing technologies found only in Windows and has increased the likelihood that the millions of consumers using these products will use Internet Explorer rather than Navigator.'')

[29] Findings 311–36.

continued development of the Mac Office Suite on Apple's making Internet Explorer the default browser in Mac OS software releases. [30] Exclusivity in network industries can be especially pernicious, given the importance of complements and the self-fulfilling aspects of expectations: consumers can easily lose confidence in a new product that is denied access to critical complements, and this loss of confidence can then become self-fulfilling, creating a vicious cycle of decline or disrupting a virtuous cycle of increasing adoptions. [31] Netscape's browser faced this threat as a consequence bundling with the proprietary software of IAPs led more directly and efficiently to browser usage than any other practices in the industry, Microsoft devoted major efforts to usurping those two channels.'')

The specific provisions in the proposed order relating to exclusive dealing all serve to insure that complements are indeed available to those offering Platform Software that is competitive with Windows. These complements include distribution through OEMs, preserved by preventing Microsoft from striking exclusive relationships with OEMs, as well as applications software, preserved by preventing Microsoft from striking exclusive relationships with ISVs. Nothing in the proposed order prevents Microsoft from competing on the merits to make it attractive for OEMs, ISVs, IHVs, IAPs, or other companies doing business with Microsoft to support, use, or promote Microsoft software, or to develop complements to Microsoft software. Nor is Microsoft enjoined from making investments in ISVs in order to provide them with the resources to develop software that works well with Microsoft's software. The purpose of these provisions is simply to prevent Microsoft from denying rival Platform Software access to complements.

1. OEMs— 3(a)

With respect to OEM relations, 3(a)(i) prevents Microsoft from providing financial incentives that discourage any OEM's action to ''use, distribute, promote, license, develop, produce or sell any product or service that competes with any Microsoft product or service.'' Clearly, this provision is closely linked to the anti-competitive conduct in which Microsoft has already engaged. Microsoft has proven that it can apply enormous pressure to OEMs, including IBM, a very large and strong OEM, to prevent OEMs from supporting rival software. Industries,'' Antitrust Division, U.S. Department of Justice, March 1996, available at usdoj.gov/atr/public/speeches/shapir.mar.

The requirement of 3(a)(ii) that Microsoft offer uniform terms for Windows to the top 20 OEMs, i.e., the requirement of ''transparent pricing,'' prevents Microsoft from punishing a large OEM for supporting rival software. This provision should improve the enforcement of the ''no retaliation'' rule embodied directly in 3(a).

2. ISVs and IHVs—3(d), 3(h)

Section 3(d) of the proposed remedy prohibits Microsoft from providing financial incentives that discourage an ISV from developing or supporting software that either is competitive to Microsoft software or works with non-Microsoft platform software. This provision will prevent Microsoft from making promising software or hardware unavailable to work with rival Platform Software, and thus will prevent Microsoft from continuing to raise entry barriers into the market for operating systems.

Section 3(h) of the proposed remedy prohibits Microsoft from inducing any actual or potential Platform Software competitor to refrain from offering software competitive with Microsoft platform software. This provision operates together with Section 3(d) to prevent Microsoft from using its significant resources to pay a potential competitor to refrain from challenging Microsoft's Platform Software.

The proposed order permits Microsoft to offer financial incentives for ISVs or IHVs to develop software or hardware that works with Microsoft's Platform Software, e.g., by helping to fund independent development efforts or by taking minority ownership stakes in software or hardware development houses. Such investments can easily be pro-competitive, so long as the ISV or IHV retains the right to make products that work with non-Microsoft Platform Software.

3. General Prohibition on Exclusive Dealing—3(e)

Microsoft has employed exclusionary contracts with a range of companies besides OEMs and ISVs, including IAPs, ICPs, and Apple. Section 3(e) of the proposed remedy, which is a general ban on exclusive dealing, will prevent Microsoft from interfering with the availability of complements for non-Microsoft Platform Software. Since Microsoft has dealings with a wide range of companies, and since it is difficult to predict precisely which trading partners Microsoft might otherwise seek to tie up under exclusive arrangemems in the next several years, a general ban on exclusionary contracts will serve to lower entry barriers more effectively than would more limited provisions directed at specific categories of trading partners.

B. Disclosure of Interface Information—3(b)

Interfaces typically play a critical role in industries subject to network effects. Challengers often seek to interconnect with the dominant network to achieve compatibility as a way of overcoming barriers to entry based on network effects. For example, interconnection has long been important to the survival of smaller firms in transportation and communications networks, from railroads to telephones to the Internet. In the software industry, Borland sought to make its Quattro Pro spreadsheet software compatible with the then-dominant Lotus 1–2–3 spreadsheet software during the 1980s, and Microsoft made it as easy as possible for WordPerfect users to transfer their WordPerfect files and training to Microsoft Word when Microsoft was attacking WordPerfect's strong position in the market for word processing software. [32] Interface information about Windows [33] is extremely valuable to a wide range of ISVs, IHVs, and OEMs. As a result, Microsoft can exert a great deal of influence over the success or failure of products that are complementary to Windows by virtue of its control over such interface information. Indeed, the Court has found that Microsoft strategically withheld interface information to stave off competition from platform software that Microsoft regarded as a threat to Windows. [34]

To prevent Microsoft from disadvantaging rival platform software, the proposed remedy requires Microsoft to disclose to ISVs, IHVs, and OEMs the information they need to interoperate effectively with Windows. The operative principle is equality of disclosure between Microsoft's own developers of middleware and applications, on the one hand, and outside companies seeking that information on the other hand.

This disclosure requirement directly addresses the Court's core concern about barriers to entry by non-Microsoft Platform Software in two ways, which I now discuss in turn.

1. Enabling Non-Microsoft Software to Work Efficiently with Windows Mandatory disclosure of interface information will prevent Microsoft from disadvantaging rival software by denying it the ability to interoperate as effectively with Windows as

[30] Findings 351, quoting Apple's Technology Agreement with Microsoft (''While Apple may bundle browsers other than Internet Explorer with such Mac OS system software releases, Apple will make Internet Explorer for Macintosh the default selection in the choice of all included internet browsers (i.e., when the user invokes the ''Browse the Internet'' or equivalent icon, the Mac OS will launch Internet Explorer for Macintosh).'')

[31] For a further discussion of how exclusive agreements can raise entry barriers in network industries, see Carl Shapiro, ''Exclusivity in Network Industries,'' 7 George Mason Law Review 673; David A. Balto, ''Networks and Exclusivity'' Antitrust Analysis to Promote Network Competition,'' 7 George Mason Law Review 523, and Carl Shapiro, ''Antitrust in Network of Microsoft's strategy to deny Navigator access to OEMs and IAPs. The economic implication is that an effective remedy should assure new entrants into the market for operating systems of access to complements (OEMs, ISVs, IAPs, and IHVs) by including a broad ban on exclusive dealing by Microsoft. The need for a ban on exclusionary contracts is accentuated because Microsoft has already established a pattern of employing exclusionary tactics to blockade rival software that threatens its Windows monopoly.

[32] For an extended discussion of compatibility, interconnection, and interfaces in network markets, see Chapters 7, 8, and 9 in Information Rules.

[33] See the proposed order for a more precise definition of''APIs,'' ''Communications Interfaces,'' and ''Technical Information.'' From an economic (rather than technical) perspective, interface information encompasses all information used by Microsoft's own applications and middleware to interoperate with Windows. The operative economic principle is that ISVs, IHVs, and OEMs should be placed on equal footing to Microsoft's own developers for the purposes of developing, licensing, and supporting products that interoperate with Windows.

[34] Microsoft delayed release of the ''Remote Network Access'' API in Windows 95 to Netscape for three months while trying to convince Netscape to limit the APIs exposed to software developers. Findings 91 (''Despite Netscape's persistence, Microsoft did not release the API to Netscape until late October, i.e., as Allard had warned, more than three months later. The delay in turn forced Netscape to postpone the release of its Windows 95 browser until substantially after the release of Windows 95 (and Internet Explorer) in August 1995. As a result, Netscape was excluded from most of the holiday selling season.'')

does Microsoft software. As noted above, delay or denial of interface information is one method Microsoft has employed to discourage the widespread adoption of non-Microsoft middleware, and thus raise entry barriers into the market for operating systems.

2. Preventing Microsoft from Anti-Competitively Controlling Complements Mandatory disclosure of interface information also will prevent Microsoft from using its Windows monopoly power to gain control of complementary applications and middleware. Such anti-competitive conduct not only raises entry barriers, but denies consumers choice of complementary products and stifles innovation surrounding the Windows platform. Two especially important software products today that are complementary to the Windows operating system on personal computers are operating systems on handheld devices and operating systems on servers. As many observers have noted, and as Microsoft has pointed out, ongoing hardware improvements, along with the increased networking of computers, combined with the increased use of wireless technologies, are greatly expanding the possibilities for both handheld devices and client-server architectures. Thus, PCs running Windows are increasingly communicating with servers and handheld devices.

As a result of these shifts in the technology of computing and communications, Microsoft can greatly advantage its own operating systems for servers (Windows 2000 Server) and for handheld devices (Windows CE) by introducing proprietary links between Windows on the desktop and Windows for servers or Windows for handheld devices. [35] In this context, and looking forward to competition over the next several years, the disclosure by Microsoft of interface information called for specifically in 3(b)(iii) of the proposed remedy is vital to prevent Microsoft from using the power associated with its Windows monopoly on the PC to gain control over two critical adjacent software products: operating systems for servers and/or operating systems for handheld devices. Indeed, a good case can be made that the most significant threat to Windows in the next several years will come from client/server architectures. Making sure that Microsoft cannot subvert this threat using undisclosed proprietary interfaces is thus central to an effective remedy in this case. Provision 3(b)(iii) in particular will operate to prevent such anti-competitive conduct by Microsoft.

3. Feasibility and Enforcement of Mandatory Disclosure

As I noted above, Microsoft has clearly stated that its APIs are ''open,'' i.e., disclosed to ISVs, and Microsoft has well-established procedures for the release of APIs and the provision of associated technical support to ISVs. Therefore, Microsoft will not need to construct a new business regime to implement API disclosure, and mandatory disclosure of APIs should not impose any significant burden on Microsoft. Having said this, I do not expect a regime of mandatory disclosure of interface information to be free of disputes and difficulties, especially since timeliness and completeness of Microsoft's disclosures are very important to ISVs. There is a very real and practical danger that Microsoft will strategically delay disclosure, or disclose only part of the information needed by ISVs. For just this reason, I regard the secure facility provided for in 3(b) of the proposed remedy as very helpful for the purposes of insuring the Microsoft meets its disclosure obligations.

C. OEM Flexibility in Product Configuration—3(a)(iii)

Microsoft has used its monopoly power to control the boot sequence and the user interface offered by OEMs. These restrictions have made it more difficult for rival middleware to gain presence on the desktop and thus compete more effectively with Microsoft middleware. The Court has found that these restrictions go beyond the protections afforded to Microsoft as a result of its Windows copyright. [36]

By insuring that OEMs have much greater flexibility to configure their products than Microsoft has permitted them in the past, 3(a)(iii) of the proposed remedy will stop Microsoft from blocking or impeding the OEM distribution channel for non-Microsoft software. The result will surely be greater choice for consumers in terms of the look and feel of their computers, and greater opportunity for innovative software to reach consumers and thus face a market test undistorted by the exercise of Microsoft's monopoly power.

D. No Performance Degradation for Rival Middleware—3(c)

Microsoft has demonstrated its ability and incentive to hinder the adoption of rival middleware through a variety of exclusionary tactics such as it employed against Netscape's browser. Once Microsoft is enjoined from employing the tactics it has already used, Microsoft will have an incentive to switch to new, substitute tactics having the same effect. One such tactic is to intentionally degrade the performance of rival middleware interoperating with Windows)7 Section 3(c) of the proposed remedy will make it more difficult for Microsoft to evade the proposed remedy by degrading the performance of rival middleware. Given the danger that Microsoft might repeat this conduct, but recognizing that some such degradation may be difficult Professor Henderson, are an excellent example of how Microsoft is able to use Windows proprietary interfaces strategically.

E. Contractual Tying and Binding—3(]), 3(g)

1. Ban on Contractual Tying—3(f)

Microsoft has anti-competitively tied middleware to Windows by contract, both to defend its Windows monopoly and in an attempt to monopolize the market for browsers. (Findings of Fact § 158–60) Section 3(f) of the proposed remedy prohibits such tying, and thus forces Microsoft's products to compete directly on the merits with rival software products. This provision should enhance OEM and consumer choice of software, and encourage innovation in software categories complementary to Windows.

2. Restrictions on Binding Middleware to Operating Systems—3(g)

There has been a great deal of talk about ''technological tying'' in this case. Microsoft has argued strenuously that its right to improve its operating system should not be compromised. Holding aside the specifics of how Microsoft added browser functionality to Windows, I accept the proposition that innovation often takes place in the computer industry through the integration of various capabilities or functions into a single piece of hardware or software. However, if such integrated capabilities are indeed beneficial to consumers, there is no need to force users to adopt all of the functions offered in an bundled product.

I believe that 3(g) strikes an excellent balance between the consumer benefits that can arise when Microsoft adds functionality to its operating system and the benefits that consumers enjoy when new and improved software is developed independently of Microsoft, especially if that software may serve a role in eroding Microsoft's monopoly position. By allowing OEMs to choose whether to make Microsoft's Middleware Products or rival software directly available to end users, OEMs will have the incentive to experiment to best serve consumers'' interests. If a particular piece of Microsoft software is superior to rival offerings, OEMs will simply load on their machines a version of Windows that includes End-User Access to that software. If some consumers prefer the Microsoft software and others do not, OEMs can configure their machines to suit the tastes of their customers, or allow customers to configure their own machines using add-remove utilities. And if the non-Microsoft software is clearly superior, OEMs will presumably insist that Microsoft provide them a version of Windows in which End-User Access to the Microsoft software can be removed, and offer End-User Access to the superior, non-Microsoft product. This is competition at work.

I understand that requiring Microsoft to offer a version of Windows in which all means of End-User access to middleware can be readily removed by OEMs and by end users will not impose any significant costs on Microsoft or prevent Microsoft from adding new capabilities to its Operating System Products.[38]

In my opinion, 3(g) will clearly promote innovation. It should be evident that this provision will increase the incentives of ISVs to develop middleware, knowing that OEMs will have an incentive to adopt their middleware if it offers superior performance to Microsoft's competitive Middleware Product. At the same time, Microsoft will have an even stronger incentive to innovate

[35] For more information on Microsoft's incentives to use its Windows monopoly to prevent threats emerging from software running on servers and handheld devices, see the Declaration of Rebecca Henderson. Microsoft's recent tactics regarding Kerberos, which are described by

[36] Conclusions at 13 (''Microsoft has presented no evidence that the contractual (or the technological) restrictions it placed on OEMs'' ability to alter Windows derive from any of the enumerated rights explicitly granted to a copyright holder under the Copyright Act.'')

[38] See the Declaration of Edward W. Felten.

if it is forced to compete to provide new functionality to users. Plus, Microsoft is not prohibited from making improvements by integrating more capabilities into the operating system if that integration serves consumer interests. Ultimately, Microsoft will be pushed to make better software because it will be forced to compete to win consumer adoptions of its Middleware Products. Provision 3(g) is pro-competition and pro-innovation.

F. Licensing of Legacy Code—4(0

Microsoft has asserted that it must continue to innovate to compete effectively against its own installed base. (Direct Testimony of Richard Schmalensee, (60) To date, competition between Microsoft and its own installed base of Windows has been modest at best since most Microsoft Windows sales are for new machines.[39] Clearly, buyers of a new PC require an operating system for that machine, and Windows licenses do not permit the user to transfer the O/S from a previous machine.[40] We also observe that Microsoft raises the price and/or reduces the availability of previous versions of Windows when a new version is released.[41]Through this pricing and distribution strategy, Microsoft can be assured that the functions it offers in its latest release of Windows are widely used and distributed, whether or not consumers prefer the newest version of Windows with those features to a prior version of Windows, perhaps used in conjunction with rival middleware that Microsoft is attempting to displace. Section 3(i) of the proposed remedy requires Microsoft to continue licensing the predecessor version of Windows (without raising the royalty rate) when a major new version is released. This provision will give OEMs, and thus consumers, the choice of using the predecessor version, perhaps in conjunction with rival middleware, or the newest Microsoft operating system. This provision will encourage innovation in two ways.

First, 3(i) will encourage software developers to create middleware that is complementary to Windows: the return to such development activities is increased by the assurance that the current version of Windows will continue to be available for OEMs and consumers to load onto new PCs for at least three years, and even after Microsoft introduces a major new operating system release that incorporates some of the functionality offered by the software developer. As a bonus, these

An OEM typically installs a copy of Windows onto one of its PCs before selling the package to a consumer under a single price.'') See Direct Testimony of Frederick R. Warren-Boulton at n. 7, citing Appendix B to Microsoft's Responses to Interrogatories, March 23, 1998 (''In 1997, 87.6% of all copies of the Microsoft's [sic] Windows 95 operating system product were installed by OEMs, while 7.3% were sold through retail channels as upgrades. Windows 95 is available at retail only as an upgrade from a Microsoft licensed operating system.'')

Second, 3(i) also will encourage innovation by Microsoft, since Microsoft will have to add valuable new functionality to support an increase in the price of Windows: unless the new release of Windows offers new functions that consumer truly value, consumers will simply pick the predecessor version of Windows at the prevailing price. Effectively, Microsoft has enhanced incentives to improve its Windows product to compete against its own predecessor version. Finally, this legacy code provision should make it more difficult for Microsoft to use its Windows monopoly power to gain control over adjacent markets: if a new version of Windows favors Microsoft's complementary products, OEMs and consumers will at least have the choice to use the predecessor version, perhaps in conjunction with non-Microsoft complementary products.[42]part, by increasing the price to OEMs of older versions of Windows when the newer versions are released.'')

V. Conclusions

The remedy entered by the Court in this matter will have a major influence on the nature of competition and the path of innovation in the information technology sector of the economy. In my opinion, the primary objective of the remedy should be to lower entry barriers into the market for PC operating systems and thus start to remedy the harm to competition caused by Microsofl's anti-competitive conduct. As explained above, there are strong reasons to believe— based on economic principles and based on the experience of this and other industries—that the proposed reorganization of Microsoft into separate applications and operating systems businesses will lower entry barriers, encourage competition and promote innovation.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 28, 2000 in Washington, DC

V. Conclusions

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I declare under penalty of perjury that the foregoing is true and correct. Executed on April 28, 2000 in Washington, DC

EXHIBIT 8

TO THE COMMENTS OF RELPROMAX ANTITRUST INC.

AFFIDAVIT OF JOHN V. TUNNEY

STATE OF CALIFORNIA)) SS:

COUNTY OF LOS ANGELES)

JOHN V. TUNNEY, being first duly sworn upon his oath, deposes and says:

1. The following facts are known to me of my own personal knowledge and, if called as a witness, I could and would competently testify thereto.

2. From 197I to 1977, I represented the State of California as a United States Senator in Congress.

3. While serving as a member of the 3udiciary Committee of the United States Senate during the 93rd Congress, I authored that certain bill described below, and acted as the Floor Manager of the legislation during its consideration by the full Senate. That legislation was passed by Congress and signed into law by the President of the United States. That portion of the law to which I refer below is codified as Section 2(g) of the Antitrust Procedures and Penalty Act, 15 U.S.C. 16(g), arid is a subsection of the law now commonly referred to as the ''Tunney Act.'' This legislation was signed into law December 21, 1974.

4. I authored the following language, which was included in the final version of the legislation:

Not later than 10 days following the date of the filing of any proposal for a consent judgment under subsection (b), each defendant shall file with the district court a description of any and all written or oral communications by or on behalf of such defendant, including any and all written or oral communications on behalf of such defendant, or other person, with any officer or employee of the United States concerning or relevant to such proposal, except that any such communications made by counsel of record alone with the Attorney General or the employees of the Department of Justice alone shall be excluded from the requirements of this subsection. Prior to the entry of any consent judgment pursuant to the antitrust laws, each defendant shall certify to the district court that the requirements of this subsection have been complied with and that such filing is a true and complete description of such communications known to the defendant or which the defendant reasonably should have known.

5. Recently, I was asked to review the Tunney Act and certain public documents on

[39] Findings 10 (''The largest part of its MS–DOS and Windows sales, however, consists of licensing the products to manufacturers of PCs (known as ''original equipment manufacturers'' or ''OEMs'), such as the IBM PC Company and the Compaq Computer Corporation ('Compaq').

[40] Findings at 57 (''The license for one of Microsoft's operating system products prohibits the user from transferring the operating system to another machine, so there is no legal secondary market in Microsoft operating systems.'')

[41] Findings at 62 (''...Microsoft raised the price that it charged OEMs for Windows 95, with trivial exceptions, to the same level as the price it charged for Windows 98 just prior to releasing the newer product.'') and Findings at 57 (''Microsoft takes pains to ensure that the versions of its operating system that OEMs pre-install on new PC systems are the most current. It does this, in enhanced incentives to develop middleware will tend to lower the entry barriers into the market for operating systems and make it more likely that successful cross-platform middleware will emerge in the years ahead.

[42] For example, consumer choice would be enhanced, and Microsoft's opportunities for using its desktop monopoly power to gain control over server operating systems using Windows 2000. would be diminished, if Microsoft were required to continue to license Windows NT 4.0 for three years after the release of Windows 2000.

file in the ease of the United States vs. Microsoft Corporation, Civil Action No. 98–1232 (CKK), in the United States District Court for the District of Columbia. Among the documents I reviewed was one filed by Microsoft Corporation entitled, ''Defendant Microsoft Corporation's Description of Written or Oral Communications Concerning The Revised Proposed Final Judgment and Certification of Compliance Under 15 U.S.C. See. 16(g),'' purportedly to comply with the provision set forth in paragraph 4, above.

6. With respect to this provision of the Antitrust Procedures and Penalties Act, it is clear that Congress intended that there should be full disclosure of all communications by a defendant or on behalf of a defendant with any officer or employee of the United States, except for communications made by counsel of record alone with the Attorney General or the employees of the Department of Justice. It is equally clear that by ''government official,'' Congress meant ''members of the Executive, Legislative, and Judicial branches of government''. Congress specifically intended to cover communications by officers of a defendant corporation, lawyers of such corporation, lobbyists of such corporation, or anyone else acting on behalf of such corporate defendant. If I had not been satisfied this was the plain meaning of the statute, I, as the principal author of the legislation, would not have pressed the legislation through to final passage. I am satisfied that the clear language of the statute ensures disclosures of the type described in this paragraph. The legislative history and intent of its author buttress these conclusions.

7. In my opinion, it is essential that all discussions between the defendant corporation and the government (with the specific exception noted in paragraph 6, above) in an antitrust case that might have led to a proposed settlement decree be disclosed. If a defendant corporation did not have to disclose any contacts or communications with the government until such-time as there is an actual decree, the very purpose of the disclosure would be defeated. The Tunney Act was never intended to allow for a situation where, in theory, prolific lobbying could be conducted by the defendant prior to the time the presiding judge has ordered settlement negotiations, without public disclosure. If allowed, the Tunney Act would not have reformed the practices utilized in settlement of the ITT case, which in significant fashion demonstrated the need for the legislation in the first instance. The disclosure provisions were designed to help ensure that no defendant can ever achieve through political activities what it cannot obtain through the legal process. Failure to comply with these provisions raises an inference or, at a minimum, an appearance of impropriety.

8. Contrary to some press reports, the Tunney Act was not intended in any way to prevent the Department of Justice from entering into settlements in antitrust suits, especially before trial where litigation risk is generally present. The Act in fact recognized the propriety of such settlements, and merely proscribed procedures to ensure that such settlements were reached on the merits.

9. The legislative history and plain language make clear that Congress intended that a judge make an independent assessment of whether any such settlements are in the public interest, precisely because the policy objective was to ensure that lobbying contacts did not influence the law enforcement function of the Antitrust Division of the Department of Justice. I remain convinced that the policy objective was correct.

10. The language of the Act was clearly drawn and was intended to be inclusive and not exclusive. In my opinion, the filing of ''Written or Oral Communications'' by Microsoft Corporation, referred to in paragraph, 5, above, is inadequate to satisfy the clear language and intent of the Tunney Act.

FURTHER, AFFLANT SAYETH NAUGHT.
SUBSCRIBED AND SWORN to before this day of .2002.

NOTARY PUBLIC in and for said County and State ELEANOR McKENNA Natary Public, State of New York; No. 31–4973011 Qualified in New York County. Commission Expires October 40459139.1

EXHIBIT 9

TO THE COMMENTS OF RELPROMAX ANTITRUST INC.

Congress of the United States
Washington, DC 20515
August 9, 2001
The Honorable John Ashcroft
U.S. Attorney General
Department of Justice
Tenth Street and Constitution Avenue, NW
Washington, DC 20530
Mr. Steve Hallmer
Chief Executive Officer
Microsoft Corporation
ONe Microsoft Way
Redmond, WA 98052
The Honorable Tom Miller
Iowa Attorney General
Department of Justice
1305 E. Walnut Street
Des Mones, IA 50319
Dear Sirs:

Following the recent Court of Appeals decision, we are pleased that all sides in the Microsoft antitrust litigation have begun settlement discussions. Today we write to encourage these discussions with the hope that a settlement can be reached at the earliest possible date and on reasonable terms that support competition and innovation. Antitrust enforcement should be about protecting the American consumers, not deciding ?? and loacers among wealthy competitors. Now is the time for all parties to the litigation to address the remaining issues and provide some finality that protects consumers and allows the American high-tech industry to innovate an prospect. This industry offers extraordinary promise to ?? exciting new technologies to the American consumer and the global marketplace, and the resolution of this protracted litigation will greatly serve to further that goal.

While not expressing a view on the merits, we respectfully urge all parties to reach a just and speedy conclusions to this case.

Best Regards,

Signatories Of Letter In Favor Of Settlement

Jennifer Dunn -R
Jay Inslee -D
Dick Armey—R
Henery Hyde -R
Anna Eshoo -D
Stophen Horn—R
Charles Taylor—R
Charles Norwood—R
Thomas Petri—R
Sonny Callahan—R
Timothy Johnson—R
Deborah Pryce—R
Mark Green- R
Ernle Fletcher—R
Pat Toomey—R
Anne Northup—R
Phil English—R
George Nethercult Jr.-R
Greg Walden- R
Eric Cantor -R
J.C. Watts-R
Rick Keller-R
Ron Kind -R
Tim Holden- D
Maurice Hichey-D
Barney Frank—D
Louis Gtierrez-D
Cal Dooly—D
Mike Ross-D
Lane Evans—D
Henry Waxman—D
Robert Matsui—D
Michael McNulty- D
Gene Green—D
Bud Kramer—D
Norman Dicks—D
Baron Hill—D
Wm Lacy Clay- D
Virgil Goods- I
Joel Hefley—R
Richard Porabo—R
Mark Foley—R
Melissa Hart—R
Kay Granger- R
Jim Gibbons—R
Dave Hobson—R
Jim Greenwood—R
John Shadegg—R
Henry Bonilla—R
Alicee Hastings—D
John Doolittle—R
Bob Goodlatte- R
Steve Buyer—R
Charlie Bass—R
Sam Farr—D
J. Randy Forbes—R
Shelley Moore Capito -R
Roy Blunt—R
Steve Chabot—R
Chip Pickering -R
C.L. Otter—R
Earl Blumenauer-D
Ted Strickland-D
Eddie Bernice Johnson- D
Gary Ackerman- D
David Phelps-D
John Sprati- D
Mike Mclntyre -D
Jim Moran—D
Tammy Baldwin-D
Allen Boyd-D
Steny Hoyer- D
John Lewis -D
Jim Matheson-D
Jim McDermott-D
Rick Larsen-D

Gregory Mecks-D
Elijah Cummings-D
James Harcia-D
John Oliver-D
Nancy Pelosi-D
Bill Detahunt -D
Patrick Kennedy-D
Martin Frost-D
Tom Sawyer-D
EXHIBIT 10

TO THE COMMENTS OF RELPROMAX ANTITRUST INC., IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA UNITED STATES OF AMERICA) Plaintiff,) v.) MICROSOFT CORPORATION,) Defendant.) Filed: January 24, 2002

CIVIL ACTION NO. 98–1232 (CKK)

STATE OF NEW YORK ex rel. Attorney General ELIOT SPITZER, et al., Plaintiffs, V. MICROSOFT CORPORATION, Defendant.

CIVIL ACTION NO. 98–1233 (CKK)

Next Court Deadline: March 4, 2002) Pre-hearing Conference

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION OF RELPROMAX ANTITRUST INC. FOR LIMITED PARTICIPATION AS AN AMICUS CURIAE AND FOR AN EXTENSION OF TIME

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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA UNITED STATES OF AMERICA) Plaintiff, v. MICROSOFT CORPORATION,) Defendant.

CIVIL ACTION NO. 98–1232 (CKK) Filed: January 24, 2002

STATE OF NEW YORK ex rel. Attorney General ELIOT SPITZER, et al.,) Plaintiffs, MICROSOFT CORPORATION,) Defendant.

CIVIL ACTION NO. 98–1233 (CKK)

Next Court Deadline:

March 4, 2002

Pre-hearing Conference

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF THE MOTION OF RELPROMAX ANTITRUST INC. FOR LIMITED PARTICIPATION AS AN AMICUS CURIAE AND FOR AN EXTENSION OF TIME

I. INTRODUCTION

The Antitrust Procedures and Penalties Act (Tunney Act) was signed on December 21, 1974, to remedy one of the many abuses of power which led to the adoption of the second of three Articles of Impeachment of the President by the Committee on the Judiciary of the United States House of Representatives on July 27, 1974, and to the only Presidential resignation in the history of our nation on August 9, 1974. The Tunney Act is not merely some procedural nicety. The Tunney Act is discussed in greater detail below (see section III.B., pp. 18–22, The Tunney Act Was
Intended To Prevent An Abuse Of Power In The Current Situation'').

Defendant Microsoft Corporation (''Microsoft'') has not complied with the disclosure requirements of the Tunney Act, specifically 15 U.S.C. § 16(g), or this Court's Order dated November 8,2001. Pursuant to 15 U.S.C. § 16(b) and (g), anyone has the statutory right to comment on the Revised Proposed Final Judgment (''RPFJ'') in captioned Civil Action 98–1232 for fifty (50) days after Microsoft complies with 15 U.S.C. § 16(g). Relpromax Antitrust Inc. (''Relpromax'') hereby asserts its statutory right, which is also the statutory right of all Americans, to consider for fifty (50) days a true and complete disclosure by Microsoft pursuant to 15 U.S.C. § 16(g) and then to file with the United States such written comments as it deems appropriate with respect to the RPFJ in light of the information disclosed pursuant to 15 U.S.C. § 16(g).

Accordingly, Relpromax seeks an order:

1) granting Relpromax status as an amicus curiae with the right of limited participation in proceedings so it can assist, if necessary, in obtaining, inter alia, the statutorily required (and Court ordered) disclosure;

2) compelling Microsoft to comply with the statute and the November 8, 2001, order; and,

3) extending the time for comments to provide Relpromax and all interested parties with their statutory rights.

II. FACTUAL AND PROCEDURAL BACKGROUND

From 1993 through 1996, Microsoft contributed a total of about $366,000 to federal parties and candidates) Declaration of Brian Dautch (''Dautch Dec.''), 2- 3 and Attachments 1 and 2. (A copy of the Dautch Declaration is attached hereto as Exhibit A.)

The total includes contributions directly to candidates or political action committees reported as made by individuals who listed Microsoft as an employer.

On May 18, 1998, these civil actions were filed.

From 1997 through July 31, 2001, Microsoft contributed a total of over $6.8 million to federal parties and candidates. Dautch Dec., 2, and Attachment 1.

From 1997 through June 30, 2001, in addition to about $6.8 million in contributions Microsoft spent an additional $17.6 million on lobbyists who contacted many federal agencies and Members of the House and Senate seeking support for Microsoft's antitrust policies. Dautch Dec., 2, and 8–42 and Attachments 1, and 9–43. Given that Microsoft contributed to the campaigns of 38 U.S. Senators and 124 U.S. Representatives in 2001 alone (a non-election year), it is even possible that some of the federal legislators contacted by Microsoft about its antitrust problems had received, and/or may have been seeking, Microsoft campaign contributions. Dautch Dec., 2 and Attachment 1.

On July 6, 1998, Charles F. Rule, Esq., became a registered lobbyist for Microsoft. From approximately 1986 to 1989, Mr. Rule was the Assistant Attorney General in charge of the Antitrust Division of the United States Department of Justice. Dautch Dec., 4, and Attachment 7. In 1998, Mr. Rule was a partner with the lobbying firm 2 of Covington & Burling of Washington, DC On July 6, 1998, Covington &Burling filed a Lobbying Registration, pursuant to 2 U.S.C. § 1603(a)(2), indicating that Mr. Rule was among the firm's ''employees'' who had acted or expected to act as lobbyists for Microsoft Corporation.3 On page 2 of the Lobbying Registration, Covington & Burling reported that the lobbyists expected to lobby on issues including [c]ompetition matters affecting See 2 U.S.C. § 1602(9).

3. The Lobbying Registration (dated June 29, 1998) is known as Form LD-1 which is required to be filed by 2 U.S.C. § 1603 (Section 4 of the Lobbying Disclosure Act of 1995). The Lobbying Registration was filed with the Office of the Clerk of the U.S. House of Representatives. A copy of this Lobbying Registration is Attachment 4 to the Dautch Dec.

computer industry software.''

On August 12, 1999, Covington & Burling filed a mid-year 1999 Lobbying Report (Form LD-2) indicating that for the period from January 1, 1999, through June 30, 1999, the firm received $40,000 from Microsoft for lobbying. On page 6 of the form, Covington & Burling reported that Charles F. Rule lobbied the U.S. House of Representatives and the U.S. Senate for Microsoft on ''[c]ompetition issues affecting computer software industry.''

On September 28, 2001, this Court docketed an order requiring the parties to engage in intensive settlement negotiations until November 2, 2001. A copy of the order is attached hereto as Exhibit B.

From on or about October 1, 2001, to November 6, 2001, according to written unsworn testimony by lobbyist Rule, he was one of the principal representatives for Microsoft in the negotiations with respect to the RPFJ. Dautch Dec., 4 and Attachment 3.

On November 6, 2001, the United States and Microsoft filed a Stipulation and attached form of Revised Proposed Final Judgment. The Stipulation was signed on behalf of the United States by Charles A. James, Assistant Attorney General in charge of the Antitrust Division of the United States

Department of Justice. (A copy of the Stipulation is attached hereto as Exhibit C.) In the Stipulation, Microsoft agreed to make the disclosure required by 15 U.S.C. § 16(g). Stipulation, 3.

The Lobbying Report (dated August 10, 1999) is on a form known as Form LD-2 which form is required to be filed by 2 U.S.C. § 1604 (Section 5 of the Lobbying Disclosure Act of 1995). The Lobbying Report was filed with the Secretary of the United States Senate. The Lobbying Report is Attachment 23 to the Dautch Dec.

The Stipulation was also signed on behalf of certain plaintiffs in the companion Civil Action No. 98–1233 (i.e., the States of Illinois, Kentucky, Louisiana, Maryland, Michigan, New York, ,North Carolina, Ohio, and Wisconsin) (hereinafter referred to as ''Settling States'').

On November 8, 2001, this Court ordered Microsoft to make the disclosure required by 15 U.S.C. § 16(g) ''within ten days of the publication of the proposed Final Judgment in the Federal Register.'' (A copy of the Court's Order dated November 8, 2001, is attached hereto as Exhibit D.)

On November 15,2001, lobbyist Charles F. Rule, Esq., apparently attempted to become a counsel of record for Microsoft in Civil Action No. 98–1232 pending before this Court. On November 15,2001, a document titled ''Notice Of Entry Of Appearance'' for Charles F. Rule was filed with this Court and is recorded as electronic docket entry number 29 in Civil Action No. 98–1232. (A copy of the Notice Of Entry Of Appearance is attached hereto as Exhibit E.) According to the court docket for Civil Action No. 98–1232, the Notice Of Entry Of Appearance for Mr. Rule was signed and filed by Bradley Smith and not by Mr. Rule. According to the official docket, no document filed on behalf of Microsoft in this civil action (or Civil Action No. 98–1233) from November 15, 2001, through January 18, 2002, has been signed by Mr. Rule on behalf of Microsoft.

On November 16, 2001, an item appeared on the front page of The Wall Street Journal which item stated in full:

LEGAL LOOPHOLE: Microsoft tries to shield its top Washington lawyer, Charles F. Rule, from having to reveal some contacts with the administration before the negotiated the company's controversial antitrust settlement. He was formally named a counsel of record yesterday, exempting him from disclosures otherwise demanded under a 1974 law requiring court review of antitrust deals.

There is no indication in the electronic docket, which is the only docket available for this stage of Civil Action No. 98–1232, that Mr. Rule has signed any pleading described in Rule 7(a), F.R.Civ.P., in ink and then caused the document to be filed electronically by someone else with the Court.

(A copy of the item from The Wall Street Journal, November 16, 2001, page 1, is Attachment 5 to the Dautch Dec.)

On November 28, 2001, the RPFJ was published in the **Federal Register** along with a copy of a document titled ''Competitive Impact Statement which was filed with this Court on November 15, 2001.

On December 10, 2001, Microsoft filed Defendant Microsoft Corporation's Description Of Written Or Oral Communications Concerning The Revised Proposed Final Judgment And Certification Of Compliance Under 15 U.S.C. § 16(g) (''Microsoft's Description''). (A copy of Microsoft's Description is attached hereto as Exhibit F.) The Description purported to reveal ''any and all written or oral communications by or on behalf of'' Microsoft ''with any officer or employee of the United States concerning or relevant to'' the RPFJ with the exception only of ''communications made by counsel of record alone with the Attorney General or the employees of the Department of Justice alone [emphasis added].'' Microsoft Description, pp. 1–2. Microsoft's Description reveals only: 1) that unnamed ''counsel for Microsoft'' (n.b. as opposed to ''counsel of record for Microsoft'') met with plaintiffs'' representatives and mediators from September 27, 2001, through November 6, 2001, and that a Mr. William Poole of Microsoft participated in some of the meetings from October 29, 2001, through November 2, 2001; and, 2) that at an October 5,2001, meeting, technical questions were discussed by Ms. Linda Averett, and Messrs. Michael Wallent, Robert Short, and Chad Knowlton (all of Microsoft) with plaintiffs'' representatives and plaintiffs'' technical expert Professor Edward Felten. Microsoft certified that with the submission of the Microsoft Description, Microsoft ''has complied with the requirements of 15 U.S.C. § 16(g) and that this submission is a true and complete description of such communications known to Microsoft.''

Microsoft's Description was electronically signed by John Warden, Esq., of the law firm of Sullivan & Cromwell. The name of Charles F. Rule appears on the document apparently as Counsel for Microsoft. There is no signature line on the document for Mr. Rule's signature. Other than the appearance of Mr. Rule's name well below and to the left of Mr. Warden's name, there is no mention of Mr. Rule by name in the Microsoft Description or of any communications Mr. Rule had on behalf of Microsoft with any officer of employee of the United States concerning or relevant to the RPFJ (for example, oral or written communications or promises during the course of the intensive month-long negotiations which led to the RPFJ or drafts of proposed language for the RPFJ).

On December 12,2001, Mr. Rule appeared (along with Assistant Attorney General Charles

A. James and others) and submitted written testimony (not under oath) on behalf of Microsoft concerning the RPFJ before the Committee on the Judiciary of the United States Senate. Dautch Dec., 4, Attachment 3. In this testimony concerning the captioned civil actions, Mr. Rule (referring to the RPFJ as ''PFJ'') stated (p. 1, sentences 3–4):

''As this committee is aware, I am counsel to Microsoft in the case [n.b. Civil Action Nos. 98–1232 and 98–1233] and was one of the principal representatives for the company in the negotiations that led to the proposed consent decree. The PFJ was signed on November 6th after more than a month of intense, around-the-clock negotiations with the Department and representatives of all the plaintiff states.''

III. ARGUMENT

A. THE TUNNEY ACT REQUIRES FULL DISCLOSURE BY MICROSOFT

The relevant portions of the Tunney Act are now codified as Title 15 U.S.C. § 16(b)-(h).

The Tunney Act applies to the current proposal for a consent judgment (RPFJ) by the United States in captioned Civil Action No. 98–1232 which was brought by the United States under the antitrust laws. 15 U.S.C. § 16(b). To cast sunlight on any potential abuse of power, to provide the public with information necessary both to understanding the full context of the RPFJ and to providing as insightful comments as possible (as allowed by 15 U.S.C. § 16(d)), and to provide the Court with information the Court must have prior to determining whether entry of the RPFJ is in the public interest (as required by 15 U.S.C. § 16(e)), Microsoft must make the disclosures required by 15 U.S.C. § 16(g) which provides in full that [emphasis added below]:

''Not later than 10 days following the date of any proposal for a consent judgment under subsection (b) of this section, each defendant shall file with the district court a description of any and all written or oral communications by or on behalf of such defendant, including any and all written or oral communications on behalf of such defendant, or other person, with any officer or employee of the United States concerning or relevant to such proposal, except that any such communications made by counsel of record alone with the Attorney General or the employees of the Department of Justice alone shall be excluded from the requirements of this subsection. Prior to the entry of any consent judgment pursuant to the antitrust laws, each defendant shall certify to the district court that the requirements of this subsection have been complied with and that such filing is a true and complete description of such communications known to the defendant or which the defendant reasonably should have known.''

Both the Tunney Act and this Court's November 8, 2001, Order setting forth the schedule to be followed to comply with the Tunney Act in this case clearly grant the public fifty (50) days to prepare and file comments on the RPFJ after defendant's true and complete disclosure of all communications specified by 15 U.S.C. § 16(g).

As is shown below, the Microsoft Description of December 10, 2001, did not meet the requirements of 15 U.S.C. § 16(g).

There are at least five broad categories of communications which should have been disclosed: 1) oral or written communications by or on behalf of Mr. Rule acting in any capacity for Microsoft; 2) oral or written communications in Mr. Rule's presence (these communications were not made by counsel of record alone); 3) oral or written communications which may have induced the Deputy Chief of Staff to the Attorney General of the United States (David Israelite, who recused himself from any involvement

with Microsoft matters due to a conflict of interest) to place a predawn telephone call on October 9, 2001, to a lobbyist for a Microsoft competitor complaining about the competitor's support for the retention of independent private counsel by the States suing Microsoft in Civil Action No. 98–1233; 4) oral or written communications or promises by Microsoft lobbyists (other than Mr. Rule) or Microsoft personnel to officers or employees of the United States; and, 5) communications made at Microsoft's request or suggestion to officers or employees of the United States (e.g., communications by Members or employees of either House of Congress to officers or employees of the Executive Branch).

1. Mr. Rule's Undisclosed Conversations Prior to November 15, 2001 Are Not Exempted from Disclosure

a. Mr. Rule Was Not Counsel Of Record For Microsoft Prior to November 15, 2001

The statute, 15 U.S.C. § 16(g), exempts from disclosure only two types of oral or written communications with any officer or employee of the United States. First, the statute exempts communications between counsel of record and the Attorney General alone (i.e., outside the presence of Microsoft personnel and other Justice Department officers or employees). Second, the statute exempts communications between counsel of record and employees of the Department of Justice alone (i.e., outside the presence of Microsoft personnel and non-employees of the Justice Department). The statute does not provide for a lobbyist (or other person who is not counsel of record) to conduct negotiations with the Attorney General and/or Justice Department employees and then, after reaching agreement on a consent judgment, convert from a lobbyist into a counsel of record in order to shield from disclosure communications and negotiations conducted when he was not counsel of record.

At a minimum, the term ''officer or employee'' in 15 U.S.C. § 16(g) should include any officer or employee of the Executive Branch. It is clear that offices and employees of the Executive Branch are within the scope of the statute because the two classes of exclusions are of officers or employees of the Executive Branch (i.e., the Attorney General and employees of the Department of Justice). Arguably, the term ''officer or employee'' in 15 U.S.C. § 16(g) could also include any ''officer or employee'' of the Legislative Branch. The precise scope of the term ''officers and employees'' within the meaning of 15 U.S.C. § 16(g) appears to be a matter of first impression in this Court. Given the control of the Justice Department budget by the Congress, the importance of disclosing communications by Microsoft with Members of Congress or their staff concerning or relating to the RPFJ is manifest. In any event, the statute makes clear that any communication concerning or relating to the RPFJ made on behalf of Microsoft (whether by Microsoft, a Senator, or anyone else) to an Executive Branch officer or employee must be disclosed under 15 U.S.C. § 16(g).

Mr. Rule was not a counsel of record prior to November 15,2001. Accordingly, any oral or written communications made by him, or on his behalf, concerning or relevant to the RPFJ to any officer or employee of the United States must be disclosed. Clearly, communications made in the negotiations which resulted in the RPFJ both concern the RPFJ and are relevant to the RPFJ.

Mr. Rule was the Assistant Attorney General in charge of the Antitrust Division long after the Tunney Act became the law. While the disclosure requirements of 15 U.S.C. § 16(g) would apply to Mr. Rule's client even if Mr. Rule were totally unfamiliar with antitrust law, the disclosure requirements should be applied strictly given that Mr. Rule was the principal law enforcement officer of the United States charged with enforcing this precise statute for about three (3) years.

If Mr. Rule's testimony to the effect that he was a principal negotiator on behalf of Microsoft of the RPFJ is accurate, then there are clearly undisclosed communications made by Mr. Rule or in his presence.

Typically, a principal representative in negotiations would have made oral comments to the negotiators for the United States. Further, the principal negotiator would have submitted written drafts of language (whether in electronic, magnetic, or paper form) to be used in the RPFJ.

Also, there is the matter of Lobbyist Rule's contacts with the Administration which contacts were reported by The Wall Street Journal. What precisely does Microsoft want to conceal? Why does Microsoft want to conceal these communications? Discovery (or a true and complete disclosure under 15 U.S.C. § 16(g)) is needed to provide the American people and this Court with the answer to these questions.

b. Mr. Rule Was Not Counsel Of Record For Microsoft Even After November 15, 2001

If Microsoft's position is that Mr. Rule's communications prior to and during settlement negotiations did not have to be disclosed because on the date the Microsoft Description was filed Mr. Rule was a counsel of record, that position is both untenable and, as discussed above, contrary to the plain language of the statute.

Local Civil Rule 83.6(a) governs the process by which an attorney becomes a counsel of record and provides in full that:

''An attorney eligible to appear may enter an appearance in a civil action by signing any pleading described in Rule 7(a), Federal Rules of Civil Procedure, or by filing a written notice of the entry of an appearance listing the attorney's correct address, telephone number and bar identification number.''

As mentioned above, as of the date of this Memorandum, Mr. Rule has not in connection with the captioned civil actions signed any pleading described in Rule 7(a) of the Federal Rules of Civil Procedure (i.e., basically, various types of complaints and answers).

The typical written notice of entry of an appearance is signed by the attorney entering the appearance. For example, when appearances were entered by Douglas Davis, Esq., Steven Kuney, Esq., and Brendan Sullivan, Esq., each of these attorneys signed and flied a written notice of appearance containing the necessary information. (Copies of the notices of appearance for Messrs. Douglas, Kuney, and Sullivan are attached hereto as Exhibits G, H, and I, respectively.) Mr. Rule did not sign or file what purports to be his written notice of entry of appearance. The written notice attempting to enter an appearance for Mr. Rule was signed and filed by Bradley Smith, Esq., of Sullivan & Cromwell.

As noted above, Mr. Rule has not, in connection with the captioned Civil Actions, signed any pleading described in Federal Rule of Civil Procedure 7(a).

Thus, arguably Mr. Rule was not a counsel of record even when the Microsoft Description was filed on December 10, 2001. Accordingly, any oral or written communications Mr. Rule had with officers or employees of the United States concerning or relating to the RPFJ must be disclosed.

2. The Undisclosed Conversations of Microsoft's other Lobbyists With Executive Or Legislative Branch Officials Or Employees Are Not Exempted From Disclosure

Even if Mr. Rule's testimony to the effect that he was a principal negotiator on behalf of Microsoft of the RPFJ were inaccurate and even if Mr. Rule had absolutely no oral or written communications at any time of any type, kind, or description with any officer or employee of the United States (whether in the Executive or Legislative Branch), it is still likely that there were other undisclosed oral or written communications made by or on behalf of Microsoft concerning or relevant to the RPFJ.

In addition to Mr. Rule, Microsoft has a substantial number of other inside and outside federal lobbyists who were paid on the order of $17,645,000 from 1997 through June 30, 2001.

A partial list of some known lobbying expenditures and contacts includes the following:

1. From January 1, 1999, through June 30,2001, according to the official reports required by Section 5 of the Lobbying Disclosure Act of 1995, 2 U.S.C. 1604, the lobbying firm of Barbour Griffith & Rogers, Washington, DC, reported receiving $1,380,000 from Microsoft for lobbying the House and Senate concerning issues including ''the Justice Department's Antitrust inquiry.'' Dautch Dec., ¶¶ 8–12 and Attachments 9–13.

2. The official reports show that from July 1, 1997 to June 30, 2001, the lobbying firm of Clark & Weinstock, New York, New York, received $1,480,000 from Microsoft for lobbying the House and Senate concerning issues including Microsoft's position on the Department of Justice antitrust suit against Microsoft. Dautch Dec., ¶¶ 13–19 and Attachments 14–20.

3. The official reports show that from January I, 1998 to June 30, 1999, the lobbying firm of Covington & Burling received $140,000 from Microsoft for lobbying the House and Senate concerning, inter alia, competition issues affecting the computer software industry. Dautch Dec., ¶¶ 20–22 and Attachments 21–23.

4. The official reports show that from July 1, 1997, to June 30, 2001, the lobbying firm of Downey Chandler, Inc. (at times known as

Downey McGrath Group), received $560,000 from Microsoft for lobbying the Office of the Vice President, the Departments of Justice, State, and Commerce, and the House and Senate concerning issues including the Department of Justice's antitrust suit against Microsoft. Dautch Dec., ¶¶ 23–30 and Attachments 24–31.

5. From July 1, 1999 to June 30, 2001, the official reports show that McSlarrow & Associates, at times known as McSlarrow Consulting, L.L.C., received $200,000 from Microsoft for lobbying the House and Senate concerning issues including competition in the software industry. Dautch Dec., ¶¶ 32–35 and Attachments 33–36.

6. From January 1, 2000 to June 30, 2000, the official report shows that Microsoft itself spent $3,340,000 on lobbying the National Security Agency, Federal Bureau of Investigation, Senate, House, the Departments of Justice, Commerce, and Defense concerning issues including competition in the software industry.7 Dautch Dec., ¶¶ 36 and Attachment 37.

7. From July 1, 1997 to June 30, 2001, the official reports show that Preston Gates Ellis & Rouvelas Meeds received $1,380,000 from Microsoft for lobbying the White House, the Vice President, the National Security Agency, the Central Intelligence Agency, the National

7 On November 5, 1999, this Court entered Findings of Fact adverse to Microsoft. U.S. v. Microsoft, 84 F.Supp.2d 9 (D.DC 1999). On April 3, 2000, this Court entered Conclusions of Law holding Microsoft to be in violation of the antitrust laws. U.S. v. Microsoft, 87 F.Supp.2d 30 (D.DC 2000). On June 7, 2000, this Court entered an order requiring Microsoft to devise a plan to split itself into an operating systems business and an applications business. U.S. v. Microsoft, 97 F.Supp.2d 59 (D.DC 2000).

Security Council, the Office of Science and Technology Policy, the Federal Bureau of Investigation, the U.S. Trade Representative, the National Economic Council, the Office of Management and Budget, the Departments of Justice arid Commerce, and the House and Senate concerning issues including competition in the software market. Dautch Dec., ¶¶ 37–42 and Attachments 38–43.

The massive amount of money spent on lobbying raises a number of issues relevant to the Tunney Act disclosure Microsoft should have made including, but not limited to, those mentioned below.

First, given that Microsoft was ably represented by accomplished in-house counsel and the distinguished law firm of Sullivan & Cromwell upon whom all opposing parties were required to serve all documents pursuant to Federal Rule of Civil Procedure 5, why was it necessary to spend over $1.3 million for Barbour Griffith & Rogers to monitor the same civil action? Where did the money really go? What did the money really buy? Did Barbour Griffith & Rogers discuss the Microsoft antitrust litigation with any officer or employee of the United States while the RPFJ was being negotiated?

Second, as of June 30, 2001, Microsoft, its employees, and its outside lobbyists had spent upwards of $20,000,000 over several years lobbying, and where possible making campaign contributions, to many officers and employees of the United States. It is difficult to believe that when negotiations intensified and were conducted around-the-clocks in October, 2001 not one of the legions of Microsoft lobbyists in whom the company invested millions made a single call to any officer or employee of the United States concerning or relevant to the RPFJ. In particular, it is difficult to imagine that no United States Representative and no United States Senator was asked

8 Statement of Charles F. Rule to the Committee on the Judiciary, US. Senate, December 12, 2001 (Dautch Dec., Attachment 3, ¶¶ 2).

to contact the Executive Branch in support of Microsoft.

3. Additional Undisclosed Conversations May Have Caused A PredawnTelephone Call From A Senior Aide To The Attorney General To A Lobbyist

The New York Times of November 2, 2001, reported (''States Biding for Time to Study Microsoft Settlement Plan'' by Stephen Labaton, pp. C1 and C4) that:

''Some of Microsoft's largest competitors voiced bitter disappointment about the terms of the proposed deal and asserted that the company had used its political influence with a Republican administration to try to quickly put an end to the case.''

''The rivals said that during court hearings that will be required on the proposed settlement, they intended to provide evidence of what they say was an improper discussion between a senior aide to Attorney General John Ashcroft who had been a top official in the Republican Party and a Republican lobbyist for AOL—Time Warner that demonstrated Microsoft's political muscle. In a statement issued today, Representative John Conyers Jr., Democrat of Michigan, also indicated that he would be examining that incident, word of which has been circulating widely in recent days among lawyers, lobbyists and executives following the case?''

''The aide to Mr. Ashcroft, David Israelite, had been the political director of the Republican National Committee, which received hundreds of thousands of dollars from Microsoft during the 2000 presidential campaign. Mr. Israelite, now Mr. Ashcroft's deputy chief of staff, has recused himself from any involvement in the Microsoft antitrust case because he owns 100 shares of Microsoft stock.''

''The lobbyist involved in the discussion was said to be Wayne Berman, who is also a top Republican fundraiser.''

''According to the notes of a person briefed about the conversation on Oct.

9, the day it is said to have occurred, Mr. Israelite called Mr. Berman.''

''Are you guys behind this business of the states hiring their own lawyers in the Microsoft case?'' Mr. Israelite asked Mr. Berman in the predawn conversation, according to the notes. ''Tell your clients we wouldn't be too happy about that.''

''. . .According to people who were later briefed on the conversation by an AOL executive, Mr. Israelite then complained that AOL, a leading Microsoft rival, had been trying to ''radicalize'' the states to oppose a settlement.'' (A copy of the article from The New York Times of November 2, 2001, is Attachment 8 to the Dautch Declaration.)9

Given the impact of the RPFJ on an important sector of the economy and the over-riding importance of maintaining public confidence in the integrity of both public officials and the judicial process, it would be reasonable to inquire of both Messrs. Israelite and Berman either at a hearing before the Court or at a deposition whether any conversation such as that set forth in the article published on November 2, 2001, by The New York Times ever occurred. The conversation, if it occurred, was not privileged. Because Mr. Israelite is recused from taking official action with respect to Microsoft, the inquiry would also not require any intrusion into the reasons for any of his authorized official actions. If the conversation occurred at the request of Microsoft, this Court and

9 In addition to the Microsoft stonewall, the Justice Department is apparently stonewalling the ranking minority member of the House Judiciary Committee, Rep. John Conyers, Jr., concerning the reported Israelite-Berman predawn conversation. On Nov. 6, 2001, Rep. Conyers wrote a letter to the Attorney General inquiring about the alleged conversation. (A copy of a press release containing the text of the letter from Rep. Conyers is Attachment 44 to the Dautch Dec.) As far as can be determined, no response had been received by Rep. Conyers from the Attorney General as of January 22, 2002.

the public have a statutory right to know that fact. B. THE TUNNEY ACT WAS INTENDED TO PREVENT AN ABUSE OF POWER IN THE CURRENT SITUATION

1. The Lawful $200,000 ITT Pledge Related To One Of The Impeachable Abuses Of Power In The Early 1970's Was Equivalent To About $650,000 In 2001 Dollars Which Amount Is Vastly Exceeded By Over $23 Million Microsoft Has Lawfully Spent On Federal Campaign Contributions and Lobbying Since 1997

a. The ITT Litigation and the Kleindienst Nomination

In 1969, the United States filed three civil antitrust actions against the International Telephone and Telegraph Corporation (''ITT'') challenging the acquisition by ITT of three corporations (Canteen Corporation, Hartford Fire Insurance Company, and Grinnell Corporation).

Statement Of Information, Hearings Before The Committee On The Judiciary House Of Representatives, Ninety-Third Congress, Second Session, Pursuant To H. Res. 803, Book V, Part I, Department Of Justice ITT Litigation—Richard Kleindienst Nomination Hearings (''Statement Of Information'' or ''OI''), pages 3–4. (A copy of the basic statement of facts in the Statement Of Information is attached as Attachment 45 to the Dautch Declaration.)

Attorney General John Mitchell was recused because his former law firm had represented an ITT subsidiary; Deputy Attorney General Richard Kleindienst acted as Attorney General in connection with the litigation and sought and received approval from Counsel to the President John

Ehrlichman before filing the first civil action. SO1, p. 3.

On December 31, 1970, ITT won a judgment in the Grinnell case after a trial. SOI, p. 13.

From April to June, 1971, a substantial amount of political pressure was applied by the President and his assistants to Deputy Attorney General Kleindienst and Assistant Attorney General in charge of the Antitrust Division Richard McLaren to convince them to forego an appeal and settle the ITT cases. SOI, pp. 17–31.

On July 21, 1971, ITT-Sheraton pledged up to $200,000 to bring the 1972 Republican National Convention to San Diego, California. SOI, p. 32. There is no suggestion that this contribution by itself was illegal.

On July 31, 1971, a settlement of the ITT litigation was announced. SOI, p. 34.

On February 15, 1972, the President nominated Richard Kleindienst to be Attorney General. SOI, p. 36.

On February 29, March 1 and March 3, 1972, three columns by columnist Jack Anderson were published alleging a connection between the ITT-Sheraton pledge and the ITT antitrust settlement and alleging the involvement of Messrs. Mitchell and Kleindienst. SOI, p. 39. (Copies of the Anderson columns and a memorandum allegedly written by an ITT lobbyist, Ms. Dita Beard, all of which were included in the evidentiary material supporting the Statement Of Information are attached as Attachment 46 to the Dautch Declaration.) As a result of publication of the first two Anderson columns, Mr. Kleindienst asked that his confirmation hearings be re-opened. SOI, p. 39.

At the hearings in 1972 on his nomination to be Attorney General, Mr. Kleindienst denied talking to all the President's men other than casually about the ITT matter and also denied receiving any suggestions from them about the action the Justice Department should take in the ITT cases. SOI, p. 42.

On June 12, 1972, Richard Kleindienst became Attorney General. SOI, p. 61.

On May 16, 1974, Richard Kleindienst pleaded guilty to one count of refusing or failing fully to respond to questions propounded to him by the Senate Committee on the Judiciary during the hearings in 1972 on his nomination to be Attorney General. SOI, p. 66.

On August 9, 1974, the President resigned.

b. The Impeachment Resolution

The second Article of Impeachment (adopted by a vote of 28–10 in the House Judiciary Committee on July 27, 1974) charged the President with using the powers of his office in violation of his constitutional oath, disregarding his constitutional duty to take care that the laws be faithfully executed, and repeatedly engaging in five (5) types of conduct violating the constitutional rights of citizens, impairing the due and proper administration of justice and the conduct of lawful inquiries, or contravening the laws governing agencies of the executive branch and the purpose of those agencies.

The specification of the fourth type of allegedly improper conduct stated in full with respect to the President that (emphasis added):

''He has failed to take care that the laws were faithfully executed by failing to act when he knew or had reason to know that his close subordinates endeavoured to impede and frustrate lawful inquiries by duly constituted executive, judicial and legislative entities concerning the unlawful entry into the headquarters of the Democratic National Committee, and the cover-up thereof, and concerning other unlawful activities including those relating to the confirmation of Richard Kleindienst as Attorney General of the United States, the electronic surveillance of private citizens, the break-in into the offices of Dr. Lewis Fielding, and the campaign financing practices of the Committee to Re-elect the President.''

House Report 93–1305, August 20, 1974, pp. 139–183.

(the Tunney Act), Senator Tunney said:

''The genesis of this legislation came during the hearings held by the Senate Judiciary Committee on the nomination of Richard Kleindienst, the hearings which quickly became known as the ITT hearings, because the major issue involved allegations that a massive behind-closed-doors campaign resulted in halting the Justice Department's prosecution of the ITT case and its hasty settlement favorable to the company. During these hearings, I became concerned with the apparent weaknesses of the consent decree process, which could allow this kind of corporate pressures to be exercised.'' Cong. Rec. Senate, December 9, 1974, page 38585.

c. Since 1997 Microsoft Has Spent Over $23 Million On Federal

Lobbying And Campaign Contributions

As mentioned above, since 1997, Microsoft has spent in excess of $23,000,000 on federal campaign contributions and lobbying with substantial effort devoted to lobbying concerning the captioned civil actions. The ITT pledge of $200,000 in 1971 is the equivalent of about $650,000 in 2001 dollars. Dautch Dec., ¶ 43.

There is no suggestion that any of Microsoft's expenditures by themselves are illegal.

In the instant matter, the Justice Department won at trial and on appeal. The Department has agreed to what some have characterized as a ''sweetheart'' settlement negotiated behind closed doors by a lobbyist for Microsoft which, so far, has not revealed information the Tunney Act (and this Court's order) require it to reveal.

2. The Tunney Act Was Intended To Protect The Consuming Public From The Type Of Forces At Work Today In Connection With The RPFJ

The point is not that an unfortunate chapter in our nation's history has repeated itself or might repeat itself precisely but rather that the same type of economic forces at work in connection with the ITT litigation are at work today. In the United States, the presence of strong economic forces tends to bring about the involvement of political forces.

In 2001 dollars, the amount ITT pledged to buy influence and access in 1971 is greatly exceeded by the amount spent by Microsoft in the last few years on lobbying and campaign contributions. The impact ITT had on the 1971 economy while substantial pales in comparison to the impact Microsoft and its products have on the 2002 economy. The forces at work today may be stronger than those in play thirty years ago.

The problem was aptly summarized in the following quotations (by Senator Tunney during Senate debate) from testimony before the Senate Judiciary Committee by United States Circuit Judge J. Skelly Wright, Chief Judge of the United States Court of Appeals for the District of Columbia Circuit:

''By definition, antitrust violators wield great influence and economic power. They often bring significant pressure to bear on government, and even on the courts, in connection with the handling of consent decrees. The public is properly concerned whether such pressure results in settlements which might shortchange the public interest . . . Because of the powerful influence of antitrust defendants and the complexity and importance of antitrust litigation, the public reasonably asks in many instances whether in reaching a settlement, the government gave up more than it need have or should have. Some response to this public concern is desirable, in my opinion, not only to ensure that the compromise struck by the Justice Department is fair from the public's point of view, but also to alleviate fears which, even if unfounded, are unhealthy in and of themselves.''

Cong. Rec. Senate, July 18, 1973, pp. 24597–24598.

C. ON THE PRESENT RECORD THE UNITED STATES WILL NOT BE ABLE TO COMPLY WITH THE COURT ORDER OF NOVEMBER 8, 2001, REQUIRING CERTIFICATION BY THE UNITED STATES OF COMPLIANCE WITH TUNNEY ACT PROCEDURES

On November 8, 2001, this Court ordered the United States to file, when appropriate, a certification of compliance with the Antitrust Procedures and Penalties Act (Tunney Act). Given the apparent failure of Microsoft to comply with the Tunney Act and the United States'' knowledge of this apparent compliance failure, it would appear to be difficult, if not impossible, for the United States to provide the required certification in good faith. This difficulty provides another reason for the Court to order compliance by Microsoft with the terms of 15 U.S.C. § 16(g).

D. THE COURT SHOULD AGAIN ORDER FULL DISCLOSURE, ALLOW FULL DISCOVERY OF THE NECESSARY FACTS, AND EXTEND THE TIME FOR COMMENTS OR TERMINATE CONSIDERATION OF THE RPFJ

Even if Microsoft chooses to amend the Microsoft Description in an attempt to comply with a second court order (after defying the first court order) with respect to 15 U.S.C. § 16(g), the Court should consider allowing limited discovery by Relpromax Antitrust Inc., as an amicus curiae, into the communications revealed and into the issue of whether all communications were in fact revealed in order to avoid the prospect that Microsoft's initial reticence infects a disclosure which purports to be in accord with the terms of a second disclosure order.

Alternatively, in the interests of judicial economy, the Court may terminate all

consideration of the RPFJ at this time and deny entry of the RPFJ on the grounds that the Court has not been provided with the information the statute requires the defendant to provide as a condition precedent to approval of a consent judgment in these circumstances.

E. IF THE COURT DOES NOT ORDER FULL DISCLOSURE NOW, ENTRY OF THE RPFJ COULD BE REVERSED ON APPEAL FOR THAT REASON ALONE; HOWEVER, IF THE COURT ORDERS ADDITIONAL DISCLOSURE AND THEN ENTERS THE RPFJ, THERE WOULD BE A LOWER POSSIBILITY OF REVERSAL DUE TO DEFENDANT'S FAILURE TO COMPLY WITH THE DISCLOSURE PROVISIONS OF THE TUNNEY ACT

Given the procedural history of this case (i.e., Judges Sporkin and Jackson were removed from this case or its predecessors by the Court of Appeals), it would indeed be unfortunate if the Court were to allow Microsoft to withhold information to which the public has a statutory right, determine that entry of the RPFJ is in the public interest, and then be reversed on appeal due to the failure of Microsoft to comply with 15 U.S.C. § 16(g) (necessitating re-commencement of the Tunney Act procedures with respect to the current RPFJ several years from now). Alternatively, if the Court were to order full compliance with the Tunney Act now, the delay would be minimal (on the order of sixty (60) days) and (assuming Microsoft made a true and complete disclosure) any decision to enter the RPFJ could not be reversed due to Microsoft's failure to comply with its disclosure obligations under the Tunney Act.

F. RELPROMAX AS THE ONLY PARTY OR PROPOSED AMICUS CURIAE WITH AN EXPRESSED INTEREST IN OBTAINING A FULL DISCLOSURE FROM MICROSOFT SHOULD BE GRANTED THE RIGHT TO LIMITED PARTICIPATION AS AN AMICUS CURIAE IN THE TUNNEY ACT PROCEEDINGS

Clearly, Microsoft, the United States, and the Settling States have little or no interest in inquiring into the communications Microsoft should have disclosed pursuant to 15 U.S.C. § 16(g) or into the adequacy of the Microsoft Description. Their only interest (explicitly expressed so far) is in obtaining Court approval of the RPFJ as fast as possible. In particular, the United States Department of Justice presumably already has knowledge, at a minimum, of certain undisclosed communications made to the Justice Department by Microsoft lobbyist Charles F. Rule from on or before October 1,2001, through November 6, 2001.

The Litigating States10 (the governments which did not settle in Civil Action No. 98–1233) are not parties to Civil Action No. 98–1232. While they and their citizens of course have Tunney Act rights, the Litigating States have, so far, expressed little interest on the record of Civil Action No. 98–1232 in obtaining for their citizens'' consideration during the comment period the information from Microsoft to which the public is entitled under the Tunney Act.

Given his responsibility for the Antitrust Division and his signature on the Stipulation filed with the RPFJ on November 6, 2001, the Assistant Attorney General in charge of the Antitrust Division knew, or in the exercise of reasonable care should have known, that lobbyist Rule was one of Microsoft's principal representatives during the negotiations which led to the RPFJ and was not, at the time, counsel of record for Microsoft. As far as can be determined from the public court record of this case, the United States has not exerted itself in any way to obtain a proper disclosure from Microsoft or to encourage Microsoft to amend the Microsoft Description.

The attitude of the Justice Department has changed under the leadership of Attorney General John Ashcroft.[11] The Department's attitude toward this civil action was perhaps best expressed by Assistant Attorney General James at the December 12,2001, Senate Judiciary Committee hearing.

Due to a roll call vote, Mr. James was given just a few moments for his opening remarks of the day.

The Litigating States are the District of Columbia, California, Connecticut, Florida, Iowa, Kansas, Massachusetts, Minnesota, Utah, and West Virginia.

The first point he chose to make was ''some argue that the case never should have been filed.'' [12]

Another reason for the statutory requirement of fifty (50) days to consider the defendant's communications is that the significance of any individual communication in light of the RPFJ may only be apparent to one person or a few persons. The consideration time allows interested persons either to consult with others or experts or to conduct additional informal or (with the Court's approval) formal inquiries into the facts in order to be able to advise both the United States and the Court of the full implications of the disclosures in light of the RPFJ. Given the carefully crafted statutory arrangement, the Congress realized that the Court on its own can not be expected either to uncover or understand all the implications of Microsoft's communications for the RPFJ without the assistance of persons at least interested enough in the RPFJ, the nule of law, and/or the avoidance of another impeachment inquiry due to, inter alia, an abuse of the antitrust settlement power to devote their time to the public interest in this matter.

Given that Relpromax is an interested person and, in particular, interested in obtaining the information to which it has a statutory right pursuant to 15 U.S.C. § 16(g), it would be appropriate and in the public interest for the Court to enter an order, pursuant to 15 U.S.C. § 16(f)(3), in the form submitted herewith authorizing limited participation by Relpromax in proceedings before the court.

The Court has extended itself to make all of Microsoft's communications available to the entire nation by instituting electronic filing for the captioned civil actions. This means that anyone anywhere with Internet access and a PACER (''Public Access to Court Electronic Records'') account is able to read Microsoft's Description of its communications concerning and relevant to the RPFJ without having to travel all the way from one end of the country to the courthouse.

The full preliminary transcript is attached as Attachment 49 to the Dautch Dec. The remarks referred to appear on page 10.

It is now time for Microsoft to comply with the statute.

In Senate debate which preceded adoption of the Tunney Act, Sen. John Tunney quoted the words of Supreme Court Justice Louis Brandeis to sum up the meaning and purpose of the Act: ''Sunlight is the best disinfectant.'' [13]

REQUEST FOR ORAL HEARING

The Court may order an oral hearing on this motion pursuant to 15 U.S.C. § 16(0(5) which provides in full that:

''In making its determination under subsection (e) of this section, the court may— . . (5) take such other action in the public interest as the court may deem appropriate.'' It is in the public interest that the proper statutorily required disclosure be made. It is further in the public interest that the public be allowed their statutory right to consider the full ramifications of the RPFJ for fifty (50) days after a true and complete disclosure by Microsoft of all non-exempt communications with officers or employees of the United States concerning or relevant to the RPFJ.

Accordingly, pursuant to 15 USC sec. 16(f)(5), movant requests an oral hearing on this motion at the Court's earliest convenience.

Respectfully submitted

January 24, 2002

Peter Peckarsky (DC Bar No. 266171)
1615 L Street, NW, Suite 850
Washington, DC 20036
Telephone: (202) 785–0100
Telecopier: (202) 408–5200
Attorney for Relpromax Antitrust Inc.

13 Cong. Rec. Senate, July 18, 1973, p. 24599.

EXHIBIT LIST

Exhibit A Declaration of Brian Dautch dated January 23, 2002

Exhibit B Order docketed September 28, 2001

Exhibit C Stipulation dated November 6, 2001

Exhibit D Order dated November 8, 2001

Exhibit E Notice Of Entry Of Appearance for Charles F. Rule dated November 15, 2001

Exhibit F Defendant Microsoft Corporation's Description Of Written Or Oral Communications Concerning The Revised Proposed Final Judgment And Certification Of Compliance Under 15 U.S.C. ¶ 16(g) dated December 10, 2001

Exhibit G Appearance of Douglas Lee Davis dated December 12, 2001

Exhibit H Appearance of Steven R. Kuney dated November 1,2001

[11] David Israelite, Mr. Ashcroft's Deputy Chief of Staff, reportedly owns 100 shares of Microsoft stock worth about $6,610 at the close of trading on January 18, 2002. Dautch Dec., 44 and Attachment 8. David Israelite recused himself from any involvement in the antitrust suit against Microsoft. The President's campaign, his Inaugural fund, Attorney General Ashcroft, and his various campaign committees received about $180,000 in contributions from Microsoft and its employees in 1999 and 2000. Dautch Dec., ¶ 2 and Attachment 1. Mr. Ashcroft has not recused himself from any involvement in the antitrust suit against Microsoft.

Exhibit I Appearance of Brendan V. Sullivan, Jr. dated November 1, 2001

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

CIVIL ACTION NO. 98–1232 (CKK)

Plaintiff, V. MICROSOFT CORPORATION, Defendant.

STATE OF NEW YORK ex rel.

Attorney General ELIOT SPITZER, et al.,

Plaintiffs, v. MICROSOFT CORPORATION, Defendant.

CIVIL ACTION NO. 98–1233 (CKK)

Next Court Deadline:

March 4, 2002

Pre-hearing Conference

DECLARATION OF BRIAN DAUTCH

1. My name is Brian Dautch. I am a law clerk for Peter Peckarsky, Esq. I have personal knowledge of the facts testified to below and if called as a witness could testify to those facts.

2. Attached hereto as Attachment 1 is a copy of an article dated September 6, 2001 and titled ''Microsoft Antitrust Case: An Update on the Company's Lobbying and Campaign Contributions'' and related information which was downloaded from the website (www.opensecrets.org) of The Center For Responsive Politics (''CRP''). The chart on page 2 of Attachment 1 shows that Microsoft an its employees contributed about $6.8 million to national political parties and federal candidates from 1997 through July 31,2001. The chart on page 3 of Attachment 1 shows that Microsoft spent about $17.1 million on federal lobbying from 1997 through December 31, 2000. The CRP reported it had found $161,250 in contributions from Microsoft or its employees to the Bush campaign or the Bush-Cheney Inaugural Fund. The CRP also reported it had found $19,250 in contributions in 1999 and 2000 to the campaign of Attorney General Ashcroft and to the Ashcroft Victory Committee. The listings and dates for $19,000 of these contributions are shown in Attachment 1 hereto.

3. Attached hereto as Attachment 2 is a copy of a copy of the mission statement of the Center For Responsive Politics which was downloaded from the website (www.opensecrets.org) of The Center For Responsive Politics.

4. Attached hereto as Attachment 3 is a copy of the unsworn Statement of Charles F. (Rick) Rule, presented on December 12,2001, to the Senate Judiciary Committee. Attached hereto as Attachment 4 is a copy of a Lobbying Registration for registrant Covington & Burling dated June 29, 1998. Attached hereto as Attachment 7 is a copy of Charles F. ''Rick'' Rule's resume, which I obtained from the website of Fried, Frank, Harris, Shriver, and Jacobson (www.friedfrank.com).

5. Attached hereto as Attachment 5 is a copy of an item from the front page of the A section of The Wall Street Journal, dated November 16, 2001.

6. Attached hereto as Attachment 6 is a copy of the preliminary transcript of the December 12,2001 Senate Judiciary Committee hearing concerning the proposed settlement of the Microsoft antitrust case.

7. Attached hereto as Attachment 8 is a copy of an article titled ''States Biding for Time to Study Microsoft Settlement Plan'' by Stephen Labaton which appeared in The New York Times, November 2, 2001, on pages C1 and C4.

8. Attached hereto as Attachment 9 is a copy of Form LD–2 dated August 5, 1999, in which Barbour, Griffith, and Rogers (''BGR'') reported that during the first half of 1999, it received $300,000 from Microsoft for lobbying.

9. Attached hereto as Attachment 10 is a copy of Form LD–2 dated February 13, 2000, in which BGR reported that during the last half of 1999, it received $320,000 from Microsoft for lobbying.

10. Attached hereto as Attachment 11 is a copy of Form LD–2 dated August 12, 2000, in which BGR reported that during the first half of 2000, it received $300,000 from Microsoft for lobbying.

11. Attached hereto as Attachment 12 is a copy of Form LD–2 dated February 14, 200 I, in which BGR reported that during the last half of 2000, it received $240,000 from Microsoft for lobbying.

12. Attached hereto as Attachment 13 is a copy of Form LD–2 dated August 14, 2001, in which BGR reported that during the first half of 2001, it received $220,000 from Microsoft for lobbying.

13. Attached hereto as Attachment 14 is a copy of Form LD–2 dated February 6, 1998, in which Clark and Weinstock (''CW'') reported that during the last half of 1997, it received $80,000 from Microsoft for lobbying.

14. Attached hereto as Attachment 15 is a copy of Form LD–2 dated August 4, 1998, in which CW reported that during the first half of 1998, it received $160,000 from Microsoft for lobbying.

15. Attached hereto as Attachment 16 is a copy of Form LD–2 dated February 11, 1999, in which CW reported that during the last half of 1998, it received $220,000 from Microsoft for lobbying.

16. Attached hereto as Attachment 17 is a copy of Form LD–2 dated August 9, 1999, in which CW reported that during the first half of 1999, it received $220,000 from Microsoft for lobbying.

17. Attached hereto as Attachment 18 is a copy of Form LD–2 dated August 11, 2000, in which CW reported that during the first half of 2000, it received $280,000 from Microsoft for lobbying.

18. Attached hereto as Attachment 19 is a copy of Form LD-2 dated February 9, 2001, in which CW reported that during the last half of 2000, it received $280,000 from Microsoft for lobbying.

19. Attached hereto as Attachment 20 is a copy of Form LD-2 dated August 9, 2001, in which CW reported that during the first half of 2001, it received $240,000 from Microsoft for lobbying.

20. Attached hereto as Attachment 21 is a copy of Form LD-2 dated August 4, 1998, in which Covington & Burling (''CB'') reported that during the first half of 1998, it received $40,000 from Microsoft for lobbying.

21. Attached hereto as Attachment 22 is a copy of Form LD-2 dated February 4, 1999, in which CB reported that during the last half of 1998, it received $60,000 from Microsoft for lobbying.

22. Attached hereto as Attachment 23 is a copy of Form LD-2 dated August 10, 1999, in which CB reported that during the first half of 1999, it received $40,000 from Microsoft for lobbying.

23. Attached hereto as Attachment 24 is a copy of Form LD-2 dated February 13, 1998, in which Downey Chandler, Inc. (''DCI'') reported that during the last half of 1997, it received $60,000 from Microsoft for lobbying.

24. Attached hereto as Attachment 25 is a copy of Form LD-2 dated August 7, 1998, in which DCI reported that during the first half Of 1998, it received $80,000 from Microsoft for lobbying.

25. Attached hereto as Attachment 26 is a copy of Form LD-2 dated February 16, 1999, in which DCI reported that during the last half of 1998, it received $60,000 from Microsoft for lobbying.

26. Attached hereto as Attachment 27 is a copy of Form LD-2 dated July 30, 1999, in which DCI reported that during the first half of 1999, it received $80,000 from Microsoft for lobbying.

27. Attached hereto as Attachment 28 is a copy of Form LD-2 dated February 14, 2000, in which DCI (now called Downey McGrath Group, Inc., or ''DMG''), reported that during the last half of 1999, it received $100,000 from Microsoft for lobbying.''

28. Attached hereto as Attachment 29 is a copy of Form LD-2 dated August 11, 2000, in which DMG reported that during the first half of 2000, it received $80,000 from Microsoft for lobbying.

29. Attached hereto as Attachment 30 is a copy of Form LD-2 dated February 14, 2001, in which DMG reported that during the last half of 2000, it received $40,000 from Microsoft for lobbying.

30. Attached hereto as Attachment 31 is a copy of Form LD-2 dated August 14, 2001, in which DMG reported that during the first half of 2001, it received $60,000 from Microsoft for lobbying.

31. Attached hereto as Attachment 32 is a copy of Form LD-2 dated August 14, 2000, in which Lackman & Associates, L.L.C., (''L&A'') reported that up to June 30, 2000, it received $17,500 from Microsoft for lobbying.

32. Attached hereto as Attachment 33 is a copy of Form LD-2 dated January 21, 2000, in which McSlarrow & Associates, L.L.C. (''MA'') reported that during the last half of 1999, it received $40,000 from Microsoft for lobbying.

33. Attached hereto as Attachment 34 is a copy of Form LD-2 dated August 10, 2000, in which MA (now known as McSlarrow Consulting, L.L.C., or ''MC'') reported that during the first half of 2000, it received $40,000 from Microsoft for lobbying.

34. Attached hereto as Attachment 35 is a copy of Form LD-2 dated February 2, 2001, in which MC reported that during the last half of 2000, it received $60,000 from Microsoft for lobbying.

35. Attached hereto as Attachment 36 is a copy of Form LD-2 dated August 12, 2001, in which MC reported that during the first half of 2001, it received $60,000 from Microsoft for lobbying.

36. Attached hereto as Attachment 37 is a copy of Form LD-2 dated August 11, 2000, in which Microsoft reported that during the first half of 2000, it spent $3,340,000 for lobbying.

37. Attached hereto as Attachment 38 is a copy of Form LD-2 dated February 17, 1998, in which Preston, Gates, Ellis, & Rouvelas Meeds, L.L.P. (''PGERM'') reported that during the last half of 1997, it received $220,000 from Microsoft for lobbying.

38. Attached hereto as Attachment 39 is a copy of Form LD-2 dated August 14, 1998, in which PGERM reported that during the first half of 1998, it received $360,000 from Microsoft for lobbying.

39. Attached hereto as Attachment 40 is a copy of Form LD-2 dated February 14, 2000, in which PGERM reported that during the last half of 1999, it received $200,000 from Microsoft for lobbying.

40. Attached hereto as Attachment 41 is a copy of Form LD-2 dated August 14, 2000 in which PGERM reported that during the first half of 2000, it received $220,000 from Microsoft for lobbying.

41. Attached hereto as Attachment 42 is a copy of Form LD-2 dated February 14,2001, in which PGERM reported that during the last half of 2000, it received $260,000 from Microsoft for lobbying.

42. Attached hereto as Attachment 43 is a copy of Form LD-2 dated August 14, 2001, in which PGERM reported that during the first half of 2001, it received $120,000 from Microsoft for lobbying.

43. On January 14, 2001, I called the Bureau of Labor Statistics to inquire about changes in the Consumer Price Index. The BLS advised me that a Consumer Price Index of 100 on January 1, 1972 would equate to a CPI of 326 on January 1, 2001.

44. According to the Wall Street Journal of January 21,2002, p. C8, the closing price of Microsoft common stock on January 18, 2002 was $66.10 per share.

45. Attached hereto as Attachment 44 is a copy of a press release dated November 6, 2001, from Congressman John Conyers, Jr., which appears to contain the text of a letter dated November 6, 2001, from Rep. Conyers to The Honorable John Ashcroft, Attorney General of the United States.

46. Attached hereto as Attachment 45 is a copy of the basic statement of facts in the Statement Of Information, Hearings Before The Committee On The Judiciary House Of Representatives, Ninety-Third Congress, Second Session, Pursuant To H. Res. 803, Book V, Part I, Department Of Justice ITT Litigation—Richard Kleindienst Nomination Hearings.

47. Attached hereto as Attachment 46 are copies of pages 614–615, 634–636 from the Supporting Evidence in Statement Of Information, Hearings Before The Committee On The Judiciary House Of Representatives, Ninety-Third Congress, Second Session, Pursuant To H. Res. 803, Book V, Part II, Department Of Justice ITT Litigation—Richard

Nomination Hearings. A two (2) page memorandum dated June 25, 1971, from D. D. Beard to W. R. Merriam is on pages 614–615. Columns by Jack Anderson dated February 29, 1972, March 1, 1972, and March 3, 1972, appear on pages 634–636, respectively.

I declare under'' penalty of perjury that the foregoing is true and correct, executed in Washington, DC, on January 23, 2002.

Brian Dautch

ATTACHMENT 1

TO THE

DECLARATION OF BRIAN DAUTCH

News Alert 9/6/01: Microsoft

The Who's Who's Get News and NOME √ DONATE

Basics Giving Getting Local! Issues SEARCH

Tracking the Payback √ Issue Profiles

Alerts √ Press Releases

Newsletter √ Publications

Online I

Publications for Sale MONEY I POLITICS A; Sept. 6, 20 Vol. 6, No.

Alerts: Current Congress, Alert List Signup, Alerts: 106th Congress, Alerts: 105th Congress Alerts: 104th Congress Holly Bail 202–857-202–857

Microsoft Antitrust Case: An Update on the Company's Lobbying and Campaign Contributions After more than three years of investigations, litigation and intensive lobbying, the Justice Department today announced it Prepared would no longer seek a break-up of the computer giant Microsoft, ending one aspect of a landmark case that sent the company's campaign contributions soaring and formally introduced the computer industry to Washington politics.

FORMAT TO PRINT

E-MAIL TO A FRIEND

The decision by the Bush administration to vacate the lawsuit that was first initiated in 1998 by the Clinton Justice Department is considered a major victory for Microsoft, which nearly tripled its campaign contributions and more than doubled its lobbying expenditures during its fight against the antitrust case.

THE CENTER FOR RESPONSIVE POLITICS

During the 1999–2000 election cycle, Microsoft contributed more than $4.7 million in soft money, PAC and individual contributions to federal candidates and parties—almost three times what the company contributed during the previous three election cycles combined. More than half that money went to Republicans.

The Bush campaign reported $61,250 in contributions from Microsoft employees during 1999–2000. Attorney General John Ashcroft, a former U.S. Senator from Missouri, reported just $9,250 in contributions from Microsoft during the last elections, though the company did contribute $10,000 to the Ashcroft Victory Committee, a soft money account run jointly by the Ashcroft campaign and the National Republican Senatorial Committee.

But that's not all the money that Microsoft has thrown around Washington in recent years. During the calendar year 2000 alone, Microsoft spent almost $6.4 million to lobby Congress and the Clinton administration, according to reports filed with the U.S. Senate. That's a significant increase over the $4.9 million in lobbying expenditures the company reported in 1999. And Microsoft also was a major contributor to the Bush-Cheney Inaugural Fund, donating $100,000 to the gala last January.

Just months into the 2001–02 election cycle, Microsoft already ranks as a significant contributor, giving just over $700,000 to federal parties and candidates, split almost evenly between the two major parties. (This includes contributions reported to the FEC through the end of July.)

However, the lawsuit's most significant impact on campaign finance extends beyond Microsoft itself. The antitrust lawsuit proved to be a major turning point in the tech industry's involvement in Washington politics.

News Alert 9/6/01: Microsoft Page 2 of 2

Shortly after the Justice Department launched its lawsuit, Microsoft became one of the first computer companies to open lobbying offices in Washington and was one of the first to contribute major soft money dollars to the political parties. By the year 2000, computers and Internet companies ranked No. 7 on the list of the biggest industry givers on the federal level, contributing more than $39.7 million. Since 1997, Microsoft has been the industry's biggest contributor.

Click here for a look at Microsoft's contributions to:

Members of the House in 1999–2000
Members of the House in 2001
Members of the Senate in 1995–00
Members of the Senate in 2001

And click here for the company's lobbying expenditures dating back to 1997.

Microsoft Soft Money, PAC & Individual Contributions to Federal Parties and Candidates, 1993–2001* ??

*Based on FEC data downloaded 9/1/01. The totals for the 2002 election cycle ''including fund-raising numbers reported to the FEC through July 31,2001.

Microsoft Antitrust Case

MICROSOFT LOBBYING EXPENDITURES, 1997–00*

Calendar year	Lobby total
1997 $2,120,000.	
1998 $3,740,000.	
1999 $4,860,000.	
2000 $6,360,000.	

*Based on filings with the US Senate.

CONTRIBUTIONS TO THE SENATE, 2001*

Name	Total
Wayne Allard (R-Colo)	$1,500
Max Baucus (D-Mont)	1,000
Evan Bayh (D-Ind)	2,000
Robert F. Bennett (R-Utah)	1,000
Joseph R. Biden Jr (D-Del)	1,000
Maria Cantwell (D-Wash)	35,250
Jean Carnahan (D-Mo)	1,000
Max Cleland (D-Ga)	1,000
Hillary Rodham Clinton (D-NY)	1,000
Thad Cochran (R-Miss)	3,000
Susan Collins (R-Me)	2,000
Larry E. Craig (R-Idaho)	2,000
Pete V. Doreen c (R-NM)	2,000
Byron L. Dorgan (D-ND)	1.000
Richard J. Durbin (D-Ill)	1,000

CONTRIBUTIONS TO THE SENATE, 2001*—Continued

Name	Total
Michael B. Enzi (R-Wyo)	1,000
Phil Gramm (R-Texas)	1,000
Charles E. Grassley (R-Iowa)	1,000
Chuck Hagel (R-Neb)	2,000
Tom Harkin (D-Iowa)	1,000
Tim Hutchinson (R-Ark)	4,000
James M. Inhofe (R-Okla)	1,000
Daniel K. Inouye (D-Hawaii)	500
Tim Johnson (D-SD)	2,000
Mary L. Landrieu (D-La)	3,500
Patrick J. Leahy (D-Vt)	250
Carl Levin (D-Mich)	3,000
Blanche Lambert Lincoln (D-Ark)	1,000
Mitch McConnell (R-Ky)	9,750
Patty Murray (D-Wash) (	3,000)
Jack Reed (D-Rl)	1,000
Pat Roberts (R-Kan)	1,000
John D. Rockefeller IV (D-WVa)	1,000
Jeff Sessions (R-Ala)	3,000
Gordon Smith (R-Ore)	4,000
Robert C. Smith (R-NH)	1,000
Deborah Ann Stabenow (D-Mic??)	1,000
Ted Stevens (R-Alaska)	6,000

*Based on FEC data downloaded 9/1/01.

CONTRIBUTIONS TO THE SENATE, 1995–00.

Name	Total
Patty Murray (D-Wash) $48,236.	
John McCain (R-Ariz)	47,449
Maria Cantwell (D-Wash)	25,350
Conrad Burns (R-Mont)	20,250
Edward M. Kennedy (D-Mass)	15,000
Bill Frist (R-Tenn)	12,500
Dianne Feinstein (D-Calif)	12,000
Jon L. Kyl (R-Ariz)	2,000
Jeff Bingaman (D-NM)	12,000
Rick Santorum (R-Pa)	11,000
Joseph I. Lieberman (D-Corm□	10,500
John Ensign (R-Nev)	10,000
Mike OeWine (R-Ohio)	10,000
Max Baucus (O-Mont)	10,000
Olympia J. Snowe (R-Maine)	10,000
Deborah Ann Stabenow (D-Mich)	8,250
Patrick J. Leahy (D-Vt)	7,150
Ron Wyden (D-Ore)	6,000
Ernest F. Hollings (D-SC)	6,000
Trent Lott (R-Miss)	6,000
George Allen (R-Va)	5,500
Kent Conrad (D-ND)	5,500
Max Cleland (D-Ga)	5,250
Mary L. Landrieu (D-La)	5,000
Ben Nelson (D-Neb)	5,000
Hillary Rodham Clinton (D-NY)	5,000
Charles E. Schumer (D-NY)	5,000
Tom Daschle (D-SD)	5,000
Robert C. Smith (R-NH)	4,500
Christopher J. Dodd (D-Conn)	4,000
Kay Bailey Hutchison (R-Texas)	4,000
Phil Gramm (R-Texas)	3,800
Jack Reed (D-R??)	3,500
Michael D. Crapo (R-Idaho)	3,500
James M. Jeffords (R-Vt)	3,250
Sam Brownback (R-Kan)	3.000
Zell Miller (D-GA)	3,000
Mitch McConnell (R-KY)	3,000
Richard G. Lugar (R-Ind)	3,000

CONTRIBUTIONS TO THE SENATE, 1995–00.—Continued

Name	Total
Lincoln D. Chafee (R-R??)	3,000
Byron L. Dorgan (D-ND)	2,500
Daniel K. Akaka (D-Hawaii)	2,500
Gordon Smith (R-Ore)	2,500
Arlen Specter (R-Pa)	2,500
Tim Hutchinson (R-Ark)	2,000
Barbara Boxer (D-Calif)	2,000
Evan Bayh (D-Ind)	2,000
Chuck Hagel (R-Neb)	2,000
Ted Stevens (R-Alaska)	2,000
Richard J. Durbin (D-Ill)	2,000
Pete V. Domenici (R-NM)	2,000
John D. Rockefeller IV (D-WVa)	2,000
Jeff Sessions (R-Ala)	2,000
Charles E. Grassley (R-Iowa)	2,000
Robert F . Bennett (R-Utah)	2,000
Jim Bunning (R-Ky)	1,500
George V. Voinovich (R-Ohio)	1,500
Robert C, Byrd (D-WVa)	1,500
Blanche Lambert Lincoln (D-Ark)	1,500
Thomas R. Carper (D-Del)	1,500
John Kerry (D-Mass)	1,250
Carl Levin (D-Mich)	1,250
Bill Nelson (D-Fla)	1,000
Christopher S. Bond (R-Mo)	1,000
Fred Thompson (R-Tenn)	1.000
John B. Breaux (D-La)	1,000
Bob Graham (D-Fla)	1,000
Strom Thurmond (R-SC)	1,000
Larry E, Craig (R-Idaho)	1,000
Paul S. Sarbanes (D-Md)	1,000
Don Nickles (R-Okla)	1,000
Peter G. Fitzgerald (R-Ill)	1,000
Robert G. Torricelli (D-N))	1,000
Frank H. Murkowski (R-Alaska)	1,000
Tim Johnson (D-SD)	1,000
Wayne Allard (R-Colo)	1,000
Judd Gregg (R-NH)	1,000
Craig Thomas (R-Wyo)	1,000
Ben Nighthorse Campbell (R-Colo)	1,000

*Based on FEC data downloaded 9/1/01.

CONTRIBUTIONS TO THE HOUSE, 2001*

Name	Total*
Dick Armey (R-Texas)	$2.500
Spencer Bachus (R-Ala)	1,000
Joe L. Barton (R-Texas)	1,500
Xavier Becerra (D-Calif)	500
Ken Bentsen (D-Texas)	1,000
Howard L. Berman (D-Calif)	1,000
Michael Bilirakis (R-FIB)	1,000
Henry Bonilla (R-Texas)	1,000
Mary Bono (R-Calif)	1,000
Rick Boucher (D-Va)	1,500
Kevin Brady (R-Texas)	500
Sherrod Brown (D-Ohio)	500
Ed Bryant (R-Tenn)	1,000
Richard M. Burr (R-NC)	1.500
Steve Buyer (R-Ind)	2,500
Lois Capps (D-Calif)	1,000
Steve Chabot (R-Ohio)	1,500
Barbara Cubin (R-Wyo)	2,000
Randy ''Duke'' Cunningham (R-Calif)	1,500
Jim Davis (D-FIB)	500
Thomas M. Davis III (R-Va)	500
Diana Degette (D-Colo)	1,000

CONTRIBUTIONS TO THE HOUSE, 2001*—Continued

Name	Total*
Peter Deutsch (D-FIB)	1,000
Norm Dicks (D-Wash)	4.000
John D. Dingell (D-Mich)	1,000
Cal Dooley (D-Calif)	4,500
Jennifer Dunn (R-Wash)	2,000
Chet Edwards (D-Texas)	1,000
Robert L. Ehrlich Jr (R-Md)	1,000
Jo Ann Emerson (R-Mo)	500
Anna G. Eshoo (D-Calif)	2,000
Bob Etheridge (D-NC)	1,000
Sam Farr (D-Calif)	1,000
Mike Ferguson (R-NJ)	500
Mark Foley (R-FIB)	1,000
J. Randy Forbes (R-Va)	1,000
Harold E. Ford Jr (D-Tenn)	52,000
Vito J. Fossella (R-NY)	1,000
Martin Frost (D-Texas)	1,000
Elton Gallegly (R-Calif)	1,000
George W. Gekas (R-Pa)	500
Richard A. Gephardt (D-Mo)	5,000
Jim Gibbons (R-Nev)	500
Benjamin A. Gilman (R-NY)	1,000
Robert W. Goodlatte (R-Va)	1,000
Bart Gordon (D-Tenn)	1,000
Lindsey Graham (R-SC)	4,500
Sam Graves (R-Mo)	2,000
Mark Green (R-Wis)	1,500
Jane Harman (D-Calif)	500
Melissa A. Hart (R-Pa)	1,500
Dennis Hastert (R-Ill)	1,000
David L. Hobson (R-Ohio)	1,000
Rush D. Holt (D-NJ)	1,500
Mike Honda (D-Calif)	1,000
Arno Houghton (R-NY)	2,000
Steny H. Hoyer (D-Md)	1,000
Kenny Hulshof (R-Mo)	1,000
Jay Inslee (D-Wash)	28,500
John H. Isakson (R-Ga)	500
Sheila Jackson Lee (D-Texas)	1,000
William J. Jefferson (D-La)	1,000
Nancy L. Johnson (R-Conn)	2,000
Sam Johnson (R-Texas)	1,000
Ric Keller (R-Fla)	1,000
Mark Kennedy (R-Minn)	500
Patrick J. Kennedy (D-RI)	1,000
Jim Kolbe (R-Ariz)	1,500
Rick Larsen (D-Wash)	15,500
John B. Larson (D-Conn)	500
Sander M. Levin (D-Mich)	3,000
berry Lewis (R-Calif)	1,000
Zoe Lofgren (D-Calif)	1,000
William P. ''Bill'' Luther (D-Minn)	500
Robert T. Matsui (D-Calif)	2,000
Jim McDermott (D-Wash)	2,000
Scott Mc??nnis (R-Colo)	1,000
Gregory W. Meeks (D-NY)	1,000
George Miller (D-Calif)	1,000
Dennis Moore (D-Kan)	1,000
James P. Moran (D-Va)	1,000
Sue Myrick (R-NC)	1,000
George Nethercutt (R-Wash)	2,000
Bob Ney (R-Ohio)	2.000
Jim Nussle (R-Iowa)	1,000
Douglas A. Ose (R-Calif)	1,000
C. L. ''Butch'' Otter (R-Idaho)	1,000
Michael G. Oxley (R-Ohio)	1,500
Nancy Pelosi (D-Calif)	1,000
Charles W. ''Chip'' Pickering Jr (R-Miss)	1,000
Earl Pomeroy (D-NO)	1,000
David E. Price (D-NC)	1,000

CONTRIBUTIONS TO THE HOUSE, 2001*—Continued

Name	Total*
Deborah Pryce (R-Ohio)	1,000
Jim Ramstad (R-Minn)	500
Denny Rehberg (R-Mont)	500
Harold Rogers (R-Ky)	1,000
Mike Rogers (R-Mich)	500
Ed Royce (R-Calif)	300
Paul D. Ryan (R-Wis)	3,000
Max Sandlin (D-Texas)	500
Tom Sawyer (D-Ohio)	2,000
F. James Sensenbrenner Jr (R-Wis)	1,000
John Shadegg (R-Ariz)	1,000
John M. Shimkus (R-Ill)	1,000
Adam Smith (D-Wash)	10,500
Lamar Smith (R-Texas)	1,000
Cliff Stearns (R-Fla)	1,000
Charles W. Stenholm (D-Texas)	1,000
John E. Sununu (R-NH)	3,500
John Tanner (D-Tenn)	500
Ellen O. Tauscher (D-Calif)	2,000
W. J. ''Billy'' Tauzin (R-La)	2,500
Todd Tiahrt (R-Kan)	500
Edolphus Towns (D-NY)	2,000
Fred Upton (R-Mich)	2,000
Greg Walden (R-Ore)	1,500
J. C. Watts Jr (R-Okla)	1,000
Henry A. Waxman (D-Calif)	1,000
Anthony Weiner (D-NY)	500
Jerry Weller (R-Ill)	1,000
Edward Whitfield (R-Ky)	1,000
Heather A. Wilson (R-NM)	1,000
Frank R. Wolf (R-Va)	1,000
Don Young (R-Alaska)	1,000

*Based on FEC data downloaded 9/1/01.

CONTRIBUTIONS TO THE HOUSE, 1999–00*

Name	Total*
Jay Inslee (D-Wash)	$131,600
Brian Baird (D-Wash)	$39,900
Rick Larsen (D-Wash)	$35,600
Adam Smith (D-Wash)	$31,750
Jennifer Dunn (R-Wash)	$15,450
Cal Dooley (D-Calif)	$12,500
Robert W. Goodlatte (R-Va)	$11,750
George Nethercutt (R-Wash)	$10,000
Richard ''Doc'' Hastings (R-Wash)	$9,500
Norm Dicks (D-Wash)	$7,500
Ellen O. Tauscher (D-Calif)	$7,500
Anna G. Eshoo (D-Calif)	$7,000
Roy Blunt (R-Mo)	$7,000
Charles B. Rangel (D-NY)	$7,000
Barbara Cubin (R-Wyo)	$6,500
Robert T. Matsui (D-Calif)	$6,500
James P. Moran (D-Va)	$6,500
Steve Chabot (R-Ohio)	$6,000
Martin Frost (D-Texas)	$6,000
Dick Armey (R-Texas)	$5,000
John T. Doolittle (R-Calif)	$5,000
Tom DeLay (R-Texas)	$5,000
Richard A. Gephardt (D-Mo)	$5,000
Bart Gordon (D-Tenn)	$5,000
John Conyers Jr (D-Mich)	$5,000
Carolyn McCarthy (D-NY)	$5,000
Zoe Lofgren (D-Calif)	$5,000
Ed Bryant (R-Term)	$5,000
Thomas M. Davis Ill (R-Va)	$4,500
John D. Dingell (D-Mich)	$4,500

CONTRIBUTIONS TO THE HOUSE, 1999–00*—Continued

Name	Total*
Jim Kolbe (R-Ariz)	$4,500
Henry J. Hyde (R-Ill)	$4,000
George W. Gekas (R-Pa)	$4,000
Tim Roamer (D-Ind)	$4,000
Charies W, ''Chip'' Pickering Jr (R-Miss)	$4,000
Heather A. Wilson (R-NM)	$4,000
Bob Etheridge (D-NC)	$4,000
James E. Clyburn (D-SC)	$4,000
Howard Coble (R-NC)	$4,000
David Vitter (R-La)	$4,000
Christopher R. Cannon (R-Utah)	$3,500
Lois Capps (D-Calif)	$3,500
Harold E. Ford Jr (D-Tenn)	$3,500
Paul D. Ryan (R-Wis)	$3,500
Adam Putnam (R-Fla)	$3,500
Ed Schrock (R-VB)	$3,500
Jim McDermott (D-Wash)	$3,500
Nancy L. Johnson (R-Corm)	$3,500
Anne Northup (R-Ky)	$3,500
Jim McCrery (R-La)	$3,000
Rick Boucher (D-Va)	$3,000
Martin T. Meehan (D-Mass)	$3,000
Howard L. Berman (D-Calif)	$3,000
Ken Bentsen (D-Texas)	$3,000
William P. ''Bill'' Luther (D-Minn)	$3,000
Spencer Bachus (R-Ala)	$3,000
Mary Bono (R-Calif)	$3,000
Richard M. Burr (R-NC)	$3,000
Steve Buyer (R-ind) S3,000.	
Chris John (D-La)	$3,000
Ralph M. Hall (D-Texas)	$3,000
Mark Green (R-Wis)	$3,000
Bud Cramer (D-Ala)	$3,000
Philip M. Crane (R-Ill)	$3,000
Jim Gibbons (R-Nev)	$3,000
Randy ''Duke'' Cunningham (R-Calif)	$3.000
Diana Degette (D-Colo)	$3,000
Elton Gallegly (R-Calif)	$3,000
Vito J. Fossella (R-NY)	$3,000
Ron Kind (D-Wis)	$3,000
John Shadegg (R-Ariz)	$3,000
Edward Whitfield (R-Ky)	$3,000
Edolphus Towns (D-NY)	$3,000
Bennie Thompson (D-Miss)	$3.000
Bill Thomas (R-Calif)	$3,000
W. J. ''Billy'' Tauzin (R-La)	$3,000
John Tanner (D-Tenn)	$3,000
E. Clay Shaw Jr (R-Fla)	$3,000
Lindsey Graham (R-SC)	$2,750
F. James Sensenbrenner Jr (R-Wis)	$2,749
Xavier Becerra (D-Calif)	$2.500
Harold Rogers (R-Ky)	$2,500
Melvin Watt (D-NC)	$2.500
Jim Davis (D-Fla)	$2,500
Cliff Stearns (R-Fla)	$2,500
Darrell Issa (R-Calif)	$2,500
Mike Honda (D-Calif)	$2,500
Kenny Hulshof (R-Mo)	$2,500
Tom Sawyer (D-Oh(o)	$2,500
Porter J. Goss (R-Fla)	$2,500
Sam Farr (D-Calif)	$2,500
Melissa A. Hart (R-Pa)	$2,500
Constance A, Morella (R-Md)	$2,500
Dennis Hastert (R-Ill)	$2,500
C. W. Bill Young (R-Fla)	$2,500
Gene Green (D-Texas)	$2,000
Ric Keller (R-Fla)	$2,000
Robert Adernolt (R-Ala)	$2,000

CONTRIBUTIONS TO THE HOUSE, 1999–00*—Continued

Name	Total*
Thomas Gerard Tancredo (R-Colo)	$2,000
William J. Jefferson (D-La)	$2,000
Sheila Jackson Lee (D-Texas)	$2,000
Eddie Bernice Johnson (D-Texas)	$2,000
Felix J. Grucci Jr (R-NY)	$2,000
Mark Kennedy (R-Minn)	$2,000
Charles W. Stenholm (D-Texas)	$2,000
Steny H. Hoyer (D-Md)	$2,000
Darlene Hooley (D-Ore)	$2,000
Chet Edwards (D-Texas)	$2,000
Jane Harman (D-Calif)	$2,000
Jeff Flake (R-Ariz)	$2,000
Robin Hayes (R-NC)	$2,000
Mark Foley (R-Fla)	$2,000
Bobby L. Rush (D-Ill)	$2,000
Henry A. Waxman (D-Calif)	$2,000
Tammy Baldwin (D-Wis)	$2,000
Joe L. Barton (R-Texas)	$2,000
Dennis Moore (D-Kan)	$2,000
Gary G. Miller (R-Calif)	$2,000
Dan Miller (R-Fla)	$2,000
Richard W. P0mbo (R-Calif)	$2,000
Earl Pomeroy (D-ND)	$2,000
Michael Bilirakis (R-Fla)	$2,000
David E. Bonior (D-Mich)	$2,000
Adam Schiff (D-Calif)	$2,000
Patrick J. Kennedy (D-RI)	$2,000
J. C. Watts Jr (R-Okla)	$2,000
Ron Lewis (R-Ky)	$2,000
H. James Saxton (R-NJ)	$2,000
Bob Clement (D-Tenn)	$2,000
Sander M. Levin (D-Mich)	$2,000
Fred Upton (R-Mich)	$2,000
Steve Largent (R-Okla)	$2,000
Jim Langevin (D-R??)	$2,000
Christopher Cox (R-Calif)	$2,000
Don Young (R-Alaska)	$2,000
Douglas A. Ose (R-Calif)	$2,000
Richard E. Neal (D-Mass)	$2,000
Donald L. Sherwood (R-Pa)	$1,500
Pete Sessions (R-Texas)	$1,500
Greg Ganske (R-Iowa)	$1,500
Robert L. Ehrlich Jr (R-Md)	$1,500
Vernon J. Ehlers (R-Mich)	$1,500
John E. Sununu (R-NH)	$1,500
Jo Ann Davis (R-Va)	$1,500
Barney Frank (D-Mass)	$1.500
Ander Crenshaw (R-Fla)	$1,500
C. L. ''Butch'' Otter (R-Idaho)	$1,500
Greg Walden (R-Ore)	$1,500
Henry Brown (R-SC) 51,500.	
Michael G. Oxley (R-Ohio)	$1,SO0
Charles Bass (R-NH)	$1,500
Charlie Norwood (R-Ga)	$1,500
Rush D. Holt (D-NJ)	$1,500
Jim Ryun (R-Kan)	51.500
Amo Houghton (R-NY)	$1.500
Scott Mc??nnis (R-Colo)	$500
J. D. Hayworth (R-Ariz)	$1.500
Loretta Sanchez (D-Calif)	51,500
iron Paul (R-Texas)	51,250
Saxby Chambliss (R-Ga)	51,000
Edward J. Markey (D-Mass)	$1.000
Dan Burton (R-Ind)	$1,000
Jim Ramstad (R-Minn)	$1.000
Ken Lucas (D-Ky)	$1,000
Eric Cantor (R-Va)	$1.000
Maxine Waters (D-Calif)	$1,000
Deborah Pryce (R-Ohio)	$1,000
John Lewis (D-Ga)	$1,000

CONTRIBUTIONS TO THE HOUSE, 1999–00*—Continued

Name	Total*
Todd Akin (R-Mo)	51,000
William ''Lacy'' Clay (D-Mo)	$1,000
Jerry Lewis (R-Calif)	51,000
Iledna Ros-Lehtinen (R-Fla)	$1,000
Mark Udall (D-Colo)	$1.000
Jim Turner (D-Texas)	$1.000
Brad Carson (D-Okla)	$1,000
Roger Wicker (R-Miss)	$1,000
Thomas M. Barrett (D-Wis)	$1,000
John P. Murtha (D-Pa)	$1,000
Albert R. Wynn (D-Md)	$1,000
Mike Pence (R-Ind)	$1,000
Frank R. Wolf (R-Va)	$1,000
Jack Quinn (R-NY)	$1,000
David E. Price (D-NC)	$1,000
Leonard L. Boswell (D-Iowa)	$1,000
Henry Bonilla (R-Texas)	$1,000
Karen McCarthy (D-Mo)	$1,000
Mike Ross (D-Ark)	$1,000
Sue Myrick (R-NC)	$1,000
Bob Ney (R-Ohio)	$1,000
James A. Barcia (D-Mich)	$1,000
Marion Berry (D-Ark)	$1,000
Bill Jenkins (R-Term)	$1,000
Lamar Smith (R-Texas)	$1,000
Vic Snyder (D-Ark)	$1,000
Jo Ann Emerson (R-Mo)	$1,000
Baron P. Hill (D-Ind)	$1,000
David L. Hobson (R-Ohio)	$1,000
John M. Spratt Jr (D-SC)	$1.000
Gary A. Condit (D-Calif)	$1.000
Jack Kingston (R-Ga)	$1.000
Mike Ferguson (R-NJ)	51.000
Lincoin Diaz-Balart (R-Fla)	$1.000
Lane Evans (D-Ill)	$1,000
John M. Shimkus (R-Ill)	$1,000
Bart Stupak (D-Mich)	51,000
Nancy Pelosi (D-Calif)	$1,000
John Thune (R-SD)	51.000
Frank Pallone Jr (D-NJ)	$1,000
:Charlie Gonzalez (D-Texas)	51,000
Marge Roukema (R-NJ)	51,000
Peter Deutsch (D-Fla)	51,000
John Culberson (R-Texas)	$1,000
Lucille Roybal-Allard (D-Calif)	$1,000
David R. Obey (D-Wis)	$1,000
Brian D. Kerns (R-Ind)	$1.000
Sam Johnson (R-Texas)	$1.000
Jim Nussle (R-Iowa)	$1.000
Nathan Deal (R-GB)	$1,000
John L. Mica (R-FIB)	$500
Paul E. Gillmor (R-Ohio)	$500''
Lynn Woolsey (D-Calif)	$500
Max Sandlin (D-Texas)	$500
Wally Herger (R-Calif)	$500
Sanford D. Bishop Jr (D-Ga)	$500
Robert Wexler (D-FIB)	$500
Anthony Weiner (D-NY)	$500
John H. Isakson (R-Ga)	5500
Dave Camp (R-Mich)	5500
Benjamin L. Cardin (D-Md)	$500
Eva Clayton (D-NC)	$500
Joseph Crowley (D-NY)	$500
Brad Sherman (D-Calif)	$500
Peter T. King (R-NY)	5500
Lloyd Doggett (D-Texas)	500
David Wu (D-Ore)	5250

*Based on FEC data downloaded 9/1/01.

Results: Presidential Donors Search
75 records found in .0g seconds.

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Records I—49:
Contributor Occupation Date Amount Recipient Bush, George

EISLER, CRAIG, REDMOND, WA 98053, MICROSOFT, 7/14/1999 $2,000 W

MATHEWS, MICHELLE J, MICROSOFT CORP 7/22/1999 $2,000 Bush, George, BELLEVUE, WA 98004

PETERS, G CHRISTOPHER, MICROSOFT CORPORATION, 7/14/1999, $2,000 Bush, George W MEDINA, WA 98039

FERNANDEZ, ROLAND L MR, WOODINVILLE, WA, 98072, MICROSOFT CORPORATION/ ENGINEER, 2/29/2000, 52,000 Bush, George W.

BRESEMANN, JOHN K MR, MICROSOFT/ SOFTWARE ENGINEER, 10/12/2000, $2,000 Bush, George W, REDMOND, WA 98053

NIELSEN, TOD MR, MICROSOFT/VICE PRESIDENT, 12/27/1999, $2,000 George W. Bush, REDMOND, WA 98053

SIMONYI, CHARLES DR, MICROSOFT, 8/ 17/1999, $1,000 Bush, George W. BELLEVUE, WA 98009

SHAW, GREGORY M, MICROSOFT, 7/14/ 1999 51,000 Bush, George W. BELLEVUE, WA 98004, I

SAMPLE, WILLIAM J, MICROSOFT, 7/14/ 1999, $1,000 Bush, George, REDMOND, WA 98053

MICROSOFT DAVID, MICROSOFT, 7/14/ 1999 $1,000 Bushs' George, SEATTLE, WA 98112

KOSS, MICHAEL C, MICROSOFT, 7/14/ 1999, $1,000 W, BOTHELL, WA 98052

EMANUELS, BRIAN D, Bush, George, MERCER ISLAND, WA 98040, MICROSOFT, 8/17/1999, $1,000

BRUNTON, DEBORAH, MICROSOFT, 7/21/ 1999, 51,000 Bush, George, KIRKLAND, WA 98033

HURLBUT, CLARK K, MICROSOFT, 6/24/ 1999, 51,000 Bush, George, RENO, NV 89511

FLAAT, CHRISTOPHER, MICROSOFT, 3/31/ 1999, 51,000 W-s George, BELLEVUE. WA 98007

SPENCER, WILLIAM A, MICROSOFT/ MARKETING MANAGER, 11/8/1999 $1,000 Bush, George REDMOND, WA 98052

MR BRYAN WILLMAN, MICROSOFT/ PROGRAMMER, 3/7/2000 $1,000 W, KIRKLAND, WA 98034

MR WOODRUFF, BRYAN A, MICROSOFT/ SOFTWARE DESIGN ENGINEER, 2/29/ 2000, $1,000 Bush, George W, REDMOND, WA 98053

WORLEY, TERENCE MR, PLEASANTON, CA 94566, MICROSOFT/SOFTWARE, ENGINEER, 5/17/2000, $1,000 Bush, George W

BARON WERNER MR, MICROSOFT, Bush, George, REDMOND, WA 98052, CORPORATION/MARKETING, 2/28/ 2000, $800

MASTERS, JERRY R, Bush, George, WOODINVILLE, WA, MICROSOFT, 8/4/ 1999, $500, W, I, 98072

Bush, George,

JORGENSEN, ERIK M, MICROSOFT, 7/16/ 1999, $500 W; SEATTLE, WA 98101, Bush George

HERBOLD, ROBERTJ, MICROSOFT CORP, 7/ 14/1999, $500 W; BELLEVUE, WA 98015

WOODINVILLE, WA, MICROSOFT CORP, 7/ 27/1999, $500 Bush George, 98072

BERENSON, HAROLD & BUSH GEORGE, MR MICROSOFT CORP./ENGINEER, 1/20/ 2000, $500 W, WOODINVILLE, WA, 98072, I

HERBOLD, ROBERT J, MICROSOFT CORP./ EXECUTIVE VP & I Bush, George MR CO0, 1/12/2000, $5O0, I, w

BELLEVUE, WA 98015, SHAUGHNESSY, Bush, George MICROSOFT CORP./ PRODUCT & 7/14/2000, $500 W

WILLIAM T MR, BUSINESS, REDMOND, WA 98052, Bush, George, SHAUGHNESSY, MICROSOFT CORP./ PRODUCT & 2/29/2000, $500 W

WILLIAM T, MR BUSINESS, REDMOND, WA 98052

KESTER, CHARLES G, MR MICROSOFT CORP./TEAM MANAGER, 3/8/2000, $500 Bush, George, LAKE FOREST PARK, W, WA 98155

MCEACHRON, BRIAN L MICROSOFT CORPORATION, 7/14/1999, $500 ! Bush, George, REDWOOD, WA 98052, W

Nest set of records 2000 cycle data downloaded from FEC on November 1, 2001. Date of request: January 2, 2002

WORLEY, TERENCE, PLEASANTON, CA, MICROSOFT, 6/30/1999, $1,000 Bush, George W, 94566, Bush, George

SPIX, GEORGE A, MICROSOFT CORP, 7/14/ 1999, $1,000 W, REDMOND, WA 98052

SANDERSON, JEFFREY, P, MICROSOFT CORP, 8/12/1999, $1,000, Bush, George W, BELLEVUE. WA 98004

PIMENTEL, ALBERT, Bush, George, MONTE SERENO, CA, MICROSOFT CORP, 7/8/ 1999, $1,000, W, 95030

MURPHY, R BARRY, MICROSOFT CORP, 7/ 13/1999, $1,000 Bush, George, REDMOND, WA 98052 W

HARTNECK, RALF, MICROSOFT CORP, 8/ 11/1999, $1,000 Bush, George, SEATTLE, WA 98144 W

FIRMAN, THOMAS R, MICROSOFT CORP, 7/14/1999, $1,000 Bush, George, BELLEVUE, WA 98005, W

ASHMUN, D STUART, MICROSOFT CORP 8/10/1999, $1,000 W, SEATTLE, WA 98177

BERENSON, HAROLD, Bush, George, MR MICROSOFT CORP./ENGINEER, 6/15/ 2000, $1,000 W, WOODINVILLE, WA 98072

HARTENECK, RALF MR, MICROSOFT CORP./VICE PRESIDENT, 5/11/2000, $1,000 Bush, George, SEATTLE, WA 98144 W

BOYLE, MICHAEL P, MICROSOFT CORPORATION, 7/21/1999, $1,000 Bush, George, BELLEVUE, WA 98005, W

DERMODY, CHARLES W, MR MICROSOFT CORPORATION/ENGINEER, 6/26/2000, I, $1.000 Bush, George, w, REDMOND, WA 98052

PIMENTEL, ALBERT, MR MICROSOFT, MONTE SERENO, CA, 7/31/2000, $1,000 Bush, George, CORPORATION/ EXECUTIVE, W, !95030
SHERWOOD, DAVID E, Bush, George, WOODINVILLE, WA, MICROSOFT/ ATTORNEY, 6/8/2000, $1,000 W, ! 98072
BLANKENBURG, ERIC P, Bush, George, MR MICROSOFT/CONSULTANT, 2/24/ 2000, $1,000, W, ! CARNATION, WA 98014
HERBOLD, ROBERT J, MR MICROSOFT/ COO, 11/22/1999 $1,000, Bush. George W, BELLEVUE, WA 98005
MASTERS, JERRY R MR, Bush, George, WOODINVILLE, WA, MICROSOFT/ FINANCE, 7/31/2000, $1,000,
W, 98072
SANDERSON. JEFFREY, Bush, George, P, MR, MICROSOFT/MARKETING, 5/17/ 2000, $1,000, W, 'BELLEVUE, WA, 98004,
MATHEWS, MICHELLE, Bush, George, !MRS, MICROSOFT/MARKETING, 5/17/ 2000, $1,000, W, BELLEVUE, WA, 98004
DOUGLAS, DEDO, MR' MICROSOFT/ MARKETING, MANAGER, 3/30/2000, $1,000, Bush, George, REDMOND, WA, 98053, W,
SEARCH, CRITERIA:
Donor name: (all contributors)
Donor zip, code: (any zip)
Donor employer/occupation: Microsoft
Election cycle(s): 2000
BRIAN, MCEACHRON, I Bush, MICROSOFT, CORPORATION, 4/14/1999, $500, George, W, J!REDWOOD', WA 198052,
PEASE, MATTHEW, Bush, M MICROSOFT INC, 9/30/1999, $500, George, W, WALNUT, CREEK, CA 94595
KELLY, JOHN, MR, Bush, KIRKLAND, WA, MICROSOFT/ATTORNEY, 2/29/2000, $500, 98033, George, W
NIELSEN, TOD, MR, Bush, REDMOND, WA, MICROSOFT/DEVELOPING/ MARKETING, 12/23/1999, 5500, George, W .98_53o,
RAVANI, ANTHONY, Bush, MR MICROSOFT/EXECUTIVE, 2/29/2000, $500, George, W
NIXON, TOBY, L, MR, KIRKLAND, WA, MICROSOFT/MANAGER, 2/29/2000, S500, Bush, George, W, 98034
YANG, LIANMR, WOODINVILLE, WA, MICROSOFT/SOFTWARE, DESIGN ENGINEER, 112412000, $500, Bush, George, W, 98072
JAKSTADT, ERIC, MR, Bush, WOODINVlLLE, WA, MICROSOFT/ SOFTWARE DEVELOPER, 3/7/2000, $500, George, W, 98072 ....., I, I
JAKSTADT, ERIC J, MR MICROSOFT/ SOFTWARE DEVELOPER, I, 1/31/2000, $500, Bush, WOODINVILLE, WA, George W, 98072
GREGG, DIANNE L, 'Bush, SUDBURY, MA, MICROSOFT INC, 9/14/1999, $400, George, W, 01776
HOKE, STEVE J, :Bush, tKIRKLAND, WA, MICROSOFT, 6/30/1999, $300, George W, 98034 I
!HARRISON, Bush, ARTHUR, B, MR MICROSOFT/SOFTWARE ENGINEER, t, 2/29/2000, $300 I, George W, CHARLOTTE, NC 28277, MICROSOFT CORP/ENGINEER, Bush
LINDELL, STEVE MR, 10/11/2000, $250, BELLEVUE, WA, George W j98008
WARD, I MR JAMES I, CHARLOTTE, NC, MICROSOFT CORPORATION/ TECHNICAL MAN, 3/8/2000, $250 Bush, 28270, George W
REMALA, RAO V, Bush, WOODINVILLE, WA, MICROSOFT INC, 9/30/1999, $250 !98072, George W
WURDEN, $250 Bush, FREDERICK L MR, MICROSOFT/MANAGER, 2/29/2000, REDMOND, WA, jGeorge W, J98053, I
NIXON, TOBY L MR, KIRKLAND, WA, MICROSOFT/MANAGER, 4/13/2000, $200 J Bush, 98034, J George W
MASTERS, JERRY R, MR MICROSOFT/ FINANCE, 9/18/2000, −$500 Bush, WOODINVILLE, WA :George W, 198072
EISLER, CRAIG,
Bush, REDMOND, WA, MICROSOFT, 8/4/ 1999, −$1,000, 98053, George W
MATHEWS, MICHELLE J, MICROSOFT CORP, 8/12/1999, −$1,000, Bush, BELLEVUE, WA, George W, 98004
BERENSON, HAROLD MR Bush, MICROSOFT CORP., 8/1/2000, −$1,000, WOODINVlLLE, WA, George W, 98072
PETERS, G CHRISTOPHER Bush, MICROSOFT CORPORATION, 8/18/ 1999, −$1,000 MEDINA, WA, George W, 98039
FERNANDEZ, ROLANDLMR, Bush, MICROSOFT CORPORATION/ ENGINEER, 4/21/2000, −$1,000, WOODINVILLE, WA,George W, 98072
BRESEMANN, JOHN,] Bush, REDMOND, MR WA MICROSOFT/SOFTWARE ENGINEER, 11/6/2000, −$1,000, George W 98053
NIELSEN, TOD MR J, REDMOND, WA, MICROSOFT/VICEPRESIDENT, :2/2/ 2000, −$1,000, Bush, t George W, 98053
2000 cycle data downloaded from FEC on November 1, 2001. Date of request: January 2, 2002
Opensecrets.org—PAC Contributions to John Ashcroft (R)

THE CENTER FOR RESPONSIVE POLITICS
2000 CYCLE I 2002 CYCLE

John Ashcroft (R) 1999–2000 PAC Contributions: $2,025,323
Based on data released by the FEC on Thursday, November 01, 2001.
Agribusiness $154,937
Communic/Electronics $204,899
I
Printing & Publishing $27,000
1–V/Movies/Music $47,499
Telephone Utilities $60,450
Telecom Services & Equipment $26,450
Electronics Mfg & Services $6,000
Computer Equipment & Services $37,500
3 Corn Corp $1,000
Amazon.com $1,000
AmericaOnline $5,000
Cable & Wireless USA $1,000
Ceridian Corp $2,00C
Compaq Computer $1,000
Computer Sciences Corp $2,00,(2
EDS Corp $1,00c
Gateway Inc $4,50C
Intel Corp $3,00C
Microsoft Corp $9,00C
3/2/1999 $1,00C
6/16/1999 $1,00C
6/28/1999 $1,0,0C
9/29/1999 $1,000
12/9/1999 $I,00*
2/9/2000 $1,006
5/12/2000 $1,000
6/20/2000 $1,00C
9/712000 $1,00C
Oracle Corp $1,000
Storage Technology Corp $1,000
Sun Microsystems $2,000
Technology Network
Federal PAC
Construction
Defense
Energy/NatResource
Finance/Insur/RealEst
Health
Lawyers 8, Lobbyists
Transportation
Misc Business
Labor
Ideology/Single-Issue
Other
Unknown
$2,00C
$3,00(;
$123,00C
$17,000
$210,550
$329,208
$140,00(;
$69,023
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$304,666
$9,000 $251,89C I $1,10C $1,00
Contributor, Occupation, Date, Amount, Recipient

MICROSOFT

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612712000, $100,000, RNC/Repub National State, REDMOND, WA 98052 Elections Crate
3/31/2000, $55,000, NRSC/Non-Federal, REDMOND, WA 98052
RNC/Repub National State 1/6/2000, $35,000, Elections Crate, REDMOND, WA 98052
i6/30/2000, $5,000, Ashcroft Victory Cmte Non-Federal REDMOND, WA 98052
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RNC/Repub National State, 13112001, $7,900, ''Elections Crate, REDMOND, WA 98052
1/25/2001, $10,000, RNC/Repub National State, REDMOND, WA 98052, Elections Crate
RNC/Repub National State, ''2/1512001, $10'000 Elections Crate, REDMOND, WA 98052
WASHINGTON, DC 20036, 6/27/2001, $10,000; DNC/Non-Federal Corporate

MICROSOFT CORP

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5/23/2001, $40,000, 2001 President's Dinner/ Non-Fed Trust, REDMOND, WA 98052
8/21/2001, $50,000, RNC/Repub National State, Elections Crate, REDMOND, WA 98052
3/30/2001, $50,000, DSCC/Non-Federal Corporate, REDMOND, WA 98052

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2002 cycle data downloaded from FEC on January 1, 2002. Date of request: January 20, 2002.

http://www.opensecrets.org/indivs/cgi-win/indivs.exe

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DCCC/Non-Federal, 8/2/2000, $2,500, Account 1, REDMOND, WA 98052
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NRCC/Non-Federal, 6/22/2000, $2,500 Account, WASHINGTON, DC 20036
NRCC/Non-Federal, 312311999, $2,500 Account, WASHINGTON, DC 20036
4/21/2000, $698 : NRSC/Non-Federal, REDMOND, WA 98052
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RNC/Repub National, 111312000, $25,000' State Elections Cmte, REDMOND, WA 98052
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NRCC/Non-Federal, 10/11/2000 $75,000, Account I, WASHINGTON, DC 20036
4/11/2000, $51,832, NRSC/Non-Federal, REDMOND, WA 98052
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2/26/1999, $50,000, DSCC/Non-Federal, Corporate REDMOND, VA 98073
RNC/Repub National, 10/26/1999, $50,000, State Elections Crate, REDMOND, WA 98052
DSCC/Non-Federal, REDMOND, WA 98052 4/17/2000, $40,000 Corporate
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NRCC/Non-Federal, 6/30/2000, $22,500 Account, WASHINGTON, DC 20036
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NRCC/Non-Federal, 6/30/2000, $20,000 Account WASHINGTON, DC 20036
4/21/2000, $453, NRSC/Non-Federal, REDMOND, WA 98052
I NRCC/Non-Federal, 3/27/2000, $15,000 I Account, WASHINGTON, DC 20036
NRCC/Non-Federal, WASHINGTON, DC 20036 3/23/1999, $15,000 Account
5/24/2000, $8,985, 2000 Republican HIS, REDMOND, WA 98052, Dinner Trust Non-Fed
DSCC/Non-Federal, 12/31/1999, $500 Mixed REDMOND, WA 98052
NRCC/Non-Federal, 3/23/1999, $7,500 Account, WASHINGTON, DC 20036
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RNC/Repub National, 9/27/2001, $10,000, State Elections Cmte, REDMOND, WA 98052

2000 cycle data downloaded from FEC on November 1, 2001.

2002 cycle data downloaded from FEC on January 1, 2002. Date of request: January 21, 2002

1/16/2001, $10,000, NRCC/Non-Federal Account, WASHINGTON, DC 20005
5/11/2001, $10,000, DNC/Non-Federal, Corporate RICHMOND, WA 98052
6/18/2001, $10,000, DCCC/Non-Federal, Account 1, REDMOND, WA 98052

MICROSOFT CORPORATION PAC

PAC 5/11/2001, $1,000 New Democrat Network ARLINGTON, VA

MICROSOFT EXCEL

NRCC/Non-Federal, FAIRVIEW, NC 28730 7/ 27/1999, $500, Account

2000 cycle data downloaded from FEC on November 1, 2001.

2002 cycle data downloaded from FEC on January 1, 2002. Date of request: January 21, 2002

ATTACHMENT 2

The Center for Responsive Politics
1101 14th St., NW * Suite 1030
Washington, DC 20005–5635
(202) 857–0044 * fax (202) 857–7809
info@crp.org webmaster@crp.org
General Inquires: ''
info@crp.org
Media Contact: Steven Weiss
sweiss@crp.org

The Center for Responsive Politics is a non-partisan, non-profit research group based

in Washington, DC that tracks money in politics, and its effect on elections and public policy. The Center conducts computer-based research on campaign finance issues for the news media, academics, activists, and the public at large. The Center's work is aimed at creating a more educated voter, an involved citizenry, and a more responsive government.

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ATTACHMENT 3 TO THE DECLARATION OF BRIAN DAUTCH

MTC–00030631 0753

Statement of Charles F. (Rick) Rule
Fried Frank Harris Shriver & Jacobson
Counsel for Microsoft Corporation
Before the Committee on the Judiciary.
United States Senate
December 12, 2001

Mr. Chairman and members of the Committee, good morning. It is a pleasure to appear before you today on behalf of Microsoft Corporation to discuss the proposed consent decree or Revised Proposed Final Judgment (the ''PFJ'') to which the U.S. Department of Justice and nine of the plaintiff states have agreed. As this committee is aware, I am counsel to Microsoft in the case and was one of the principal representatives for the company in the negotiations that led to the proposed consent decree.

The PFJ was signed on November 6th after more than a month of intense, around-the-clock negotiations with the Department and representatives of all the plaintiff states. The decree is currently subject to a public interest review by Judge Kollar-Kotelly under the Tunney Act. Because we are currently in the midst of that review and because nine states and the District of Columbia have chosen to continue the litigation, t must be somewhat circumspect in my remarks. However, what I can — indeed, must—stress is that, in light of the Court of Appeals'' decision last summer to ''drastically'' reduce the scope of Microsoft's liability and in light of the legal standards for imposing injunctive relief, the Department and the settling states were very effective in negotiating for broad, strong relief. As the chart in the appendix depicts, ever since the Department and the plaintiff states first filed their complaints in May 1998, the case has been shrinking. What began with five claims, was whittled down to a single monopoly maintenance claim by a unanimous Court of Appeals. Even with respect to that surviving claim, the appellate court affirmed Judge Jackson's findings on only about a third (12 of 35) of the specific acts which the district court had found support that claim.

Given that history and the law, there is no reasonable argument that the PFJ is too narrow or that it fails to achieve all the relief to which the Department was entitled. In fact. as these remarks explain. the opposite is true—faced with rough, determined negotiators on the other side of the table, Microsoft agreed to a decree that goes substantially beyond what the plaintiffs were likely to achieve through litigation. Quite frankly, the PFJ is the strongest, most regulatory conduct decree ever obtained (through litigation or settlement) by the Department. Why then, one might ask, would Microsoft consent to such a decree? There are two reasons.

First. the company felt strongly that it was important to put this matter behind it and to move forward constructively with its customers, its business partners, and the government. For four years, the litigation has consumed enormous resources and been a serious distraction. The constant media drumbeat has obscured the fact that the company puts a premium on adhering to its legal obligations and on developing and maintaining excellent relationships with its partners and customers. Litigation is never a pleasant experience, and given the magnitude of this case and the media attention it attracted, it is hard to imagine any more costly, unpleasant civil litigation.

Second. while the Department pushed Microsoft to make substantial, even excessive concessions to get a settlement, there were limits to how far the company was willing or able to go (limits, by the way, which the Department and the settling states managed to reach). Microsoft was fighting for an important principle—the ability to innovate and improve its products and services for the benefit of MTC–00030631—0754 consumers. To that end, Microsoft insisted that the decree be written in a way to allow the company to engage in legitimate competition on the merits. Despite the substantial burdens the decree will impose on Microsoft and the numerous ways in which Microsoft will be forced to alter its conduct, the decree does preserve Microsoft's ability to innovate, to improve its products, and to engage in procompetitive business conduct that is necessary for the company to survive.

In short, at the end of the negotiations, Microsoft concluded that the very real costs that the decree imposes on the company are outweighed by the benefits, not just to Microsoft but to the PC industry and consumers generally.

The Court of Appeals'' ''Road Map'' for Relief In order to evaluate the decree, one must first appreciate the h/story of this case and how drastically the scope of Microsoft's liability, was narrowed at the appellate level. When this case began with the filing of separate complaints by the Department and the plaintiff states in May of 1998, it was focused on Microsoft's integration of browsing functionality, called Internet Explorer or lie into Windows 98, which the plaintiffs alleged to be an illegal tying arrangement.

The complaints of the Department and the states included five separate claims: (1) a claim under section 1 of the Sherman Act that the tie-in was per se illegal; (2) another claim under section 1 that certain promotion and distribution agreements with Internet service providers (ISPs), Internet content providers (ICPs), and on-line service providers (OSPs) constituted illegal exclusive dealing; (3) a claim under section 2 of the Sherman Act that Microsoft had attempted to monopolize Web browsing software; (4) a catch-all claim under section 2 that the alleged conduct that underlay the first three claims amounted to illegal maintenance of Microsoft's monopoly in PC operating systems; and (5) a claim by the plaintiff states (but not part of the Department's complaint) under section 2 that Microsoft illegally ''leveraged'' its monopoly in PC operating systems. As discovery got underway, the case dramatically expanded as the plaintiffs indiscriminately began identifying all manner of Microsoft conduct as examples of the company's illegal efforts to maintain its monopoly. But then, the case began to shrink.

''In response to Microsoft's motion for summary judgment, the district court dismissed the states'' Monopoly leveraging claim (claim 5). ''After trial, Judge Jackson held that the plaintiffs failed to prove that Microsoft's arrangements with ISPs, ICPs, and OSPs violated section 1 (claim 2). ''Judge Jackson did, however, conclude that the plaintiffs had sustained their claims that Microsoft illegally tied IE to Windows (claim 1), illegally attempted to monopolize the browser market (claim 3), and illegally maintained its monopoly (claim 4), basing his decision on 35 different actions engaged in by Microsoft.

''In a unanimous decision of the Court of Appeals sitting en banc. the court reversed the trial court on the attempted monopolization claim (claim 3) and remanded with instructions that judgment be entered on that claim in favor of Microsoft. ''The unanimous court also reversed Judge Jackson's decision with respect to the tie-in claim (claim 1). The appellate court held that. in light of the prospect of consumer benefit from integrating new functionality into platform software such as Windows. Microsoft's integration of IE into Windows had to be judged under the rule of reason rather than the per se approach taken by Judge Jackson.

The Court of Appeals refused to apply the per se approach because of ''our qualms about redefining the boundaries of a defendant's product and the possibility of consumer gains from simplifying the work of applications developers [by ensuring the ubiquitous dissemination of compatible APIs].'' The court's decision did allow the plaintiffs on remand to pursue the tie-in claim on a rule of reason theory; however, shortly after the remand, the plaintiffs announced they were dropping the tie-in claim.

''With respect to the only remaining claim (monopoly maintenance—claim 4), the Court of Appeals affirmed in part and reversed in part the lower court and substantially shrank Microsoft's liability. After articulating a four-step burden-shifting test that is highly fact intensive, the appellate court reviewed the 35 different factual bases for liability and rejected nearly two-thirds of them. e In the case of seven of those 35 findings (concerning such conduct as Microsoft's refusal to allow OEMs to replace the Windows desktop, Microsoft's design of Windows to ''override the user's choice of a default browser,'' and Microsoft's development of a Java virtual machine (JVM)

that was incompatible with Sun's JVM), the appellate court specifically reversed Judge Jackson's decision. c The Court of Appeals dismissed sixteen of the remaining findings by reversing Judge Jackson's holding that Microsoft had engaged in a general ''course of conduct'' that amounted to illegal monopoly maintenance—the so-called ''monopoly broth'' theory.

* With respect to the remaining twelve findings (concerning such things as Microsoft's refusal to allow PC manufacturers (OEMs) to remove end-user access to IE, Microsoft's exclusive arrangements with ISPs, and its ''commingling'' of software code to frustrate OEMs ability, to hide access to IE), the court did affirm Judge Jackson's findings as not being ''clearly erroneous.'' And even as to those twelve, a number were practices—for example, the arrangements with ISPs— that Microsoft had already ceased.

As a result, when the case was remanded to the district court and reassigned to Judge Kollar-Kotelly, four-fifths of the original claims were all but gone. With respect to the sole surviving claim, nearly two-thirds of the supporting findings had been rejected by the Court of Appeals. In the words of the Court of Appeals, its decision ''drastically altered the scope of Microsoft's liability.''

The Relevance of the Drastic Narrowing of Liability

The Court of Appeals'' decision makes clear the critical significance of the drastic reduction in the scope of Microsoft's liability in terms of the relief to which the plaintiffs are entitled. As the court noted in instructing the lower court on how the remand for remedy should be handled. ''A court.., must base its relief on some clear ''indication of a significant causal connection between the conduct enjoined or mandated and the violation found directed toward the remedial goal intended.'' 3 PHILLIP E. AREEDA & HERBERT HOVENKAMP, ANTITRUST LAW 653(b), at 91- .92 (1996). In a case such as the one before us where sweeping equitable relief is employed to remedy multiple violations, and some—indeed most—of the findings of remedial violations do not withstand appellate scrutiny, it is necessary to vacate the remedy decree since the implicit findings of causal connection no longer exist to warrant our deferential affirmance .... In particular, the [district] court should consider which of the decree's conduct restrictions remain viable in light of our modification of the original liability decision.''

At the time Judge Kollar-Kotelly ordered the parties into intensive negotiations, she clearly recognized the importance of the drastic alteration to the scope of Microsoft's liability. The judge informed the government that its ''first and most obvious task is going to be to determine which portions of the former judgment remain appropriate in light of the appellate court's ruling and which portions are unsupported following the appellate court's narrowing of liability.'' The judge went on to note that ''the scope of any proposed remedy must be carefully crafted so as to ensure that the enjoining conduct falls within the [penumbra] of behavior which was found to be anticompetitive.'' The judge also stated that ''Microsoft argues that some of the terms of the former judgment are no longer appropriate, and that is correct. I think there are certain portions where the liability has been narrowed.''

Before discussing the negotiations and the decree itself, I would like to make three other points about the crafting of antitrust remedies that also are relevant to considering the relief to which the plaintiffs were entitled. First, the critics of the PFJ routinely ignore the fact that the Department has long acknowledged that Microsoft lawfully acquired its monopoly position in PC operating systems. Indeed, the Department retained a Nobel laureate in the first Microsoft case in 1994 to submit an affidavit to the district court opining that Microsoft had reached its position in PC operating systems through luck, skill, and foresight. It is tree of course that Microsoft has now been found liable for engaging in conduct that amounted to illegal efforts to maintain that position: however, there is precious little in the record establishing any causal link between the twelve illegal acts of ''monopoly maintenance'' and Microsoft's current position in the market for PC operating systems. Thus, contrary. to the critics'' overheated rhetoric, there is no basis for relief designed to terminate an ''illegal monopoly.''

Second, decrees in civil antitrust cases are designed to remedy, not to punish. All too often, the critics of this decree speak as though Microsoft was convicted of a crime. It was not. This is a civil case, subject to the rules of civil rather than criminal procedure. To the extent the plaintiffs tried to get relief that could be deemed punitive, that relief would have been rejected.

Third, a decree must serve the purposes of the antitrust laws, which is a ''consumer welfare prescription.'' I realize we are in the ''season of giving,'' but an antitrust decree is not a Christmas tree to fulfill the wishes of competitors, particularly where that fulfillment comes at the expense of consumer welfare. Calls for royalty-free licensing of Microsoft's intellectual property, or for imposing obligations on Microsoft to distribute third party, software at no charge, or for Microsoft to facilitate the distribution of an infinite variety of bastardized versions of Windows (and make sure they all run perfectly) are great for a small group of competitors who know that such provisions will quickly destroy Microsoft's incentives and ability to compete (not to mention violate the Constitution's proscription against ''takings''). Such calls, however, are anathema to consumers'' interests in a dynamic, innovative computer industry. Twenty. years ago, my old boss and antitrust icon, Bill Baxter, warned about the anticompetitive consequences of antitrust decrees designed simply to ''add sand to the saddlebags'' of a particularly fleet competitor like Microsoft. it's a warning the courts would certainly heed today.

To their credit, the negotiators for the Department and the settling states understood these three fundamental antitrust principles. While we may have had to remind the other side of these principles from time to time. we did not have to negotiate for their adherence to them. Taxpayers and consumers can be proud that their interests were represented by honorable men and women with the utmost respect for the rule of law. For others to insinuate that. by agreeing to a decree that honors these three fundamental principles, the Department and the settling states ''caved'' or settled for inadequate relief is as offensive as it is laudable.

The Negotiations

It is against the background I have sketched that. on September 27th, Judge Kollar-Kotelly ordered the parties into intensive, ''around the clock'' negotiations. Microsoft had already indicated publicly its strong desire to try to settle the case, and so it welcomed the judge's order. As has been widely reported, all the parties in the case took the court's order very seriously. Microsoft assembled in Washington, DC, a core team of in-house and outside lawyers who have been living with this case for years, and who spent virtually all of the next five weeks camped out in my offices down the street.

Microsoft's top legal officer was in town during much of the period directing the negotiations. Back in Redmond, the company's most senior executives devoted a great deal of time and energy to the process, and we were all supported by a large group of dedicated lawyers, businesspeople, and staff.

From my vantage point, the Department and the states (at least those that settled) made an equivalent effort. As the mediator v, Tote after the process ended, ''No part'' was left out of the negotiations .... Throughout most of the mediation the 19 states (through their executive committee representatives) and the federal government (through the staff of the antitrust division) worked as a combined ''plaintiffs'' team.'' Jay Himes from the office of the New York Attorney General Eliot Spitzer and Beth Finnerty from the office of the Ohio Attorney General Betty Montgomery, represented the states throughout the negotiations, putting in the same long hours as the rest of us. At various points Mr. Himes and Ms. Finnerty were joined by representatives from other states, including Kevin O'Connor from the office of Wisconsin Attorney General James Doyle.

The negotiations began on September 28th and continued virtually non-stop until November 6th. During the first two weeks, we negotiated without the benefit of a mediator. As the□'' say in diplomatic circles, the discussions were ''full and frank.'' The Department lawyers and the state representatives in the negotiation were extremely knowledgeable, diligent, and formidable.

Microsoft certainly hoped to be able to reach a settlement quickly and before a mediator was designated. However, the views on all sides were sufficiently strong and the need to pay attention to every sentence, phrase, and punctuation mark so overwhelming that reaching agreement proved impossible in those first two weeks. Eric Green. a prominent mediation specialist, was appointed by the court and with the help of Jonathan Marks spent the next three weeks helping the parties find common ground. As Professor Green and Mr. Marks wrote after

the mediation ended, ''Successful mediations are ones in which mediators and parties work to identity and overcome barriers to reaching agreement. Successful mediations are ones in which all the parties engage in reasoned discussions of issues that divide them, of options for settlement, and of the risks. opportunities, and costs that each part), faces if a settlement isn't reached. Successful mediations are ones in which, settle or not. senior representatives of each party have made informed and intelligent decisions. The Microsoft mediation was successful.''

Working day and night virtually until the original .November 2 deadline set by the judge. Microsoft and the Department agreed to and signed a decree early on November 2. The representatives of the states also tentatively agreed, subject to an opportunity from November 2 until November 6 to comer with the other states that were more removed from the case and negotiations. During that period, the states requested several clarifying modifications to which Microsoft (and the Departmet) agreed. From press reports, it appears that during this period the plaintiff states also were being subjected to intense lobbying by a few of Microsoft's competitors who were desperate either to get a decree that. would severely cripple if not eventually destroy Microsoft or at least to keep the litigation (and the attendant costs imposed on Microsoft) going. Notwithstanding that pressure, New York, Wisconsin, and Ohio—the states that had made the largest investment in litigating against Microsoft and in negotiating a settlement—along with six other plaintiff states represented by a bipartisan group of state attorneys general signed onto the Revised PFJ on November 6.

The Proposed Final Judgment

Throughout the negotiations, Microsoft was confronted by a determined and tough group of negotiators for the Department and the states. They made clear that there would be no settlement unless Microsoft went well beyond the relief to which, Microsoft believes, the Court of Appeals opinion and the law entitles the plaintiffs. Once that became clear, Microsoft relented in significant ways, subject only to narrow language that preserved Microsoft's ability to innovate and engage in normal, clearly procompetitive activities. Professor Green, the one neutral observer of this drama has noted the broad scope of the prohibitions and obligations imposed on Microsoft by the PFJ, stating during the status conference with Judge Kollar-Kotelly that ''the parties have not stopped at the outer limits of the Court of Appeals'' decision, but in some important respects the proposed final judgment goes beyond the issues affirmed by the Court of Appeals to deal with issues important to the parties in this rapidly-changing technology.''

I do not intend today to provide a detailed description of each provision of the PFJ; the provisions speak for themselves. It may come as something of a surprise in light of some of the uninformed criticism hurled at the decree, but one of Microsoft's principal objectives during the negotiations was to develop proscriptions and obligations that were sufficiently clear, precise and certain to ensure that the company and its employees would be able to understand and comply with the decree without constantly engendering disputes with the Department. This is an area of complex technology and the decree terms on which the Department insisted entailed a degree of technical sophistication that is unprecedented in an antitrust decree. Drafting to these specifications was not easy, but the resulting PFJ is infinitely clearer and easier to administer than the conduct provisions of the decree that Judge Jackson imposed in June 2000.

If, as one might suspect would be the outcome in a case such as this, the PFJ were written to proscribe only the twelve practices affirmed by the Court of Appeals, the decree would be much shorter and simpler. The Department and settling states, however, insisted that the decree go beyond just focused prohibitions to create much more general protections for a potentially large category of software, which the PFJ calls ''middleware.'' But even these expansive provisions to foster middleware competition were not sufficient to induce the Department and the states to settle; rather, the?'' insisted that Microsoft also agree to additional obligations that bear virtually no relationship to any of the issues addressed by the district court and the Court of Appeals. And lastly they insisted on unprecedented enforcement provisions. I will briefly describe each of these three sets of provisions.

1. Protections for ''Middleware''

The case :hat the plaintiffs tried and the narrowed liability, that survived appellate review all hinged on claims that Microsoft took certain actions to exclude Netscape's Navigator browser and Sun's Java technology from the market in order to protect the Windows operating system monopoly. The plaintiffs successfully argued that Microsoft feared that Navigator and Java, either alone or together. might eventually include and expose a broad set of general purpose APIs to which software developers could write as an alternative to the Windows APIs. Since Navigator and Java can run on multiple operating systems, if they developed into general purpose platforms, Navigator and Java would provide a means of overcoming the ''applications barrier'' to end, and threaten the position of the Windows operating system as platform software.

A person might expect that a decree designed to address such a monopoly maintenance claim would provide relief with respect to Web-browsing software and Java or, at most, to other general purpose platform software that exposes a broad set of APIs and is ported to run on multiple operating systems. The PFJ goes much further. The Department insisted that obligations imposed on Microsoft by the decree extend to a range of software that has little in common with Navigator and Java. The decree applies to ''middleware'' broadly defined to include, in addition to Web-browsing software and Java. instant messaging software, media players, and even email clients—software that, Microsoft believes, has virtually no chance of developing into broad, general purpose platforms that might threaten to displace the Windows platform. In addition, there is a broad catch-all definition of middleware that in the future is likely to sweep other similar software into the decree. This sweeping definition of middleware is significant because of the substantial obligations it imposes on Microsoft. Those obligations—a number of which lack any correspondence to the monopoly maintenance findings that survived appellate review—are intended to create protections for all the vendors of software that fits within the middleware definition. Taken together, the decree provisions provide the following protections and opportunities: ''Relations with Computer Makers. Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. ''Computer Maker Flexibility. Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with features of Windows. Computer makers will now be free to remove the means by which consumers access important features of Windows, such as Internet Explorer, Windows Media Player, and Windows Messenger. Notwithstanding the billions of dollars Microsoft invests developing such cool new features, computer makers will now be able to'' replace access to them in order to give prominence to non-Microsoft software such as programs from AOL Time Warner or RealNerworks. (Additionally. as is the case today, computer makers can provide consumers with a choice —that is to say access to Windows features as well as to non-Microsoft software programs.)

''Windows Design Obligations. Microsoft has agreed to design furore versions of Windows, beginning with an interim release of Windows XP, to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time.

''Internal Interface Disclosure. Even though there is no suggestion in the Court of Appeals'' decision that Microsoft fails to disclose APIs today and even though the Court of Appeals'' holding on monopoly power is predicated on the idea that there are tens of thousands of applications written to call upon those APIs. Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to Windows operating system products.

''Relations with Software Developers. Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows. ''Contractual Restrictions. Microsoft has agreed not to enter into any agreements obligating any third part?, to distribute or promote any Windows technology exclusively or in a fixed percentage, subject to certain narrow exceptions that apply to agreements raising no competitive concern. Microsoft has also agreed not to enter into agreements relating to Windows that obligate any software developer to refrain from developing or

promoting software that competes with Windows.

These obligations go far beyond the twelve practices that the Court of Appeals found to constitute monopoly maintenance. One of the starkest examples of the extent to which these provisions go beyond the Court of Appeals decision relates to Microsoft's obligations to design Windows in such a way as to give third parties the ability, to designate non-Microsoft middleware as the ''default'' choice in certain circumstances in which Windows might otherwise be designed to utilize functionality. integrated into Windows. As support for his monopoly maintenance conclusion, Judge Jackson had relied on several circumstances in which Windows was designed to override the end users'' choice of Navigator as their default browser and instead to invoke IE. The Court of Appeals, however, reviewed those circumstances and reversed Judge Jackson's conclusion on the ground that Microsoft had ''valid technical reasons'' for designing Windows as it did. Notwithstanding this clear victory, Microsoft acceded to the Department's demands that it design future versions of Windows to ensure certain default opportunities for non-Microsoft middleware.

2. Uniform Prices and Server Interoperability

Nevertheless, agreeing to this ,side range of prohibitions and obligations designed to encourage the development of middleware broadly defined was not enough to get the plaintiffs to settle. Instead, the?'' insisted on two additional substantive provisions that have absolutely no correspondence to the findings of monopoly maintenance liability that survived appeal. ''Uniform Price List. Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers (who collectively account for the great majority, of PC sales) on identical terms and conditions, including price (subject to reasonable volume discounts for computer makers who ship large volumes of Windows).

''Client/Server Interoperability. Microsoft has agreed to make available to its competitors, on reasonable and non-discriminatory terms, any protocols implemented in Windows desktop operating systems that are used to interoperate natively with any Microsoft server operating system. In the case of the sweeping definition of middleware and the range of prohibitions and obligations imposed on Microsoft, there is at least a patina of credibility to the argument that the penumbra of the twelve monopoly maintenance practices affirmed by the Court of Appeals can be stretched to justify those provisions, at least as ''fencing in'' provisions. There is no sensible reading of the Court of Appeals decision that would provide an□'' basis for requiring Microsoft to charge PC manufacturers uniform prices or to make available the proprietary protocols used by Windows desktop operating systems and Windows server operating systems to communicate with each other. Nevertheless. because the plaintiffs insisted that they would not settle without those two provisions. Microsoft also agreed to them.

Before mining to the enforcement provisions of the PFJ, I want to say a word about the few provisos included in the decree that provide narrow exceptions to the various prohibitions and obligations imposed on Microsoft. Those exceptions were critical to Microsoft's willingness to agree to the sweeping provisions on which the plaintiffs insisted. Without these narrowly tailored exceptions, Microsoft could not innovate or engage in normal procompetitive commercial activities. The public can rest assured that the settling plaintiffs insisted on language to ensure that the exceptions only apply when they promote consumer welfare. For example, some companies that compete with Microsoft for the sale of server operating systems apparently have complained about the so-called ''security carve-out'' to Microsoft's obligation to disclose internal interfaces and protocols. That exception is very narrow and only allows Microsoft to withhold encryption ''keys'' and the similar mechanisms that must be kept secret if the security, of computer networks and the privacy of user information is to be ensured. In light of all the concern over computer privacy and security, these days, it is surprising that there is any controversy, over such a narrow exception.

3. Compliance and Enforcement

The broad substantive provisions of the PFJ are complemented by an unusually strong set of compliance and enforcement provisions. Those provisions are unprecedented in a civil antitrust decree. The PFJ creates an independent three-person technical committee, resident on the Microsoft campus, with extraordinary powers and full access to Microsoft facilities, records, employees and proprietary technical data, including Windows source code, which is the equivalent of the ''secret formula'' for Coke. The technical committee provides a level of technical oversight that is far more substantial than any provision of any other antitrust decree of which I am aware. At the insistence of the plaintiffs, the technical committee does not have independent enforcement authority; rather, reports to the plaintiffs and, through them, to the court. The investigative and oversight authority of the technical committee in no way limits or reduces the enforcement powers of the DOJ and states: rather, the technical committee supplements and enhances those powers. Each of the settling states and DOJ have the power to enforce the decree and have the ability to monitor compliance and seek a broad range of remedies in the event of a violation.

Microsoft also agreed to develop and implement an internal antitrust compliance program, to distribute the decree and educate its management and employees as to the various restrictions and obligations. In recent years, Microsoft has assembled in-house one of the largest, most talented groups of antitrust lawyers in corporate America. They are already engaged in substantial antitrust compliance counseling and monitoring. The decree formalizes those efforts, and quite frankly adds vet?'' substantially to the in-house lawyers'' work. As we speak, that group, together with key officials from throughout the Microsoft organization, are working to implement the decree and to ensure the company's compliance with it.

As with the substantive provisions, Microsoft agreed to these unprecedented compliance and enforcement provisions because of the adamance of the plaintiffs and because of the highly technical nature of the decree. Microsoft, the Department, and the settling states recognized that it was appropriate to include mechanisms—principally, the technical committee—that will facilitate the prompt and expert resolution of any technical disputes that might be raised by third parties, without in any way derogating from the government's full enforcement powers under the decree. Although the enforcement provisions are unprecedented in their stringency and scope, they are not necessitated or justified by any valid claim that Microsoft has failed to comply with its decree obligations in the past. In fact. Microsoft has an exemplar?.'' record of complying with the consent decree to which the company and the Department a agreed in 1994. In 1997, the Department did question whether Microsoft's integration of IE into Windows 95 violated a ''fencing in'' provision that prohibited contractual tie-ins, but Microsoft was ultimately vindicated by the Court of Appeals. Microsoft has committed itself to that same level of dedication in ensuring the company's compliance with the PFJ.

Conclusion

The PFJ strikes an appropriate balance in this complicated case, providing opportunities and protections for firms seeking to compete while allowing Microsoft to continue to innovate and bring new technologies to market. The decree is faithful to the fact that the antitrust laws are a ''consumer protection prescription,'' and it ensures an economic environment in which all parts of the PC- ecosystem can thrive.

Make no mistake, however, the PFJ is tough. It will impose substantial new obligations on the company, and it will require significant changes in the way Microsoft does business. It imposes heavy costs on the company and entails a degree of oversight that is unprecedented in a civil antitrust case.

For some competitors of Microsoft, however, apparently nothing short of the destruction of Microsoft — or at least the ongoing distraction of litigation—will be sufficient. But if the objective is to protect the interests of consumers and the competitive process, then this decree more than achieves that goal.

Finally, for all those who are worried about the furore and what unforeseen developments may not be covered by this case and the decree, remember that the Court of Appeals decision now provides guideposts, which previously did not exist, for judging Microsoft's behavior, and that of other high technology companies, going forward. Those guidelines, it is true, are not always easy to apply ex ante to conduct; however, now that the Court of Appeals has spoken, we all have a much better idea of the way in which section 2 of the Sherman Act applies to the software industry. In short, what antitrust law'' requires of Microsoft is today much clearer than it was when this case began. We have all learned a lot over the last four years, and Microsoft has every

incentive to ensure that history does not repeat itself.

ATTACHMENT 4

Secretary of the Senate
Clerk of the House of Representatives
LOBBYING REGISTRATION
Lobbying Disclosure Act of 1995 (Section 4)
Check if this is an amended registration []
For Official Use

REGISTRANT

1. Name of Registrant Covington & Burling Address 1201 Pennsylvania Avenue, NW City Washington, State DC, Zip 20004
2 Principal place of business (if different from line 1) City Same State/Zip (or Country)
3. Telephone number and contact name (202) 662–6000 Contact Stuart Stock
4. General description of registrant's business or activities Law Firm CLIENT A lobbying firm is required to file a separate registration for each client An organization employing in-house lobbyists will indicate ''Self'' on line 5 and proceed to line 8.
5. Name of Client Microsoft Corporation Address One Microsoft Way
City Redmond State WA Zip 98052
6. Principal place of business (if different from line 5)
City Same State/Zip (or Country)
7. General description of client's business or activities Computer software company

REGISTRANT EMPLOYEES

8. Name and title of each employee of the registrant who has acted or is expected to act as a lobbyist for the client identified on line 5. Indicate any employee who served as a ''covered executive branch official'' or ''covered legislative branch official'' within 2 years before the date that the employee first acted or will act as a lobbyist for the client, and state the executive or legislative branch position(s) in which the employee served. Attach Lobbying Registration Addendum if necessary.

E. Jason Albert, Associate
Victoria A. Carter, Associate
Charles F. Rule, Partner
Laurie C. Self, Of Counsel

Form LD-1 (1/96)

LOBBYING ISSUES

9. General lobbying issue areas (select applicable codes, listed in instructions and on reverse side of Form 1.D-l, page])
CPI CPT TRD
10. Specific lobbying issues (current and anticipated)

* Protection of intellectual property rights, including copyrights,
* Electronic commerce matters.
* Competition matters affecting computer software industry.

AFFILIATED ORGANIZATIONS

11. Name, address, and principal p□ace of business of any entity other than the'' client that contributes more than $10,000 to the lobbying activities covered by this registration in a semiannual period, and in whole or in part plans, supervises, or controls the registrant's lobbying activities. If none, so state.
Name
Address
Principal place of business
(city and state or country)
None

FOREIGN ENTITLES

12. Name, address, principal place of business, amount of ,'my contribution of more than $10,000, and approximate percentage of equitable ownership in the client of any foreign entity that:
a)
b)
c)
holds at least 20% equitable ownership in the client or in any organization identified on line 11 ; or directly or indirectly, in whole or in major part, plans, supervises, controls, directs, finances or subsidizes the activities of the client or any organization identified on line 11; or is an affiliate of the client or any organization identified on line 11 and has a direct interest in the outcome of the lobbying activity. If none, so state.
Name
Address Principal place of business
Amount of contribution
Ownership
(city and state or country)
for lobbying activities
percentage
in client
None
Signature
Date 6/29/98
Printed Name and Title Stuart C. Stock, Partner

ATTACHMENT 5

WALL STREET JOURNAL.
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FRIDAY, NOVEMBER 16, 2001

The Northern Alliance battled 31,000 Taliban and allied fighters encircled in the northern Afghan city of Kunduz, while Pashtun fighters fought to control Kandahar in the south. Mullah Omar, the Taliban leader, spoke by satellite phone with the BBC and vowed to fight to the death and seek America's ''extinction.'' The British marines are to secure Bagram airport for an expected growing deployment of foreign troops. Tim U.S. also prepared to insert more soldiers to aid in the hunt for Osama bin Laden. New in- telligence on his possible whereabouts, as well as chilling data on the weapons he was hoping to develop, came to light. (Articles in Column 1 and on Pages A3, A8, A9 and A10)

The Northern Alliance wants credit for securing the release of eight foreign aid workers, including two Americans, the Taliban was holding. So does Libya. An airport-security deal was sealed as Bush blessed an accord reached by House and Senate negotiators on the issue of federalizing screening workers. Alter a one-year transition, the government is to take over that job. Meanwhile, airlines braced for the first Thanksgiving under tightened secu- rity procedures. (Articles on Pages A3 and B1)

?? investigators are looking into the ??libility that Flight 587 pilots may A Haggler's Christinas From small boutiques to Saks, a surprising number of stores are letting some customers name their price. How to get in on the holiday deals. When Every Show's a Survivor This fall, bad ratings aren't enough to sink new shows. Why ''Emeril'' is still cooking.

'Harry Potter'' Arrives

Will the Wizard of Hoywarts fly on the big screen? Joe Morgenstern's review.

Nations Supporting Jihads of Yesteryear Now Close Borders Yemen, for One, Won't Let Men Bent on Joining the Fight Go Off to Wage a ''Holy War'' By YAROSLAV TROFIMOV Staff Reporter of ''rife WALL STREET JOURN?? SANA, Yemen-Asked what he th?? about the war in Afghanistan, Abdu??

Washington Wire
A Special Weekly Report From
The Wall Street Journal's
Capital Bureau

DIRECTOR DANIELS gets GOP votes for ''worst ever'' relations with Congress. Sen. Stevens, the Senate Appropria- tions Committee's top Republican, says so publicly of Bush's budget chief; others complain privately to the White House that they can't deal with Daniels. They charge he is trying to score political points at Con- gress's expense, to aid a run for the Senate from Indiana later.

Ire erupts after Interviews in which Daniels belittles Congress. Cheney goes to the Capitol to rescue a $40 billion emer- gency-spending bill-and soothe House Ap- propriations Chairman Young. Danieis's office says it asked Cheney to go; Republi- cans say that is because Daniels wasn't welcome. With deputy Scan O'Keefe mov- ing to head NASA, long)free GOP budget staffer Bill'' Hoagland rejects overtures about the job.

With Congress still in town, in speeches Daniels quotes the song, ''How can I miss you ii you won't go away?'' PENTAGON PLANS for big Increases, but hasn't enlisted the budget office.

The services are told to build increases of about $15 billion annually into their plans for the budgets of the next two years. Such rises, inconceivable before Sept. 11, would drive overall military spending to $360 billion by 2004. On the ish list: intelligence-gathering sensors and spy drones-in high demand in Af- ghanistan but low supply.

Last Call?
Under Rising Pressure;
AT&T's CEO Tries
To Hold On to an leon
Loaded Down With Debt,
Hit by Competition, Firm
* May Be Sold Off in Pieces
A Losing Battle With the Bells
. By DEBORAII SOLOMON

,Staff Reporter of THE WALL STREET JOURNAL NEW YORK-C. Michael Armstrong has spent four years of furious deal making in a bid to push AT&T Corp. beyond its long-distance roots and back on top of the telecommunications landscape.

Now, the chief executive and his top lieutenants are working frantically just to keep control of the company's destiny. Publicly, they insist that AT&T is better off than most of its peers struggling to survive the telecom meltdown. But privately, amid 16-hour days crisscrossing the nation in corporate jets, even they acknowledge that the end of an independent AT&T may well be in sight. Paced with a massive debt load

and a deteriorating cash position, AT&T is on the verge of selling parts or all of the business icon. That could Include the two cable companies Mr. Armstrong spent $100 billion ??ulre in hopes of building an altern cy spending. (Articles on Pages A2 and A14)

Weaknesses remain in the health system's preparations for terrorist attacks, administration officials told Congress. Meanwhile, lawmakers unveiled a $3.2 billion plan to fight bioterrorism. A top FBI official said recent Pennsylvania raids are unlikely to aid the anthrax inquiry. (Article on Page A6) * * * .

Ararat called for Israeli withdrawal from the West Bank, Gaza Strip and east Jerusalem in a speech on the 13th anniversary of his declaration of Palestinian independence. Israeli raids left a Palestinian dead as Arafat's police freed two militants detained after the assassination of all Israeli cabinet minister.

Serb police guarded government buildregs after a mutinous secret-police unit, angry at Belgrade's dealings with the Hague, refused to accept civilian control. Separately, Kosovo votes tomorrow in a first, ii symbolic, step toward independence from Serbia.

Macedonia's parliament approved constitutional reforms underpinning a peace deal. The vote came after a long period of pressure by Western envoys to codify new rights for ethnic Albanians after rebels disbanded.

A federal judge dismissed all remaining charges against two former Utah Olympic officials accused of buying votes to win the 2002 Winter Games for Salt Lake City. The judge had thrown out four key counts in July. * * *

Cancer researchers have developed a method of encapsulating single atoms of radioactive material in injectable molecules that can find and destroy tumor cells. Human trials may begin soon. (Article on Page B3)

Two freight trains collided head-on about 25 miles northwest of Detroit, killing two crewmen, injuring two others and forcing nearby evacuations. Investigators focused on a switching malfunction or bad weather. * * *

Peace Corps workers were recalled from Zimbabwe after the government refused to issue permits for new volunteers. Harare 0.77; 2.2179 has been reducing the presence of international agencies ahead of elections next year.

might end up in Afghanistan. Pakistan, once a welcoming gateway for Arab mujahedeen, has also closed Afghan frontier crossings in recent weeks and carefully screens all Arab visa applicants, submitting their names to local security agencies.

Across the Middle East, hundreds of presumed jihad organizers, who openly worked out of mosques and even government offices to send fighters to Afghanistan in the 1980s and Bosnia-Herzegovina in the 1990s, have been rounded up since the Sept. 11 killings in New York and Washington. ''Back in the past; going to jihad in Afghanistan was a big thing, something to be celebrated by everybody,'' explains Jareal Khashoggi, a Saudi newspaper editor who frequently met Mr. bin Laden in Afghanistan while covering the war in the 1980s. ''Now, if you're a Saudi and you're going to fight there for the Taliban, you're joining the enemy.''

In part, that's because few Arab governments want to upset the U.S. and end up a target in the Bush administration's war on terrorism. More important, the Afghan jihad campaign against the Soviets badly boomeranged on its Middle Eastern sponsors. Returning Afghan veterans such as Mr. bin Laden have helped destabilize much of the Arab world, fueling terrorist groups such as Egypt's Islamic Jihad, Algeria's GIA and the Aden Abyan Islamic Army in Yemen.

FIRST LADY Laura Bush will sub for her husband in tomorrow's national radio address, to kick off a campaign highlighting the Afghan Tallban's abuse of women. Also involved: Jay Leno's wife, Mavis, and Britain's Cherie Blair. Yesterday, at the Bush ranch, Russia's President Putin agreed the women need help, but the ''end result'' must not be that ''a lady would turn into a man.''

TERRORISTS'' FUNDS are Treasury Secretary O'Neilrs target in Ottawa today, as he presses the G-20 group of nations to form money-laundering surveillance units. The units would join the global Egmont Group intelligence exchange; among G-20 nations that don't belong are Saudi Arabia, China, Germany, Indonesia and India. Countries meeting in Canada have agreed to an antiterrorism agenda but not to specific actions.

JOB REFERENCE: The White House as early as today may grant Senate Majority Leader Daschle's wish and name his aide, Jonathan Adelstein, to one of two Democratic seats on the Federal Communications Commission. The vacancy has left the FCC with a 3–1 GOP edge.

LEGAL LOOPHOLE: Microsoft tries to shield Ill; top Washington lawyer, Charles F. Rule, from having to reveal some contacts with the administration before he negotiated the company's controversial antitrust settlement. He was formally named a counsel of record yesterday, exempting him from disclosures otherwise demanded under a 1974 law requiring court review of antitrust deals.

GOP'S GILMORE is safe through 2002, White House advisers say.

. The party chairman will stay on through the critical midterm elections, they are telling Republicans; many are unhappy about the GOP's loss last week of the governorships in New Jersey and

Gilmore's Virginia.

Democrats gloat they have won ''the main event'' in redistricting after a federal court panel approves a plan favorable to Texas's majority-Democratic House delegation. GOP Leader Delay of Texas had predicted gains of as many as eight seats; the party still says it can add two.

Republicans urge ex-Rep. Lazio, who lost a Senate race to Hillary Clinton. to seek his old House seat back phone companies enter the long-distance market at a rapid clip, AT&T faces the prospect of heavy new competition.

The situation AT&T now finds itself in ''is a little bit like Gen. Cornwallis surrendering to Revolutionary forces,'' says Tom Evslin, chief executive of Internet telephony firm ITXC Corp. and a former AT&T executive. The Parts or the Whole?

While many have speculated whether Mr. Armstrong would ultimately be removed from the helm of AT&T, ii appears instead that AT&T is slowly being taken away from him. The company's directors, and Mr. Armstrong himself, had reluctantly come to the realization that AT&T is worth more in pieces than as a struggling whole when they announced a plan to break it into four pieces a year ago. Now, it appears the company will not be able to hold on to those different parts. ''Times have changed,'' says a person close to Mr. Armstrong. Now, the thinking is, ''If you're going to break up, why not just sell the pieces and get some long-term value for shareholders?''

With several trips to Washington a month, Mr. Armstrong, the 63-year-old former head of General Motors Curp.'s Hughes Electronics, is pleading with regulatots to order relief. Taking an even more visible role is the company's chief financial ofricer, Charles Noski, who is trying to juggle the various credit-rating agencies, the equity and debt markets, AT&T's board and Wall Street as well as heading negotiations for the company's cable-TV unit.

Mr. Armstrong argues AT&T is better off today than it was when he took over, pointing to the building of wireless and cable franchises. ''In 1997 we didn't know if AT&T had a future. But today we've got the assets, we've got the businesses, we've got the management team. We've got a future,'' says Mr. Armstrong. Hopes of Keeping It Together

He and other AT&T officials hold out the possibility of keeping the empire together, But he acknowledges that AT&T may not stay intact: ''If it's In a form of stand-alone companies or in the form of further industry consolidation, those assets and those people and those customers will still be AT&T/''

Some of AT&T's woes reflect those across the telecommunications industry, which Is imploding in the wake of a massive glut of capacity and retrenchment of once-abundant investment dollars. But AT&T's plight was aggravated b?? s of deals struck by Mr. Armstron. I-

ATTACHMENT 6

COMMITTEE: SENATE JUDICIARY COMMITTEE

HEADLINE: U.S. SENATOR PATRICK LEAHY (D-VT) HOLDS HEARING ON ''THE MICROSOFT SETTLEMENT: A LOOK TO THE FUTURE.''

SPEAKER: U.S. SENATOR PATRICK LEAHY (D-VT), CHAIRMAN

LOCATION: WASHINGTON, DC

WITNESSES: CHARLES JAMES, ASSISTANT ATTORNEY GENERAL, ANTITRUST DIVISION, U.S. DEPARTMENT OF JUSTICE JAY HIMES, ANTITRUST BUREAU CHIEF, OFFICE OF THE ATTORNEY GENERAL CHARLES RULE, COUNSEL, MICROSOFT CORPORATION LAWRENCE LESSIG, PROFESSOR, STANFORD LAW SCHOOL MARK COOPER, DIRECTOR OF RESEARCH, CONSUMER FEDERATION OF AMERICA JONATHAN ZUCK, PRESIDENT, ASSOCIATION OF COMPETITIVE TECHNOLOGY MATTHEW SZULIK, PRESIDENT AND CEO, RED HAT, INC. MITCHELL KERTZMAN, PRESIDENT AND CEO, LIBERATE TECHNOLOGIES

BODY:

U.S. SENATE JUDICIARY COMMITTEE HOLDS A HEARING ON THE MICROSOFT SETTLEMENT

SPEAKERS:

U.S. SENATOR PATRICK J. LEAHY (D–V–F) CHAIRMAN

U.S. SENATOR EDWARD M. KENNEDY (D–MA)

U.S. SENATOR JOSEPH R. BIDEN JR. (D–DE)

U.S. SENATOR HERBERT KOHL (D–WI)

U.S. SENATOR DIANNE FEINSTEIN (D–CA)

U.S. SENATOR RUSSELL D. FEINGOLD (D–WI)

U.S. SENATOR CHARLES E. SCHUMER (D–NY)

U.S. SENATOR RICHARD DURBIN (D–IL)

U.S. SENATOR MARIA CANTWELL (D–WA)

U.S. SENATOR JOHN EDWARDS (D–NC)

U.S. SENATOR ORRIN G. HATCH (R–UT) RANKING MEMBER

U.S. SENATOR STROM THURMOND (R–SC)

U.S. SENATOR CHARLES E. GRASSLEY (R–IA)

U.S. SENATOR ARLEN SPECTER (R–PA)

U.S. SENATOR JON KYL (R–AZ)

U.S. SENATOR MIKE DEWINE (R–OH)

U.S. SENATOR JEFF SESSIONS (R–AL)

U.S. SENATOR SAM BROWNBACK (R–KS)

U.S. SENATOR MITCH MCCONNELL (R–KY)

LEAHY: I just want to do a little housekeeping here. I want to make sure the chairman and ranking member of the Antitrust Subcommittee are here—Senator Kohl and Senator DeWine — both of whom have done a superb job for years in handling antitrust matters.

I told Senator DeWine earlier—now this would probably cause a recall petition for the Republican Party in Ohio, but what a terrific job he did as chairman and what a terrific job Senator Kohl has done as chairman on antitrust matters in pointing out that they're issues of great complexity, very important to everybody here in the Senate. I've look at the proposed settlement the Department of Justice and nine states have transmitted to the District Court. The reason that they planned for the conclusion of what has really been a landmark antitrust litigation. But now, it's going to pass the legal test set out in the Tunney Act if it's going to gain court approval. That test is both simple and broad, and requires an evaluation of whether the proposed settlement is in the public interest.

There is significant difference of opinion over how well the proposed settlement passes this legal test. In fact, the states participating in the litigation against Microsoft are evenly split— - nine states joined in the proposed settlement and nine non-settling states presented the court with an alternative remedy.

As the courts wrangle with the technical and complex legal issues at stake in the case, this committee is conducting hearings to educate ourselves and to educate the public about what this proposed settlement really means for our high-tech industry and for all of us who use computers at work, at school, and at home.

Scrutiny of the proposed settlement by this committee during the course of the Tunney Act proceeding is particularly important. The focus of our hearing today is to examine whether the proposed settlement is good public policy and not to go into the legal technicalities. The questions raised here and views expressed may help inform the court. I plan with Senator Hatch to forward to the court the record of this hearing for consideration as the court goes about the difficult task of completing the Tunney Act proceedings and the remedy solved by the non-settling states.

I am especially concerned that the District Court takes the opportunity seriously to consider the remedy proposal of the nonsettling states but to consider them before she makes her final determination on the other parties'' proposed settlement.

The insights of the other participants in this complicated and hard-fought case are going to be valuable additions to the comments received in the Tunney Act proceeding. I would hope that it would help inform the evaluation whether the settlement is in the public interest, a matter of which for many people is still an open question.

The effects of this case extend beyond simply the choices available in the software marketplace. The United States has long been the world leader in bringing innovative solutions to software problems, in creating new tools and applications for use on computers and the web, and in driving forward the flow of capital into these new and rapidly growing sectors of the economy.

This creativity is not limited just to Silicon Valley. My own home area, Burlington, Vermont, ranks seventh in the nation in terms of patent filings. Burlington has 38,000 people. It's in a county of about 130,000 people. It is not per capita. This is actual filings—seven in the nation.

So, whether the settlement proposal will help or hinder this process, and whether the high tech industries will play the important role that they should in our nation's economy, is a larger issue behind the immediate effects of this proposal. So, with that in mind, I intend to ask the representatives of the settling parties how their resolution of this conflict will serve the ends that the antitrust laws require.

Our courts have developed a test for determining the effectiveness of a remedy in a Sherman Act case: The remedy must end the anti-competitive practices, it must deprive the wrongdoer of the fruits of the wrongdoing and it must ensure that the illegality never recurs.

The Tunney Act also requires that any settlement of such a case serve the public interest. These are all high standards, but they are reasonable ones and people have dealt with them for years. In this case, the DC Circuit, sitting en banc and writing unanimously, found that Microsoft had engaged in serious exclusionary practices, to the detriment of their competitors and, thus, to all consumers. So, we have to satisfy ourselves that these matters have been addressed and redressed, or if they have not, why not. I have noted my concern that the procedural posture of this cas

e not jeopardize the opportunity of the non-settling states to have their day in court and not deprive the District Court of the value of their views on appropriate remedies in a timely fashion. In addition, I have two basic areas of concern about the proposed settlement.

First, I find many of the terms of the settlement to be either confusingly vague, subject to manipulation, or worse, both. Mr. Rule raised an important and memorable point when he last testified before this committee in 1997 during the important series of hearings that were convened by Senator Hatch on competition in the digital age, hearings that have shaped a lot of thinking in the Senate.

Testifying about the first Microsoft-Justice Department consent decree, Mr. Rule said, quote: ''Ambiguities in decrees are typically resolved against the government. In addition, the government's case must rise or fall on the language of the decree; the government cannot fall back on some purported ''spirit'' or ''purpose'' of the decree to justify an interpretation not clearly supported by the language.''

LEAHY: So, we take seriously such counsel, and would worry if ambiguity in the proposed settlement would jeopardize its enforcement.

Secondly, I am concerned that the enforcement mechanism described in the proposed decree lacks the power and the timeliness necessary to inspire confidence in its effectiveness. Particularly .in light of the absence of any requirement that the decree be read in broad remedial terms, it is especially important that we inquire into the likely operation of the proposed enforcement scheme and its effectiveness.

Any lawyer Who has litigated cases, and Mr. James, I would certainly include you, any business person knows how distracting litigation of this magnitude can be and appreciates the value that reaching an appropriate settlement can have not only for the parties but also for consumers, who are harmed by anti-competitive conduct, and the economy. I'm the first one to say that we'd like some finality, so everybody involved, all companies, can know what the standards are and all consumers can know what they are.

Because of that, I do not come to this hearing prejudging the merits of this proposed settlement but instead as one who is ready to embrace a good settlement that puts an end to the merry-go-round of Microsoft litigation over consent decrees.

But the serious questions that have been raised about the scope, enforceability and effectiveness of this proposed settlement leave me concerned that, if it's approved in its current form, it may simply be an invitation for the next chapter of litigation. I want an end to this thing. I think everybody wants at end to it, but we want an end to it where we know what the rules are going to be. If we don't know what the rules are going to be, as sure as the sun rising in the East, we're going to face these issues again.

On this point, I share the concern of Judge Robert Bork, who warns, in his written submission, that the proposed settlement ''contains so many ambiguities and loopholes as to make it unenforceable, and likely to guarantee years of additional litigation''.

I look forward to hearing from the Department of Justice and the other witnesses

here. I will put into the record a series of letters, one, a letter to myself and Senator Hatch from James Barksdale, another letter to Assistant Attorney General James and Senator Hatch and a letter to Senator Hatch from Assistant Attorney General James, letters to myself and Senator Hatch and Robert Bork, a letter to myself and Ralph Nader with two enclosures, written testimony of the Computing Technology Industry Association; written testimony of Catfish Software, Inc.; and written testimony of Mark Havicek (ph) of Digital Data Resources, Inc.

I yield to Senator Hatch who has been such a support of hearings on this issue earlier.

HATCH:

Thank you,

Mr. Chairman.

As you know, we conducted a series of hearings, as you've mentioned, in this committee in 1997 and 1998 to examine the policy implications of the competitive landscape of the then burgeoning hightech economy and industry, which was about to explode with the advent of the Internet.

Those hearings focused on competition in the industry, in general, and, more specifically, complaints that Microsoft had been engaged in anti-competitive behavior that threatened competition and innovation to the detriment of consumers. Our goal was, and I believe today is, to determine how best to preserve competition and foster innovation in the hightechnology industry.

Although the committee, and I, as its chairman—then chairman, was criticized by some, I strongly believed then, and continue to believe now, that in a robust economy involving new technologies, effective antitrust enforcement today would prevent the need for heavy-handed government regulations of business tomorrow.

My interest in the competitive marketplace in the high-technology industry was animated by my strong opposition to regulations of the industry, whether by government, or by one or few companies.

As we may remember, the hearings before the Judiciary Committee developed an extensive record of Microsoft's conduct, and evidenced various efforts by the company to maintain and extend its operating system monopoly.

These findings, I would note, were reaffirmed by a unanimous, and ideologically diverse Court of Appeals. The Microsoft case—and its ultimate resolution—present one of the most important developments in antitrust law in recent history, certainly in my memory. As I have emphasized before, having a monopoly is not illegal under our laws. In fact, in a successful capitalist system, striving to be one should be encouraged, as a matter of fact. However, anti-competitive conduct intended to maintain or extend this monopoly would harm competition and could possibly be violative of our laws. I believe no one would disagree that the DC Circuit Court's decision reaffirmed the fundamental principle that a monopolist— even a monopolist in a high-tech industry like software—must compete on the merits to maintain its monopoly, which brings us to today's hearing. We are here to examine the policy implications of the proposed settlement in the government's antitrust litigation against Microsoft.

Mr. Chairman, rather than closing the book on the Microsoft inquiry, the proposed settlement appears to be only the end of the latest chapter.

The settling parties are currently in the middle of the so-called Tunney Act process before the court. And, the non-settling parties have chosen to further litigate this matter and last week filed their own proposed settlement.

This has been a complex case with significant consequences for Microsoft, high-tech entrepreneurs and the American public as well. The proposed settlement between Microsoft and the Justice Department and nine of the plaintiff state attorneys general is highly technical.

We have all been studying it, and its impact, with great interest. Each of us has heard from some, including some of our witnesses here today, that the agreement contains much that is very good. Not surprisingly, we have also heard and read much criticism of the settlement. These are complex issues, and I would hope today's hearing will illuminate the many questions that we have.

I should note that about two weeks ago, I sent a set of detailed and extensive questions about the scope, interpretation, and intended effects of the proposed settlement to the Justice Department, naturally seeking further information on my part.

First, I want to commend the department for getting the responses to these questions to me promptly. We received them yesterday. ! think the questions, which were made public, and the Department's responses, could be helpful to each member in forming an independent and fair analysis of the proposed settlement.

To that end, and for the benefit of the committee, Mr. Chairman, I would like to make both the questions and the department's answers part of the record for this hearing, so I would ask unanimous consent that they be made part of the record.

As I noted in my November 29 letter to the department, I have kept an open mind regarding this settlement, and continue to do so. I have had questions regarding the practical enforceability of the proposed settlement and whether it will effectively remedy the unlawful practices identified by the DC Circuit, and restore competition in the software marketplace. I am also cognizant of both the limitation of the claims contained in the original Justice Department complaint by the DC Circuit, as well as the standards for enforcement under settled antitrust law.

I believe that further information regarding precisely how the proposed settlement will be interpreted, given DC Circuit case law, is necessary to any full and objective analysis of the remedies proposed therein. I hope that this hearing will result in the development of such information that would supplement the questions that I put forth to the Department.

Mr. Chairman, one important and critical policy issue that I would hope we can address today, and that I would like all of our witness to consider as they wait to be empaneled so that they can discuss, is the difficult issue of the temporal relation of antitrust enforcement in new high-technology markets.

It cannot be overemphasized that timing is a critical issue in examining conduct in the socalled ''new economy''. Indeed, the most significant lesson the Microsoft case has taught us is this fact. The DC Circuit found this issue noteworthy enough to discuss in the first few pages of its opinion. And I will quote from the unanimous court:

''What is somewhat problematic is that just over six years have passed since Microsoft engaged in the first conduct plaintiffs alleged to be anti-competitive. As the record in this case indicates, six years seems like an eternity in the computer industry. By the time the court can assess liability, firms, products, and the marketplace are likely to have changed dramatically. This, in turn, threatens enormous practical difficulties for courts considering the appropriate measure of relief in equitable enforcement actions.'' The Court goes on to say that ''Innovation to a large degree has already rendered the anti-competitive conduct obsolete, although by no means harmless'' unquote.

This issue is one that is relevant for this committee to consider as a larger policy matter, as well as how it relates to this case and the proposed settlement we are examining today. Let me just say that one of things that worries me is what are the enforcement capabilities of this settlement agreement? It was only a few years before these matters arose that Microsoft had agreed to a consent decree—to a conduct decree that many feel that they did not live up to.

I think it's a legitimate issue to raise as to how well the agreement that the Justice Department has worked out with Microsoft and nine of the plaintiffs, how will it be enforced if anticompetitive conduct continues.

In that regard, let me just raise Mr. Barksdale's letter which I believe you put into the record.

LEAHY: I did, I did.

HATCH: Let me raise it, because he does make some interesting comments in his letter and if I can read them, I think they might be—at least part of opening up the questions in this matter. I'll just quote a few paragraphs.

He says: ''These developments have stiffened my resolve to do all I can to ensure that competition and consumer choice are reintroduced to the industry. It is vitally important that no company can do to a future Netscape that Microsoft did to Netscape from 1995 to 1999. It is universally recognized that the 1995 consent decree was ineffective. I respectfully submit that the proposed final judgment, PFJ, is the subject of the hearing would be even less effective, if possible, than the 1995 decree in restoring competition and stopping anticompetitive behavior. Accordingly, Senator Leahy, I'm going to follow your suggestion that I help the committee answer one of the central questions. If the PFJ had been in effect all along, how would it have affected Netscape? More important, how will it affect future Netscapes?''

He describes the impact on future Netscapes as follows and let me just read a couple of paragraphs in this regard: ''As

discussed in the attached document, the unambiguous conclusion is that the PFJ agreed upon last month by Microsoft and the Department of Justice had been in existence in 1994, Netscape would have never been able to obtain the necessary venture capital financing. In fact, the company would have not come into being in the first place. The work of Mark Andresson's team at the University of Illinois in developing the Mosaic browser would likely have remained an academic exercise. An innovative, independent browser company simply could not survive under the PFJ and such would be the effect on any company developing the future technologies as innovative as the browser was in the mid-1990s.''

He goes on to characterize whether or not Microsoft could have developed itself, but let me just read the last two paragraphs of this letter: ''If the PFJ's provisions are allowed to go into effect, it is unrealistic to think that anybody would ever secure venture capital financing to compete against Microsoft. This would be a tragedy for our nation. It makes a mockery of the notion that the PFJ is, quote, ''good for the economy'', unquote. If the PFJ goes into effect, it will subject an entire industry to dominance by an unconstrained monopolist, thus snuffing out competition, consumer choice and innovation in perhaps our nation's most important industry. And worse, it will allow them to extend their dominance to more traditional businesses, such as financial services, entertainment, telecommunications and perhaps many others.

Four years ago, I appeared before committee and was able to demonstrate, with the help of the audience, that Microsoft undoubtedly had a monopoly. Now it has been proven in the course that Microsoft not only having a monopoly, but they have illegally maintained that monopoly through a series of abusive and predatory actions. I submit to the committee that Microsoft is infinitely stronger in each of their core businesses than they were four years ago, despite the fact that their principal arguments have been repudiated eight to zero by the federal courts. Now, if you'll keep these thoughts in mind during your hearing, let me send a more detailed analysis of my views as followed''.

Well, the importance of that letter is basically, Barksdale was one of the original complainants against Microsoft and was one of the very important witnesses before this committee in those years when we were trying to figure out what we're doing here. And I don't think you can ignore that, so these questions have to be answered that he raises, plus the questions that I had given as well.

So, that's the—you put that letter in the record?

LEAHY: I have and also I understood you wanted those letters (inaudible).

HATCH: I appreciate it.

Let me just say, Mr. Chairman, I'm grateful that you're continuing the committee's important role in high technology policy matters, and I as I would expect you to do, because I know that you take a great interest in these matters, as do, I think, every individual person on this committee and as does every individual person on the committee.

HATCH: I certainly look forward to hearing our witnesses today and I'm going to keep an open mind on where we're going here and hopefully they can resolve these matters in a way that is beneficial to everybody, including those who are against Microsoft and Microsoft itself.

Thank you,

Mr. Chairman.

LEAHY: Thank you.

Senator Kohl?

KOHL: Mr. Chairman, we thank you for holding this hearing here today. This is a crucial time for competition in the high tech sector of our economy. After spending more than three years pursuing its groundbreaking antitrust case against Microsoft, the government has announced a settlement.

But the critical question remains, will this settlement break Microsoft's stranglehold over the computer software industry and restore competition in this vital sector of our economy. I have serious doubts that it will.

An independent federal court, both a trial court and a court of appeals found that Microsoft broke the law and that its violation should be fixed. This antitrust case was as big as they come.

Microsoft crushed a competitor, illegally tried to maintain its monopoly and stifled innovation in this market. Now, after all these years of litigation, of charges and countercharges, this settlement leaves us wondering, ''Did we really accomplish anything?'' Or, in the words of the old song, ''Is that all there is?''

Does this settlement debate a Supreme Court mandate that it must deny the antitrust violator the fruits of its illegal conduct? It seems to me and to many, including nine of the states that joined the federal government in suing Microsoft, that this settlement agreement is not strong enough to do the job to restore competition to the computer software industry, It contains so many loopholes; qualifications and exceptions that many worry that Microsoft will easily be able to evade its provisions.

Today, for the vast majority of computer users, the first thing they see when they turn on their machine is the now familiar Microsoft logo placed on the Microsoft start menu. And all of their computer operations take place through the filter of Microsoft's Windows operating system.

Microsoft's control over the market is so strong that today, more than 95 percent of all personal computers run under Windows operating system, a market share high enough to constitute a monopoly under antitrust law.

Its share of the Internet browsing market is now over 85 percent and reported a profit margin of 25 percent in the most recent quarter, a very high number in challenging economic times. Microsoft has the power to dictate terms to manufacturers who wish to gain access to the Windows operating system and the ability to leverage its dominance into other forms of computer software. Microsoft has never been shy about using its market power.

Are we here today really confident that in five years, this settlement will have had any appreciable impact on these facts of life in the computer industry? I am not.

We stand today on the threshold of writing the rules of competition in the digital age. We have two options. One option involves one dominate company controlling the computer desktop facing minor restraints that expire in five years, but acting as a gatekeeper to 95 percent of all personal computer users.

The other mile is the flowering of innovation and new products that resulted from the breakup from the AT&T telephone monopoly nearly 20 years ago. From cell phones to faxes, from long distance price wars to the development of the Internet itself, the end of the telephone monopoly brought an explosion of new technologies and services that benefit millions of consumers every day. We should insist or nothing less in this case.

In sum, any settlement in this case should make the market for computer software as competitive as the market for computer hardware is today. While there is nothing wrong with setting, of course, we should insist on a settlement that has an immediate, substantial and permanent impact on restoring competition in this industry.

I thank our witnesses for testifying today and we look forward to hearing your views.

LEAHY: Thank you.

Senator DeWine? DEWINE: Mr. Chairman, thank you very much for holding this very important hearing concerning the Department of Justice's proposed final judgment in its case against Microsoft.

Mr. Chairman, as we examine this judgment and attempt to imagine what it will mean for the future of competition in this market, we must keep in mind the serious nature of this case. According to the DC Circuit Court, Microsoft did, in fact, violate our antitrust laws. Their behavior hurt the competitive marketplace. This is something that we must keep in mind as we examine the proposed final judgment.

This hearing is particularly important at this time, because federal law does require the District Court to examine the proposed settlement and determine if it is, in fact, in the public interest.

Federal law clearly allows the public to be heard on such matters. I believe that this forum today will further that process of public discussion.

The Court of Appeals in this case, relying on established Supreme Court case law, explained when appropriate remedy in antitrust case, such as this one, must seek to accomplish. It should unfetter the market and anti-competitive conduct, terminate the illegal monopoly and deny the defendant the fruits of its violations.

It's important, Mr. Chairman, that we examine where the proposed decree would, in fact, accomplish these goals. There seems to be a great deal of disagreement about what the competitive impact of the decree will be. While the proposed settlement, correctly, I believe, focuses primarily on the market for middleware, there has been a great deal of concern raised about the mechanism for enforcing such a settlement. Specifically, I think we need to discuss further whether the public interest would be better served with a so-called special master or some sort of administrative mechanism or whether the Justice Department can be more effective in enforcing the decree on its own.

In addition to the Department of Justice's proposed final judgment, we also have the benefit of another remedy's proposal which has been submitted to the court by nine states that did not join with the antitrust division's proposal. I would like to hear from our witnesses about the role they believe this alternative proposal should play in the ongoing Tunney Act proceedings.

As I mentioned early, Mr. Chairman, the Court of Appeals directed that any remedies should seek to deny Microsoft the fruits of its illegal activities. One clear benefit Microsoft derives from its violations was the effective destruction of Netscape as a serious competitor and a decrease in Java's market presence.

It's obviously impossible to go back in time and resurrect the exact market structure that existed, but it is important to discuss how the proposed settlement deals with this problem. I'd also like to note for the record that Microsoft will be represented today by one of their outside counsel, Rick Rule, rather than an actual employee of the company. Mr. Rule is an outstanding antitrust lawyer. He is well qualified to testify on this issue and we certainly look forward to hearing his testimony today.

However, Mr. Chairman, I must say that I am disappointed that Microsoft chose not to send an actual officer of the company because it does not appear to represent, frankly, the fresh start that I think we're all hoping to begin today.

Finally, I would like to thank you, Mr. Chairman, Ranking Member Hatch and Antitrust Subcommittee Chairman Kohl for all of your hard work in putting this hearing together and all of your work on this issue generally, over the last year.

I look forward to the testimony of our witnesses today and the committee's continuing oversight of this very important issue.

LEAHY: Mr. James, there's a vote on the floor. I think there's about two or three minutes left in the roll call vote. We're going to suspend while we go to vote, but I think...

JAMES: I have a really brief statement. Could I make that before you adjourn?

LEAHY: You can.

JAMES: Let me just say that at this hearing and the accompanying media spectacle indicate that Microsoft case is a subject of significant public interest and debate. Some argue that the case itself never should have been filed to begin with. Now, after nearly four years of litigation, Microsoft, the Department of Justice and nine states, have reached a settlement. I just want to commend the parties for their tireless effort and countless hours in reaching the compromise. Settlement is nearly always preferable to litigation and regulation by the market is nearly always better than regulation by litigation or the government, for that matter.

As far as what the public thinks, just this week a nationwide survey indicated U.S. government and Microsoft agreed to settle the antitrust case, however, nine state AGs argued that the antitrust case against Microsoft should continue. Which statement do you agree with?

U.S. economy and consumers would be better off id the issue where we settle as soon as possible, 70 percent; the court should continue to investigate whether Microsoft should be punished for its business activities, 24 percent. Not that the public is always determinative, but I thought that would be an interesting observation to add.

Thank you very much, Mr. Chairman.

LEAHY: I think, Mr. James, I think you'd know from the comments that we're across the board here. Everybody, or the majority of the people favor a settlement, but I must say that I don't think the majority of the people favor any settlement. They favor a good settlement and that's what the questions will be directed at and that's why nine attorneys general have expressed concern. Nine agreed with the settlement, nine disagreed with the settlement.

These are all very good, very talented people.

So, in your testimony when we come back, you've heard a number of the questions that have been raised and we look forward to you responding to them.

We'll stand in recess while we vote.

(RECESS)

LEAHY: Sorry for that.

LEAHY: Mr. James, I should put on for the record, Mr. James has served as the assistant attorney general for the antitrust division since June 2001. He previously served as deputy assistant attorney general for the Antitrust Division for the first Bush administration from 1989 to ''92. He served as acting assistant attorney general for several months in ''92. He was then the head of the antitrust practice of Jones Day Reavis & Pogue in Washington. Not knowing what the Senate schedule might be, Mr. James, we'll put your whole statement in the record, of course. I wonder if you might summarize it, but also with some reference to the charge made in the letter to Senator Hatch and myself by Mr. Barksdale, who said. had this been the ground rules—we never would have been able to get Netscape off the ground had it been the ground rules at the time they began Netscape, they would have never been able to create Netscape. If that is accurate, of course, we've got a real problem,

So, Mr. ,lames, it's all yours.

JAMES:

Thank you,

Senator Leahy and good morning to you and members of the committee. I'm pleased to appear before you today to discuss the proposed settlement of our still pending case against Microsoft Corporation.

With me today are Deborah Majoris (ph), my deputy, and Phil Malone (ph), who has been the lead staff lawyer on the Microsoft case from the very beginning. I note their presence here because they were the ones who responded to the judge's order that we negotiate around the clock and I think they've recovered now.

As you know, on November 2, the department and nine states entered into the proposed settlement. We're in the midst of the Tunney Act period, as you know, and that will end at the end of January at which point the District Court will determine whether the settlement is in the public interest. We think that it is.

I'm somewhat limited in what I can say about the case because of the pendency of the Tunney Act proceeding, but of course, I'm happy to discuss this with the committee for the purpose of public explication.

When thinking about the Microsoft case, from my perspective, it's always important to distinguish between Microsoft, the public spectacle and Microsoft, the actual legal dispute. We look, in particular, to what the department alleged in its complaint and how the court ruled on those allegations.

The antitrust division complaint had four counts: attempted monopolization of browser market in violation of Section II; individual and competitive acts; and a course of conduct to maintain the operating system monopoly in violation of Section II of the Sherman Act; tying it's own browser to the operating system in violation of Section I; and exclusive dealing in violation of Section I.

I would note that a separate monopoly leveraging claim brought by the states was thrown out prior to trial and that the states at one time had alleged in their complaint monopolization of Microsoft Office market and that was eliminated by the states through an amendment.

There was, of course, a trial before Judge Jackson, at the conclusion of which Judge Jackson found for the government on everything but exclusive dealing and ordered Microsoft to be split into a separate operating system and applications businesses after a one year transitional period under interim conduct remedies.

On appeal, however, only the monopoly maintenance claims survived unscathed. The attempt at monopoly claim was dismissed. The time claim was reversed and remanded for further proceedings under a much more rigorous standard and the remedy was vacated with the court ordering remedial hearings before a new judge to address the fact that liability findings had been, in their words, drastically curtailed.

Even the monopoly maintenance claim was cut back in the Court of Appeals decision. The Court of Appeals found for Microsoft on some of the specific practice and rules against the government on the so-called ''course of conduct theory'' of liability.

I recount all of this history to make two basic points that I think are important as we discuss the settlement.

First, the case, even as initially framed by the Department of Justice, was a fairly narrow challenge. It was never a direct assault on the acquisition of the operating system monopoly itself.

Second, and perhaps much more important, the case that emerged from the Court of Appeals was much narrower, still focusing exclusively on the middleware threat to the operating system monopoly and specific practices, not a course of conduct found to be any competitor. The Court of Appeals decision determines the reality of the case as we found it in the department when I first arrived there in June as you noted. The conduct found to be unlawful by the court was the sole basis of relief.

It's probably worth talking just briefly about the monopoly maintenance claim. The claim alleges that Microsoft engages in various anti-competitive practices, the NT, the development of rival web browsers and lava. These products came to be known as

middleware and was thought to pose a threat to the operating system monopoly because they had the potential to become platforms for other software applications.

The court noted that the middleware threat was nascent, that is to say that no one could predict when, if ever, enough applications would be written to middleware for it to significantly displace the operating system monopoly.

A few comments about the settlement itself. In general terms, our settlement has several important points that we think fully and demonstrably remedy the middleware issues that were at the heart of the monopoly maintenance claims,

In particular, are our decree contains a very broad definition of middleware that specifically includes a forms of platform software that have been identified as potential operating system threats today and likely to emerge as operating system threats in the future, in the broadest terms types of contractual restrictions and exclusionary arrangements the Court of Appeals found to be unlawful.

The defense is in those prohibitions where the appropriate nondiscrimination and non-retaliation provisions and it creates an environment which middleware developers can create programs that compete with Microsoft on a function—like function basis to a regime of mandatory API documentation and disclosure.

The most simple terms we believe our remedy will permit is the development and deployment of middleware products without fear of retaliation or economic disadvantage. That is what we believe and what the court found that consumers actually lost through Microsoft's unlawful conduct and that is what we think the consumers will gain through our remedy. With specific reference to what Mr. Barksdale said, if I may. I've not reviewed Mr. Barksdale's letter. I know that in this particular situation with so much at stake in this particular settlement that I've seen lots of hyperbolic statements. I certainly wouldn't necessarily characterize his in that vein without having read it in some detail.

I would note, however...

LEAHY: Mr. James, we're going to give you an opportunity to do that, because I want you to look at it. You can feel free to call it hyperbolic or however, but I would ask that you and your staff look at his letter, which does raise some serious questions and I would like to see what response you have for the record.

JAMES: I will be happy to do so.

And with that, I'd be happy to answer your questions.

LEAHY: Did you have more you wanted to say on the letter before you...

JAMES: No, sir. I'm happy to respond to what you folks want to talk about.

LEAHY: The Department of Justice has been involved in litigation against Microsoft for more than 11 years. I am one of those who had hoped throughout that that the parties might come to some conclusion. I think that it's in the best interest if you can have a fair conclusion; it's the best interests of the consumers, the government, Microsoft, competitors and everybody else.

I have no problem with that, but that presupposes the right kind of settlement. Over the course of those 11 years, the parties entered into one consent decree and that just ended up with a whole lot more litigation over the terms of that consent decree.

I mention that because you take this settlement and its already being criticized by some for the vagueness of its terms and its loopholes. Judge Robert Bork warned that it's and I think I'm quoting him correctly, ''likely to guarantee years of additional litigation''.

Now, what kind of assurances can you give or what kind of predictions can you give that if this settlement is agreed to by the courts, that we're going to see an end to this litigation, we're going to have to stop this kind of merry go round of Microsoft litigation concerning compliance or even the meanings of the consent decrees. I notice a lot of people in this room on both sides of issue. I have a feeling they are here solely because of their interest in government and not because and not because the meter is running.

A lot of us would like to see this thing end, but why do you feel that this decree, this settlement is so good that it's going to end?

JAMES: Well, Senator, that's certainly a legitimate question and I understand the spirit in which it was asked. One, I think, the facts of life is that one of the reasons we have so many antitrust lawyers and perhaps why there are so many of them in this room, is that firms with substantial market positions very often are the subject of appropriate antitrust scrutiny and so it is with Microsoft and so it should be.

Our settlement here is a settlement that resolves a fairly complex piece of litigation. It, by it's terms, is going to be a complex settlement in as much as it does cover a broad range of activities and has to look into the future prospectively in a manner that benefits consumers. Some of that consumer benefit certainly will come from the development of competing products. Some of that consumer benefit, however, will come from competition from Microsoft as it moves into other middleware products, et cetera.

We think that the terms of the decree are certainly enforceable. I think so much of what has been called a loophole are things that are carve-outs necessary to facilitate pro-competitive behavior and we certainly think that the enforcement power embodied in this decree, I would say an unprecedented level of enforcement power, three tiers of enforcement power, are sufficient to let the Department of Justice...

LEAHY: But keep in mind that usually these kinds of decrees, if it's not specifically laid out, the courts tend to decide the vague questions against the government, not for. Fortune Magazine called it and said even the loopholes have loopholes, a pretty strong statement from a very pro-business magazine.

The settlement limits the types of retaliation Microsoft can take against PC manufacturers that want to carry or promote non-Microsoft software, but some would say that gives a green light to other types of retaliation.

Now, I don't know why doesn't the settlement ban all types of retaliation. It has no—the Court of Appeals, it said twice you commingle the browser and operating system code you violate Section II of the Sherman Act. The proposed settlement contains no prohibit on commingling code. There is no provision barring the commingling of browser code with the operating code.

So, you've got areas where they can retaliate. You don't have the barring of this commingling of code. I mean, are these—Fortune Magazine, Judge Bork and others justified in thinking there are too many loopholes here, notwithstanding the levels of enforcement.

JAMES: Let me take your points in order—first on the subject of retaliation.

Retaliation is a defined term in this decree. It's a term that we are using to define a sort of conduct that Microsoft can engage in when it engages in ordinary commercial transactions. I don't think that there is any scope in the bounds of this case to prohibit Microsoft from engaging in any form of collaborative conduct with anyone in the computer industry. Certainly, the types of collaborative conduct that are permitted, the so-called ''loopholes'', are the type of conduct that is permitted under standard Supreme Court law embodied in decisions like broadcast music and NCAA, also embodied in the Federal Trade Commission-Department of Justice joint venture guidelines that sanction forms of conduct, so that we think that antitrust lawyers certainly can understand these types of issues and that we think the courts can understand these types of issues.

JAMES: Secondly, with regard to your more particular point about commingling code—it's certainly the case that the Court of Appeals following upon the District Court decision found that Microsoft had engaged in an act of monopolization in that it commingled code for the purpose of preventing the Microsoft browser from being removed from the desktop. That's certainly the finding of the Court of Appeals.

Now, in the process of going through my preparations for this hearing, I went back and looked at the Department of Justice position with regards to this throughout the course of the case and even in the contempt proceeding involving the former (inaudible), it has always and consistently been the Department of Justice's contention that it did not want to force Microsoft to remove code from the operating system. They said that over and over again in every brief that's been filed in this case.

What the Department of Justice wanted was an appropriate as a remove functionality that would give consumers the choice between middleware functionalities. That is exactly the remedy we have here and we think it's an effective remedy.

We've gone beyond that particular aspect of this by including into our decree a specific provision that deals with the question of defaults, in other words, the extent to which a Microsoft middleware—a non-Microsoft middleware product can take over and be (inaudible) both automatically in place of a Microsoft middleware product. That's something that was not in the earlier decree. It's a step beyond what was included in Judge Jackson's order.

We think that we have addressed the product integration aspects of the Microsoft monopoly made in this claim in exactly the terms that the department has always

pursued with regard to that particular issue and we're completely satisfied with that aspect of the relief.

LEAHY: Well, I will have a follow up on—as you probably expect that my time is up and I want to yield to Senator DeWine. Actually, I have a follow up on the retaliation also, but I do appreciate your answer.

Senator DeWine?

DEWINE: Thank you, Mr. Chairman.

This case has certainly been very controversial and inspired a great deal of discussion regarding the effectiveness of the antitrust laws, especially within the high tech industry. Netscape, for example, vocally opposed Microsoft during this litigation and many of Netscape's complaints really were validated by the courts. And yet, Netscape ended up losing battle.

This sort of result has led some to question whether our antitrust laws can be effective in this particular industry and I personally believe the antitrust laws are essential to promoting competition within the industry and throughout the country.

But I would like to hear what your views are on this subject. What lessons do you think this case teaches us in regards to that and what do we say to people like Netscape?

JAMES: Well, it's certainly the case that our judicial system very often can provide a crude tool for redressing particular issues quickly. I would note that this particular case was litigated on a very fast track and the people at the Department of Justice ought to be really commended for pushing this case along at even the speed that it's taken, considering the comparable speed of other cases.

I think, however, that the case stands for an important proposition and that is that the Department of Justice is up to meeting the challenge, that it has the tools at its disposal to investigate unlawful conduct, to understand and appreciate the implications of what complex technical matters involve, to bring the resources to bear in order to litigate these cases to a successful conclusion and, where appropriate, to reach a settlement that's in the public interest.

One of the things that I think is an important issue to note here is that there is certainly a time difference between litigating a matter of individual liability and litigating a matter involving compliance with a term of a decree.

We think that the enforcement powers that are involved here are appropriate ones. We think that enforcement by the Department of Justice is the appropriate way to proceed in these matters and we're confident that this provides the sort of best mechanism for dealing with a complex matter in complex circumstances.

DEWINE: One provision of the proposed final judgment requires Microsoft to allow consumers or computer manufacturers to enable access to competing products. However, to qualify for these protections, it must have had a million copies distributed in the United States within the previous year.

This would seem to me to run contrary to traditional antitrust philosophy promoting new competition. Why are these protections limited to larger competitors?

JAMES: I'm actually glad you asked that question, Senator, because that's one of the prevailing, I think, misconceptions of the decree.

The provisions of the decree that require Microsoft to allow a OEM placed middleware product on the desktop apply without regard to whether or not that product has been distributed to I million people. That is an absolute requirement.

The million-copy distribution provision relates solely to the question of when Microsoft must undertake these affirmative obligations to create defaults, for example, for a middleware product, to provide other types of assistance to someone who has developed that product. The fact of the matter is that this is something that requires a great deal of work, particularly these complex matters of setting defaults, which is very important to the competitive circumstances here. It would be very difficult to impose upon Microsoft the responsibility for making these alterations to the operating system and making them for every subsequent release of the operating system to be automatic in the case of any software company that shows up and says, ''I have a product that competes''.

But I want to be very clear here, Senator. Every qualifying middleware product without regard to how many copies its distributed, an OEM can place that product on the desktop immediately without regard to this I million threshold. And quite frankly, in today's world, 1 million copies distributed is not a substantial matter. I think in the last year I might have gotten 1 million copies of AOL 5.0 in the mail.

So, I don't think that that's really a very large impediment.

DEWINE: Can I ask one last question?

You've mentioned in a number of provisions the settlement will (inaudible) beyond the four corners of a case. But Microsoft agreed to these conditions anyway. What are they and what is the goal of these provisions?

JAMES: Well, I think one of the most important one is the default provision. As of the time of our original case, these middleware products were fairly simple, operating in a fairly simple way. You went—you clicked onto that product, you evoked that product and then you used it in whatever way was appropriate.

In today's world, software has changed. We see what they call a more ''seamless user interface user experience'', and it's necessary for people to operate deeply within the operating system on an integrated basis.

There were allegations that Microsoft overrode consumer choice in these default mechanisms in the case. With regard to each and every one of those instances alleged by the Justice Department, the Justice Department lost. The court found that count for Microsoft. Notwithstanding that as a matter of fencing in and improving the nature of this decree, we have included into this issue the subject of defaults.

Another important area, I think, is a question of server interoperability and that's a very, very important issue as we see going forward. If you go back and read the complaint in this case, you will find the word ''server'' almost virtually never appears. There's no sort of very specific allegations that go to this.

We thought that this was an important alternative platform issue. We thought it was important to stretch for relief in this area and we did so and got, I think, relief that is very effective in preserving this as people go into an environment of more distributive web processing.

So, we think that that's a very powerful thing and I think these are two issues that the Department of Justice would have had a very, very difficult time sustaining in court to the extent that the court was inclined to limit us to the proof that we put forward, so I think these are very positive manifestations of the settlement.

DEWINE: Thank you, Mr. Chairman.

LEAHY: We're checking one—and I mentioned this to Senator Kohl and Senator Sessions and Senator Cantwell (inaudible) been here to answer questions. We're finding out from the floor (inaudible) there may have been a (inaudible). Any senator has a right under Senate rules to object to committees meeting more than two hours after the Senate goes in session. We're on the farm bill and a number of appropriations and other central matters so that I've been told that a senator has objected, as every senator has a right to do, to its continuance. And as a result, the good senator said they want us to, contrary to what is going on in the Senate floor, we have to respect the rules of the Senate. I do, and we're going to have to recess this hearing at this time. I'm going to put into the record the statements of all those who have come here to testify.

Senator Hatch and I will try and find a time we might reconvene this hearing because both Senator Hatch and I feel this is a very important hearing. Statements will be placed in the record. The record will be open for questions that might be submitted.

I apologize to everybody. We did not anticipate this. With 100 senators, every so often somebody exercises that rule. I emphasize, senators have the right to exercise that rule, especially when we're in the last three weeks of the session. I think we're going to break for Christmas Day, but we're in the last three weeks of this session and I think senator (inaudible) wants to make sure senators pay attention to (inaudible).

HATCH: Mr. Chairman?

LEAHY: Senator Hatch, we really technically out of time.

HATCH: Mr. Chairman, we are out of time. Any Senator can invoke a two-hour rule and a senator has done that. Fortunately, I think it was against the finance committee markup today, but we reported out to bill anyway right within the time constraint. That's where I went.

But both Senator Leahy and I apologize to the witnesses who put such an effort in being here today, because this is an important hearing. These are important matters for both sides, to all sides, I should say. There are not just two sides here, and these matters have a great bearing on just how positively impactful the United States is going to be in these areas. So, I hope that we can reconvene within a relatively short period of time and continue this hearing, because it is a very, very important hearing and we apologize to you that this happened.

LEAHY: It's out of our hands, but I would normally recess until tomorrow, but

tomorrow we have this time for an executive committee meeting of the Judiciary Committee to do as we've done many times already, to vote out a large number of judges.

So, with that, we stand recessed.

(UNKNOWN): Mr. Chairman, just a matter of procedure. I am troubled by what I understand to be a decision to send this transcript to the court as an official document from Congress in the middle of a litigation that's ongoing. I would think that anybody's statement that they gave could be sent to the court. Any senator can write a letter to the court.

LEAHY: I appreciate—we need to be...

(UNKNOWN): I haven't studied it fully, but as a (inaudible) it troubles me to have a...

LEAHY: That record is open to anybody who wants to send anything in. Senator Hatch and I have made that decision and that will be the decision of the committee.

We stand in recess.

(UNKNOWN): I will be recorded as objecting. END NOTES:

????—Indicates Speaker Unknown

——Indicates could not make out what was being said. off mike—Indicates could not make out what was being said.

PERSON: PATRICK J LEAHY (94%); EDWARD M KENNEDY (72%); JOSEPH R BIDEN (57%); DIANNE FEINSTEIN (56%); RICHARD J DURBIN (55%); HIKE DEWINE (55%); ORRIN G HATCH (54%); STROH THURMOND (54%); JOHN EDWARDS (54%); ARLEN SPECTER (53%); JON L KYL (53%); JEFF SESSIONS (52%); HITCH MCCONNELL (51%); HERB KOHL (50%); RICHARD MICHAEL DEWINE (50%);

ATTACHMENT 7

FRIED FRANK HARRIS SI??RIVER & JACO??SON

Alphabetical Attorney Listing

Attorney D??

Charles F. (Rick) Rule is a partner resident in Fried Frank's Washington, DC and New York offices and head of the firm's antitrust practice. He joined the firm in 2001.

Mr. Rule's practice focuses on providing U.S. and international antitrust advice to a variety, of high-profile corporations. counseling, structuring joint ventures (including business-to- business exchanges) and representing major corporations in connection with investigations by the U.S. Department of Justice, the Federal Trade Commission and the European Commission. Mr. Rule has represented clients such as Eli Lilly & Company, Microsoft Corporation, US Airways Inc., WorldCom, Inc., the National Basketball Association, Goodyear Tire and Rubber Co., and Air Products and Chemicals, Inc. He has also been involved in the antitrust clearance of some of the highest-profile mergers in recent years, including advising NYNEX in its merger with Bell Atlantic (now known as Verizon Communications) and serving as Exxon's lead counsel in its successful merger with Mobil Oil Corporation (now known as ExxonMobil Corporation).

Mr. Rule served as William Baxter's special assistant, in 1982, in the Antitrust Division of the Department of Justice. He served as acting head of the Division for almost half of 1985 and was appointed to the job permanently in late 1986, becoming the youngest person ever to be confirmed to the position of Assistant Attorney General in charge of the Antitrust Division. Mr. Rule continued as the Assistant Attorney General through the remainder of the Reagan Administration and for the first several months of the George Bush, Sr. Administration. He received the Edmund J. Randolph Award from the Department of Justice in 1988. Following his departure from the Justice Department in 1989, Mr. Rule was a partner and head of the antitrust practice at the Washington, DC law firm of Covington & Burling.

Mr. Rule has served as a distinguished adjunct professor of law at American University's Washington College of Law. He was the inaugural chair of the Corporations, Securities and Antitrust Practice Group of the Federalist Society, and, from 1989–91, was chair of the Economics Committee of the ABA Antitrust Section. He is currently a member of the Advisory Board of BNA's Antitrust & Trade Regulation Report and also a member of the advisory boards of the Washington Legal Foundation and the Landmark Legal Foundation.

Mr. Rule is included among the world's leading antitrust lawyers in the Chambers Global 2000–2001 listing. His biography appears in Who's Who in America. Who's Who in the East. Who's Who in American Law and similar publications.

Mr. Rule has written extensively and is a frequent lecturer on a variety, of antitrust and regulatory topics, and he contributes a regular column on antitrust issues to the Daily Deal. (See attached publications list.)

Mr. Rule received his JD in 1981 from the University of Chicago Law School and his BA, summa cure laude, in 1978 from Vanderbilt University. He served as a law clerk for Chief Judge Daniel M. Friedman of the old United States Court of Claims (now the Court of Appeals for the Federal Circuit). He is on the Visiting Committee for the University of Chicago Law School. He is admitted to the bar in the District of Columbia.

ATTACHMENT 8

The New York Times

FRIDAY, NOVEMBER 2, 2001

By STEPHEN LABATON

WASHINGTON, Nov. 1—The 18 states involved in tile government's landmark antitrust lawsuit against Microsoft rebuffed repeated request,'' today by Microsoft and the Justice Department to join the tentative settlement they reached a day earlier.

Concluding a series of meetings in Washington and cross-country telephone calls, the slate prosecutors instead agreed among themselves to ask the federal judge overseeing tile case for time to examine the details of the proposed deal.

The judge, Colleen Kollar-Kotelly of Federal District Court for the District of Columbia, has ordered the lawyers In the case to appear before her on Friday morning to report progress in the mediation proceedings that she set up five weeks ago.

Today Microsoft and senior Justice Department officials engaged with a mediator in shuttle diplomacy, vigorously pressing the states to adopt the agreement, people involved in the case said.

Under that pressure, leaders of the group struggled to hold together a fragile alliance that was being led from Washington by Tom Miller, the attorney general of Iowa, and Richard Blumenthal, the attorney general of Connecticut. Working from the headquarters here of the National Association of Attorneys General, the two were Joined by lower-level lawyers from * other states, including New York and California.

After a conference call this afternoon, the states agreed to have their newly hired lawyer, Brendan Sullivan, ask the judge for more time to consider tile request. The decision was described as unanimous. Pressing hardest for the delay were representatives from California, Connecticut, Massachusetts, Ohio and Wisconsin, according to one lawyer Involved in the case.

Participants described the state officials as wary of accepting a deal before scrutinizing the text of any proposed consent decree, particularly in light of the history of the case. ''The last time I saw a public policy issue as important and difficult as Microsoft decided under impossible time constraints and without a chance for adequate public review was when California passed its electricity deregulation bill,'' said Bill Lockyer, the California attorney general. ''I'm not about to stand by and see that happen again.''

It was an inartfully drawn consent decree in 1994 that became the center of the initial lawsuit filed by the Justice Department against Microsoft. In that case, Microsoft was accused of violating the terms of the decree by integrating its Internet Explorer browser software into its Windows operating system. The company replied that it had done nothing improper because the decree did not explicitly constrain it from such integration.

The state prosecutors today faced a difficult legal calculation. Several of them were described as being skeptical of the proposed deal but also uncertain whether they would be able to proceed as a group at odds with the federal government.

A break between the states and the Justice Department would throw the cas?? uncharted and .possibly ?? legal waters. No agreement ca?? effect without the approval of a??ral judge, and it is impossible to predict how Judge Kollar-Kotelly might react to the concerns of the states.

Nor is it certain whether her approval of a settlement would prevent the states from proceeding with their own antitrust lawsuit against Microsoft To approve the proposed deal struck with the Justice Department, Judge Kollar-Kotelly would have to find that it was in the public interest.

Today's developments capped a remarkable week of behind-the scenes negotiations in Washington. For Microsoft, the main negotiator has been Charles F. Rule of Fried, Frank, Harris, Shriver & Jacobson, a former assistant attorney general in charge of antitrust during the Reagan administration, where he got to know a young colleague working on antitrust issues at the Federal Trade Commission named Charles'' A. James. Mr. James, the current head of the antitrust division, is leading the federal government's effort to settle the case.

News of the proposed settlement between Microsoft and the Justice Department

propelled the company's stock and contributed to a broader rally in the markets. Microsoft shares rose 6.4 percent, or $3.69, to $61.84.

Some of Microsoft's largest competitors voiced bitter disappointment about the terms of the proposed deal and asserted that the company had used its political influence with a Republican administration to try to quickly put an end to the case.

The rivals said that during court hearings that will be ''required on the proposed settlement, they intended to provide evidence of what they say was an improper discussion between a senior aide to Attorney General John Ashcroft who had been a top official in the Republican Party and a Republican lobbyist for AOL-Time Warner that demonstrated Microsofts political muscle. In a statement issued today, Representative John Conyers Jr., Democrat of Michigan, also indicated he would be examining that incident, word of which has been circulating widely in recent days among lawyers, lobbyists and executives following the case.

The aide to Mr. Ashcroft, David Israelite, had been the political director of the Republican National Committee, which received hundreds of thousands of dollars from Microsoft during the 2000 presidential campaign. Mr. Israelite, now Mr. Ashcroft's deputy chief of staff, has recused himself from any involvement in the Microsoft antitrust case because he owns 100 shares of Microsoft stock.

The 1obbyist involved in the discussion was said to be Wayne Berman, who is also a top Republican fundraiser.

According to the notes of a person briefed about the conversation on Oct. 9, the day it is said. to have occurred, Mr. Israelite called Mr. Berman.

''Are you guys behind this business of the states hiring their own lawyers in the Microsoft case?'' Mr. Israelite asked Mr. Berman in the predawn conversation, according to the notes. ''Tell your clients we wouldn't be too happy about that.''

Mr. Israelite purportedly told the AOL lobbyist that the Supreme Court would probably deny a Microsoft appeal later in the day, as the court in fact did, clearing the way for the Justice Department to push hard for a settlement with the company. According to people who were later briefed on the conversation by an AOL executive, Mr. Israelite then complained that AOL, a leading Microsoft rival, had been trying to ''radicalize'' the states to oppose a settlement.

In recent interviews, both Mr. Israelite and Mr. Berman denied that they had had any conversations about the Microsoft case or that they had talked at all that day.

''I find it offensive if someone has suggested that I violated the terms of my recusal, because I take that very seriously,'' Mr. Israelite said.

But an AOL executive said he was notified by Mr. Berman about his conversation with Mr. Israelite on Oct. 9, the day it was said to have occurred. Nevertheless, this executive and others at AOL said that upon re-examination of Mr. Berman's initial description of the conversation with Mr. Israelite, the company concluded that the account of the conversation might not have been reliable enough to justify filing an ethics complaint.

But other industry executives and lobbyists said they thought the conversation had occurred and would ask Judge Kollar-Kotelly to order an inquiry. Today Edward J. Black, president of the Computer and Communications Industry Association, a trade group whose members include many of Microsoft's corporate adversaries, said he and other groups would be raising the incident as part of a court proceeding to consider the merits of the settlement.

''Something is very rotten here,'' Mr. Black stud. ''Israelite is a recused official. He holds Microsoft stock. He raised a lot of money from Microsoft. He steered money into critical states that helped win the election. And then he takes action to help facilitate getting Microsoft out of trouble in an enforcement action.''

Alter more than three years of litigation, repeated courtroom setbacks and failed settle- ly on whether an appeals court ruling m June was interpreted broadly or narrowly.

Some Legal scholars pointed to the precedents establishing the standard that monopoly remedies should eliminate the monopoly, deny with innovation.''

The tentative settlement would prohibit Microsoft from entering into pricing deals and contracts with personal computer makers that effectively force them to favor Microsoft prod-

ATTACHMENT 9

Clerk of the House of Representative
Secretary of the Senate
Legislative* Resource Center
Office of Public Records
B–106 Cannon Building
232 HartBuilding
Washington, DC 20515
Washington, DC 20510
RECEIVED
99 AUG–9 PM 2:38
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete This Page
1. Registrant Name Barbour Griffith & Rogers
2. Registrant Address
Check if different than previously reported Address
1275 Pennsylvania Avenue, NW Tenth Floor
City Washington State/Zip (or Cottony) DC 20004
3. Principal Place of Business (if different from line 2)
City State/Zip (or Country)
4. Contact Name Will Milligan
Telephone (202)–661–6320
E-mail (optional) wmilligan@bgrdc.com
5. Senate ID # 5357–416
6. House ID # 31564040
7. Client Name Self Microsoft Corporation
TYPE OF REPORT
8. Year 1999 Midyear (January 1-June 30) ?? OR Year End (July I-December 31) ??
9. Check if this filing amends a previously filed version of this report ??
10. Check if this is a Termination Report
Termination Date
11. No Lobbying Activity ??
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
INCOME relating to lobbying activities for this reporting period was: Less than $10,000 $10,000 or more $300,000.00
Income nearest $20,000)

Provide a good faith estimate, rounded to the nearest $20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).

13. Organizations
EXPENSES relating to lobbying activities for this reporting period were: Less than $10,000
Expenses (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options.
Method A. Reporting amounts using LDA definitions only
Method B. Reporting amounts under section 6033C0)(8) of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code signature
Date 8/5/99
Printed Name and Title G.O. Griffith, Jr. Managing
Page 1 of 2
Registrant Name: Barbour Griffith & Rogers Client Name: Microsoft Corporation LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
* 15. General issue area code CPI (one per page)
16. Specific Lobbying issues
H.R. 775, Y2K Act,
S.314, Small Business Year 2000 Readiness Act,
In connection with the Justice Department's Antitrust inquiry. 17. House(s) of Congress and Federal agencies contacted ID Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
New	
Barbour, Haley	No
Griffith, Jr., G.O.	No
Monroe, Loren	No
Rogers, Ed	No
Thompson, Brent	No

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Printed Name and Title G.O. Griffith, Jr. Managing Partner
Date 8/5/99

ATTACHMENT 10

Clerk of the House of Representatives
Legislative Resource Center
B–106 Cannon Building

Washington, DC 20515
Secretary of the Senate
Office of Public Records
232 Hart Building
Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of I995 (Section 5)—All Filers Are Required to Complete This Page
1. Registrant Name Barbour Griffith & Rogers
2. Registrant Address
Check if different than previously reported Address
1275 Pennsylvania Avenue, NW Tenth Floor
City Washington state/zip (or Country) DC 20004
3. Principal Place of Business (if different from line 2)
City State/Zip (or Country)
4. Contact Name Evan Rikhye
Telephone 202–333–4936
E-mail (optional)
5. Senate ID # 5357–416
7. Clint Name Self Microsoft Corporation 31564040
TYPE OF REPORT
8. Year 1999 Midyear (January 1–June 30)
9. Check if this filing amends a previously filed version of this report
10. Check if this is a Termination Report Termination Date
OR
Year End (July 1–December 3 I)
11. No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
INCOME relating to lobbying activities for this reporting period was:
Less than $10,000
$10,000 or more $
$320,000.00
Income (nearest 520,000)

Provide a good faith estimate, rounded to the nearest $20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).

Signature
Printed Name and Title G.O. Griffith, Jr.—Managing Partner
13. Organizations
EXPENSES relating to lobbying activities for this reporting period were:
Less than $10,000
$10,000 or more $
Expenses (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options.
Method A. Reporting amounts using LDA definitions only
Method B. Reporting amounts under section 6033(bX8) of
the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the
Internal Revenue Code
Date 01/13/2000
Registrant Name: Barbour Griffith & Rogers
Client Name: Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code LAW (one per page)
16. Specific Lobbying issues
H.R. 775, Y2K Act,
S.314, Small Business Year 2000 Readiness Act,
In connection with the Justice Department's Antitrust inquiry.
17, House(s) of Congress and Federal agencies contacted
Check if None
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
New	

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Printed Name and Title G.O. Griffith, Jo.—Managing Partner
Date 01/13/2000

ATTACHMENT 11

Clerk of the 11ouse of Representatives
Secretary of the* Senate
Legislative Resource Center
Office of Public Records
B–106 Cannon Building
232 Hart Building
Washington, 20515
Washington. DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complet??
1. Registrant Name Barbour Griffith & Rogers, Inc.
2. Address
Check if different than previously reported 1275 Pennsylvania Avenuc, NW, Tenth Floor, Washington DC 20004
3. Principal Place of Business (if different form line 2)
/Zip (or Country)
4. Contact Name Evan Rikhye
Telephone 202–333–4936
E-mail (optional)
Client Name Self Microsoft Corporation
5. Senate ID# 5357416
6. House ID #. 31564040
TYPE OF REPORT
8. Year 2000 . Midyear (January 1–June 30) OR Year End (July 1–December 31)
9. Check if this filing amends a previously filed version of this report
10. Check if this is a Termination Report ?? ?? Termination Date
11. No Lobbying Aetivity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
INCOME; relating to lobbying activities for this reporting period was:
Less than $10,000
$10,000 or more $300,000.00
Income (nearest $20,000)

Provide a good faith estimate, rounded to the nearest $20,000 of all lobbying related income from the client (including all payment to the registrant by any other emily for lobbying activities on behalf of the client).

13. Organizations
EXPENSES relating to lobbying activities for this reporting period were:
Less than $ 10,000
$10,000 or more $
Expenses (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expanse accounting method. Sec instructions for description of options.
Method A. Reporting amounts using LDA definitions only
Method B Reporting amounts under section 6033(b)(81 of the Internal Revenue Code
Method C. Reporting amounts under section 162(c)of the Internal Revenue Code
Signature—
Primed Name and Title G.O. Griffith, Jr.—Chief Operating Officer
Dale 8/12/20(10
Registrant Name: Barbour Graffity & Rogers, Inc.
Client Name: Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. Gelleral issue area code IMM (one per page)
16. Specific Lobbying issues
H.R. 3767, Visa Waiver Permancent Program Act,
17. House(s) of Congress and Federal agencies contacted
Check if None
IIouse of Representatives
Senate
18. Name cfr each individual who acted a lobbyist in this issue area
Griffith, Jr., G.O.
Rogers, Ed.
Barbour, Ilnley
Monroc, Loren
Thompson, Brent
Covered Official Position (if applicable)
19. Interest of each foreign entity in the specific issues issue on line.. 16 above ??
Check if None
Signature
Printed Name and Title —G.O. Griffith, Jr..-Chief Operating Officer
Date 8/12/2000
Registrant Name: Barbour Griffith & Rogers, Inc.
Client. Name: Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code LAW (one per page)
16. Specific Lobbying issues Monitor The Justice Department's Antitrust inquiry.
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives

Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered official Position (if applicable)
New	
Griffith, Jr., G.O.	No
Rogers, Ed	No
Barbour, Haley	No
Monroc, Loren	No
Thompson, Brent	No

19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Printed Name and Title G.O. Griffith, Jr.—Chief Operating Officer
Date 8/12/2000
Registrant Name: Barbour Griffith & Rogers, Inc.
Client Name: Microsoft Corporation —.
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TRD (one per page)
16. Specific Lobbying issues
H.R. 4444, US. China Trade Relations Act of 2000,
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in Otis issue area

Name	Covered Official Position (if applicable)
Griffith, Jr. G.O.	No
Rogers, Ed	No
* Barbour, Haley	No
Thompson, Brent	No

19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Printed Name and Title G.O. Griffith, Jr.—Chief Operating Officer
Date 8/12/2000

ATTACHMENT 12

Clerk of the House of Representatives
Secretary of the Senate
Legislative Resource Center Office of Public Records
B–106 Cannon Building Washington, DC 20515
232 Hart Building Washington, DC 205 10
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete This Page
1. Registrant Name Barbour Griffith & Rogers, Inc.
Address 1275 Pennsylvania Avenue, NW, Tenth Floor Washington DC 20004
Check if different than previously reported
Principal Place of Business (if different from line 2)
City State/Zip (or Country)
4. Contact Name Evan Rikhye
Telephone 202–333–4936
E-mail (optional)
5. Senate ID # 5357–416 6. House ID # 31564040
7. Client Name Self Microsoft Corporation
TYPE OF REPORT
8. Year 2000 Midyear(January 1–June30) Year End(July 1–December31)
OR
9. Check if this filing amends a previously flied version of this report
10. Check if this is a Termination Report Termination Date
11. No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
INCOME relating to lobbying activities for this reporting period was:
Less than $10,000
$10,000 or more $ $240,004).00
Income (heart $20.000)
Provide a good faith estimate, rounded to the nearest $20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).
13. Organizations
EXPENSES relating to lobbying activities for this reporting period were:
Less than $10,000
$10,000 or more $
Expenses (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options.
Method A. Reporting amounts using LDA definitions only
Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Date 2/14/2001
Printed Name and Title G.O. Griffith, Jr.—Chief Operating Officer
Registrant Name: Barbour Griffith & Rogers, Inc.
Client Name: Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code LAW (one per page)
16. Specific Lobbying issues Monitor the Justice Department's Antitrust inquiry.
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
Griffith, Jr. G.O.	No
Rogers, Ed	No
Barbour, Haley	No
Monroe, Loren	No
Thompson, Brent	No

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Printed Name and Title G.O. Griffith, Jr.—Chief Operating Officer
Date 2/14/2001
Registrant Name: Barbour Griffith & Rogers, Inc.
Client Name: Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in Which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TRD (one per page)
16. Specific Lobbying issues
H.R. 4444., US-China Trade Relations Act of 2000,
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
New	
Griffith: Jr., G.O.	No
Rogers, Ed	No
Barbour, Haley	No
Thompson, Brent	No

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check None
Signature
Printed Name and Title G.O. Griffith, Jr. -Chief Operating Officer
Date 2/14/2001
Registrant Name: Barbour Griffith & Rogers, Inc.
Client Name: Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TRD (one per page)
16. Specific Lobbying issues
H.R. 4444, US-China Trade Relations Act of 2000,
17. House(s) of Congress and Federal/ agencies contacted
Check if None
House of Representatives

Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
New	
Griffith: Jr., G.O.	No
Rogers, Ed	No
Barbour, Haley	No
Thompson, Brent	No

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Printed Name and Title G.O. Griffith, Jr.—Chief Operating Officer
Date 2/14/2001

ATTACHMENT 13

Clerk of the House of Representatives
Legislative Resource Center
B–106 Cannon Building
Washington, DC 20515
Secretary of the Senate
Office of Public Records
232 Hart Building
Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete This Page
1. Registrant Name Barbour Griffith & Rogers, Inc.
2. Registrant Address
Cheek if different than previously reported Address 1275 Pennsylvania Avenue, NW, Tenth Floor
City Washington State/Zip (or Country) DC 20004
3. Principal Place of Business (if different from line 2)
City State/Zip (or Country)
4. Contact Name Evan Rikbye
Telephone 202–333–4936
E-mail (optional)
5. Senate ID # 5357–416
6. HOUSE ID # 31564040
7. Client Name Self Microsoft Corporation
TYPE OF REPORT
8. Year 2001 Midyear (January 1-June 30) OR Year End (July 1–December 31)
9. Check if this filing amends a previously filed version of this report
10. Check if this is a Termination Report Termination Date No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 Or Line 13
12. Lobbying Firms
13. Organizations INCOME relating to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting

period was:	period were:
Less than $10,000	Less than $10,000
$10,000 or more $ $220,000.99.	$10,000 or more $

Income (nearest $20,000)
Expenses (nearest $20,000)
Provide a good faith estimate, rounded to the nearest METHOD. Check box to indicate expense $20,000 of all lobbying related income from the client Sec instructions for description of options. (including all payments to the registrant by any other entity Reporting amounts using LDA definitions only for lobbying activities on behalf of the client). amounts under section 6033(b)(8) of
14. REPORTING accounting method. Method A. Method B. Reporting the Internal Revenue Code Method C. Reporting amounts under section 162(c) of the Internal Revenue Code
Signature
Date 8/14/2001
Printed Name and Title G.O. Griffith, Jr.—Chief Operating Officer
ATTACHMENT 14
Registrant Name: Barbour Griffith & Rogers, Inc.
Client Name: Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
5. General issue area code LAW (one per page)
16. Specific Lobbying issues
Monitor the Justice Department's Antitrust inquiry.
17. House(s) of Congress and Federal agencies contacted Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Barbour, Haley
Griffith, Jr.,
Monroe, Loren
Rogers, Ed
Thompson, Brent
Covered Official Position (if applicable)
New
No
N0
Yes
No
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Printed Name and Title G.O. Griffith, Jr.—Chief Operating Officer
Date. 8/14/2001
SECRETARY OF THE SENATE
CLERK OF THE HOUSE OF REPRESENTATIVES
LOBBYING REPORT
Lobbying Disclosure Act (Section 5)
1. Year 1997
2. Report type (check all that apply) Midyear(January 1–June 30)
Year End(July 1–December 31)
Amended report
Termination report
No activity (registration to remain In effect) ??
REGISTRANT
3. Name of Registrant Clark & Weinstock
4. Telephone number and contact name (212) 953–2550 Contact Anthony Ewing
CLIENT Lobbying firms file separate reports for each client. An organization employing in-house lobbyists indicates ''Self.''
5. Name of Client Microsoft Corporation
INCOME OR EXPENSES Answer line 6 or line 7 as applicable.
6. LOBBYING FIRMS. Income from the client during the reporting period other than income unrelated to lobbying activities, was:
Less than S10,000
$10,000 or more ??
If $10,000 or more, provide a good faith estimate, rounded to the nearest $20,000, of all income from the client during this reporting period. Include any payments by any other entity for lobbying activities on behalf of the client. Exclude income unrelated to lobbying activities.
Income $, 80,000
Total for year (if Year End report) $ 80, 000
7. ORGANIZATIONS EMPLOYING IN-HOUSE LOBBYISTS. Expenses incurred in connection with lobbying activities during the reporting period were:
Less than $10.000
$10.000 or more
If S 10,000 or more, provide a good faith estimate, rounded to the nearest $20,000, of the total amount of all lobbying expenses incurred by the registrant and its employees during this reporting period.
Expenses $
Total for year (if Year End report) $
Optional Expense Reporting Methods
A. Registrants that report lobbying expenses under section 6033COX8) of the Internal Revenue C may provide a good faith estimate of the applicable amounts that would be required to be disclosed under section 6033COX8) for the semiannual reporting period, and may consider as lobbying activities only those defined under section 4911(d) of the Internal Revenue Code If selecting this method, check box and (i) enter estimated amounts on the ''Expenses'' line above; or (ii) attach a copy of the IRS Form 990 that includes this reporting period. ??
B. Registrants subject to section 162(e) of the Internal Revenue Code may make* a good faith estimate of all applicable amounts that would not be deductible under section 162(e) for the semiannual reporting period, and may consider as lobbying activities only those activities the costs of which arc not deductible pursuant to section 162(e). If selecting this method, check box and enter estimated amounts on the ''Expenses'' line above. ??
Clark & Weinstock
Registrant Name
Client Name Microsoft Corporation
LOBBYING ISSUES. On line 8 below, enter me code for one general lobbying issue area In which registrant engaged in lobbying activities for the client during this reporting period (select applicable code from list in the instructions and on the reverse side offers LD-2, page I). For that general issue area only, complete lines 9 through 12. If the registrant engaged in lobbying activities for the client in more than One general issue area use one Lobbying Report Addendum page for each additional general issue

s. General lobbying issue area code (enter one) CPI

9. Specific lobbying issues (include bill numbers and specific executive branch actions) Support for Microsoft's position across a wide range of issues, including intellectual property rights,., taxes, encryption, and other matters * affecting the computer-software industry.

10. Houses of Congress and Federal agencies coasted

U.S. House of Representatives
U.S. Senate

11. Name and title of each employee who acted as a lobbyist
Via Weber, Partner ''
Andrew Goldman, Managing Director
Deirdre Stach, Director
Ed Kutler, Managing Director
Kent Knutson, Director

12. For registrants identifying foreign entities in the Lobbying Registration (Form LD-1 line 12) or any updates: Interest of each such foreign entity in the specific lobbying issues listed on line 9 above
This report includes Addendum pages.
Printed Name and Title Harry W. Clark III, Managing Partner

ATTACHMENT 15

MTC–00030631—0817
SECRETARY OF THE SENATE
CLERK OF THE HOUSE OF REPRESENTATIVE LOBBYING REPORT
Lobbying Disclosure Act (Section 5)
1. Year 1998
2. Report type (check all that apply) Midyear (January 1–June 30) Year End (July 1–December 31)
Amended report ??
Termination report
No activity (registration to remain in effect) ??
REGISTRANT
3. Name of Registrant Clark & Weinstock Inc.
4. Telephone number and contact name
(212)953–2550
Contact Anthony Ewing
CLIENT Lobbying firms file separate reports for each client. An organization employing in-house 1obbyists indicates ''Self.''
5. Name of Client Microsoft Corporation
INCOME OR EXPENSES Answer line 6 or line 7 as applicable.
6. LOBBYING FIRMS. Income from the client during the reporting period, other than income unrelated to lobbying activities, was:
Less than $10,000
$10,000 or more

If $10,000 or more, provide a good faith estimate, rounded to the nearest $20,000, of all income from the client during this reporting period. Include any payments by any other entity for lobbying activities on behalf of the cheat Exclude income unrelated to lobbying activities.
Income $ 160. 000
Total for year (if Year End report) $
7. ORGANIZATIONS EMPLOYING IN-HOUSE LOBBYISTS. Expenses incurred in connection with lobbying activities during the reporting period were:
Less than $10,000 ??
$10,000 or more ??

If $10,000 or more, provide a good faith estimate, rounded to the nearest $20,000, of the total amount of all lobbying expenses incurred by the registrant and its employees during this reporting period.
Expenses S
Total for year (if Year End report) $.
Optional Expense Reporting Methods

A. Registrants that report lobbying expenses under section 6033(bX8) of the Internal Revenue Code may provide a good faith esti of the applicable amounts that would be required to be disclosed under section 60330oX8) for the semiannual reporting period, may consider as lobbying activities only those defined under section 491 l(d) of the Internal Revenue Code. If selecting this method, check box and (i) enter estimated amounts on the ''Expenses'' line above; or (ii) attach a copy of the IRS Form 990 that includes this reporting period. ??

B. Registrants subject to section 162(e) of the Internal Revenue Code may make a good faith estimate of all applicable amounts that would not be deductible under section 162(o) for the semiannual reporting Period, mad may consider as lobbying activities only those activities the costs of which are not deductible pursuant to section 162(e). If selecting this method, check box and e?? estimated amounts on the ''Expenses'' line above. ??

MTC–00030631—0818
Registrant Name Clark & Weinstock Inc.
Client Name Microsoft Corporation
LOBBYING ISSUES. On line 8 below, eater the coat for one general lobbying area in which the registrant engaged in lobbying activities for the client during this reporting period (select applicable code from list in the instructions and on the reverse side of Form LD-2, page 1.). For that general issue area only, complete lines 9-through 12. If the registrant engaged ha lobbying activities for the client in more than one general issue area, use one Lobbying Report Addendum page for each additional general issue area—
8. General lobbying issue area coda (enter one) , CPI
9. Specific lobbying issues (include bill numbers and specific executive branch actions)

Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, and. other matters affecting the computer software industry;.''
(HR3736, S.1723, S.2107)
(HR2368, HR2372,'HR2991)

10. Houses of Congress and Federal agencies contacted
U.S. House of Representatives
U.S. Senate

11. Name and fide of each employee who acted as a lobbyist
Vin Weber, Partner
Andrew Goldman, Managing Director
Ed Kutler, Managing Director
Deirdre Stach, Director
Kent Knutson, Director
Mimi Simoneaux, Director

12. For registrant identifying foreign entities in the Lobbying Registration (Form LD-I, line 12) or any updates: Interest of each foreign entity in the specific lobbying issues listed on line 9 above
This report includes Addendum pages.
Signture
Printed Name and Title Harry W. Clark, Managing Partner
MTC–00030631—0819
ATTACHMENT 16
MTC–00030631—0820
Clerk or the House of Representatives
Secretary of the Senate ??
Legislative Resource Center
Office of Public Records
B-t06 Cannon Building
232 Hart Building ??
Washington, DC 20515
Washington, DC 20510
LOBBYING REPORT //
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
1. Registrant Name
Clark & Wainstock Inc.
2. Address Check if different than previously reported
1775 I Street, NW, Washington, DC 20006
3. Place of Business (if different from line 2)
City: New York
State/Zip (or Country) NY
4. Contact Name
Tel(plume
E-mail (optional)
5. Senate ID
Anthony Ewing
(212) 953–2550
9443–381
6. House ID #
7. Client Name Self
Microsoft Corporation
31698027
TYPE OF REPORT
8. Year 1998 Midyear (January l-June 30) [] OR Year End (July l-December 31)
9. Chk if this filing amends a previously filed version of this report XX
10. Check if this is a Termination Report Termination Date
11. No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting period was: period were:
Less than $10,000
$10,000 or more
Less than $ 10,000
$10,000 or more $ 220,000
Expenses
(nearest ??20.000)
Income (nearest S20.000□
14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options. of all lobbying related income from the client (including all

Provide a good faith estimate, rounded to the nearest $20.000,
Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).
Method B. Reporting amounts under section

6033(b)(S)of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Title
MTC–00030631—0821
Registrant Name Clark & Wainstock Inc.
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific lobbying issues
Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, internet tax freedom, and other matters affecting the computer software industry. (HR. 3736, 2368, 2372, 2991, 695, 947, 1689; S. 2067, 405, 1260, 507, 1723; House/Senate Treasury Appropriations Act of 1999; Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1999; Department of Commerce, Justice and State, The Judiciary and Related Agencies Appropriations for FY 1999)
17 House(s) of Congress and Federal agencies contacted
[] Check if None
Senate
House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
Ed Kutler	8/95—8/97, Assistant to the Speaker of the House Of Representatives, Rep. Newt Gingrich(R-GA)
Mimi Simoneaux	1/96–1/97, Legislative Asst. for Rep. Billy Tauzin(R-LA) for Rep.
Andrew Goldman	1/97–2/98

Deirdre Stach
Vin Weber
19 Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date
Printed Name and Title
MTC–00030631_0822
Registrant Name Clerk f Weinstock Inc.
Client Name Microsoft Corporation
Information Update Page. Complete ONLY where registration information has changed.
20. Client new address
21. Clienit new prinicipal of business (if different from line 20)
City
State/Zip (or Country)
22. New general description of client's business or activitis
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as alobbyist for the client
Kent Knutson
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFLIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Pricipal Place of Business
(city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27 Add the following foreign entities
Name
Address
Principal place of business
Amount of contribute Ownership
(city and since or country)
for lobbying activities
percentage in
client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the restraint, client e:
affiliated organization
Name and Title Harry W. Clark III, Managing Partner
MTC–00030631—0823
Registrant Name Clark & Weinstock Inc.
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested, Attach additional page(s) as needed.
15. General issue area code IMM (one per page)
16. Specific lobbying issues
Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast tract trade authority, normal trade relations, internet tax freedom, and other matters affecting the computer software industry. (HR. 3736, 2368, 2372, 2991, 695, 947, 1689; S. 2067, 405, 1260, 507, 1723; House/Senate Treasury Appropriations Act of 1999; Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1999; Department of Commerce, Justice and State, The Judiciary and Related Agencies Appropriations for FY 1999).
17. House(s) of Congress and Federal agencies contacted
Check if None
Senate
House of Representatives
18. Name of each individual who acted as lobbyist in this issue are

Name	Covered Official Position (if applicable)
Ed Kutler	8/95—8/97 Assistant to the Speaker of the House of Representatives, Rep. Newt Gingrich (R–GA)
Mimi Simoneaux	1/96—1/97 Legislative Asst. for Rep. Billy Tauzin (R–LA)
Andrew Goldman Deirdre Stach. Vin Weber.	1/97–2/98

19 Interest of each foreign entity in the specific listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
Registrant Name Clark & Weinstock Inc.
Client Name Microsoft Corporation
Information Update Page—Complete ONLY where registration information has changed.
20 Client new address
21. Client new principal place of business (if different from line 20)
City State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
Kent Knutson
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of
Business
(city end state or country)
26 Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27 Add the following foreign entities
Name
Address
Principal place of business
Amount of contribution Ownership
for lobbying activities
percentage
(city and state or country)
client
28 Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the register, client e: affiliated organization
Name and Title: Harry Clark III, Managing Partner
Registrant Name Clark & Weinstock Inc.
Client Name Microsoft Corporation

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TAX (one per page)
16. Specific lobbying issues

Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, internet tax freedom, and other matters affecting the computer software industry. (HR. 3736, 2368, 2372, 2991, 695, 947, 1689; S. 2067, 405, 1260, 507, 1723; House/Senate Treasury Appropriations Act of 1999; Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1999; Department of Commerce, Justice and State, The Judiciary and Related Agencies Appropriations for FY 1999).
17. House(s) of Congress and Federal agencies contacted
Check if None
Senate
House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable
Ed Kutler	8/95–8/97 Assistant to the Speaker of the House Of Representative, Rep. Newt Gingrich (R–GA)
Mimi Simoneaux	1/96–1/97 Legislative Asst. for Rep. Billy Tauzin (R–LA)
Andrew Goldman	1/97–2/98 Legislative Dir. for Rep. Billy tauzin (R–LA)
Deirdre Stach	
.... Vin Weber	

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if
None
Signature
Date
Printed Name and Title
Registrant Name Clark & Weinstock Inc.
Client Name Microsoft Corporation
Information Update Page—Complete ONLY where registration Information has changed.
20 Client new address
21. Client new principal place of business (if different from line 20)
State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for [,he client
Kent Knutson
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business
(city and state or country)
26 Name of each previously reported organization that is no longer affiliated with the registrant
or client
FOREIGN ENTITIES
27. Add the following foreign entities
Name
Address
Principal place of business
Amount of contributio
Ownership
(city and share or country)
for lobbying activities
percentage is
client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client o: affiliated organization
Name and Title harry
aging: Partner
Registrant Name. Clark & Weinstock Inc.
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code
TRD .. (one per page)
16. Specific lobbying issues
Support of Microsoft's position across a Wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, internet tax freedom, and other matters affecting the computer software industry. (HR. 3736, 2368, 2372, 2991, 695, 947, 1689; S. 2067, 405, 1260, 507, 1723; House/Senate Treasury Appropriations act of 1999; Foreign Operations, Exporting Financing, and Related Programs Appropriation Act of 1999; Department of Commerce, Justice and State, The Judiciary and Related Agencies Appropriations for FY 1999).
17. House(s) of Congress and Federal agencies contacted
[2] Check if None
Senate
House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable
Ed Kutler	8/95–8/97 Assistant to the Speaker of the House Of Representative, Rep. Newt Gingrich (R–GA)
Mimi Simoneaux	1/96–1/97 Legislative Asst. for Rep. Billy Tauzin (R–LA)
Tauzin (R–LA)	1/97–2/98 Legislative Dir. for Rep. Billy
Andrew Goldman	
Deirdre Stach	
Vin Weber	

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
Registrant Name Clark & Weinstock Inc.
Client Name Microsoft Corporation
Information Update Page—Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place of business (if different from line 20)
City
State /Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
Kent Knutson
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business
(city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27. Add the following foreign entities
Name

Address
Principal place of business
Amount of contribute: Ownership
(city and since or country)
for lobbying activities
percentage in
client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client e:
affiliated organization
gnature..
Date
dd Name and Title
Clark III, Managing Partner
..??-2 (Rev. 6/98)

Registrant Name Clark & Weinstock Inc.
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested, Attach additional page(s) as needed.
15. General issue area code BUD (.one per page)
16. Specific lobbying issues
Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, internet tax freedom, and other matters affecting the computer software industry. (HR. 3736, 2368, 2372, 2991, 695, 947, 1689; S. 2067, 405, 1260, 507, 1723; House/Senate Treasury Appropriations Act of 1999; Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1999; Department of Commerce, Justice and State, The Judiciary and Related Agencies Appropriations for FY 1999).
17. House(s) of Congress and Federal agencies contacted
?? Check if None
Senate
House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
Ed Kutler	8/95—8/97
Mimi Simoneaux	1/96—1/97 Legislative Asst. for Rep. Billy Tauzin(R–LA
Andrew Goldman	1/97—2/98 Legislative Dir. for Rep. Billy Tauzin (R–LA)
Deirdre Stach	
Vin Weber	

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
MTC–00030631 0830
Registrant Name Clark & Weinstock Inc.
Client Naméo Microsoft Corporation
Information Update Page—Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place o[business (if different from Line 20)
City
State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
Kent Knutson
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business
(city end state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27 Add the following foreign entities
Name
Address
Principal place of business
Amount of contributio?? Ownership
(city and state or country) for lobbying activities percentage i??
client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the register, client e:
affiliated organization
ed Name and Title Harry
Clark III, Managing Partner
0–2 (Rev. 6/98)

ATTACHMENT 17

MTC–00030631 0832
RECEIVED
??ATIVE.??
99 AUG 11 AM 10:51
Clerk of the House of Representatives
Secretary of the Senate Legislative Resource Center
Office of Public Records, B-106 Cannon Building, 232 Hart Building, Washington. DC 20515 Washington. DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
1. Registrant Name
Clark & Weinstock
2. Address Check if different than previously reported
1775 I Street, NW Suite 700, Washington, DC 20006
3. Principal Place of Business (if different from line 2)
City: New York
State/Zip (or Country) NY 10017
4. Contact Name
Telephone
E-mail (optional)
5. Senate D #
Cheryl Faunce (202) 261–4005
cfaunce@cwd.com 9443—381
7. Client Name Microsoft Corp ''316–98027
TYPE OF REPORT
8. Year 1999 Midyear (January 1–June 30) ??
OR Year End (July I-December 3l)
9. Check if this filing amends a previously filed version of this report
Check if this is a Termination Report ?? ??
Termination Date.
11. No
Lobbying Activity ??
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting period was: period were: Less than $10,000 [] Less than $10,000
$10,000 or more ?? ?? $
$10,000 or more ?? ?? $ 220,000.00 Expenses (nearest $20,000)
Income (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense
Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options.
of all lobbying related income from the client (including all
Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).
Method B. Reporting amounts under section 6033(b)(8)of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Title Vic Fazio—Partner
??-2 (REV, 6/98)
MTC–00030631 0833
Registrant Name Clark &—Weinstock
Client Name Microsoft Corp.
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code. provide information as requested. Attach additional page(s) as needed.
15. General issue area code BUD (one per page)
16. Specific lobbying issues
H.R. 2490, Treasury and General Government Appropriations Act, 2000, H.R 2606, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,

H.R. 850, Security And Freedom through Encryption (SAFE) Act,
S. 1217, Departments of Commerce, State, and Justice, the Judiciary and Related Agencies Appropriations Act, 2000.
S. 1234, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
S. 1282, Treasury and General Government Appropriations Act, 2000,
Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, Internet tax freedom, and other matters affecting the computer software Industry.
17. House(z) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
White House
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable) New
Bainwol Mitch	Ch of Staff, Sen. Mack
Goldman, Andrew	Ch of Staff, Sen. Rep. Conf
Kutler, Ed	Asst. to the Speaker, U.S. House
Simoneaux	Dir of Rep. Tauzin
Stach, Deirdre	
Stuart, Sandi	Asst. Sec. of Defense (DOD)
Weber, Vin	
Fazio, Vic (Exec. Branch Only).	Member, U.S. House of Reps.

19. Interest of each foreign entity in the specific issues listed on fine 16 above
Check if None
Signature
Date 8/9/99
Printed Name and Title for vic Fazio—partner
MTC–00030631—0834
Registrant Name Clark & Weinstock
Client Name Microsoft Corp.
LOBBYING ACTIVITY. Select as many code as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code. provide information as requested. Attach additional page(z) as needed.
15. General issue area code CPI (one per page)
16. Specific lobbying issues
H.R. 2490, Treasury and General Government Appropriations Act—2000,
H.R. 2606, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
H.R. S50, Security And Freedom through Encryption (SAFE) Act,
S. 1217, Departments of Commerce, State, and Justice, the Judiciary and Related Agencies Appropriations Act, 2000,
S. 1234, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
S. 1282, Treasury and General Government Appropriations Act, 2000,
Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, internet tax freedom, and other matters affecting the computer software industry;
17. House(s) of Congress and Federal agencies contacted House of Representatives
?? Check if None
Senate
White House
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable) New
Bainwol, Mitch	Ch of Staff, Sen. Mack
Goldman, Andrew	Ch of Staff, Sen. Rep. Conf
Kutler, Ed	Asst. to the Speaker, U.S. House
Simoneaux Mimi	Leg Dir for Rep. Tauzin
Stach, Deirdre	
Stuart, Saudi	Asst. Sec. of Defense (DOD)
Weber, Vin	
Fazio, Vic (Exec. Branch Only).	Member, U.S. House of Reps

19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date 8/9/99
Printed Name and Title Vic Fazio—partner
MTC–00030631 0835
Registrant Name Clark g Weinstock
Client Name Microsoft CORP.
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TAX (one per page)
16. Specific lobbying issues
H.R. 2490, Treasury and General Government Appropriations Act, 2000,
H.R. 2606, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
H.R. 850, Security And Freedom through Encryption (SAFE) Act,
S. 1217, Departments of Commerce, State, and Justice, the Judiciary and Related Agencies Appropriations Act, 2000,
S. 1234, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
S. 1282, Treasury and General Government Appropriations Act, 2000,
Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, Internet tax freedom, and other matters affecting the computer software Industry.
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
White House
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable) New
Bainwol Mitch	Ch of Staff, Sen. Mack
Goldman, Andrew	Ch of Staff, Sen. Rep. Conf

Name	Covered Official Position (if applicable) New
Kutler, Ed	Asst. to the Speaker, U.S. House of Reps.
Simoneaux, Mimi	Dir for Rep Tauzin
Stach, Deirdre	
Stuart, Sandi	Asst. Sec. of Defense (DOD)
Weber, Vin	
Fazio, Vic (Exec. Branch Only).	Member, U.S. House of Reps.

19. Interest of each foreign entity in the specific issues listed on fine 16 above
Check if None
Signature
Date 8/9/99
Printed Name and Title Vic Fazio—Partner
Registrant Name Clark & Weinstock
Client Name Microsoft Corp.
LOBBYING ACTIVITY. Select as many code as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code. provide information as requested. Attach additional page(z) as needed.
15. General issue area code CPI (one per page)
16. Specific lobbying issues
H.R. 2490, Treasury and General Government Appropriations Act, 2000,
H.R. 2606, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
H.R.S50, Security And Freedom through Encryption (SAFE) Act,
S. 1217, Departments of Commerce, State, and Justice, the Judiciary and Related Agencies Appropriations Act, 2000,
S. 1234, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
S. 1282, Treasury and General Government Appropriations Act, 2000,
Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, internet tax freedom, and other matters affecting the computer software industry:
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
White House
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable) New
Bainwol, Mitch	Ch of Staff, Sen. Mack
Goldman, Andrew	Ch of Staff, Sen. Rep. Conf
Kutler, Ed	Asst. to the Speaker, U.S. House of Reps,
Simoneaux, Mimi	Leg Dir for Rep Tauzin
Stach, Deirdre	
Stuart, Saudi	Asst. Sec. of Defense (DOD)
Weber, Vin	
Fazio, Vic (Exec. Branch Only).	Member, U.S. House of Reps

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date 8/9/99
Printed Name and Title Vic Fazio—Partner
Registrant Name Clark g Weinstock Client Name Microsoft CORP.
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TAX (one per page)
16. Specific lobbying issues
H.R. 2490, Treasury and General Government Appropriations Act, 2000,
H.R. 2606, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
H.R. 850, Security And Freedom through Encryption (SAFE) Act,
S. 1217, Departments of Commerce, State, and Justice, the Judiciary and Related Agencies Appropriations Act, 2000,
S. 1234, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
S. 1282, Treasury and General Government Appropriations Act, 2000, Support of Microsoft's position across a wide range of issues, including intellectual property rights, taxes, encryption, fast track trade authority, normal trade relations, interact tax freedom, and other matters affecting the computer software Industry.
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
White House
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable) New
Bainwol, Mitch	Ch of Staff, Sen. Mack
Goldman, Andrew	Ch of Staff, Sen. Rep. Conf
Kutler, Ed	Asst. to the Speaker, U.S. House of Reps.,
Simoneaux, Mimi	Leg Dir for Rep Tauzin
Stach, Deirdre	
Stuart, Sandi	Asst. Sec. of Defense (DOD)
Weber, Vin	
Weber, Vin	
Fazio, Vic (Exec. Branch Only).	Member, U.S. House of Reps.

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature
Date 8/9/99
Printed Name and Title Vic Fazio—Partner
Registrant Name Clark & Weinstock Client Name Microsoft Corp,
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TMM (one per page)
16. Specific lobbying issues
H.R. 2490, Treasury and General Government Appropriations Act, 2000,
H.R. 2606, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
H.R. 850, Security And Freedom through Encryption (SAFE) Act,
S. 1217, Departments of Commerce, State, and Justice, the Judiciary and Related Agencies Appropriations Act, 2000,
S. 1234, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,
S. 1282, Treasury and General Government Appropriations Act, 2000, Support of Microsoft's position across a wide range of issues, including intellectual properly rights, taxes, encryption, fast track trade authority, normal trade relations, internet tax freedom, and other matters affecting the computer software industry.
17. House(s) of Congress and Federal agencies contacted ?? Check if None
House of Representatives
Senate
White House
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable) New
Bainwol, Mitch	Ch of Staff, Sen. Mack
Goldman, Andrew	Ch of Staff, Sen. Rep. Conf
Kutler, Ed	Asst. to the Speaker, U.S. House of Reps
Simoneaux, Mimi	Leg Dir for Rep Tauzin
Stach, Deirdre	
Stuart, Sandi	Asst. Sec. of Defense (DOD)
Weber Vin	
Weber, Vin	
Fazio, Vic (Exec. Branch Only).	Member, U.S. House of Reps.

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature Date 8/9/99
Printed Name and Title Vic Fazio—Partner
ATTACHMENT 18
Legislative Re-source Center
Office of Public Records
B-106 Cannon Building 232 Hart Building
Washington. DC 20515 Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete This Page??
1. Registrant Name Clark & Weinstock
2. Address ?? Check if different than previously reported
1775 1 Street NW, Ste 700 Washington, DC 20006
3. Principal Place of Business (if different from line 2)
City of New York, State/Zip (or Country)
City of New, State/Zip (or Country) NY 10017
4. Contact Name Lisa Simpson Microsoft Corp
Telephone 202–261–4025 316–98027
E-mail (optional) lisa@cwdc.com
5. Senate ID # 9443.381
''YPE OF REPORT 8. Year 2000 Midyear(January l-June30) ?? OR Year End(July l-December31) ??
Check if this filing amends a previously flied version of this report ??
10. Check if this is a Termination Report ?? >> Termination Date 11. No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms 13, Organizations
INCOME relating to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting period was: Less than $10,000 ?? period were: Less than $10,000 ??
$10,000 or more ?? >>$
$280,000.00
$10,000 or more 7'1 >>$
Income (nearest S20.000)
Expenses (nearest S20,000)
REPORTING METHOD. Check box to indicate expense
Provide a good faith estimate, rounded to the nearest accounting method. See instructions for description of options.
$20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity
?? Method A. Reporting mounts using LDA definitions only for lobbying activities on behalf of the client).
?? Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
?? Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Date 8/11/2000
Dated Name and Title Vin Weber-Partner
MTC–00030631—0840
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying On behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific Lobbying issues See attached page.
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Kutler, Ed	No.	
Simoneaux, Mimi	No.	
Stach, Deirdre		No
Weber, Vin		No
Fazio, Vic Member,	U.S. House of Representatives	No
Stuart, Sandi	Asst. Sec. of Defense, Legislative Branch Only	No

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date 8/11/2000
Printed Name and Title Vin Weber- Partner

Page 2 of 7
MTC–00030631—0841
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
Description Data
16 Lobbying Issues
Lobbied the following legislation dealing with digital signatures:
* H.R. 1572, To require the adoption and utilization of digital signatures by Federal agencies and to encourage the use of digital signatures in private sector electronic transactions.
* H.R. 1685, To provide for the recognition of electronic signatures for the conduct of interstate and foreign commerce, to restrict the transmission of certain electronic mail advertisements, to authorize the Federal Trade Commission to prescribe rules to protect the privacy of users of commercial Internet websites, to promote the rapid deployment of broadband Internet services, and for other purposes.
* H.R. 1714, To facilitate the use of electronic records and signatures in interstate or foreign commerce.
Educated members of Congress regarding Microsoft's position on instant messaging.
Educated members of Congress regarding various Internet privacy issues, Lobbied the following legislation dealing with clarifying hyperlinks to the Internet:
* S. 247, A bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.
* H.R. 768, To amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.
* H.R. 1027, To provide for the carriage by satellite carriers of local broadcast station signals, and for other purposes.
* H.R. 1554, To amend the provisions of title 17, United States Code, and the Communications Act of I934, relating to copyright licensing and carriage of broadcast signals by satellite. Page 3 of 7
MTC–00030631—0842
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??ngaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code GOV (one per page)
16. Specific Lobbying issues Informed members of Congress regarding Microsoft's position on the Department of Justice's antitrust suit.
17. House(s) of Congress and Federal agencies contacted ?? Check if None House of Representatives Senate
8. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Kutler, Ed		No
Simoneaux, Mimi		No
Stach, Deirdre		No
Weber, Vin		No
Fazio, Vic	Member, U.S. House of Representatives	No
Stuart,	Sandi Asst. Sec. of Defense, Legislative Branch Only	No

19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None ??ignature Date 8/11/2000
??tinted Name and Title Vin Weber-Partner
MTC–00030631—0843
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
??OBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??gaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code IMM (one per page)
16. Specific Lobbying issues Lobbied the following legislation dealing with H1-B visas:
* S. 1563, A bill to establish the Immigration Affairs Agency within the Department of Justice, and for other purposes.
* H.R. 2687, To amend the Immigration and Nationality Act to establish a 5-year pilot program under which certain aliens completing a postsecondary degree in mathematics, science, engineering, or computer science are permitted to change nonimmigrant classification in order to remain in the United States for a 5.year period for the purpose of working in one of those fields.
* H.R. 3983, To amend the Immigration and Nationality Act to promote a fairer and more efficient means for using highly skilled workers, to improve the collection and use of H-1B nonimmingrant fees, and for other purposes.
17.
House(s) of Congress and Federal agencies Contacted
?? Check if None
House of Representatives
Senate
Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Kutler, Ed		No
Simoneaux, Mimi		No
Stach, Deirdre		No
Weber, Vin		No
Fazio, Vic	Member, U.S. House of Representatives	No
Stuart,	Sandi Asst. Sec. of Defense, Legislative Branch Only	No

19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
??gnature
Date 8/11/2000
??rated Name and Title Vin Weber- Partner
Page 5 of 7
MTC–00030631—0844
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
??OBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??gaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TRD (one per page)
16. Specific Lobbying issues

Lobbied the following legislation dealing with Permanent Normal Trade Relations (PNTR) with China:
* H.J. Res. 57, Disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China.
* S. 2115, A bill to ensure adequate monitoring of the commitments made by the People's Republic of China in its accession to the World Trade Organization and to create

new procedures to ensure compliance with those commitments.
17. House(s) of Congress and Federal agencies contacted
?? Check if None
House of Representatives Senate
Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Kutler, Ed		No
Simoneaux, Mimi		No
Stach, Deirdre		No
Weber, Vin		No
Fazio, Vic	Member, U.S. House of Representatives	No
Stuart,	Sandi Asst. Sec. of Defense, Legislative Branch Only	No

??Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None ??nature
Date 8/11/2000
??nted Name and Title Vin Weber- Partner
Page 6 of 7
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
??formation Update Page , Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place of business (if different from line 20)
City State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
Bainwol, Mitch
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Principal Place of Business
Name
Address (city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27. Add the following foreign entities
Principal Place of Business
Amount of contribution for lobbying activities
Ownership % in client
Name
Address (city and state or country)
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client, or affiliated organization
??gnature
Date 8/11/2000
??nted Name and Title Vin Weber- Partner
Page 7 of 7

ATTACHMENT 19

01 Fed-9 PM 2:46
Clerk of the House of Representatives, Legislative Resource Center, B-106 Cannon Building, Washington, DC 20515
Secretary of the Senate??, Office of Public Records?? 232 Hart Building?? Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are
Required to Complete This Page
1. Registrant Name
Clark & Weinstock 2. Registrant Address
?? Check if different than previously reported
Address 1775 I Street NW, Ste 700
city Washington, Staler/Zip (or Country) DC 20006
3. Principal Place of Business (if different from line 2) City New York, State/Zip (or Country) NY 10017
4. Contact Name Telephone E-mail (optional) 5. Senate ID #
Lisa Simpson 202–261–4025 lisa@cwdc.com 9443–381
7. Client Name ?? Self
Microsoft Corp316–98027
TYPE OF REPORT 8. year 2000 Midyear (January 1-June 30) ?? OR Year End (July 1-December 31)
Check if this filing amends a previously filed version of this report ??
?? Check if this is a Termination Report ?? >> Termination Date 11. No Lobbying Activity 71
INCOME OR EXPENSES-Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting period was: period were:
Less than $10,000 ?? Less than $10,000 ??
S10,000 or more ?? >> $
$280,000.00
$10,000 or more ?? >> $
Income (nearest S20,000) Expenses (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense Provide a good faith estimate, rounded to the nearest accounting method. See instructions for description of options. $20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity
?? Method A. Reporting amounts using LDA definitions only for lobbying activities on behalf of the client). ?? Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
?? Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Date 2/9/01
??Name and Title Vin Weber-Partner Page 1 of 7
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
??OBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??gaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide iformation as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific Lobbying issues See attached page.
17. House(s) of Congress and Federal agencies contacted ?? Check if None
House of Representatives Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Fazio, Vic	Members, U.S. House of Represenatives	No
Kutler, Ed		No
Simoneaux, Mimi		No
Stach, Deirdre		No
Stuart, Sandi	Asst. Sec. of Defense, Legislative Branch	No
Urban, Anne	Legislative Director, Sen. Robert Kerry	Yes
Weber, Vin		No

19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature Date 2/9/01
Printed Name and Title Vin Weber- Partner
Page 2 of 7

Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
Item Description Data
Lobbying Issues Lobbied the following legislation dealing with digital signatures:

* H.R. 1572, To require the adoption and utilization of digital signatures by Federal agencies and to encourage the use of digital signatures in private sector electronic transactions.

* H.R. 1685, To provide for the recognition of electronic signatures for the conduct of interstate and foreign commerce, to restrict the t miss on of certain electronic mail advertisements, to authorize the Federal Trade Commission to prescribe rules to protect the privacy of users of commercial Internet websites, to promote the rapid deployment of broadband Internet services, and for other purposes.

* H.R. I714, To facilitate the use of electronic records and signatures in interstate or foreign commerce.

Educated members of Congress regarding Microsoft's position on instant messaging.
Educated members of Congress regarding various Internet privacy issues.
Lobbied the following legislation dealing with clarifying hyperlinks to the Internet:

* S. 247, A bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.

* H.R. 768, To amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.

* H.R. 1027, To provide for the carriage by satellite carriers of local broadcast station signals, and for other purposes.

* HR. 1554, To amend the provisions of title 17, United States Code, and the Communications Act of 1934, relating to copyright licensing and carriage of broadcast signals by satellite.

Educated members of Congress on the competition In the software market. Page 3 of 7
Registrant Name: Clark & Weinstock Client Name: Microsoft Corp
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed. 15. General issue area code GOV (one per page)
16. Specific Lobbying issues
Informed members of Congress regarding Microsoft's position on the Department of Justice's antitrust suit.
17. House(s) of Congress and Federal agencies contacted ?? Check if None House of Representatives Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Fazio, Vic Member,	U.S. House of Representatives	No
Kutler, Ed		No
Simoneaux, Mimi		No
Stach, Deirdre		No
Stuart, Sandi	Asst. Sec. of Defense, Legislative Branch Only	No
Urban, Anne	Legislative Director, Sen. Robert Kerrey	Yes
Weber, Vin		No

9. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if
None
Signature
Date 2/9/01
Printed Name and Title Vin Weber—Partner
Page 4 of 7
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide iformation as requested. Attach additional page(s) as needed.
15. General issue area code IMM (one per page)
16. Specific Lobbying issues
Lobbied the following legislation dealing with H1-B visas:

* S. 1563, A bill to establish the Immigration Affairs Agency within the Department of Justice, and for other purposes.

* H.R. 2687, To amend the Immigration and Nationality Act to establish a 5-year pilot program under which certain aliens completing a postsecondary degree in mathematics, science, engineering, or computer science are permitted to change nonimmigrant classification in order to remain in the United States for a 5-year period for the
purpose of working in one of those fields.

* H.R. 3983, To amend the Immigration and Nationality Act to promote a fairer and more efficient means for using highly skilled workers, to improve the collection and use of H-1B nonimmigrant fees, and for other purposes.
17. House(s) of Congress and Federal agencies contacted
?? Check if None House of Representatives Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Fazio, Vic Member,	U.S. House of Representatives	No
Kutler,		Ed No
Simoneaux, Mimi		No
Stach, Deirdre		No
Stuart, Sandi	Asst. Sec. of Defense, Legislative Branch Only	No
Urban, Anne	Legislative Director, Sen. Robert Kerrey	Yes
Weber, Vin		No

19. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if None
Signature Date 2/9/01
Printed Name and Title Vin Weber- Partner
Page 5 of 7
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ngaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide formation as requested. Attach additional page(s) as needed.
15. General issue area code TRD (one per page)
16. Specific Lobbying issues
Lobbied the following legislation dealing with Permanent Normal Trade Relations (PNTR) with China:

* H.J. Res. 57, Disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China.

* S. 2115, A bill to ensure adequate monitoring of the commitments made by the People's Republic of China in its accession to the World Trade Organization and to create new procedures to ensure compliance with those commitments.
17. House(s) of Congress and Federal agencies contacted ?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Fazio, Vic Member,	U.S. House of Representatives	No
Kutler, Ed		No
Simoneaux, Mimi		No
Simpson, Lisa		No
Stach, Deirdre		No
Urban, Anne	Legislative Director, Sen. Robert Kerrey	Yes
Weber, Vin		No

19. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if
None
Signature Date 2/9/01
??inted Name and Title Vin Weber—Partner
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
Information Update Page—Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place of business (if different from line 20) City State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
Simoneaux, Mimi
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s) Principal Place of Business Name Address (city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27. Add the following foreign entities
Principal Place of Business (city and state or country)
Amount of contribution for lobbying activities
Ownership% Name Address in client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client, or affiliated organization
Signature
Date 2/9/01
Printed Name and Title Vin Weber—Partner

ATTACHMENT 20

Clerk of the House of Representatives Legislative Resource Center, B-106 Cannon Building, CENTER, Washington, DC 20515
Secretary of the Senate, Office of Public Records, 232 Hart Building LEGISLATIVE-RESOURCE Washington, DC 20510
??2001 AUG 13 AM 11:48
LOBBYING REPORT ??
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete This Page
1. Registrant Name
Clark & Weinstock
2. Registrant Address
Check if different than previously reported
Address 1775 I Street NW, Ste 700
City Washington, Sate/Zip (or Country) DC 20006
3. Principal Place of Business (if different from line 2)
City New York, State/Zip (or Count) NY 10017
Contact Name Lisa Simpson Telephone 202–261–4025 E-mail (optional) lisa@cwdc.com 5. Senate ID # 9443–381
7. Client Name Microsoft Corp ?? ?? Self 6 House ID #
TYPE OF REPORT 8. Year 2001
Midyear (January 1-June 30) ?? OR Year End (July 1-December 31) ??
9. Check if this filing amends a previously filed version Of this report ??
10. Check if this is a Termination Report ?? >> Termination Date 11. No Lobbying Activity ??
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
113. Organizations
INCOME relating to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting period was: period were: Less than $10,000 ?? Less than $10,000 ??
$10,000 or more ?? >>$ $240,000.00 $10,000 or more ?? >>$
Income (nearest $20.000)
Expenses (nearest $20.000)
14. REPORTING METHOD. Check box to indicate expense
Provide a good faith estimate, rounded to the nearest accounting method. See instructions for description of options.
$20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity
?? Method A. Reporting amounts using LDA definitions only for lobbying activities on behalf of the client).
?? Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
?? Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature Date 8/9/01
Printed Name and Title Vin Weber—Partner
Page 1 of 9
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific Lobbying issues
See attached page.
17. House(s) of Congress and Federal agencies contacted ?? Check if None
Department of Commerce
Department of Treasury
Executive Office of the President
House of Representatives
Office of the Vice President
Senate
18. Name of each individual who acted as a lobbyist in this issue area Name Covered Official Position (if applicable)

Name	Covered Official Position (if applicable)	New
Bieron, Brian	Policy Director, House Rules Committee	Yes
Fazio, Vic		No
Gribben, Dave		Yes
Kutler, Ed		No
Matthews, Jim		Yes
Morrison, Timonthy	Associate Director, Presidential Personnel	Yes
Stach, Deirdre		No

19. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if None

Signature
Date 8/9/01
Printed Name and Title Vin Weber—Partner

Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp

Item	Description	Data
16	Lobbying Issues	Help develop strategy and company policies on privacy law, including matters related to Windows XP and .NET and instant messaging through the following legislation: H.R. 1017, Anti-spamming Act of 2001, to prohibit unsolicited e-mail know as spam S. 2606, Consumer Privacy Protection Act S. 197, Spyware Control Privacy Protection Act, to provide for the disclosure of the collection of information through computer software and for other purposes Intellectual Properties issues—providing cyber and intellectual property enformement: Senate Report 107–42 S. 1215, Departments of Commerce, Justice, State, Judiciary and related Agencies Approprations Act 2002 H.R. 2500, Departments of Commerce, Justice, State, Judiciary and related Agencies Approprations Act 2002 H. AMDT. 192 Walters Amendment, to provide that none of the funds designated for the Office of the U.S. Trade Representative may be used to initiate a proceeding in the WTO challenging any law or policy of a developing country that promotes access to HIV/AIDS, pharmaceuticals or medical technologies to the population of the country H. AMDT. 194 Walters Amendment 2, to prohibit use of funds to initiate a proceeding in the WTO challenging any law of a country that is not a member of the OECD H. AMDT. 193 Kucinich Amendment, prohibits the use of funds in the bill to initiate a proceeding in the WTO challenging any law of a country that is not a member of the OECD relating to HIV/AIDS pharmaceuticals.

Registrant Name: Clark & Weinstock Client Name: Microsoft Corp

Item	Description Data	
18a	Lobbyist Name	Stuart, Sand??
18b	Covered Official Position	
18c	New Lobbyist	No
18a	Lobbyist Name	Urban, Anne
18b	Covered Official Position	Legislative Director, Sen. Robert Kerrey
18c	New Lobbyist	No
18a	Lobbyist Name	Weber, Vin
18b	Covered Official Position	
18c	New Lobbyist	No

Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code GOV (one per page)
16. Specific Lobbying issues Informed members of Congress regarding Microsoft's position on the Department of Justice's antitrust suit.
17. House(s) of Congress and Federal agencies contacted ?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Bieron, Brian	Policy Director, House Rules Committee	Yes
Fazio, Vic	.....	No
Gribbin, Dave	.....	Yes
Kutler, Ed	.....	No
Mathews, Jim	.....	Yes
Morrison, Timothy	Associate Director, Presidential Personnel	Yes
Stach, Deirdre	.....	No

19. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if None

Signature
Date 8/9/01
Printed Name and Title Vin Weber- Partner

Page 5 of 9
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp

Item	Description	Data
18a	Lobbyist Name	Stuart, Sandi

Item	Description	Data
18b	Covered Official Position	
18c	New Lobbyist	No
18a	Lobbyist Name	Urban, Anne
18b	Covered Official Position	Legislative Director, Sen. Robert Kerrey
18c	New Lobbyist	No
18a	Lobbyist Name	Weber, Via
18b	Covered Official Position	
18c	New Lobbyist	No

Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp.
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TRD (one per page)
16. Specific Lobbying issues
Lobbied the following legislation dealing with Trade Promotion Authority Act of 2001
* H.R. 2149, To extend trade authorities procedures with respect to reciprocal trade agreements
17. House(s) of Congress and Federal agencies contacted ?? Check if None House of Representatives Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Bieron, Brian	Policy Director, House Rules Committee	Yes
Fazio, Vie		No
Gribbin, Dave		Yes
Kutler, Ed		No
Mathews, Jim		Yes
Morrison, Timothy	Associate Director, Presidential Personnel	Yes
Stach, Deirdre		No

19. interest of each foreign entity in the specific issues listed on line 16 above ?? Check if None
Signature
Date 8/9/01
Printed Name and Title Vin Weber- Partner
Page 7 of 9
Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp

Item	Description	Data
18a	Lobbyist Name	Urban, Anne
18b	Covered Official Position	Legislative Director, Sen. Robert Kerrey
18c	New Lobbyist	No
18a	Lobbyist Name	Weber, Vin
18b	Covered Official Position	
18c	New Lobbyist	No

Registrant Name: Clark & Weinstock
Client Name: Microsoft Corp
Information Update Page . Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place of business (if different from line 20) City State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
IMM
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Principal Place of Business
Name
Address (city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27. Add the following foreign entities
Principal Place of Business (city and state or country)
Amount of contribution
Ownership % in client
Name for lobbying activities
Address
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client, or affiliated organization
Signature
Date 8/9/01
Printed Name and Title Vin Weber—Partner
Page 9 of 9
MTC–00030631—0864

ATTACHMENT 21

RECEIVED
Clerk of the House of Representatives
B-106 Cannon Building 232 Hart Building
98 AUG -7 am 9:51
Legistive Resource Center, B-106 Cannon Building, CL?? Washington, DC 20515
Office of Public Records, 232 Hart Building, Washington, DC 20510
LOBBYING REPORT
Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
Lobbying
1. Registrant Name
Covington & Burling
2. Address ?? Check if different than previously reported
1201 Pennsylvania Avenue, NW
3. Principal Place of Business (if different from line 2)
City: Washington
State/Zip (or Country) DC 20004
4. Contact Name Stuart C. Stock
Telephone 202–662–5384
E-mail (optional)
5. Senate ID # 11195–672
7. Client Name ?? Self ??
31827064
Microsoft Corporation
TYPE OF REPORT 8. Year 1998 Midyear (January 1-June 30) ?? OR Year End (July 1-December 31) ??
9. Check if this filing attends a previously filed version of this report ??
10. Check if this is a Termination Report ?? ?? Termination Date
11. No Lobbying Activity ??
INCOME OR EXPENSES—Complete Either

Line 12 OR Line 13
12. lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting lobbying activities for this reporting period was: Less than $10,000 ??
EXPENSES relating to period were: Less than $10,000 ??
$10,000 or more ?? ??
$10,000 or more ?? ?? $ 40,000
Expenses (nearest $20, 000)
Income (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options.
Provide a good faith estimate, rounded to the nearest $20,000, of all lobbying related income from the client (including all
?? Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).
?? Method B. Reporting amounts under section 6033(b)(8)of the Internal Revenue Code
?? Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Title Stuart C. Stock, Partner
LD-2 (REV. 6/98)
Registrant Name Covington & Burling
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??ngaged hi lobbying on behalf of the client during tile reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific lobbying issues
Competition issues affecting computer software industry.
17. Houses) of Congress and Federal agencies contacted
?? Check if None Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name Covered	Official Position (if applicable)	New
Charles F. Rule		

19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if
None
Signature Date August 4, 1998
Printed Name and Title Stuart C. Stock, Partner
Form LD-2 (Rev.6/98) Page 2 of 4
Registrant Name Covington & Burling
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TRD (one per page)
16. Specific lobbying issues
Electronic commerce matters relating to international electronic signature proposals.
17. House(s) of Congress and Federal agencies contacted
?? Check if None
Department of Commerce
18. Name of each individual who acted as a lobbyist in this issue area
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None Signature Date August 4, 1998
Printed Name and Title Stuart C. Stock, Partner
Form LD-2 (Rev.6/98)
MTC–00030631—0868
Registrant Name Covington & Burling
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide ??formation as requested. Attach additional page(s) as needed.
15. General issue area code CPT (one per page)
16. Specific lobbing issues
—Protection of intellectual property through proposed federal action.
—Protection of intellectual property in World Bank lending programs.
17. Houses) of Congress and Federal agencies contacted
?? Check if None Senate
House of Representatives
Department of Commerce
Department of Treasury
Office of Management and Budget
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
E. Jason Albert Laurie C. Self		

19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date August 4. 1998
??rinted Name and Title Stuart C. Stock, Partner
Form LD-2 (Rev.6/98)
MTC–00030631—0869

ATTACHMENT 22

MTC–00030631—0870
(Clerk of the House of Representatives, Legislative Resource Center,
Secretary of the Senate, Office of Public Records, 232 Hart Building, Washington, DU 20510 10 M 9:07 B-106 Canon Building, Washington, DU 20515
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page.
1. Registrant Name
Covington & Burling
2. Address ?? Check if different than previously reported.
1201 Pennsylvania Avenue, NW
3. Principal Place of Business (if different from line 2)
City: Washington
State/Zip (or Country) DC 20004
4. Contact Name Stuart C. Stock
Telephone 202–662–5384
Email (optional)
5. Senate ID # 11195–672
7. Client Name ?? Self
6. House ID # 31827064
Microsoft Corporation
..... 318
TYPE OF REPORT 8. Year 1998 Midyear (January 1–June 30) ?? OR Year End ??
9. Check if this filing amends a previously filed version of this report ??
10. Check if this is a Termination Report ?? ?? Termination Date 11. No Lobbying Activity ??
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting period was: Less than $10,000
EXPENSES relating to lobbying activities for this reporting period were: Less than $10,000
$10,000 or more $60,000
$10,000 or more $
Income (nearest $20,000)
Expenses (nearest $20.000)
Provide a good faith estimate, rounded to the nearest $20,000, of all lobbying related income for the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client.)
14. REPORTING METHOD. Check box to indicate expense accounting method. See

instructions for description of options.
Method A. Reporting amounts using LDA definitions only
Method B. Reporting amounts under section 6033(bX8) of the Internal Revenue Code
Method C. Reporting amounts under 162(e) of the Internal Revenue Code
Signature
Date
Printed Name and Title Stuart C. Stock, Partner
MTC–00030631—0871
Registrant Name Covington & Burling
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested, Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific lobbying issues
Competition issues affecting computer software industry.
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered official Position (if applicable)	New
Charles F. Rule		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title Stuart C. Stock, Partner
MTC–00030631—0872
Registrant Name Covington & Burling
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code ———TRD (one per page)
16. Specific lobbying issues
Electronic Commerce matters relating to international electronic signature proposals.
17. House(s) of Congress and Federal agencies contacted
Check if None
Department of Commerce
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered official Position (if applicable)	New
E. Jason Albert		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title Stuart C. Stock, Partner
MTC–00030631—0873
Registrant Name Covington & Burling
Client Name Microsoft Corporation
LOBBYING ACTIVITY, Select as many codes as necessary to reflect tile general issue areas in which the registrant engaged in lobbying on behalf the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code ———CPT (one per page)
16. Specific lobbying issues
- Protection of intellectual property through proposed federal action and implementation of Computer Software Piracy Executive Order.
- Protection of intellectual property in World Bank lending programs.
17. House(s) of Congress and Federal agencies contacted
Check if None
Department of Commerce
Department of Treasury
Office of Management and Budget
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered official Position (if applicable)	New
E. Jason Albert Stuart C. Stock Laurie C. Self		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title Stuart C, Stock, Partner
MTC–00030631—0874
Registrant Name Covington & Burling
Client Name Microsoft Corporation
Information Update Page—Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place of business (if different from line 20)
City
State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
Victoria A. Carter
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business (city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27. Add the following foreign entities
Name
Address
Principal place of business (city and state or country)
Amount of contribution for lobbying activities
Ownership percentage in client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client or affiliated organization
Signature
Date
Printed Name and Title Stuart C. Stock, Partner

ATTACHMENT 23

Back
LOBBYING REPORT
Signature
Date August 10, 1999

Printed Name and Title Stuart C. Stock, Partner
Back
Signature
Date August 10, 1999
Printed Name and Title Stuart C. Stock, Partner
Back
Signature
Date August 10, 1999
Printed Name and Title Stuart C. Stock, Partner
Back
Signature
Date August 10, 1999
Printed Name and Title Stuart C. Stock, Partner

ATTACHMENT 24

Secretary of the Senate
Clerk of the House of Representatives
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)
1. Year 1997
For Official Use
2. Report type (check all that apply) Midyear (January 1-June 30)—Year End (July 1-December 31)
Amended report
Termination Report
No Activity (registration to remain in effect)
REGISTRANT
3. Name of Registrant DOWNEY CHANDLER, INC.
4. Telephone number and contact name
202 789 1110
Contact Kathleen Tynan McLaughlin
5. Name of Client Microsoft Corporation
31805008
INCOME OR EXPENSES Answer line 6 or line 7 as applicable
6. LOBBYING FIRMS. Income from the client during the reporting period, other than income unrelated to lobbying activities, was:
Less than $10,000
$10,000 or more
If $10,000 or more, provide a good faith estimate, rounded to the nearest $20,000, of all income from the client during this reporting period. Include any payments by any other entity for lobbying activities on behalf of the client. Exclude income unrelated to lobbying activities.
Income $ $60,000
Total for year (if Year End r epor0 $ 140,000
7. ORGANIZATIONS EMPLOYING IN-HOUSE LOBBYISTS. Expenses incurred in connection with lobbying activities during the reporting period were:
Less than $10,000
$10,000 or more
If $10,000 or more, provide a good faith estimate, rounded to the nearest $20,000, of the total amount of all lobbying expenses incurred by the registrant and its employees during this reporting period.
Expense $
Total for year (if Year End report) $

A. Registrants that report lobbying expenses under section 6033(b)(8) of the Internal Revenue Code may provide a good faith estimate of the applicable amounts that would be required to be disclosed under section 6033(b)(8) for the semiannual reporting period, and may consider as lobbying activities only those defined under section 4911(d) of the Internal Revenue Code. If selecting this method, check box and (i) enter estimated amounts on the ''Expenses'' line above; or (ii) attach a copy of the IRS Form 990 that includes this reporting period.

B. Registrants subject to section 162(e) of the Internal Revenue Code may make a good faith estimate &all amounts that would not be deductible under section 162(e) for the semiannual reporting period, and may consider as lobbying activities only those activities the costs of which are not deductible pursuant to section 162(e). If selecting this method, check box and enter estimated amounts on the ''Expenses'' line above.

Form LD–2 (1/96) Page
Registrant Name DOWNEY CHANDLER, INC.
Client Name Microsoft Corporation 31805008
LOBBYING ISSUES. On line 8 below, eater the code for one general lobbying issue area in which the registrant engaged in lobbying activities for the client during this reporting period (select applicable code from list in the instructions and on the reverse side of Form LD-2, page 1). For that general issue area only, complete lines 9 through 12. If the registrant engaged in lobbying activities for the client in more than one general issue area, use one Lobbying Report Addendum page for each additional general issue area.
8. General lobbying issue area code (enter one) CPT
9. Specify lobbying issues (include bill numbers and specific executive branch actions)
Intellectual Property Rights
Patent Reform
Internet issues
Encryption
Immigration
Anti-trust issues
10. Houses of Congress and Federal agencies contacted
U.S. House of Representatives
U.S. Senate
Office of the Vice President
Department of Justice
11. Name and title of each employee who acted as a lobbyist
Thomas J. Downey, Chairman
Rod Chandler, President
Daniel T. Bross, Vice President
Margaret M. McCloud, Director
12. For registrants identifying foreign entities in the Lobbying Registration (Form LD–1, line 12) or are/updates: Interest of each such foreign entity in the specific lobbying issues listed on line 9 above
NA
This report includes 0 Addendum pages.
Signature
Printed Name and Title Thomas J. Downey Chairman
Form LD–2 (1/96)

ATTACHMENT 25

Clerk of the House of Representatives
Secretary of the Senate Legislative Resource Center, Office of Public Records, B–106 Cannon Building, 232 Hart Building, Washington, DC 20515, Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
1. Registrant Name
2. Address
?? Check if different than previously reported
3. Principal Place of Business (if different from line 2)
4. Contact Name
Telephone
E-mail (optional) 5. Senate ID #
6. House ID #
7. Client Name ?? Self
TYPE OF REPORT 8. Year 1998 Midyear (January 1-June 30) ?? OR Year End (July 1-Decembe 31) ??
9. Cheek if this filing amends a previously filed version of this report
10. Check if this is a Termination Report—Termination Date
11. No
Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting activities for this reporting period was Less than $10,000
EXPENSES relating to lobbying period were: Less than $10,000
$10,000 or more
10,000 or more
(Income (nearest $20,000)
Expenses (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense

Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options of all lobbying related income from the client (including all ??

Method A.Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).

Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code

Method C. Reporting amounts under section 162(e) of the Internal Revenue Code

Signature
LD–2 (REV. 6/98)
Registrant Name
Client Name
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code_(one per page)
16. Specific lobbying issues
17. House(s) of Congress and Federal agencies contacted
Check if None
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
19. Interest of each foreign entity in the specific issues listed on line 16 above

Check if None
Signature Dale
Printed Name and Tide
Form LD–2 (Rev.6/98)
Registrant Name
Client Name
LOBBYING ACTIVITY, Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
5. General issue area code— (one per page)
6. Specific lobbying issues
I7. House(s) of Congress and Federal agencies contacted
Check if None
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
Form LD–2 (Rev. 6/98)
Registrant Name
Client Name
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code_(one per page)
16. Specific lobbying issues
17. House(s) of Congress and Federal agencies contacted
Check if None
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date

ATTACHMENT 26

Clerk of the House of Representatives, Legislative Resource Center, B–106 Cannon Building, Washington, DC 20515
Secretary of the Senate, Office of Public Records, 232 Hart Building, Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
1, Registrant Name
2. Address
Check if different than previously reported
3. Principal Place of Business (if different from line 2)
City:
State/Zip (or Country)
4. Contact Name
Telephone
E-mail (optional)
5. Senate ID #
6. House ID #
7. Client Name Self
TYPE OF REPORT
8. Year_Midyear (January 1-June 30)—OR Year End (July 1-December 31)
9. Check if this filing amends a previously filed version of this report
10. Check if this is a Termination Report—Termination Date
11. No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting activities for this reporting period was: period were: Less than $10,000
EXPENSES relating to lobbying Less than $10,000
$10,000 or more
$10,000 or more
Income (nearest $20,000) (Expenses (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options.
Provide a good faith estimate, rounded to the nearest $20,000, of all lobbying related income from the client (including all using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).
Method A. Reporting amounts
Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature Date
Printed Name and Title
Form LD-2 (Rev. 6/98)
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code ———— (one per page)
16. Specific lobbying issues
17. House(s) of Congress and Federal agencies contacted
Check if None
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code ———— (one per page)
Specific lobbying issues
17. House(s) of Congress and Federal agencies contacted
Check if None
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered official Position (if applicable)
New
19. Interest of each foreign entity in the specific issues, listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code [MM (one per page)
Specific lobbying issues
17. House(s) of Congress and Federal agencies contacted
Check if None
18. Name of each individual who acted as a lobbyist in this issue area
19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
21. Client new principal place of business (if different from line 20)
City
State/Zip (or County)
Z. New leaera4 description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business (city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITLES
27. Add the following foreign entities
Name for lobbying activities
Address (city and state or country)
Principal place of business
Amount of contribution Ownership percentage in client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client or affiliated organization
Date 2–16–99
Printed Name and Title
Form LD-2 (Rev. 6/98)

ATTACHMENT 27

RECEIVED
Clerk of the House

Legislative Resource Center, B-106Cannon Building, Washington, DC 20515
Office of Public Records, 232 Hart Building, Washington, DC 20510
99 JUL 30 PH 4:28
OFFICE OF TIE CLERK
U.S. HOUSE OF REPRESENTATIVES
LOBBYING REPORT??
bying Disclosure Act Of 1995 (Section 5)—All Filers Are Required To Complete This Page
Registrant Name
DOWNEY CHANDLER, INC
2. Address
Check if different than previously reported
1225 I STREET NW SUITE 350
3. Principal Place of Business (if different from line 2)
cid: Washington
State/Zip (or Country) DC 20005
4. Contact Name
Telephone
E-mail (optional)
5.
Senate ID #
Kathleen Tynan McLaughlin
202 789 1110
12573–253
7. Client Name
Self 6.
House ID ID # 31805
Microsoft Corporation
TYPE OF REPORT 8. Year 1999 Midyear (January I -June 30) ?? OR Year End (July I -December 31) ??
9. Check if this filing amends a previously filed version of this report
10. Check if this is a Termination Report 1–11 * Termination Date
11 I. No
Lobbying Activity %62
I
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting activities for this reporting period was: Less than S10,000 ??
EXPENSES relating to lobbying period were: Less than $10,000 ??
$10,000 or more ?? = $
$10,000 or more ??—$80,000
Expenses (nearest $20,000)
Income (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense
Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options.. of all lobbying related income from the client (including all ?? Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).
Method B. Reporting amounts under section 6033(b)(g)of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Tide
Registrant Name DOWNEY CHANDLER, INC
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying 6n behalf of the client during the reporting period. Using a separate page for each code, provide ??nation as requested. Attach additional page(s) as needed.
1??neral issue area code TEC (one per page)
16. Specific lobbying issues
Broadband
Information Technology
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Emerick Tom Downey Rod Chandler Thomas P. Scott		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
Registrant Name DOWNEY CHANDLER, INC
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
General issue area code CPI (one per page)
16. Specific lobbying issues
antitrust
education technology
communications issues
patent reform
Microsoft trial
intellectual property
encryption
R & D tax credit
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
Office of the Vice President
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Emerick Tom Downey Rod Chandler Thomas P. Scott		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
LD-2(Rev. 6/98)
Registrant Name??
Information Update Page—Complete ONLY where registration information has changed,
20. Client new address
Client new principal place of business (if different from line 20)
State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
Rod Chandler
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business (city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27. Add the following foreign entities
Name
Address

Principal place of business (city and state or country) for lobbying activities
Amount of contribution
Ownership percentage in client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client or affiliated organization

ATTACHMENT 28

RECEIVED
Clerk of the House of Representatives,
Secretary of the Senate,
Legislative Resource Center, B-106 Cannon Building, Washington, DC 20515
Office of Public Records, 232 Hart Building, Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
V
I. Registrant Name
DOWNEY McGRATH GROUP, INC.
2. Address ?? Check if different than previously reported
1225 ISTREET NW SUITE350
3. Principal Place of Business (if different from line 2)
City: Washington
State/Zip (or Country) DC 20005
4 Contact Name Kathleen Tynan McLaughlin
Telephone 202 789 1110
E-mail (optional)
5. Senate ID 12573–253
7. Client Name ?? Self
6. Microsoft
House ID # 31805008
TYPE OF REPORT s. Year 1999 Midyear (January 1 -June 30) ?? OR Year End (July 1 -December 31)
9. Check if this filing amends a previously filed version of this report ??
0. Check if this is a Termination Report ?? * Termination Date
11. No Lobbying Activity ??
INCOME OR. EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting activities for this reporting period was: Less than $10,000 ??
EXPENSES relating to lobbying period were: Less than$10,000 ??
$10,000ormore ?? * $
$10,000 or more ?? * $100,000
Expenses (nearest S20,000)
Income (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense
Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options of all lobbying related income from the client (including all
Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).
Method B. Reporting amounts under section 6033(b)(g)of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the internal Revenue Code
Signature
Printed Name and Tide
LD-2 (REV 6/98)
Registrant Name DOWNEY McGRATH GROUP, INC.
Client Name Microsoft
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??aged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide ??rmation as requested. Attach additional page(s) as needed.
General issue area code TEC (one per page)
16. Specific lobbying issues
Broadband
Information Technology
business issues
Satellite Home Viewer Act
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
Small Business Administration
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Kelli Emerick Tom Downey Ray McGrath Thomas P. Scott		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
??m LD-2 (Rev. 6/98)
Registrant Name DOWNEY McGRATH GROUP, INC.
Client Name Microsoft
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??gaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide ??rmation as requested. Attach additional page(s) as needed.
General issue area code CPI (one per page)
16. Specific lobbying issues
antitrust
Digital signatures
education technology
Technology changes
communications issues
Digital Divide
Microsoft trial
intellectual property
encryption
R & D tax credit
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
??m Downey Ray McGrath Kelli Emerick Thomas P. Scott		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
??-2 (Rev.6/98)
MTC–00030631_0907
Registrant Name DOWNEY McGRATH GROUP, INC. Client Name Microsoft
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant ??gaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide formation as requested. Attach additional page(s) as needed.
General issue area code LBR (one per page)
16. Specific lobbying issues
Digital Divide
17. House(s) of Congress and Federal agencies contacted
??Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a

lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
?? am Scott		

19. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if None
Signature ??
??nted Name and Title Thomas J. Downey, Chairman
??LD–2 (Rev 6/98)

ATTACHMENT 29

Clerk of the House or Representatives, Secretary of the Senate, Legislative Resource Center, Office of Public Records, B–106 Cannon Building, 232 Hart Building, Washington, DC 20515, Washington, DC 20510
HAND DELIVERED
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
I. Registrant Name
DOWNEY McGRATH GROUP, INC.
2. Address
Check if different than previously reported
1225 I STREET NW SUITE 350
3. Principal Place of Business (if different from line 2)
City. Washington State/Zip (or Country,) DC 20005
4. Contac! Name Telephone E-mail (optional)
5. Senate ID #
7 Client Name ?? Self
Microsoft (31805008)
TYPE OF REPORT 8. Year 2000 Midyear (January 1—June 30) ?? OR Year End (July I—December 31) ??
9. Check if this filing amends a previously filed version of(his report
10. Check if this is a Termination Report ?? * Termination Date I 1. No Lobbying Activity ??
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting period was: Less than $10,000
EXPENSES relating to lobbying activities for this reporting period were: Less than $10,000
$10,000 or more * $
$10,000 or more ?? * S 80,000
Expenses (nearest S20,000)
Income (nearest $20.000)
14. REPORTING METHOD. Check box to indicate expense

Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options.. of all lobbying related income from the client (including all ?? Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).
[?? Method B. Reporting amounts under section 6033(b)(8)of the Internal Revenue Code
?? Method C. Reporting amounts under section 162(c) of(he Internal Revenue Code
Signature
Printed Name and Tide
LD–2 (REV. 6/98)
Registrant Name DOWNEY McGRATH GROUP, INC.
Client Name Microsoft
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
5. General issue area code CPI (one per page)
16. Specific lobbying issues
antitrust
communications issues
intellectual property
encryption
R&D tax credit
digital signatures
digital divide
privacy
17. ??louse(s) of Congress and Federal agencies contacted
!'-I Check if None
U.S. Senate
U.S. House of Representatives
Office of the Vice President
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
K??lli Emerick m Downey Ray McGrath Thomas P. Scott E??aine Acevedo		

19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date
Printed Name and Title
Form LD–2 (Rev. 6/98)
Registrant Name DOWNEY McGRATH GROUP, INC.
Client Name Microsoft
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
5. General issue area code IMM (one per page)
16. Specific lobbying issues
II–IB Visas
17. l louse(s) of Congress and Federal agencies contacted
I''1 Check if None
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
Kelli Emerick homas P. Scott		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if
None
Signature
Date
Printed Name and Title
Form LD–2 (Rev.6/98)
Registrant Name DOWNEY McGRATH GROUP, IN
Chent Name Information Update Page—Complete ONLY where registration information has changed.
20. Client new address
Client new principal place of business (if different from line 20)
State/Zip (or Country)
22. New general description of client's

business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client Kelli Emerick
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business (city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client t!
FOREIGN ENTITLES
27. Add the following foreign entities
Name
Address
Principal place of business (city and state or country) for lobbying activities
Amount of contribution
Ownership percentage in client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client or affiliated organization

ATTACHMENT 30

Clerk of the House of Representatives, Legislative Resource Center, B–106 Cannon Building, Washington, DC 20515
Secretary of the Senate, Office of Public Records, 232 Fart Building, Washington, DC 20510
ATIVE RESOURCE
CENTER
2001 FEB 14 AM 2:23
LOB B YIN
Lobbying Disclosure Act Of 1995 (Sections 5)—All Filers Are Required To Complete This Page
I. Registrant Name DOWNEY McGRATH GROUP, INC.
2. Address
Check if different than previously reported
1225 I STREET NW SUITE 350
3. Principal Place of Business (if different from line 2)
City: Washington
State/Zip (or Count) DC 20005
4. Contact Name
Telephone 202–789–1110
E-mail (optional)
5. Senate ID # 12573–253
Kathleen Tynan McLaughlin
7. Client Name Self
Microsoft
TYPE OF REPORT s. Year 2000 Midyear (January 1–June 30) OR Year End (July 1–December 31)
9. Check if this filing amends a previously filed version of this report
10. Check if this is a Termination Report, Termination Date
11. No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting activities for this reporting period was: Less than $10,000
EXPENSES relating to lobbying period were:
Less than S10,000
$1 0,000 or more
$10,000 or more $40,000
Expenses (nearest $20,000)
income (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense

Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options of all lobbying related income from the client (including all Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client),
Method B. Reporting amounts under section 6033(b)(8)of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Tide
LD–2 (REV. 6/98)
Registrant Name DOWNEY McGRATH GROUP, INC.
Client Name Microsoft
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

General issue area code CPI (one per page)
16. Specific lobbying issues
antitrust
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name Covered Official Position (if applicable)	New
Thomas P. Scott Tom Downey	

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
LD–2 (Rev.6/98)
Registrant Name DOWNEY McGRATH GROUP, INC. Client Name Microsoft
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
General issue area code TRD (one per page)
16. Specific lobbying issues
Permanent Normal Trade Relations with China
17. House(s) of Congress and Federal agencies contacted
F1 Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name Covered Official Position (if applicable)	New
Scott	

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if
None
Signature
Date
Printed Name and
Title
LD–2 (Rev.6/98)
Registrant Name DOWNEY McGRATH GROUP, INC
Client Name Microson Corporation
Information Update Page- Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place of business (if different from line 20)
City
State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported

individual who is no longer expected to act as a lobbyist for the client
Thomas P. Scott
Ray McGrath
Elaine Acevedo
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business (city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27. Add the following, foreign entities
Name
Address
Principal place of business (city and state or country)
Amount of contribution for lobbying activities
Ownership percentage in client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client or affiliated organization
Signature
Date February 14, 2001
Printed Name and Title Thomas J. Downey, Chairman
Form LD–2 (Rev. 6198)

ATTACHMENT 31

01 AUG 1 0 AH 10:00
Clerk of the House of Representatives, Legislative Resource Center, B–106 Cannon Building, Washington. DC 205 IS
Secretary of the Senate, Office of Public Records, 232 Hart Building, Washington. De 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1 995 (Section 5)—All Filers Are Required To Complete This Page
1. Registrant Name
DOWNEY McGRATH GROUP, INC.
2. Address
Check if different than previously reported
1225 I STREET NW SUITE 350
3. Principal Place of Business (if different from line 2)
City: Washington
State/Zip (or Country) DC 20005
4. Contact Name Senate ID #
Telephone 202–789–1110
E-mail (optional) 5.
Kathleen Tynan McLaughlin
12573–253
Client Name Self
6 House ID # d 31805008'2
7. Microsoft
TYPE OF REPORT s. Year 2001 Midyear (January 1–June 30) OR Year End (July 1–December 31)
9. Check if this filing amends a previously filed version of this report
10. Check if this is a Termination Report, Termination Date
11. No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting activities for this reporting period was: Less than S10,000
EXPENSES relating to lobbying period were: Less than $10,000 El
$10,000 or more
$10,000 or more $60,000
Expenses (nearest S20.000)
Income (nearest $20.000)
14. REPORTING METHOD. Check box to indicate expense
Provide a good faith estimate, rounded to the nearest S20,000, accounting method. See instructions for description of options of all lobbying related income from the client (including all Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client). 6033(b)(8)of the Internal Revenue Code
Method B. Reporting amounts under section
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Tide LD–2 (REV. 6/98)
Registrant Name DOWNEY McGRATH GROUP, INC.
Client Name Microsoft
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide formation as requested. Attach additional page(s) as needed.
General issue area code CPI (one per page)
16. Specific lobbying issues
Internet privacy
intellectual property issues
Microsoft case—Department of Justice antitrust suit
R & D tax credit
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
hn Olinget Tom Downey		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Printed Name and Title Thomas J. Downey, Chairman
Form LD–2(Rev.6/98)

ATTACHMENT 32

Clerk of the House of Representatives Washington, DC 20515
Secretary of the Sea
THE SENATE
00 AUG 14 PH 27
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
Registrant
7. Client Name Self
6. H ID
TYPE OF REPORT 8. Year 2000 Midyear (January 1–June 30) OR Year End (July1–December
9. Check if this filing a previously filled version of this report
10. Check if this is a Termination Report, Termination Date
11. No Lobbying Acti
INCOME OR EXPENSES—Complete Either Line 12 OR 13
12. Lobbying Firms
INCOME relating to lobbying activities for this reporting period was:
Less than $10,000
$10,000 or more
Provide a good faith estimate, rounded to the nearest $20.000 of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).
13. Organizations
EXPENSES relating to lobbying activities for this reporting period were:
Less than $10,000
$10,000 or more
14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options.
Method A Reporting amounts using LDA definitions only
Method B. Reporting amounts under section 6033(b)
Method C. Reporting amounts under section 162(c) of
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the regist engaged in lobbying on behalf of the client during the reporting period. Using a separate page far each code, pro information as requested. Attach additional page(s) as needed.
15. General issue area code————— (one per page)
16. Specific lobbying issues
17. House(s) of Congress and Federal agencies contacted
?? Check if None
18. Name of each individual who acted as a 1obbyist in this issue area
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Printed Name and Title

ATTACHMENT 33

Clerk of the House of Representatives
Secretary of the Senate Legislative Resource Center, Office of Public Records, B-106 Cannon Building 232, Hen Building, Washington, DC 20515 Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
1. Registrant Name
McSlarrow & Associates, L.L.C.
2. Address ?? Check if different than previously reported
14842 North 18th Place, Phoenix, Arizona 85022
3. Principal Place of Business (if different from line 2)
City:
State/Zip (or Country)
4. Contact Name Alison H. McSlarrow
Telephone (602) 482–3150
E-mail (optional)
5. Senate ID # 48703–12
Microsoft Corporation
34541 002 /
TYPE OF REPORT 8. Year 1999
Midyear(January l-June30) ?? OR Year End(July t-December31)
9. Check if this filing amends a previously filed version of this report
10. Check if this is a Termination Report
Termination Date
11. No Lobbying Activity
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting period was: Less than $10,000 ??
EXPENSES relating to lobbying activities for this reporting period were: Less than $10,000 ??
$10,000 or more ?? ?? $
S10,000 or more ?? ?? $ 40,000
Expenses (nearest $20,000)
Income (??rest $20,00)
14. REPORTING METHOD. Check box to indicate expense of all lobbying related income from the client (including all payrolls to the registrant by any other entity for lobbying activities on behalf of the client).
Method A. Reporting amounts using LDA definitions only
Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options.
Method B. Reporting amounts under section 60330o)(8)of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Title
LD.2 (REV. ??98) PAGE t or 4
Registrant Name McSlarrow & Assoc.
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code COM (one per page)
16. Specific lobbying issues
S. 247, Satellite Home Viewers Improvements Act, provisions relating to video streaming
H.R. 1554, Satellite Copyright, Competition, and Consumer Protection Act, provisions relating to video streaming
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable	New
Majority Leader Trent Lott		

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if, None
January 21 2000
Signature
Date
Printed Name and Title
Alison H. McSlarrow, President
Form LD-2 (Rev.??/98)
Registrant Name McSlarrow & Assoc.
Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per gage)
16. Specific lobbying issues
Competition in the software industry
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable	New
Alison H. McSlarrow	Deputy Chief of Staff to Senate	Majority Leader Trent Lott

19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date
Printed Name and Title
Form LD-2 (Rev.??98)
Registrant Name McSlarrow & Assoc.
Clint Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. Genera[issue area code CSP (one per page)
16. Specific lobbying issues
S. 761, Millenium Digital Signature Commerce Act, all provisions
H.R. 1774, Electronic Signatures in Global and National Commerce Act, all provisions
H.R. 775/S. 96 (P.L. 106–37), Year 2000 Readiness and Responsibility Act, all provisions
17. House(s) of Congress and Federal agencies contacted ?? Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official
Position (if applicable)
New
Alison H. McSlarrow, Deputy Chief of Staff to Senate
Majority Leader Trent Lott
__ _____
__ _____
__ _____
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature ??
Printed Name and Title __—Alison H. McSlarrow, President
Form LD–2 (Rev ??/98)
ATTACHMENT 34
TO THE
DECLARATION OF BRIAN DAUTCH
Clerk of the House of Representatives
Secretary of the Senate
Legislative Resource Center Office of Public Records
B–106 Cannon Building 232 Hart Building, Washington, DC 20515 Washington, DC 20S 10

LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
1. Registrant Name
Mcglarrow Consulting L.L.C. (formerly McSlarrow & Associates L.L.C.)
__6551 Kristina Ursula Court, Falls Church, Virginia 22044 _____
__ _____
__ _____
3. Principal Place of Business (if different from line 2)
City: State/Zip (or Country)
__ _____
__ _____
4. Contact Name
Telephone
E-mail (optional)
5. Senate
ID #
Alison H. McSlarrow (703) 658–0138 48703–12
6. House ID #
7. Client Name ?? Self
Microsoft Corporation??34541002??
TYPE OF REPORT
8. Year 2000 Midyear(January 1-June30)?? OR Year end (July 1 December 31)??
9. Check if this filing amends a previously filed version of this report ??
10. Check if this is a Termination Report ?? ?? Termination Date
11. No
Lobbying Activity ??
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating: to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting
period was:
period were:
Less than $10,000 [2:]
Less than S10,000 ??
$10,000 or more ?? ?? $
S10,000 or more ?? ?? $40.000
Expenses (nearest $20,000)
Income (nearest $20.000)
14. REPORTING METHOD. Check box to indicate expense
Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options. of all lobbying related income from the client (including all ?? Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client)
Method B Reporting amounts under section 6033(b)(8)of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature.
Printed Name and Title
I.D.2 ??
Registrant Name McSlarrow Consulting Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific lobbying issues Competition in the software industry
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New]
Alison H. McSlarrow
Deputy Chief of Staff to __ * Senate Majority
Leader Trent Lott
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date
Printed Name and Title
form LD-2 (Rev.6/98)
McSlarrow Consulting
Microsoft Corporation
Registrant Name
Client Name
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CSP (one per page)
16. Specific lobbying issues
S. 761, Millenium Digital Signature Commerce Act, all provisions
H.R. 1714, Electronic Signatures in Global and National Commerce Act, all provisions
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New /
Alison H. McSlarrow; Deputy Chief of Staff to __ Senate Majority Leader Trent Lott
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date
Printed Name and Title
LD-2 (Rev.??/98)
Registrant Name McSlarrow Consulting Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code IMM (one per page)
16. Specific lobbying issues
S. 2045, American Competitiveness in the 21st Century Act, all provisions
H.R. 3983, Helping Improve Technology Education and Achievement Act, all provisions
H.R. 4227, Technology Worker Temporary Relief act, all provisions
17. House(s) of Congress and Federal agencies contacted ?? Check if None
U.S. Senate
18. Name of each individual who acted as a lobbyist in this issue area
__ _____
__ _____
Senate Majority Leader Trent Lott
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
__ _____
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date
Printed Name and Title
Form LD-2 (Rev ??/98) Page 4 of 5
Registrant Name McSlarrow Consulting Client Name Microsoft Corporation
Information Update Page- Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place of business (if different from line 20)
City
State/Zip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain
COM
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Name
Address
Principal Place of Business
(city and state or country)

26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITLES
27. Add the following foreign entities
Name
Address
Principal place of business
Amount of contribution Ownership
(city and state or country)
for lobbying activities percentage in
client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client or affiliated organization
Signature
Date August 10, 2000
Printed Name and Tile Alison H. McSlarrow, President
Form LD-2 (??ev. 6/98)
ATTACHMENT 35 TO THE DECLARATION OF BRIAN DAUTCH
LEGISLATIVE RESOURCE CENTER
I 2001 FEB 15 PM 3:26
Clerk of the House of Representatives Secretary of the Senate; OFFICE OF THE CLERK
Legislative Resource Center; Office of Public Records; U.S. ?? REPRESEHTATIVES; B-106 Cannon Building Washington, De20515
232 Hart Building Washington, DO20510
FEB 12 2001
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This
Page
1. Registrant Name
McSlarrow Consulting L.L.C.
2. Address ?? Check if 4liferent than previously reported
6551 Kristina Ursula Court, Falls Church, Virginia 22044
3. Principal Place of Business (if different from line 2)
City:
State/Zip (or Country)
4. Contact Name
Telephone
E-mail (optional)
5. Senate ID #
Alison McSlarrow 703–658–0138
48703–12
Microsoft Corporation (
34541002 2
TYPE OF REPORT
8. Year 2000 Midyear(January l-Seine30) ?? OR Year End(July 1-December31)
9. Check if this filing amends a previously filed version of this report O
10. Check if this a Termination Report ?? ?? Termination Date 11 No Lobbying Activity [-'1
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting EXPENSES relating to lobbying activities for this reporting
period was:
period were:
Less than $10,000 ??
Less than $10,000 ??
$10,000 or more ?? ?? $
$10,000 or mor3 ?? ??
$60,000
Expenses (nearest $20,000)
Income (nearest $20,000)
14. REPORTING METHOD, Check box to indicate expense
Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options.. of all lobbying related income from the client (including all ?? Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).
Method B. Reporting amounts under section 6033(b)(8)of the Internal Revenue Code
Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Title
LD-2 (REV. 6/981
Registrant Name McSlarrow Consulting Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific lobbying issues
Competition in the software industry 17. House(s) of Congress and Federal agencies contacted ?? Check if None U.S. Senate U.S. House of Representatives 18. Name of each individual who acted as a lobbyist in this issue area Name Covered Official Position (if applicable) Alison McSlarrow Deputy Chief of Staff to ?? Senate Majority Leader Trent Lott 19. Interest of each foreign entity in the specific issues listed on line [6 above ?? Check if None Signature Date February 2, 2001 Printed Name and Title Alison H. McSlarrow, President Form LD-2 (Rev.O/q8) Page 2 of 4
Registrant Name McSlarrow Consulting Client Name Microsoft Corporation LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed. 15. General issue area code IMM (one per page)
16. Specific lobbying issues
S. 2045, American Competitiveness in the 21st Century Act, all provisions
H.R. 3983, Helping Improve Technology Education and Achievement Act, all provisions H.R. 4227, Technology worker Temporary Relief Act, all provisions
17. House(s) of Congress and Federal agencies contacted ?? Check if None U.S. Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name Covered official Position (if applicable) New [?/ Alison H. McSlarrow Deputy Chief of Staff to Senate Majority Leader Trent Lott
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature Date P
rinted Name and Title
Form I.D-2 (Rev.6/98)
Page 3 of 4 7'' ‘‘’’
Registrant Name McSlarrow Consulting Client Name Microsoft Corporation LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TEC (one per page)
16. Specific lobbying issues
Interoperability of instant messaging
17. House(s) of Congress and Federal agencies contacted ?? Check if None U.S. Senate
18. Name of each individual who acted as a lobbyist in this issue area Name Covered Official Position (if applicable) New Alison H. McSlarrow Deputy Chief of Staff to Senate Majority Leader Trent Lott
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature Date February 2, 2001
Printed Name and Title Alison H. McSlarrow, President
Form LD-2 (Rev. 6/98)
Page 4 of 4
ATTACHMENT 36 TO THE DECLARATION OF BRIAN DAUTCH
AUG 14 2001
Clerk of the House of Representatives Secretary of the Senate
LEGISLATIVE RESOURCE CENTER
Legislative Resource Center Office of Public Records B-106 Cannon Building 232 Hart Building 2001 AUG 15 PM 12:58 Washington, DC 20515 Washington, DC 20510 ??
U.S. ??REPRESENTATIVES LOBBYING REPORT —''
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page 6
1 Registrant Name
McSlarrow Consulting L.L.C.
2. Address ?? Check if different than previously reported
6551 Kristina Ursula Court, Falls Church, Virginia 22044
3. Principal Place of Business (if different from line 2)
City: Stale/Zip (or Country)
4. Contact Name Telephone E-mail (optional)
5. Senate ID #
Alison McSlarrow 703–658–01 38 48703–12
7. Client Name ?? Self 6.
House ID #— Microsoft Corporation 34541 002??
TYPE O17 REPORT 8. Year 2001 Midyear (January [-June 30) ?? OR Year End (July 1-December 31) ??
9 Check if this fling amends a previously filed version of this report ?? t0. Check if this is a Termination Report ?? Termination Date 11. No Lobbying Activity ??
INCOME OR EXPENSES- Complete Either Line 12 OR Line I3

12. Lobbying Firms 13. Organizations
INCOME relating to lobbying activities for this reporting EXPENSES relating to lobbying activities for this reporting period was: period were: Less than $10,000 ?? Less than $10,000 ?? $10,000ormore ?? ?? $ $10.000 or more ?? ?? $ 60,000 Expenses (nearest $20,000) Income (nearest S20.000) 14. REPORTING METHOD. Check box to indicate expense Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options. of all lobbying related income from the client (including all ?? Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client). ?? Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code ?? Method C Reporting amounts under section 162(e) of the Internal Revenue Code Signature Printed Name and Tide LD-2 (REV. 6/98) PAGE 1 of 5

McSlarrow Consulting Client Name Microsoft Corporation Registrant Name

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code CPI (one per page)

16. Specific lobbying issues Competition in the software industry

17. House(s) of Congress and Federal agencies contacted ?? Check if None

U.S. Senate

U.S. House of Representatives

18. Name of each individual who acted as a lobbyist in this issue area

Name Covered Official Position (if applicable) New Alison.—.. McSlarrow ??

19. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if None Signature Date Printed Name and Title Form LD.2 (Rev.6/98) Page 2 of

17. House(s) of Congress and Federal agencies contacted ?? Check if None

U.S. Senate

U.S. House of Representatives

18. Name of each individual who acted as a lobbyist in this issue area

Name

Covered Official Position (if applicable)

Alison McSlarrow; Deputy Chief of Staff to

Senate Majority Leader Trent Lott

19. Interest of each foreign entity in the specific issues listed on line [6 above

Check if None

Signature

Date February 2, 2001

Printed Name and Title Alison H. McSlarrow, President

Form LD-2 (Rev.O/q8)

Registrant Name McSlarrow Consulting Client Name Microsoft Corporation

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code IMM (one per page)

16. Specific lobbying issues

S. 2045, American Competitiveness in the 21st Century Act, all provisions

H.R. 3983, Helping Improve Technology Education and Achievement Act, all provisions

H.R. 4227, Technology worker Temporary Relief Act, all provisions

17. House(s) of Congress and Federal agencies contacted ?? Check if None

U.S. Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name

Covered official Position (if applicable)

New

Alison H. McSlarrow; Deputy Chief of Staff to

Senate Majority Leader Trent Lott

19. Interest of each foreign entity in the specific issues listed on line 16 above

Check if None

Signature

Date

Printed Name and Title

Form I.D-2 (Rev.6/98)

Registrant Name McSlarrow Consulting Client Name Microsoft Corporation

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TEC (one per page)

16. Specific lobbying issues Interoperability of instant messaging

17. House(s) of Congress and Federal agencies contacted ?? Check if None

U.S. Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name

Covered

Official Position (if applicable)

New

Alison H. McSlarrow; Deputy Chief of Staff to

Senate Majority Leader Trent Lott

19. Interest of each foreign entity in the specific issues listed on line 16 above ??

Check if None

Signature

Date February 2, 2001

Printed Name and Title Alison H. McSlarrow, President

Form LD-2 (Rev. 6/98)

ATTACHMENT 36

TO THE DECLARATION OF BRIAN DAUTCH

AUG 14 2001

Clerk of the House of Representatives Secretary of the Senate

LEGISLATIVE RESOURCE CENTER

Legislative Resource Center, B-106 Cannon Building, Washington, DC 20515

Office of Public Records, 232 Hart Building, Washington, DC 20510

2001 AUG 15 PM; 12:58

U.S. ??REPRESENTATIVES

LOBBYING REPORT —''

Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This

1 Registrant Name

McSlarrow Consulting L.L.C.

2. Address 6551 Kristina Ursula Court, Falls Church, Virginia 22044

Check if different than previously reported

3. Principal Place of Business (if different from line 2)

City:

Stale/Zip (or Country)

4. Contact Name

Telephone

E-mail (optional)

5. Senate ID #

Alison McSlarrow 703–658–01 38

48703–12

7. Client Name ?? Self 6.

House ID #__

Microsoft Corporation

34541 002??

TYPE O17 REPORT 8. Year 2001 Midyear (January [-June 30) ?? OR Year End (July 1-December 31) ??

9. Check if this fling amends a previously filed version of this report ??

10. Check if this is a Termination Report ?? Termination Date

11. No

Lobbying Activity ??

INCOME OR EXPENSES- Complete Either Line 12 OR Line I3

12. Lobbying Firms

13. Organizations

INCOME relating to lobbying activities for this reporting

period was: period were:

EXPENSES relating to lobbying activities for this reporting

Less than $10,000 ??

Less than $10,000 ??

$10,000ormore ?? ?? $

$10.000 or more ?? ??

$60,000 Expenses (nearest $20,000) Income (nearest S20.000)

14. REPORTING METHOD. Check box to indicate expense

Provide a good faith estimate, rounded to the nearest $20,000, accounting method. See instructions for description of options. of all lobbying related income from the client (including all

Method A. Reporting amounts using LDA definitions only payments to the registrant by any other entity for lobbying activities on behalf of the client).

Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code

Method C Reporting amounts under section 162(e) of the Internal Revenue Code

Signature

Printed Name and Tide

LD-2 (REV. 6/98)

McSlarrow Consulting Client Name Microsoft Corporation

Registrant Name

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code CPI (one per page)

16. Specific lobbying issues
Competition in the software industry
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
Alison.__.. McSlarrow
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date
Printed Name and Title
Form LD.2 (Rev.6/98) Page 2 of
Registrant Name McSlarrow Consulting Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPT (one per page)
16. Specific lobbying issues Software piracy, counterfeiting, and protection of intellectual property rights
17. House(s) of Congress and Federal agencies contacted ?? Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
Alison H. McSlarrow
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date
Printed Name and Title
Form LD-2 (Rev. 6/98)
Registrant Name McSlarrow Consulting client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period, Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CSP (one per page)
16. Specific lobbying issues
Internet privacy
S. 803, E-government Act of 2001, all provisions
17. House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
U.S. House of Representatives
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered
Official Position (if applicable)
New
Alison H. McSlarrow
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date
Printed Name and Title
Form LD-2 (Rev.6/98)
Registrant Name McSlarrow Consulting Client Name Microsoft Corporation
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TAX (one per page)
16. Specific lobbying issues
S. 532, Internet Tax Moratorium and Equity Act, all provisions
S. 589, A bill to make permanent the moratorium on the imposition of taxes on the Internet, all provisions
S. 664, New Economy Tax Fairness Act, all provisions
S. 41, To amend the Internal Revenue Code of 1986 to permanently extend the research credit, all provisions
H.R. 1836, Economic Growth and Tax Relief Reconciliation Act of 2001, research and development tax credit provisions
17 House(s) of Congress and Federal agencies contacted
Check if None
U.S. Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
Alison H. McSlarrow
19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date August 12, 2001
Printed Name and Title Alison H. McSlarrow, President
Form LD-2 Rev.6/98)
ATTACHMENT 37
TO THE DECLARATION OF BRIAN DAUTCH
B.106 C?? B??, Washington, DC 20?? 15
?? H?? Building, Washington, DC 20510
AUG
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required To Complete This Page
Microsoft Corporation
2.1 D??nt Circle, NW, 5th Floor, Washington, DC 20036
City: Redmond
state/Zip ?? WA 98052
Jack ??rumholtz
202–263–5900 25204–12
7. Ciieat Name ?? Se??
6. House ID # 31174000
TYPE OF REPORT 3. Year 2000 Midyear (January 1-June 30) ?? OR Year End (July 1-December
9. Check it this filing amends a previously filed version of ibis report
10. Check if this is a Term??ation Report ?? ?? Ter??nation Date
I l, No Lobbying A??
INCOME OR EXPENSES-Complete Either Line 12 OR Line 13
12. Lobbying Fie?? 13.
Organizations
INCOME relating to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting
period was:
period were:
Less than $10.000 ??
Less than $10,000 ??
$10.000 or more ?? ?? $3,340,000
I??come ?? $20,000
14. REPORTING
??IETHOD, Check box to indicate expen??
Provide a good ??ith estimate, rounded to the nearest $20,000. accounting method. See instructions for description of options of all lobbying related income from the client (including all
Method A. Reporting amounts using LDA definitions o?? payments to the registrant by any other en??y for ??obbying activities on behalf of the client??.
Method B. Reporting amounts under section 6033(b)(8)C Internal Reve??oe Code
Method C. Reporting amounts under section 162(e) of th Internal Revenue Cod???
Signature
Printed Name and Title Jack Krumholtz, Director of Federal Government Affairs,
Registrant Name Microsoft Corporation Client Name Se??
LOBBYING ACTIVITY''. ?? as many codes as necessary to reflect, the general issue areas in which the Regis?? engaged in lobbying on behalf of the client during the reposing period. Using a separate page for each code prov?? information as requested. Attach additional page(s) as needed,
General issue area code IMM (one per page)
16. Specific l??bbying issues
H.R. 3983, Helping Co Improve Technology Education and Achievement Act of 2000
H.R. 4227, T??chnology Worker Temporary Relief Act
S. 2045, American Competitiveness in the Twenty-first Century Act of
17. House(s) of Congress and Federal agencies contacted
Check if None
Senate
House of Representatives
Department of Commerce
National Economic Council
Office of the President
18. Name of each individual who acted as a lobbyist in this issue area
Jack Krumholtz
Eric Koenig
Chief of Staff
Kent Knutson, Deputy Asset. Sec. for Intergovernme??
Tom Jurkovich, Affairs(. US Dept. of Commerce
John Sampson, Associate Director, Senate Democrat
James Houton, Steering, and Coordination Committe??
Ira Rubinstein
Julie Inman

19. Interest of each foreign entity in (he specific issues listed on line 16 above
Check if None
Printed Name and Title Jack, Associate General Counsel
Regis?? Name Microsoft Corporation Client Name Self
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the regist?? engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code. ?? information as requested. Attach additional page(s) as needed.
15. General issue code CPT (one per pace□
16, Specific lobbying issues
H.R. 354, Collections of Information Antipiracy Act
H.R. 4690, Departments of. Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act, 2001, relating to copyright and patent issues
House Amendment 889 to H.R. 4690, Amendment to increase funding for US Patent and Trademar?? offices ''
Software Piracy, Counterfeiting and Copyright Protection
17. House(s) of Congress and Federal agencies con??acted
Cheek if None
Senate
House of Representatives
Nabions1 Economic Council
Office of the Vice President
Department of Commerce
Department'' of State
United States Trade Representative
??Department ??
18. Name of each individual who acted as a lobbyist in this issue area
Covered Official Position (if applicable)
Jack Krumholtz
Eric Koenig
Chief of Staff
Kerry Knott
House Majority Leader Richard Ar??
Kent Knutson
Tom Jurkovich, Affairs,. US Dept. off Commerce ,.
-John Sampson Associate Director, senate Democrat
19. ?? of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Printed Name and Title Jack ''??
Director of Federal Government Affairs, Associate General Counsel.
Registrant Name Microsoft Corporation Cli?? Name Self
LOBBYING ACTIVITY- Select as many codes as necessary to reflect the general issue ar?? in which the re?? engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code. prov?? Information as requested. Attach additional page(s) as needed.
15. ??
Filing Images
Microsoft Corporation
General Issue Area: TAX :
Foreign Sales Corpora=ion Dispute Pending at %/TO
Name of each individual who acted as a lobbyist in this issue ar??
Marc Berejka
Julie Inman
Bill Sample
http://sopr.senate.gov/cgi-win/opr—gifviewer.exe?
Filing Images
Associate General. Counsel
http://sopr.senate.gov/cgi-win/oprgifviewer.exe?
Filing Images
?? Name Microsoft Corporation ?? Name Self
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the regist?? engaged in lobbying on behalf of the client ?? the reporting period. Using a separate page for each code, prov information as requested. A?? additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific lobbying issues
H.R. 4246, Cyber Security Information Act
S. 2448, Internet Integrity and Critical Infrastructure Protection Act of 2000
competition in the Software Industry
Promoting Protection of Critical Infrastructures
7. House(s) of Congress and Federal agencies contacted ??
Check if None
S??nate
House of Represe??tatives
Department of Justice
National Security Agency
Federal Bureau of Investigation
Department of Commerce:
Department of Defense
18. Name of each individual who acted as a lobbyist in this issue area
C?? Official Pos?? (if ??)
Jack Krumho??
Eric Koenig
Chief of Staff Kerry Knott House Majority Leader Richard Arm
Kent Knutson
Deputy Asst. sec. for Intergovernme??
Tom Jurkovich, Affairs, US Dept. of Commerce:
John Sampson
Associate Director, Senate Democrat
James Houton
??
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Printed Name and Title J?? Director of Fe?? fairs,
Associate General
Counsel
http://sopr.senate.gov/cgi-win/opr—gifviewer.exe?
Filing Images
Microsoft Corporation
General Issue Area: CPI
Name of each individual who acted as a lobbyist in this issue are;
Marc Berejka
Bill Guidera
Ira Rubinstein
Mike Egan
John Kelly
Ed Tobin
Filing Images ??
?? Name Microsoft Corporation Client Name Se?? LOBBY??G ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the regist?? engaged in lobbying on behalf of the client during the reporting period. ??sing a separate page for each code, prov?? information as requested, Attach additional page(s) as needed.
15. General issue area code CSP (one per page)
16. Specific lobbying issues
H.R, 1714, ELectronic Signatures in Global and National Commerce Act.
S. 761, Millennium Digital Commerce Act (Digital Signatures)
S. 2063:; Secure Online Communication enforcement. Act of 2000
S. 854, Electronic Rights for the 21st ?? Century Act
S. 2448, Internet Integrity and Critical Infrastructures Protection Act. of 2000
S. 2606, Consumer Privacy Protection Act:.
H.R. 4049, Privacy Commission Act
H.R. 1685, Internet Growth and Development Act
17. House(s) of Congress and Federal agencies contacted ?? Check if None
Senate??
House of Representatives
White House
Department of Commerce
Federal Communications Commission
Federal Trade Commission
Department of state
18. Name of each individual who acted as a lobbyis?? in this issue area ??
Jack Krumholtz
Eric Koenig
Chief of Staff
Kerry Knot t, House Majority Leader Richard Arm??
Kent Kn??tson Deputy Asst. Sec. for Intergovernme??
Tom Jurlovich Affairs, US Dept. of Commerce
John Sampson, Associate Director, Senate Democrat
James Houton Steering and Coordination Committes
19. Interest of each foreign ??ity in the Specific issues listed on line 16 above
?? Check if None
Signature Date
Printed Name and Title Jack ??umholtz, Director of Federal Government Affairs,
Associate General Counsel
http://sopr.senate.gov/cgi-win/opr—gifviewer.exe?
Filing Images ??
Microsoft Corporation
General Issue Area: CSP
Specific lobbying issues
International Online Consumer Protection, Privacy and
Jurisdictional Issues
Name of each individual who acted as a lobbyist in this issue are
Marc Berejka
Bill Guidera
http://sopr.senate.gov/cgi-win/opr—gifviewer.exe?
Filing image ??
Registrant Name Microsoft Corporation Client Name Se??
LOBBYING ACTIVITY. Select as many codes as necessary co reflect the general issue arena in which the regist?? engaged in lobbying on behalf of the client during the reporting period. Using a separate page for

each tacit, prov?? information as requested. Attach additional page(s) as needed.

15. General issue area code LBR (one per page)

16. Specific lobbying issues

H.R, 3462, Wealth through the Workplace :Act of 1999

H.R. 1102, Comprehensive Retirement Security and Pension Reform Act

17. House(s) of Congress and Federal agencies contacted

?? Check if None

Senate

House of Representatives

Department of Labor

18. Name of each individual who acted as a lobbyist in this issue area

Jack Krumholtz

Eric Koenig

-Kerry Knott Chief of Staff

Kent Knutson

Deputy Asst. Sec. for Intergovernme??

Tom Jurkovich Affairs,. US Dept. of Commerce

John Sampson

Associate Director, Senate Democrat

James Houton Steering and Coordination Committe??

Julie Inman

Bill Sample

19. I?? of each foreign entity in the specific issues listed on fine [6 above ?? Check if None

Associate General Counsel

http://sopr.senate.gov/cgi-win/opr—gifviewer.exe?

ATTACHMENT 38

TO THE DECLARATION OF BRIAN DAUTCH SECRETARY OF THE SENATE CLERK OF THE HOUSE OF REPRESENTATIVES

LOBBYING REPORT 31355019

Lobbying Disclosure Act (Section 5)

For Official Use

1. Year 1997

2. Report Type (check all that apply)

Midyear(January l-June30) ?? Year End (July 1-December 31)

Amended report ?? Termination report ??

No activity (registration to remain in effect) ??

REGISTRANT

3. Name of Registrant PRESTON GATES ELLIS & ROUVELAS MEEDS LLP [

4. Telephone number and contact name

(202) 6282–1700 Contact Rosanne Phillips

CLIENT Lobbying firms file separate reports for each client. An organization employing in-house lobbyists indicates ''Self.''

5. Name of Client MICROSOFT CORPORATION

INCOME OR EXPENSES Answer line 6 or line 7 as applicable.

6. LOBBYING FIRMS. Income from the client during the reporting period, other than income unrelated to lobbying activities, was:

Less than $10,000 ?? S10,000 or more ??

IFS10,000 or more, provide a good faith estimate, rounded to the nearest $20,000, of all income from the client during this reporting period. Include any payments by any other entity for lobbying activities on behalf of the client. Exclude income unrelated to lobbying activities.

Incomes 220.000.00 Total for year (if Year End report) $ 380.000.00

7. ORGANIZATIONS EMPLOYING IN-HOUSE LOBBYISTS. Expenses incurred in connection with lobbying activities during tile reporting

period were:

Less than $10,000 ?? $10,000 or more ??

If $10,000 or more, provide a good faith estimate, rounded to the nearest $20,000, of the total amount of all lobbying expenses incurred by the registrant and its employees during this reporting period.

Expenses $

Total for year (if Year End report) $

Optional Expense Reporting Methods

A. Registrants that report lobbying expenses under section 6033(bX8) of the Internal Revenue Code may provide a good faith estimate of the applicable amounts that would be required to be disclosed under section 6033(b)(8) for the semiannual reporting period, and may consider as lobbying activities only those defined under section 491l(d) of the Internal Revenue Code. If selecting this method, check box and (i) enter estimated amounts on the ''Expenses'' line above; or (ii) attach a copy of the IRS Form 990 that includes this reporting period. ??

B. Registrants subject to section 162(e) of the Internal Revenue Code may make a good faith estimate of all applicable amounts that would not be deductible under section 162(e) for the semiannual reporting period, and may consider as lobbying activities only those activities the costs of which are not deductible pursuant to section 162(e). If selecting this method, check box and enter estimated amounts on the ''Expenses'' line above. ??

Form LD-2 (1/96)

Registrant Name PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name MICROSOFT CORPORATION

LOBBYING ISSUES. On line 8 below, enter the code for one general lobbying issue area in which the registrant engaged in lobbying activities for the client during this reporting period (select applicable code from list in the instructions and on the reverse side of Form LD-2, page 1). For that general issue area only, complete lines 9 through 12. If the registrant engaged in lobbying activities for the client in more that one general issue area, use one Lobbying Report Addendum page for each additional general issue area.

8. General lobbying issue area code (enter one) CPI

9. Specific lobbying issues (include bill numbers and specific executive branch actions)

Bills:

H.R.695; Security and Freedom Through Encryption (SAFE) Act;

S.377; Promotion of Commerce On-Line in the Digital Era (Pro-CODE) Act of 1997;

S.909; Secure Public Networks Act;

Congressional Issues: Competition in the Software Market

10. Houses of Congress and Federal agencies contacted

House of Representatives

Senate

11. Name and title of each employee who acted as a lobbyist

HELM, BRUCE—ATTORNEY

BRANDT, WERNER—GOVT. AFFAIRS COUNSELOR

CARLSON, AMY—ATTORNEY

STEPHENS, DENNIS—GOVT. AFFAIRS ANALYST

GARVIE, PAMELA—ATTORNEY

MOSHER, SOL—SR ADV. FOR FED. AFFAIRS

BERGER, AMY—Attorney

12. For registrants identifying foreign entities in the Lobbying Registration (Form LD-I, line 12) or any updates: interest of each such foreign entity in the specific lobbying issues listed on line 9 above

NONE

Printed Name and Title TIM PECKINPAUGH—ATTORNEY

Date 2117/98

Form LD-2 (1/96)

ATTACHMENT 39

TO THE DECLARATION OF BRIAN DAUTCH ??

Clerk of the House of Representatives, Legislative Resource Center, I3–106 Cannon Building, Washington, DC 20515

Secretary of the Senate, Office of Public Records, 232 Hart Building, Washington, DC 20510

96 AUG 14 PM 3:33

LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete This Page

1. Registrant Name

PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

2. Address ??Check if different than previously reported 1735 NEW YORK AVENUE, SUITE 500, NW WASHINGTON DC 20006–5209

3. Principal Place of Business (if different from line 2)

City

State/Zip (or Country)

4. Contact Name

Telephone

E-mail (optional) 5.

Senate ID #

ROSANNE PHILLIPS 202–628–1700 313355019

7. Client Name ?? Self

MICROSOFT CORPORATION

TYPE OF REPORT 8. Year 1998 Midyear(January l-June 30) ?? OR Year End (July

l-December 31) ??

9. Check if this filing amends a previously filed version of this report ??

10. Check if this is a Termination Report ?? >> Termination Date 11. No

Lobbying Activity??

INCOME OR EXPENSES—Complete Either Line 12 OR Line 13

12. Lobbying Firms

13. Organizations

INCOME relating to lobbying activities for this reporting

EXPENSES relating to lobbying activities for this reporting

period was:

period were:

Less than $10,000 ??

Less than $10,000 ??

$10,000 or more ?? >> $ $360,000.00

$10,000 or more ??>> $

Income (nearest $20,000

Expenses (nearest $20.000)

14. REPORTING METHOD. Check box W indicate expense

Provide a good faith estimate, rounded to the nearest accounting method. See instructions for description of options.

$20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity ??

Method A. Reporting amounts using LDA definitions only for lobbying activities on behalf of the client). ??

Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code ??

Method C, Reporting amounts under section 162(e) of the Internal Revenue Code

Signature

Date 8/14/98

Printed Name and Title EMANUEL ROUVELAS—ATTORNEY

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide ??nformation as requested. Attach additional page(s) as needed.

15. General issue area code CPI (one per page)

16. Specific Lobbying issues

H.R.695, Security and Freedom Through Encryption (SAFE) Act, all sections

S.2067, Encryption Protects the Rights of Individuals from Violation and Abuse in Cyberspace

(F-PRIVACY) Act, all sections

S.376, Encrypted Communications Privacy Act of 1997, all sections

S.377, Promotion of Commerce On-Line in the Digital Era (Pro=CODE) Act of 1997, all sections

S.909, Secure Public Networks Act, all sections Senate Judiciary Committee Hearings on Competition in the Software Market.

17. House(s) of Congress and Federal agencies contacted ??

Check if None

House of Representatives

OSTP NSC USTR DOJ FBI NEC DOC CIA OMB NSA

Senate

Vice President

White House

18. Name of each individual who acted as a lobbyist in this issue area

Name

Coveted Official Position (if applicable)

New

O'NEIL, MICHAEL,

Gen. Counsel, CIA -Chief of Staff-CIA

No

SLOMOWITZ, ALAN

Adm. Asst. -Rep. Robert Borski

Yes

WALKER, FRANKLIN

Yes

MILDER, BENJAMIN, Leg. Corres.—Sen. Hatfield

Yes

HEIMAN, BRUCE

No

BRANDT, WERNER

No

CARLSON, AMY

No

19. Interest of each foreign entity in the specific issues listed on line

16 above ??

Check if

None

Signature Date 8/14/98

Printed Name and Title EMANUEL ROUVELAS—ATTORNEY Page 2

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LIP

Client Name: MICROSOFT CORPORATION

Item	Description	Data
18a Lobbyist Name.	STEPHENS, DENNIS..	
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
18a	Lobbyist Name	MOSHER, SOL.
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
18n	Lobbyist Name	BERGER, AMY.
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
18a	Lobbyist Name	ABRAMOFF, JACK.
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
181	Lobbyist Name	MASHBURN, JOHN.
lab	Covered Official Position.	LEG. DIR. SEN. JOHN ASHCROFT.
18c	New Lobbyist ...	No.
18a	Lobbyist Name	PIZZELLA, PATRICK.
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
18a	Lobbyist Name	PECKINPAUGH, TIM.
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
18a	Lobbyist Name	JARRELL, WILLIAM.
18b	Covered Official Position.	Deputy Chief of Staff- Pep. Tom DeLay.
18c	New Lobbyist ...	No.
18a	Lobbyist Name	ROUVELAS, EMANUEL.
18b	Coveted Official Position.	xl
I8c	New Lobbyist ...	No.

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code CPT (one per page)

16. Specific Lobbying issues

H.R. 2281, WIPO Copyright Treaties Implementation Act, all provisions

S.2037, Digital Millennium Copyright Act of 1998, all provisions

17. House(s) of Congress and Federal agencies contacted ?? Check if None

House of Representatives

Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name Coveted Official Position (if applicable)

New

WALKER, FRANKLIN

Yes

MILDER, BENJAMIN Leg. Corres.—Sen. Hatfield

Yes

HEIMAN, BRUCE

No

MASHBURN, JOHN LEG. DIR. SEN. JOHN ASHCROFT

No

PIZZELLA, PATRICK

No

CARLSON, AMY

No

ROUVELAS, EMANUEL

No

19. Interest of each foreign entity in the specific issues listed on line I6 above ?? Check if

None

Signature

Date 8/14/98

Printed Name and Title EMANUEL ROUVELAS—ATTORNEY

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

Item	Description	Data
18a	Lobbyist Name	BRANDT, WERNER
18b Covered Official Position.	.	
I8c	New Lobbyist ...	No
18a	Lobbyist Name	STEPHENS, DENNIS
18b	Covered Official Position.	
18c	New Lobbyist ...	No
18a	Lobbyist Name	JARRELL, WILLIAM
18b	Covered Official Position.	Deputy Chief of Staff- Rep. Tom DeLay
18c	New Lobbyist ...	No

Page 5

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue

areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code IMM (one per page)

16. Specific Lobbying issues

H.R.3736, Workforce Improvement and Protection Act of 1998, all provisions relating to the

H1-B visa program.

S.1723, American Competitiveness Act, all provisions rebating to the H1-B visa program.

17. House(s) of Congress and Federal agencies contacted ?? Check if None

House of Representatives

Senate

IS. Name of each individual who acted as a lobbyist in this issue area

Name

Covered Official Position (if applicable)

New

HEIMAN, BRUCE

No

CARLSON, AMY

No

BRANDT, WERNER

No

ROUVELAS, EMANUEL

No

O'NEIL, MICHAEL Gen. Counsel, CIA -Chief of Staff-CIA

Yes

STEPHENS, DENNIS

No

JARRELL, WILLIAM Deputy Chief of Staff-Rep. Tom DeLay

No

19. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if

None

Signature

Date 8/14/98

Printed Name and Title EMANUEL ROUVELAS—ATTORNEY

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

Item	Description	Data
18a	Lobbyist Name	MASHBURN, JOHN.
18b	Covered Official Position.	LEG. DIR. SEN. JOHN ASHCROFT.
18c	New Lobbyist ...	No.
18a	Lobbyist Name	SLOMOWITZ, ALAN.
18b	Covered Official Position.	Adm. Asst. -Rep. Robert Borsk??
18c	New Lobbyist ...	Yes.
18a	Lobbyist Name	PECKINP AUGH, TIM
18b	Covered Official Position.	xl
18c	New Lobbyist ...	Yes
18a	Lobbyist Name	PIZZELLA, PATRICK
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No
18a	Lobbyist Name	WALKER, FRANKLIN
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No
18a	Lobbyist Name	MILDER, BEN-JAMIN
18b	Covered Official Position.	Leg. Corres.-Sen. Hatfield
18c	New Lobbyist ...	Yes

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TAX (one per page)

16. Specific Lobbying issues

H.R.1054, Internet Tax Freedom Act, all provisions

H.R.4105, Internet Tax Freedom Act, all provisions

S.442, Internet Tax Freedom Act, all provisions

17. House(s) of Congress and Federal agencies contacted ?? Check if None

House of Representatives

Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name Covered Official Position Of applicable)

New

MASHBURN, JOHN LEG. DIR. SEN. JOHN ASHCROFT

No

PIZZELLA, PATRICK

No

WALKER, FRANKLIN

yes

BRANDT, WERNER

No

CARLSON, AMY

No

STEPHENS, DENNIS

No

19. Interest of each foreign entity in the specific issues listed on line 16 above ?? Check if

None

Signature Date 8/14/98

Printed Name and Title EMANUEL ROUVELAS- ATTORNEY

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TEC (one per page)

16. Specific Lobbying issues

17. House(s) of Congress and Federal agencies contacted ?? Check if

None

House of Representatives

Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name Covered Official Position (if applicable) New

BRANDT, WERNER

No

CARISON, AMY

No

HEIMAN, BRUCE

No

STEPHENS, DENNIS No

JARRELL, WILLAM, Deputy .Chief of Staff-Rep. Tom

DeLay

No

MASHBURN, JOHN, LEG. DIR. SEN. JOHN ASHCROFT

No

SLOMOWITZ, ALAN, Adm. Asst. -Rep. Robert Borski

Yes

19. Interest of each foreign entity in the specific issues listed on line 16 above ??

Check if None

Signature

Date 8/14/98

Printed Name and Title EMANUEL ROUVELAS—ATTORNEY

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

Item	Description	Data
18a	Lobbyist Name	PIZZELLA, PATRICK.
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
18a	Lobbyist Name	PECKINPAUG-H, TIM.
18b	Covered Official Position.	xl
184	New Lobbyist No.	xl
18a	Lobbyist Name	ROUVELAS, EMA??.
18b	Covered Official Position.	xl
1Be	New Lobbyist No.	xl
18a	Lobbyist Name	BERGER, AMY.
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
18a	Lobbyist Name	WALKER, FRANKLIN.
18b	Covered Official Position.	xl
18c	New Lobbyist ...	No.
18a	Lobbyist Name	MILDER, BEN-JAMIN.
18b	Covered Official Position Leg. Corres.—Sen. Hatfield.	
18c	New Lobbyist ...	Yes.
16	Lobbying Issues.	

Carriage of the Transmission of Digital Television Broadcast Stations, FCC Dkt, 98–120

Access to Telecommunications Services and Equipment for Persons with Disabilities, FCC Dkt 96–198

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

Information Update Page—Complete ONLY where registration information has changed.

20. Client new address

21. Client new principal place of business (if different from line 20) State/Zip (or Count)

22. New general description of client's business or activities

LOBBYIST UPDATE

23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client

MEEDS, LLOYD

ISSUE UPDATE

24. General lobbying issues previously reported that no longer pertain

SCT

AFFILIATED ORGANIZATIONS

25. Add the following affiliated organization(s)

Principal Place of Business

Name

Address (city and state or country)

26. Name of each previously reported organization that is no longer affiliated with the registrant or client

FOREIGN ENTITIES

27. Add the following foreign entities

Principal Place of Business Amount of contribution Ownership %

Name

Address (city and state or country) for lobbying activities In client

28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client, or affiliated organization

Signature

Date 8/14/98

Printed Name and Title EMANUEL ROUVELAS—ATTORNEY

ATTACHMENT 40

TO THE DECLARATION OF BRIAN DAUTCH ??

Clerk of the House of Representatives, Legislative Resource Center, 13–106 Cannon Building, Washington, DC 20515

Secretary of the Senate, Office of Public Records, 232 Hart Building, Washington, DC 20510

LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete This Page

I. Registrant Name

PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

2. Registrant Address ?? Check if different than previously reported

Address 1735 NEW YORK AVENUE, NW SUITE 500 City WASHINGTON State/Zip (or Country) DC 20006–5209

3. Principal Place of Business (if different from line 2)

City

Slate/Zip (or Country)

4. Contact Name

Telephone

E-mail (optional)

5. Senate It) #

ROSANNE PHILLIPS, 202–628–1700, 32098–366

7. Client Name ?? Self

6. House

ID #

MICROSOFT CORPORATION

31355Oi9 %

TYPE OF REPORT

s. Year 1999 Midyear(January 1-June 30) ?? OR Year End (July I-December 31)

9. Check if this filing amends a previously filed version of this report ??

10. Check if this is a Termination Report ?? >> Termination Date ..... 11. No Lobbying Activity??

INCOME OR EXPENSES—Complete Either Line 12 OR Line 13

12. Lobbying Firms

13. Organizations

INCOME relating to lobbying activities for this reporting EXPENSES relating to lobbying activities for this reporting period was:

period were:

Less than $10,000 ??

Less than $10,000 ??

$10,000 or more

?? >> $

$200,000.00

$10,000 or more El >> $

Income (newest $20,000)

Expenses (nearest $20,000)

14. REPORTING METHOD. Check box to indicate expense

Provide a good faith estimate, rounded to the nearest

accounting method. See instructions for description of options. $20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity

?? Method A. Reporting amounts using LDA definitions only for lobbying activities on behalf of the client). F1 Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code

?? Method C. Reporting amounts under section 162(e)of the Internal Revenue Code

Signature ??

Date 02/14/2000

Printed Name and Title JONATHAN BLANK- PARTNER

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code CPI (one per page)

16. Specific Lobbying issues

H.R.3194, Consolidated Omnibus Appropriations Act, relatig to patend and copyright issues.

H.R.775, Year 2000 Readiness & Responsibility Act,

H.R.850, Security And Freedom through Encryption (SAFE) Act,

S.314, Small Business Year 2000 Readiness Act,

S.6998, Y2K Act,

S.798, Promote Reliable On-Line Transactions to Encourage Commerce and Trade (PROTECT) Act of 1999, competition in software industry

17. House(s) of Congress and Federal agencies contacted ?? Check if None

House of Representatives

Senate

White House

18. Name of each individual who acted as a lobbyist in this issue area

Name

Covered Official Position (if applicable)

New

BERGER, AMY

Yes .....

BRANDT, WERNER

No

FUNDERBURK, DAVID

CONGRESSMAN

Yes

PIZZELLA, PATRICK

No

ROUVELAS, EMANUEL

No

VALENTINE, STEVEN Leg. Dir & Gen. Counsel Sen. Bob

Smith

Yes

WALKER, FRANKLIN

No

19. Interest of each foreign entity in the specific issues listed on line 16 above ??

Check if None

Signature ??

Date 02/14/2000

Printed Name and Title JONATHAN BLANK- PARTNER

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code —CPT—— (one per page)

16. Specific Lobbying issues

H.R.1761, Copyright Damages improvement Act of 1999,

H.R.1858, Consumer and Inventors Access to Information Act of 1999,

H.R.1907, American Inventors Protection Act of 1999, (engrossed).

H.R.2654, American Inventors Protection Act of 1999,

H.R.354, Collection of Information Antipiracy Act,

S. 1257, Digital Theft Deterrence and Copyright Damages Improvement Act of 1999,

Software piracy and count??rfiting.

17. House(s) &Congress and Federal agencies contacted ?? Check if None

House of Representatives

Senate

18. Name of each individual who acted as a lobbyist in this issue area Name—Covered Official Position (if applicable) New

BRANDT, WERNER

No

* HEIMAN, BRUCE
No
PIZZELLA, PATRICK
No
ROUVELAS, EMANUEL
No
WALKER, FRANKLIN
No
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Printed Name and Title JONATHAN BLANK- PARTNER
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CSP (one per page)
16. Specific Lobbying issues
1t.R.1714, Electronic Signatures in Global and National Commerce Act,
S.761, Third Millennium Digital Commerce Act,
S.809, Online Privacy Protection Act of 1999,
17. House(s) of Congress and Federal agencies contacted ?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
PIZZELLA, PATRICK No
WALKER, FRANKLIN
No
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature Date ??
Printed Name and Title JONATHAN BLANK- PARTNER
Registrant Name: PRESTON CATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code IMM (one per page)
16. Specific Lobbying issues
H.R.2687, Bringing Resources of Academia to Industry Act,
H.R.2968, S.1440, New Workers for Economic Growth Act,
S.1645, Helping Improved Technology Education (HITECH),
S. 180, 21st Century Technology Resources and Commercial Leadership Act,
17. House(s) of Congress and Federal agencies contacted ??
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name Covered Official Position (if applicable)
New
BRANDT, WERNER .
No
HEIMAN, BRUCE
No
PIZZELLA, PATRICK ——
No
ROUVELAS, EMANUEL
No
WALKER, FRANKLIN
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TAX (one per page)
16. Specific Lobbying issues
H.R. 2488, S. 1429, Taxpayer Refund Act of 1999,
H.R. 3194, Consolidated Omnibus Appropriations Act,
H.R. 835, To amend the Internal Revenue Code of 1986 to permanently extend the research credit and to adjust the alternative incremental credit rates,
S.542, New Millennium Classrooms Act,
S.680, To amend the Internal Revenue Code of 1986 to permanently extend the research credit, and for other purposes,
17. House(s) of Congress and Federal agencies contacted ?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
HEIMAN, BRUCE
Yes
WALKER, FRANKLIN ....
19. Interest preach foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature ...??
Date—02/14/2000
Printed Name and Title JONATHAN BLANK- PARTNER
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TEC (one per page)
16. Specific Lobbying issues
H.R. 1554, Satellite Copyright Competition Protection Act of 1999,
H.R. 1685, Internet Growth and Development Act of 1999,
H.R. 1686, Internet Freedom Act,
H.R.2420, Internet Freedom and Broadband Development Act of 1999,
S.877, Broadband Internet Regulator)'' Relief Act,
17. House(s) of Congress and Federal agencies contacted
?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
HEIMAN, BRUCE
No
PIZZELLA, PATRICK
No
ROUVELAS, EMANUEL
No
WALKER, FRANKLIN —.——
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature—
Date—
02/1—4/2——.—000 .....
Primed Name and Title JONATHAN BLANK- PARTNER
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TRD —— (one per page)
16. Specific Lobbying issues
Normal Trade Relations with China WTO provisions of The Agreement on Trade-Related 1PR (TRIPs) Seattle WTO Ministerial Meeting (1999) and related issues.
17. l louse(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
BRANDT, WERNER
No
HEIMAN, BURCE
PIZZELLA, PATRICK
19. Interest of each foreign entity in the specific issues listed on line 16 above
Check if None
Signature
Date. 02/14/2000

Printed Name and Title JONATHAN BLANK- PARTNER
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
Information Update Page—Complete ONLY where registration information has changed.
20. Client new address
21. Client new principal place of business (if different from line 20)
City
State??.ip (or Country)
22. New general description of client's business or activities
LOBBYIST UPDATE
23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client
JARRELL, WILLIAM
STEPHENS, DENNIS
O'NEIL, MICHAEL
WALKER, FRANKLIN
ISSUE UPDATE
24. General lobbying issues previously reported that no longer pertain BUD, SCI
AFFILIATED ORGANIZATIONS
25. Add the following affiliated organization(s)
Principal Place of Business
Name
Address
(city and state or country)
26. Name of each previously reported organization that is no longer affiliated with the registrant or client
FOREIGN ENTITIES
27. Add the following foreign entities
Principal
Place of Business Amount of contribution Ownership %
Name
Address (city and state or country□ for lobbying activities in client
28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client, or affiliated organization
Signature
Date 02/14/2000
Printed Name and ?? JONATHAN BLANK—PARTNER ....
ATTACHMENT 41
TO THE DECLARATION OF BRIAN DAUTCH
Clerk of the House of Representatives
Secretary of the Senate, Legislative Resource Center, Office of Public Records, B–106 Cannon Building Washington DC 20515, 232 Hart Building, Washington, DC 20510
HAND DELIVERED
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete This Page
1. Registrant Name
PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
2. Address
Check if different than previously reported 1735 NEW YORK AVE, NW, SUITE 509, WASHINGTON DC 20006
Principal Place of Business (if different from line 2)
City
State/Zip (or Country)
4. Contact Name
Telephone
E-mail (optional)
5. Senate ID #
ROSANNE PHILLIPS 202–628–1700 32098–366
7. Client Name ?? Self
6. House ID #
MICROSOFT CORPORATION
TYPE OF REPORT
Year 2000
Midyear(January 1-June 30) ?? OR Year End (July 1-December 3l) ??
9. Check if this filing amends a previously filed version of this report ??
19. Check if this is a Termination Report ?? >> Termination Date
11. No Lobbying Activity??
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
13. Organizations
INCOME relating to lobbying activities for this reporting
EXPENSES relating to lobbying activities for this reporting
period was:
period were:
Less than $10,009 ??
Less than $10,000 ??
$10,090 or more
?? >> $ $229,000.00
$19,900 or more ?? >> $
Income (nearest $20,000)
Expenses (nearest S20,000)
14. REPORTING METHOD. Check box to indicate expense
Provide a good faith estimate, rounded to the nearest accounting method. See instructions for description of options.
$20,000 &all lobbying related income from the client (including all payments to the registrant by any other entity
??Method A. Reporting amounts using LDA definitions only for lobbying activities on behalf of the client□. ?? Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
?? Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Date 08114/2900
Printed Name and Title STEVEN VALENTINE-OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific Lobbying issues
S. 2448, Internet Integrity and Critical Infrastructure Protection Act of 2000,
H.R. 4246, Cyber Security Information Act, Competition in the software industry.
17. House(s) of Congress and Federal agencies contacted ??
Cheek if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
PIZZELLA, PATRICK
No
ROUVELAS, EMANUEL
No
VALENTINE, STEVEN Leg. Dir & Gen. Counsel Sen. Bob Smith
No
BERGER, AMY
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date 08/14/2000
Printed Name and Title STEVEN VALENTINE-OF COUNSEL Page
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPT (one per page)
16. Specific Lobbying issues
H.R. 354, Collection of Information Antiprivacy Act,
H.R. 4690, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, relating to copyright and patent issues. House Amendment 889 to H.R. 4690, to increase funding for the U.S. Patent and Trademark Offices.
17. House(s) of Congress and Federal agencies contacted E3
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
PIZZELLA, PATRICK
No
BRANDT, WERNER
No
VALENTINE, STEVEN Leg. Dir & Gen. Counsel Sen. Bob Smith
Yes
HEIMAN, BRUCE
No
ROUVELAS, EMANUEL
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature ??
Date
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CSP (one per page)
16. Specific Lobbying issues
S. 854, Electronic Rights for the 21st Century Act,
S. 2448, Internet Integrity and Critical Infrastructures Protection Act of 2000,
S. 2063, Secure Online Communication Enforcement Act of 2000,
S. 761, Third Millennium Digital Commerce Act,
H.R. 1714, Electronic Signatures in Global and National Commerce Act,
17. House(s) &Congress and Federal agencies contacted ?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
PIZZELLA, PATRICK
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
Yes
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date 08/14/2000
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the-client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code IMM —— (one per page)
16. Specific Lobbying issues
S. 2045, American Competitiveness in the Twenty-first Century Act of 2000,
H.R. 4227, Technology Worker Temporary Relief Act,
H.R. 3983, Helping to Improve Technology Education and Achievement Act of 2000,
17. House(s) of Congress and Federal agencies contacted
?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
PIZZELLA, PATRICK
No
SLOMOWITZ, ALAN
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
Yes
HEIMAN, BRUCE
No
ROUVELAS, EMANUEL
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature Date 08/14/2000
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code LBR (one per page)
16. Specific Lobbying issues
H.R. 3462, Wealth Through the Workplace Act of 1999,
17. House(s) of Congress and Federal agencies contacted ??
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
Yes
PIZZELLA, PATRICK
Yes
VALENTINE, STEVEN Leg. Dir & Gen. Counsel Sen. Bob Smith
Yes
19. Interest of each foreign entity in the specific issues listed on line I6 above
?? Check if None
Signature
Date 08/14/2000
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TAX (one per page)
I6. Specific Lobbying issues
S. 2775, Internet Tax Moratorium and Equity Act,
S. 2401, New Economy Tax Simplification Act (NETSA),
H.R. 4462, Fair and Equitable Interstate Tax Compact Simplification Act of 2000,
H.R. 4460, Internet Tax Simplification Act of 2000,
H.R. 4267, Internet Tax Reform and Reduction Act of 2000,
H.R. 3709, Internet Nondiscrimination Act of 2000,
17. House(s) of Congress and Federal agencies contacted
?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (it applicable)
New
PIZZELLA, PATRICK
No
BRANDT, WERNER
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
Yes
HEIMAN, BRUCE
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature ??
Date 08/14/2000
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TEC (one per page)
16. Specific Lobbying issues
H.R. 1686, Interact Freedom Act,
H.R. 1685, Internet Growth and Development Act of 1999,
FCC Dkt. No. 99–168, Service Rules for the 746–765 and 776–794 MH Bands and Revisions to Part 27 of the Commission's Rules.
17. House(s) of Congress and Federal agencies contacted ??
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered
Official Position (if applicable)
New
BRANDT, WERNER
No
PIZZELLA, PATRICK
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
Yes
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None

Signature
Date 0811412000
Printed Name and Title STEVEN VALENTINE- OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TRD (one per page)
16. Specific Lobbying issues
S. 2277, To terminate the application of title IV of the Trade Act of ! 974 with respect to the People's Republic of China,
S. 2645, China Nonproliferation Act,
H.R. 4444, To authorize extension of nondiscriminatory treatment (normal trade relations treatmen0 to the People's Republic of China, World Trade Organization (a) Agreement on Trade-Related Intellectual Property Rights (b) Post-Seattle WTO Ministerial Meeting related commerce and trade issues.
17. House(s) of Congress and Federal agencies contacted
Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
PIZZELLA, PATRICK
No
SLOMOWITZ, ALAN
Yes
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
Yes
19. Interest of each foreign entity in the specific issues listed on line 16 above ??
Check if None
Signature
Date 08/14/2000 Printed Name and Title STEVEN VALENTINE- OF COUNSEL
ATTACHMENT 42
TO THE DECLARATION OF BRIAN DAUTCH
Clerk of the House of Representatives, Secretary of the Senate, Legislative Resource Center, Office of Public Records, B–106 Cannon Building, Washington, DC 20515 232 Hart Building, Washington, DC 20510
LOBBYING REPORT
Lobbying Disclosure Act of 1995 (Section 5)—All Filers Are Required to Complete. This Page
1. Registrant Name PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
2. Registrant Address ?? Check if different than previously reported Address 1735 NEW YORK AVE, NW, SUITE 500, City WASHINGTON State/Zip (or Country) DC 20006
3. Principal Place of Business (if different from line 2)
City State/Zip (or Country)
4. Contact Name
Telephone
E-mail (optional)
5. Senate ID #
ROSANNE PHILLIPS, 202–628–1700, 32098–366
7. Client Name ?? Self
6. House ID # 31355019
MICROSOFT CORPORATION
TYPE OF REPORT 8. Year 2000 Midyear (January l-June 30) ?? OR Year End (July l-December 31)
9. Check if this filing amends a previously filed version of this report ??
10. Check if this is a Termination Report ?? >> Termination Date
11. No Lobbying Activity ??
INCOME OR EXPENSES—Complete Either Line 12 OR Line 13
12. Lobbying Firms
INCOME relating to lobbying activities for this reporting period was:
Less than $10,000 ??
$10,000 or more ?? >> $ $260,000.00
Income (nearest $20,000)
Provide a good faith estimate, rounded to the nearest $20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).
13. Organizations
EXPENSES relating to lobbying activities for this reporting period were:
Less than $10,000 ??
$10,000 or more ?? >> $
Expenses (nearest $20,000)
14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options.
?? Method A. Reporting amounts using LDA definitions only
?? Method B. Reporting amounts under section 6033COX8) of the Internal Revenue Code
?? Method C. Reporting amounts under section 162(e) of the Internal Revenue Code
Signature
Printed Name and Title
STEVEN VALENTINE—OF COUNSEL
Date 02/14/2001
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPI (one per page)
16. Specific Lobbying issues
H.R.4246, Cyber Security Information Act,
H.R. 5024, Federal Information Policy Act of 2000,
H.R.5658, Treasury and General Government Appropriations Act, 2001,
S.2448, Internet Integrity and Critical Infrastructure Protection Act of 2000, Competition in the software industry.
17. House(s) of Congress and Federal agencies contacted ?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BERGER, AMY
No
BRANDT, WERNER
No
IVEY, GLENN
Yes
PIZZELLA, PATRICK
No
ROUVELAS, EMANUEL
No
STEPHENS, DENNIS
Yes
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date 02/14/2001
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CPT (one per page)
16. Specific Lobbying issues
H.R.354, Collection of Information Antiprivacy Act,
H.R.4690, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, relating to copyright and patent issues. House Amendment 889 to H.R. 4690, to increase funding for the U.S. Patent and Trademark Offices.
17. House(s) of Congress and Federal agencies contacted
?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
HEIMAN, BRUCE
No
P1ZZELLA, PATRICK
No
ROUVELAS, EMANUEL
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
No
19. interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature

Date 02/14/2001
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code CSP (one per page)
16. Specific Lobbying issues
H.R. 1685, Internet Growth and Development Act of 1999,
H.R.4049, Privacy Commission Act,
S.2063, Secure Online Communication Enforcement Act of 2000,
S.2448, Internet Integrity and Critical Infrastructures Protection Act of 2000,
S.2606, Consumer Privacy Protection Act,
S.2928, Consumer Internet Privacy Enhancement Act,
17, House(s) of Congress and Federal agencies contacted
?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
PIZZELLA, PATRICK
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date 02/14/2001
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code IMM (one per page)
16. Specific Lobbying issues
H.R.3983, Helping to Improve Technology Education and Achievement Act of 2000,
H.R.4227, Technology Worker Temporary Relief Act,
S.2045, American Competitiveness in the Twenty-first Century Act of 2000,
17. House(s) of Congress and Federal agencies contacted
?? Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
HEIMAN, BRUCE
No
PIZZELLA, PATRICK
No
ROUVELAS, EMANUEL
No
SLOMOWITZ, ALAN
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
Yes
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date 02/14/200I
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code LBR (one per page)
16. Specific Lobbying issues
H.R.1102, Comprehensive Retirement Security and Pension Reform Act,
H.R.3462, Wealth Through the Workplace Act of 1999,
17. House(s) of Congress and Federal agencies contacted
[13 Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
PIZZELLA, PATRICK
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date 02/14/2001
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. General issue area code TAX (one per page)
16. Specific Lobbying issues
H.R.3709, Internet Nondiscrimination Act of 2000,
H.R.4267, Internet Tax Reform and Reduction Act of 2000,
H.R.4460, Internet Tax Simplification Act of 2000,
H.R.4462, Fair and Equitable Interstate Tax Compact Simplification Act of 2000,
S.2401, New Economy Tax Simplification Act (NETSA),
S.2775, Internet Tax Moratorium and Equity Act,
17. House(s) of Congress and Federal agencies contacted
I-1 Check if None
House of Representatives
Senate
18. Name of each individual who acted as a lobbyist in this issue area
Name
Covered Official Position (if applicable)
New
BRANDT, WERNER
No
HEIMAN, BRUCE
No
P1ZZELLA, PATRICK
No
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
No
19. interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date 02/14/2001
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.
15. Genera
Position (if applicable)
New
IVEY, GLENN
Yes
STEPHENS, DENNIS
Yes
VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith
No
19. Interest of each foreign entity in the specific issues listed on line 16 above
?? Check if None
Signature
Date 08/14/2001
Printed Name and Title STEVEN VALENTINE—OF COUNSEL
Regisitrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP
Client Name: MICROSOFT CORPORATION
LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue

areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide ??nformation as requested. Attach additional page(s) as needed.

15. General issue area code CSP (one per page)

16. Specific Lobbying issues

H.R.2458 and S.803, E-Government Act of 2001, relating to Internet privacy.

17. House(s) of Congress and Federal agencies contacted

?? Check if None

Department of Justice

House of Representatives

Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name

Covered Official Position (if applicable)

New

IVEY, GLENN

Yes

STEPHENS, DENNIS

Yes VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith

No

19. Interest of each foreign entity in the specific issues listed on line 16 above

?? Check if None

Signature

Date 08/14/2001

Printed Name and Title STEVEN VALENTINE—OF COUNSEL

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOF F CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TAX (one per page)

16. Specific Lobbying issues

H.R. 2526, Internet Tax Fairness Act of 2001,

H.R. 1410 and S.512, Internet Tax Moratorium and Equity Act,

H.R. 1552 and S.288, Internet Tax Nondiscrimination Act,

H.R.2421, Jurisdictional Certainty Over Digital Commerce Act,

S.245, A bill to make permanent the moratorium on the Federal imposition of taxes on the Internet.,

S.246, A bill to extend the moratorium on the imposition of taxes on the Internet for an additional 5 years.,

S. 41, A bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit,

S.89, A bill to make permanent the moratorium on the imposition of taxes on the Internet.,

S.664, NET FAIR Act,

17. House(s) of Congress and Federal agencies contacted

?? Check if None

House of Representatives

Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name

Covered Official Position (if applicable)

New

IVEY, GLENN

Yes

STEPHENS, DENNIS

Yes

VALENTLNE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith

No

19. Interest of each foreign entity in the specific issues listed on line 16 above

?? Check if None

Signature

Date 08/14/2001

Printed Name and Title STEVEN VALENTINE—OF COUNSEL

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

Item	Description	Data
	Lobbying Issues	S.777, Internet Tax Non-discrimination Act

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TEC (one per page)

16. Specific Lobbying issues

FCC Dkt. No. 99–168, Service Rules for the 746–765 and 776–794 MH Bands and Revisions to Part 27 of the Commission's Rules.

17. House(s) of Congress and Federal agencies contacted

?? Check if None

House of Representatives

Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name

Covered Official Position (if applicable)

New

IVEY, GLENN

Yes

STEPHENS, DENNIS

Yes

VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith

No

19. Interest of each foreign entity in the specific issues listed on line 16 above

?? Check if None

Signature

Date 08/14/2001

Printed Name and Title STEVEN VALENTINE—OF COUNSEL

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TRD (one per page)

16. Specific Lobbying issues

H.R.2149 and S.$99, Trade Promotion Authority Act of 2001, Permanent Normal Trade Relations (PNTR) of China.

17. House(s) of Congress and Federal agencies contacted

?? Check if None

House of Representatives

Senate

18. Name of each individual who acted as a lobbyist in this issue area

Name

Covered Official Position (if applicable)

Now

IVEY, GLENN

Yes STEPHENS, DENNIS

Yes

VALENTINE, STEVEN, Leg. Dir & Gen. Counsel Sen. Bob Smith

No

19. Interest of each foreign entity in the specific issues listed on line 16 above

?? Check if None

Signature

Date 08/14/2001

Printed Name and Title STEVEN VALENTINE—OF COUNSEL

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

Information Update Page—Complete ONLY where registration information has changed.

20. Client new address

21. Client new principal place of business (if different from line 20)

State/Zip (or Country)

22. New general description of client's business or activities

LOBBYIST UPDATE

23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client

PIZZELLA, PATRICK

ABRAMOFF, JACK

BRANDT, WERNER

SLOMOWITZ, ALAN

ISSUE UPDATE

24. General lobbying issues previously reported that no longer pertain

AFFILIATED ORGANIZATIONS

25. Add the following affiliated organization(s)

Name

Address

Principal Place of Business

(city and state or country)

26. Name of each previously reported organization that is no longer affiliated with the registrant or client

FOREIGN ENTITIES

27. Add the following foreign entities

Principal Place of Business Amount of contribution Ownership % Name Address

(city and state or country) for lobbying activities in client

28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client, or affiliated organization ??inted Name and Title STEVEN VALENTINE—OF COUNSEL 08/14/2001 Page 9 of 10

Registrant Name: PRESTON GATES ELLIS & ROUVELAS MEEDS LLP

Client Name: MICROSOFT CORPORATION

Item Description Data

Lobbyist Update

BERGER, AMY

Page I0 of 10

ATTACHMENT 44 TO THE DECLARATION OF BRIAN DAUTCH

PRESS RELEASE

Congressman John Conyers, Jr.

Fourteenth District, Michigan

Ranking Member, Committee on the Judiciary

Dean, Congressional Black Caucus

FOR IMMEDIATE RELEASE: CONTACT: November 6, 2001 Dena Graziano: (202) 226–6888

CONYERS OBJECTS TO REPORTS OF INFLUENCE AND IMPROPRIETY IN THE PROPOSED MICROSOFT SETTLEMENT, SEEKS INFORMATION FROM ASHCROFT

Today, Congressman John Conyers, Jr., Ranking Member of the House Judiciary Committee sent a letter to Attorney General, John Ashcroft complaining of reports of political influence and impropriety by Justice Department employees in the proposed settlement of the U.S. v. Microsoft case. A copy of the letter follows.

November 6, 2001

The Honorable John Ashcroft

Attorney General of the United States

U.S. Department of Justice

10th Street and Constitution Avenue, NW

Washington, DC 20530

Dear Mr. Attorney General:

I am writing to express my very se?? concerns regarding reports of po?? inflnence and impropriety by Justice Department employees in the proposed ?? of the U.S. v. Microsoft case. I am also deeply troubled by your office'' s ?? to respond to my earlier requests for ??on set forth in my September 6, 2001 letter to you.

As I am sure you are aware, a number of reservations have been raised with the proposed settlement by consumer groups, trade associations, ?? attorneys general, and antitrust experts. I too am very concerned the proposed agreement represents a weakling in our go??ment's resolve to protect competi??, preserve consumer welfare, and foster continued ??on, particularly given the res??ng and clear cut Legal ??s achieved by your predecessor in office. Wherever one comes out on the merits or demerits of the proposed settlement, I do not believe the Department is at all served by continuing to stonewall inquiries into legitimate and credible allegations of political impropriety raised by the press and the public. I would therefore encourage your office to respond to my ealier letter and the additional questions raised in this correspondence by no later than November 23, 2001.

At the outset, let me note that my earlier expressed concerns about inappropriate political influence have only been heightened by recent media reports fiat your own Deputy Chief of Staff David L??, cone cared with outside 1obbyists in an effort to convince them to alter their clients'' views regarding the role of the states in the case. This inappropriate and possibly illegal contact is reported to have occurred after Mr. Israelite had recused himself from the case because of co?? of interest concerns. AS a result, I would like to receive an itemization of any and all contacts between Mr. Israelite and any representatives of any outside party (including representatives of AOL/Time W??) having any interest in the Microsoft case, as well as a detailing of any b?? or other ''communications'' (meant to include all notes, e-mails, documents, memoranda, phone records and any other types of ??, audio, or ??ions) involving the Microsoft case which are in any way associated with, w??en to or sent from Ms. Israelite. If the allegations reported by the media are true, such active ?? by a focused public official could violate federal conflict of interest laws ?? Executive Branch employees.

Among other things, Mr. Israelite would be ?? from taking any significant action if the matter will have a ''direct and predictable'' effect on his interest In a similar r??, I am troubled by the po?? that additional staff who have ?? recused from the Microsoft case have been and will continue to be called onto offer services and judg?? which implicate the case.

For example, it has been reported that Mr. W??asky, who has previously written, amicus curiae legal briefs supporting Microsoft's legal position and opposing the Department has been appointed to be Deputy Attorney General for International A?? Given that one of his principal responsibilities will be d?? with the European Union, which is itself in the midst of a ?? antitrust ?? Microsoft, it would seem difficult, if not ?? for him to discharge Iris ?? without in some way taking an action impacting Microsoft. ?? we eau only consider and scrutinize these conflicts if we learn of the persons in the Department who have ??eroselves, This is why I am so troubled ?? Four office has refused to turn over a list of political ??ees at the Dep??t who have re?? the M?? case.

??, the press has also reported that many career attorneys and staff at the Depa??t were either cut out of the final negotiations or raised objections to it that were over??. As a ?? I would also like to receive copies of any and all ''communications'' (as denned above), by any Department employees or consultants regarding a possible settlement or proposing any suggestions or differing terms than those you agreed to. I am also concerned that political appointees within the Department may have threatened career employees far failing to ''toe the company line'' in this mallet and support the settlement As a result, I would also like to receive copes afar ''co??s'' between any political appointees and career staff regarding file Microsoft case which could in any way be seen as th??g or inti??. Given the thousand upon thousands of hours devoted by career staff at the Department, I believe it is counterproductive to totally subordinate their considerable efforts and input at this critical stage in the pro??g. Surely, public disclosure of these matters will contr??e w the public's knowledge and understanding of this matter. Thank you for your time and attention to this matter.

Sincerely,

cc: lion. F. James Sensenbrenner, Jr.

Mr. Daniel Bryant

John Conyers, Jr.

Ranking Member 107–97

See 18 U.S.C. § 208(a); 5 C.F.R 2635.401–403. See also, Ethical Rules for U.S. Attorneys, Sections 3–2.170–171, 3–2.220.

ATTACHMENT 45 TO THE DECLARATION OF BRIAN DAUTCH

By Hon. Peter W. Rodino, Jr., Chairman, Committee on the Judiciary

On February 6, 1974, the House of Representatives adopted by a vote of 410–4 the following House Resolution 803: RESOLVED, That the ?? on the Judiciary acting as a whole or by any aub??tee thereof appointed by the Chairman for the purposes hereof and in accordance with the Rules of the Co??ttee, is authorized and directed to investigate fully and completely whether sufficient grounds exist for the House of Represe?? to exercise its constitutional power to impeach Richard M. Nixon, President of the United States of America. The co??ttee shall report to the House of Representatives such resolutions, articles of i??peach??, or other reco?? it deems proper.

Beginning in November 1973, ?? under resolutions referred to the Co??ittee by the Speaker of the House and with a special appropriation, I had be??n to organize a special staff to inv??e set, otto charges ?? the President of the United States.

On Kay 9, 1974, as Che??n of the Co??ittee on the Judiciary, I convened the Con. tree for hearings to re?? the results of the Iup?? ??ry staffs i??ation. The staff began its initial presentation the ?? day, in executive session, pursuant to the Com??ee's I??chent Inquiry Procedures adopted on May 2, 1974.

By Ju?? 21, the Inquiry staff had concluded its initial presentar. ion.

On J?? 25, the Co??ittee voted to eke public the initial presentation ?? substantially all of the supporting ??

(III)

presented at the hearings. The Co??ittee also voted to make public the President's response, which was presented to the Committee on June 27 and June 28 in the same form and manner u the Inquiry staff's initial pre??.

Statements of information and supporting evidentiary material were compiled by the Inquiry staff in 36 notebooks and furnished in this form to each Member of the Co??ittee. The notebooks presented material on several subjects of the Inquiry: the Watergate break-in and its after??h, III, dairy price supports, domestic ??e, abuse of the IRS, and the activities of the Special Prosecutors. In each notebook a statement of information relating co a par?? phase of the investigation was I??diately followed by supporting evidentiary ??, which included copies of documents and testiBony (much already on public record), transcripts of ?? conversations and affidavits.

The staff also presented to the C??tee written reports on President N?? intern tins, Presidential inpoun??nt of funds

appropriated by Congress, and the bombing of C??n.

Book V, presented to the Commitee under the general heading of ''??,'' dealt with two areas of the Inquiry. First, material van presented ??h respect to the possible relation ??een the 1971 settlement of three antitrust cases filed against III and IIIs pledge of financial assistance to the San Dingo Convention and Tourist Bureau for expenses related Co the 1972 Repub?? ??onal Convention. Second, material no presented rich respect to the testimony of

Every effort was lade to preclude inferences in the presentation of this ??. A de??e and scrupulous abstention from conclusions, even by ??, was observed.

With respect to the Presidential recorded conversations, the ?? ?? Co hear the recorded conversations in their entirety. The Presidential recorded conversations were neither paraphrased nor ?? by the Inquiry staff. Thus, no inferences, or conclusions Were drawn for the Cou??ee. During the course of the hearings, Members of the Co??ttee heard each recurding and s??aneously followed transcripts prepared by the Inquiry staff. Each of these transcripts is reprinted under the appropriate Statement of Infor??ion.

During the course of the hearings, the Co??ttee found it necessary to issue a ?? to President Richard ??on requiring Cape recordings of 19 Presidential conversations related Co the ITT ??atters before the C??ttee. The Committee also subpoenaed the President's copies of daily news statuaries which were co??iled by ??e House staff ??bers, from February 22, 1972 through June 9, 1972. The President has not yet responded co this subpoena.

Prior to the Co??ttee's, issuance of the subpoena on June 24, 1974, the President furnished to the Co??ttee an edited transcript: of a meeting he held rich H. R. Halde??n and John Mitchell on April 4, 1972 at: which the Kleindienst no??nation bearings were discussed.

(v)

In few instances, ?? Me??ber Mr. Hutchinson and I determined, pursuant to authority granted us by the Co??ttee, to defer the release of evidentiary ??ater?? or to delete it for one of the following reasons:

l) Because the public interest in making the material public was out??hed by the potential prejudice to the rights of defendants under ??g trill.

2) Because the infor??tion was classified or otherwise required confidential treatment,

3) Because the ??aterial was only ??rginally pertinent and was considered to be def??tory, degrading or e??barr??ing, or,

4) Because the ?? ns not pertinent to Presidential respoas??y ??u the outer ??iits of an i??peachable offense within. the meaning of the Constitution.

The Co??ttee on the Judiciary is working to follow faithfully itc mandate ''to investingate fully and completely'' whether OF not sufficient grounds exist to reco??end chat the House exercise its constitutional power of ??.

I believe Chat the readers of Chase volumes will see chat the Co??ittee's effort in carrying out its ??ndate has been to obtain an objective, impartial presentation which will enable each Me??ber of the ?? to make an infor??ed Judgment in fulfilling his or her con??titutional responsibility.

(VI)

also believe that the publication of the record of these hear- ?? ?? provide readers with a clear idea of the particulars of the inves??ion and that the prox?? of the evidence will assure them that no s?? of information is offered without supporting evidentiary ??terial. July 1974

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1. By ?? urn dated April 23, 1969 from Deputy Attorney Genera ?? Kleindienst, acting as Attorney General*, mid A??tant Attorney General Richard ??aren, head of the Antitrust Division, to John Ehrlich??, Counsel Co the President, Kleindienst and McLaren urged approval of the co?? of an antitrust action against the International Telephone and Telegraph Corporation (ITT) challenging its acquisition of Canteen Corporation. Co??ent of the stoic no approved and on April 28, 1969 the suit was begun in the United States District Court for the Northern District of Illinois.

*Because Attorney General John Mitchell's former law firm had represented an ITT subsidiary, Mitchell recused hi??elf and Deputy Attorney General Kleindienst acted u Attorney General in connection ?? the litigation.

N??rand?? from ?? and Richard NeL??u Co John ??, April 23, 1969 with attached draft complaint (received from White Home) ..... Page 7O

1.2 ?? from Richard McLaren to Richard Kleindisuse, April 25, 1969, 3 Kleindienst Confirmation Hearings (KCH) 1237 88

1.3 United States v. International Telephone and Talegraph Corporation, Civ. No. 69c-924, Docket, 1–2 89

1.4 ??hard Kleindienst testimony, 2 KCH 96. 91

1.5 John Mitchell testit??y, 2 KCH. 539–40 92

(s)

2. On August 1, 1969 two ??t suits s?? to the Canteen suit were ?? in the United States D??ct Court for the ??ct of Connecticut challenging ITT's acquisition of the Hartford Fire Insurance Company and Grinnell Corporation..

2.1 Page.

United States v. International Telephone end Tele?? Co oration and Grinnell Co??, Civ. No. 13319, Docket, 1–2 102

2.2

United States v. International Telephone and Telegraph Corporation and Hartford Fire Insurance ?? Civ. No. 13320, Docket, 1–2 104

2.3

?? from Richard McLaren for the Attorney General, June 20, 1969 (received from Department of Justice) 106

2.&

??orandum from Richard McLaren for the Deputy Attorney General, approved July 25, 1969 (received from Department of Justice), ... 120

3. During 1969, 1970 and 1971, Harold S. Geneen, President of ITT, ?? on numerous occasions with White House staff members, other Administration officials and members of both houses of Congress to discuss various hatters, including international monetary policy, the Office of Foreign Direct Investment policy, antitrust policy, balance of payments, revenue sharing and expropriation by foreign governments. During the sunsnet of 1969 Geneen sought a personal meeting with the President to discuss the ITT antitrust cases. His request was denied because the President's advisers thought that such a meeting was inappropriate..

3.1 Harold Geneen testimony, 2 KCH 776–80 132

3.2 Memorandum from Hugh Sloan to John Ehrlichman, June 30, 1969 (received from White House) 137

3.3 Me??orandum from Dwight Chapin to Peter Flanigan, July 16, 1969 (received from White House) 138

3.4 White House ''White Paper,'' The ITT Anti-Trust Decision, January 8, 1974, 1, 3 139,

(5)

During September 1969 Colonel J??s Hughes, Military Assistant to the President, spoke with Dita Beard, an ITT lobbyist, about the pending antitrust suit. Hughes reported on the conversation in a memo- randum to Ehrlich??n dated September 19, 1969. ..... 4.1

?? from James Hughes to John Ehrlichman, September 19, 1969 (received from White House) 142
(6)

In August 1970 officials and representatives of ITT held five with Administration officials, including Vice President Spiro Secretary of Commerce Maurice Scans, Assistant Attorney General and White House counsel John Ehrlichman and Charles Colson to cuss antitrust matters in general and the ITT antitrust litigation particular. In another meeting, Geneen and Attorney General Mitchell to discuss overall antitrust policy with respect to conglomerates. these meetings and in subsequent letters and memoranda ITT officials bought to persuade Administration officials that McLaren's antitrust views, as reflected in his conduct of the ITT litigation, were ill-advised and inconsistent with the Ad??ration's antitrust policy. ....
5.1 Memorandum from Tod Hullin to John Ehrlichman, August 4, 1970 (received from White House) 145
5.2 Letter from Richard McLaren to Tod Hullin, July 30, 1970, with attached memorandum from Richard McLaren to John Ehrilchman (received from White House) 147
5.3 Memorandum from Richard McLaran to Tod Bullin, August 3, 1970, with attachment] (received from White House) 153
5.4 Letter from ''Ned'' [Edvard Gerrity] to Vice President Spiro Agnew, August 7, 1970, with attached memorandum (received from House Interstate and Foreign Commerce Committee) 163
5.5 Memorandum from John Poole to Files, August 7, 1970 (received from Department of Justice) 166
5.6 M??randum from Tod Hullin to Richard McLaren, August 10, 1970 (received from White House) 168
(8) ....
5.7 Letter from Thorns Casey to Charles Colson, August 7, 1970, with attach??nt (received from White House) ....
5.8 M??orandum from Charles Colson to John Ehrlichman, August 10, 1970 (received from White House) 177
5,9 ?? from Ted Hullin to John Mitchell, August 11, 1970 (received from White House) 178
5.10 John ?? testimony, 2 KCH 540, 542–43, 546, 549–50 179
5.11 ??orandum from Edward Gerrity to John Ryan, August 10, 1970 (received from ??el Mitchell).. ..... , ... 185!
5.12 ??dum from John Ryan to William Merr??, Aug?? 24, 1970, House Interstate and Foreign Commerce ??, Special Subco??tee on Investigations, Hearings on Legislative Overoish?? of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT, 154–56 186
(8)

6. On September 15, 1970 the trial in ITT-Grinnell began. In ??oranda dated September 17, 1970 from ?? to Attorney General Mitchell and October l, 1970 from Colson to Ehrlichman, the ITT litigation was discussed. Ehrlichman and Colson stated their concern that McLaren's conduct of the ITT cases constituted an attack on ''bigness per se'' contrary to the Administration's expressed antitrust policy. ....
6.1 United States v. International Telephone and Telesraph Corporation and Grinnell Corporation, Civ. No. 13319, Docket, 5 190
6.2 Memorandum from John Ehrlicman to John Mitchell, September 17, 1970 (received from White House) 192
6.3 Memorandum from Charles Colson to John Ehrlichman, October 1, 1970, with attachment (received from White House) 193
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7. The trial of ITT-Grinnell was completed on October 30, 1970 and the case was taken under advisement. A Judgment for ITT on the merits was rendered on December 31, 1970. A notice of appeal was filed on March 1, 1971. ....
7.1 United States v. International Telephone and Telegraph Corporation and Grinnell Corporation, Civ. No. 13319, Docket, 1,6–7 214
7.2 United States v. International Telephone and Telegraph Corporation, Opinion, December 31, 1970, 324 F. Supp. 19 217
8. On March 3, 1971 at ITT's request Geneen and Willis Merriam, ITT Vice President and Director of Washington Relations, met with Ehrlichman to discuss antitrust matters. 8.1 John Ehrlichman log, March 3, 1971 (received from SSC) 256
8.2 Letter from William Nerriam to John Ehrlichman, March 4, 1971 (received from White House) 257
8.3 William Merriam testimony, 3 KCH 951 258
9.0 On March 20, 1971, on the motion of Solicitor General Erwin Gziswold, the time for the government to perfect ice appeal in ITT-Grinnell by filing its Jurisdictional statement was extended from March 31, 1971 to April 20, 1971. 9.1 United States v. International Telephone and ??h to ration, Application for Extension of Time and Order of the Supreme Court, March 20,'' 1971, and letter from the —Deputy Clerk of the Supreme Court to Solicitor General Erwin Griswold (received from Department of Justice) 260
9.2 On March 30, 1971 Merriam sad Thom Casey, ITT Director of 9.3 Planning, met with Peter Peterson, Assistant to the President 10. ??ational Economic Affairs, to discuss a wide range of subjects ?? antitrust matters. ....
10.1 Peter Peterson affidavit, April 29, 1974. .... 268.
10.2 Letter from William Merriam to Peter Peterson, April 7, 1971 (received from Peter Peterson) 271
11. It the request of Ehrlichman who said he spoke for the President, Peterson met with Geneen end Merriam on Friday, April 16, 1971. They discussed various subjects relating to economic policy, including overall antitrust policy related to bigness. At the end of the meeting, Geneen and Merriam discussed ITT's specific antitrust problems, including the fact that the deadline for the government to perfect the ITT-Grinnell appeal was the following Tuesday, April 20. After the meeting Peterson telephoned Ehrlichman and reported on the meeting including the discussion of the ITT-Grinnell appeal. Ehrlichman indicated to Peterson that action was under way to postpone the appeal. The following week Peterson reported to the President on the meeting and his subsequent telephone call to Ehrlichman. ....
11.1 Peter Peterson affidavit, April 29, 1974 278
11.2 Memorandum from Peter Peterson to the President, April 23, 1971 (received from. White House) 281
12 Also on April 16, 1971 Lawrence Walsh, a member of a law firm had lens represented ITT, telephoned Deputy Accorue7 General Klein- ....
11.4 Pursuant to that telephone conversation Walsh caused to be ....
11.5 to Kleindienst a letter and memorandum urging that before the of Justice decided to pursue the ITT-Grinnell appeal to the Court it should undertake a review by all interested federal of the economic consequences of a Supreme Court decision favor??ble to the government. Copies of the rajah letter and memorandum were later that day to Peterson and Ehrlichman. ....
12.1 Richard Kleindienst testimony, 2 KCH 250 284
12.2 Lawrence Walsh testimony, 3 KCH 1038–39 285

12.3 Letter from Lawrence Walsh to Richard Kleindienst, April 16, 1971 rich attached ??orandum of (received from white House; reprinted at 2 KCH 26S-.68... 287
12.4 Memorandum from William Merriam to Peter Peterson, April 16, 1971 rich attached letter (received from Peter Peterson) 304
Letter from William Merriam to John Ehrlichman, April 16, 1971 rich attached letter and memorandum of Law (received from White House) 305

13. On Monday morning, April 19, 1971 Kleindienst told Walsh by telephone that Kleindienst did not think the ITT-Grinnell appeal would be delayed, In a memorandum dazed April 19, 1971 to Kleindienst, McLaren disputed the position taken by Walsh in his letter and memorandum of April 16 and urged that the ITT-Grinnell appeal not be delayed..
13.1 Lawrence Walsh testimony, 3 KCH 1039 308
13.2 Memorandum from Richard McLaren to Richard Kleindienst, April 19, 1971 (received from Department of Justice) 309
14. Beginning at 3:03 p.m. on the afternoon of April 19, 1971 the President met with Ehrlichman and George Shultz, Director of the Office of Management and Budget. The antitrust actions against ITT were among the subjects discussed. Ehrlichman said that the deadline for the ITT-Grinnell appeal was the following day and he reported that, despite his attempts to give the Justice Department ''signals,'' the appeal was being pursued. The President then telephoned Kleindienst and ordered him to drop the appeal. After the telephone conversation the President expressed his concern that McLaren's actions with respect to conglomerates were contrary to the Administration's antitrust policy..
14.1 Tape recording of conversation among the President, John Ehrlichman and George Shultz, April 19, 1971, 3:03—3:3& p.m., and House Judiciary Committee transcript thereof 312
14.2 Tape recording of telephone conversation between the President and Richard Kleindienst, April 19, 1971, 3:04—3:09 p.m., and House Judiciary Com- mittee transcript thereof 346
15. After the President's telephone call Kleindienst met with McLaren and Solicitor General Erwin Griswold and directed that the Solicitor General apply to the Supreme Court for another extension of time. At 4:30 p.m. Kleindienst telephoned Walsh and informed him that the Solicitor General was arranging for an extension of time for the government to perfect its appeal..
15.1 Richard Kleindienst testimony, 2 KCH 250 350
15.2 Richard McLaren testimony, 2 KCH 252 351
15.3 Ervin Griswold statement, 2 KCH 242–43 352
15.4 Erwin Griswold testimony, 2 KCH 373, 378–80 354
15.5 Lawrence Walsh testimony, 3 KCH 103g 358
16. on Tuesday, April 20, 1971, on the motion of Solicitor General Griswold the time for the government to perfect its appeal in ITT–Grinnell by filling its Jurisdictional statement was extended from April 20, 1971 to May 20, 1971..
16.1 United States v. International Telephone and Telegraph Corporation Application for Extension of Time filed by the Solicitor General and Order of the United States Supreme Court, April 20, 1971, with letter from the Deputy Clerk of the Supreme Court to Solicitor General Ervin Griswold (received from Department of Justice) 360
16.2 United States v. International Telephone and Telegraph Corporation, Supreme Court Docket Apr/1 19 20 1971 365
17. Also on April 20, 1971 Felix Rohatyn, an investment banker who was a director of ITT, met with Kleindienst to discuss the economic and financial fabrications of divestiture of the Hartford Fire Insurance Company by ITT. At the meeting Rohatyn asked to present these arguments to McLaren, and such a presentation was later arranged for April 29. 17.1 Richard Kleindienst testimony, 2 KCH 96–97 368
17.2 Felix Rohatyn testimony, 2 CKCH 114 370
18, On April 21, 1971 the President met with Attorney General Mitchell and discussed, among ocher things, the ITT-Grinnell appeal. The President said that he did not care about the aeries of the case but that the business community believed that the Administration was being even rougher on it in antitrust matters than had previous admin- istrations. Mitchell argued that it was a political mistake to inter- fete with the appeal. The President agreed to heed Mitchell's advice to permit the appeal to be perfected..
18.1 Tape recording of the end of a meeting between the President and John Mitchell, April 21, 1971, 4:18—6:13 p.m., and House Judiciary Committee transcript thereof 372
19. During the 1eat ten days of April 1971 Geneen and Merriam of ITT wrote four letters to Administration officials —- one to Secretary of the Treasury John Connally and three to Peter Peterson—containing references to antitrust matters. Two of the letters commented favorably on the ITT-Grinnell appeal delay..
19.1 Memorandum from William Merriam to Peter Peterson, April 22, 1971, with attached letter from Harold G??neen to Peter Peterson, April 22, 1971 (received from Peter Peterson) 378
19.2 Letter from William Neff/am to 3ohu Connally, April 22, 1971 (received from white House) 386
19.3 Memorandum from Peter Peterson to John Ehrlichman Dick [sic] Krogh, April 27, 1971, with attached letter from William Merriam to Peter Peterson, April 26, 1971 (received from White House) 388
19.4 Memorandum from Peter Peterson to John Ehrlich??an sad Dick [sic] Krogh, May 3, 1971, with attached letter from William Merriam to Peter Peterson, April 30, 1971 (received from White House 391
20. On April 28, 1971 Ehrlichman wrote a memorandum to the President criticizing McLaren for failure to follow the Administration's antitrust policy, then under study by a Domestic Council Task Force, and recom- mending action to be taken. The President approved Ehrlichman's recon- ??dations..
20.1 Memorandum from John Ehrlichman to the President, April 28, 1971 (received from White House) 20.2
Memorandum from John Ehrlichman to Members of the Domestic Council, February 19, 1971 (received from Department of Justice) 20.3
Memorandum from Egil Krogh to Richard McLaren, Apr11 30, 1971 (received from White House) 20.4
Memorandum fro.- John Ehrlichman to John Connally, John Mitchell, George Shultz, Paul McCracken, Peter Peterson, and Peter Flanigan, September 14, 1971 (received from Department of Justice) ..... 21.
On April 29, 1971 Rohatyn accompanied by four ITT representatives ??et with Kleindienst, McLaren and Antitrust Division and Treasury Depart- ment staff members. The ITT representatives presented ITT's position that there would be adverse economic and financial consequences if the divestiture of Hartford were required. Following the meeting McLaren caused these arguments to be submitted to the Treasury .Department and to Richard Ramsden, an independent financial consultant who had previously rendered advice to the Antitrust Division..
21.1 Richard Kleindienst testimony, 2 KCH 98 404

21.2 Richard McLaren test , 2 KCH 102–03, ... 405
21.3 Felix Rohatyn testimony, 2 KCH 114–16 407
21.4 Richard Kleindienst notes of Apr11 29, 1971 meeting (received from Department of Justice) 410
21.5 Letter from Felix Rohatyn to Richard McLaren, Nay 3, 1971 (received from Department of Justice) 419
22. Beginning in April 1971 Mitche11, Haldeman, Lawrence Higby, Gordon Strschan, William Timmons, Jeb Magruder and Robert Odle participated in the initial planning of the 1972 Republican National Convention and began to consider San Diego as a possible site. A memorandum from Higby to Strachan dated April 29, 1971 states that Haldeman discussed the pos- sibility of a San Diego convention with California's Lt. Governor. Ed Reinecke. The memorandum states that Reinecke would, as a result of his discussion with Haldeman, cause a proposal for San Diego to be the con- vention size to be made to the Republican National Committee..
22.1 Memorandum from William Timmons to H. R. Haldeman, April 20, 1971 (received from White House) 425
22.2 Memorandum from Lawrence Higby to H. g. Haldeman, April 20, 1971 (received from White House) 426
22.3 Memorandum from Gordon Strachan to H. R. Haldeman, April 21, 1971 (received from White House) 427
22.4 Memorandum from Gordon Strachan to H. ''R. Haldeman, April 23, 1971 (received from White House) 428
22.5 Memorandum from Lawrence Higby to Cordon Strachan, April 29, 1971 (received from White House) 429
22.6 Memorandum from Gordon Strachan to H. R. Haldemam, Nay 11, 1971 with attached memorandum from William Tim??ons to H. R. Haldeman, Hay 6, 1971, and attached report (received from White House) 430
22.7 Memorandum from Robert Odle to Jet) Magruder, Hay 19, 1971 (received from White House) 448
22.8 Memorandum from Robert Odle to William Timmons, May 20, 1971 (received from White House) 454
22.9 Letter from Ed Reinecke to Will/me Timmons June 2, 1971 (received from White House) 455
22.10 Memorandum from Robert Odle to Jab Magruder, June 15, 1971 (received from White House) 456
22.11 Memorandum from Gordon Strachan to H. R. Haldeman, June 23, 1971 with attached memorandum from Robert Odle to Jab Hagruder, June 22, 1971, and attached memorandum from William Timmons to H. R. Haldeman, June 21, 1971 (received from White House) 458
22.12 Memorandum from Cordon Strachan to H. It. Haldeman, June 25, 1971 (received from White House) 464
22.13 Memorandum from Cordon Strachan to H. R. Haldeman, June 29, 1971, with attached memorandum from Jeb Magruder and William Timmons to John Mitchell and H. R. Haldeman, June 26, 1971, and attachments (received from White House) 465
23. In a memorandum dated Hay 5, 1971 Ehrlichman informed Mitchell that he desired to meet with McLaren about the ITT cases to achieve the agreed-upon ends discussed by the President and Mitchell. 23.1 Memorandum from John Ehrlichman to John Mitchell, Hay 5, 1971 (received from White House) 526
24. On May 12, 1971 ITT President Geneen discussed rich Congressman Bob Wilson, whose district included part of San Diego, the possibility of ITT financial support for a San Diego convention bid. 24.1 Harold Geneen testimony, 2 KCH 647–48 528
24.2 Bob Wilson testimony, 3 KCH 866–67 530
25. On May 17, 1971 the government's appeal in ITT–Grinnell was perfected by the filing of a Jurisdictional statement..
25.1 United States v. International Telephone and Telegraph Corporation, Notice of Docketing of Appeal, United States Supreme Court, Hay 17, 1971 (received from Department of Justice) 534
26. By report dated Nay 17, 1971 Richard Ra??sden reported his findings on the ITT position with respect to the financial ramifications of divesti- ture of Hartford..
26.1 Ramsden Report, International Telephone and Telegraph Corporation, May 17, 1971, 2 KCH 103–10 538
26.2 Richard McLaren testimony, 2 KCH 103, 110 546
27. On June 17, 1971 McLaren recommended to Kleindienst that the ITT suits be settled. His proposed settlement included the requirement that 1TT divest itself of Grinnell, Canteen, and certain other ITT subsidiaries, but per??tted ITT to retain Hartford Fire Insurance Company, The basic terms of the settlement offer were put to ITT on a take it or leave it basis and were accepted. Details of the settlement Were then negotiated among ITT and Antitrust Division lawyers,.
27.1 Memorandum from Richard McLaren to Richard Kleindienst, June 17, 1971 (received fro,, Department of Justice) 550
27.2 Richard McLaren testimony, 2 KCH 110–13 553
27.3 Felix Rohatyn testimony, 2 KCH ll5 557
27.4 Richard Kleindienst testimony, 2 KCH 98–99 558
28. San Diego's convention bid was authorized by the San Diego City Council on June 29, 1971. On July 21, 1971 ITT-Sheraton's President, Howard James, confirmed by telegram his company's commitment to the San Diego Convention and Tourist Bureau of $100,000 for convention- related expenses plus an additional $100,000 if and when $200,000 was raised by the Bureau from other non-public sources. The pledge was subject to the condition that the Sheraton Harbor Island Hotel, then under construction, be used as Presidential convention headquarters. The decision for San Diego to be the convention site was made within the Administration and transmitted to the Republican National Committee. On July 23, 1971 the Republican National Committee selected San Diego as the 1972 convention site..
28.1 San Diego City Council resolution, June 29, 1971 (received from San Diego City Council) 563
28.2 Memorandum from Jeb Magruder to John Mitchell, June 30, 1971 (received from White House) 568
28.3 Memorandum from Herbert Klein to H. R. Haldeman, June 30, 1971 (received from White House) 569
28.4 Memorandum from William Timmons to Jeb Magruder, July 3, 1971 (received from White House) 574
28.5 Memorandum from Herbert Klein to the President, July 19, 1971 (received from White House) 575
28.6 Memorandum from William Timmons to the President, July 19, 1971 (received from White House) 576
28.7 Memorandum from Jo Good to Robert Dole, July 19, 1971 (received from White House) 578
28.8 Memorandum from Jeb Magruder Co 3ohm Mitchell, July 28, 1971 with attached memorandum from Robert Odle to Jeb Magruder, ,July 27, 1971 (received from White House) 582

28.9 Telegram from Howard James to Bob Wilson, July 21, 1971, 2 KCH 678–79 588
28.10 Harold Geneen testimony, 2 KCH 648–49 590
28.11 Resolution on Selection of the Site for the 1972 Republican National Convention, July 23, 1971 592
29. On July 31, 1971, after riff and Antitrust Division lawyers had negotiated details of the settlement of the ITT litigation, the settlement no announced..
29.1 Richard NcLaren testimony, 2 KCH 110–14 596
29.2 Pelix Rohatyn testimony, 2 KCH 115 601

29.3 Richard Kleindienst testimony, 2 KCH 99 602
30. A Sheraton Harbor Island Corporation check for $100,000 dated August: 5, 1971 and representing the non-contingent portion of ITT's pledge yes delivered to r. he San Diego Convention and Tourist Bureau..
30.1 Photograph of check from Sheraton Harbor Island Corporation to the San Diego Convention and Tourist Bureau printed in Washington Post. March 16. 1972..
A13 604
31. On February 15, 1972 the President no??inated Richard G. Kleindienst to be Attorney General Co succeed John Mitchell who yes leaving the Department of Justice and who later became Campaign Director of the Committee for the Reelection of the President. The Senate Committee on the Judiciary held hearings on the nomination and reco??endation on February 24, 1972 that the nomination be confirmed,.
31.1 Announcement of President's Intention Co Nominate Richard Kleindienst to be Attorney General, 8 Presidential Documents 440, 448 606,
31.2 Letter from President Nixon Co John Mitchell, February 15, 1972, 8 Presidential Documents 439 608
31.3 S. Exec. Rept. 92–19, Nomination of Richard Kleindienst, 92d Cong., 2d Sess. (1972) 609
31.4 Chicago Tribune, February 25, 1972, Section 2A, l 612
32. On February 22, 1972 columnist Jack Anderson obtained from an ITT source a memorandum dated June 25, 1971 purportedly written by ITT lobbyist Dita Beard addressed to ITT Vice President Merriam regarding the ITT-Sheraton convention pledge and settlement of the ITT antitrust cases. Anderson's investigative reporters contacted first Dita Beard Co discuss and confirm the memorandum's validity sad then ITT and Administration officials co discuss and attempt to confirm the events reported in the memorandum. On February 24, 1972 ITT personnel destroyed documents in the Washington office files..
32.1.
32.2.
32.3.
32.&.
32.5.
32.6.
Purported memorandum from Dita Beard to William Merriam, June 25, 1971, (received. from White House) reprinted in 2 KCH 447–48 614
Jack Anderson Testimony, 2 KCH 449 618
Brit Hume testimony, 2 KCH 408–14 619
Felix Rohatyn testimony, 2 KCH 115–16 626
Washington Post, March 3, 1972, D15 628
Howard Aibel testimony, 2 KCH 704–05 629
33. In a February 28, 1972 Department of Justice press release Mitchell said he had met Dita Beard only once, at a party given by Governor Louis Nunn of Kentucky in May 1971, Mitchell denied allegations that he had discussed the ITT antitrust cases with her. He also denied in the press release that he had discussed the ITT matter with the President..
33.1 John Mitchell statement, Department of Justice press release, February 28, 1972 (received from Department of Justice) 632
On February 29, March 1 and March 3, 1972 there were published three columns by Jack Anderson based in part on the Beard memorandum. The articles alleged a connection between the ITT-Sheraton pledge and the ITT antitrust settlement and purported Co involve both Mitchell and Kleindienst. As a result of the publication of the first two articles Kleindienst asked that his confirmation hearings be reopened..
34.1 Washington Pose, February 29, March 1, March 3, 1972 634
34.2 Washington Post, March 1, 1972, Al 637
35. General, Mitchell again denied talking to the President about ITT or any other antitrust case, On March 1, X972 during his final press conference as Attorney.
35.1 John Mitchell press conference, Hatch 1, 1972, 1–2 (received from SSC) ..... 6&0
On or about March 1, 1972 a member of the staff of the SEC that ITT produce documents in the files of ITT's Washington, D.C. office. The SEC staff member contended that production of the documents was called for by subpoenas previously issued In connection With SEC proceedings. Attorneys for ITT collected documents believed to be included in the SEC demand..
36.1 Michael Mitchell affidavit submitted to House Judiciary Committee, Hay l, 197&, with attachments 646
37. On Thursday 14arch 2, 1972 pursuant to Kleindienst's request the confirmation hearings resumed and Kleindienst, testifying under oath, denied talking other than casually to the White House and White House staff about the ITT matter. He denied receiving any suggestions from the White House as to the action that the Justice Department should take in the ITT cases..
37.1 Richard Kleindienst testimony, 2 KCH 95–96, 157 678
On the same day an ITT attorney delivered copies of one or more of the documents collected by ITT attorneys from ITT's Washington office files to White House aide Wallace H. Johnson. The document or documents were the conveyed by Johnson to John Mitchell. During the following week copies of other documents taken from the ITT Washington office which mentioned the ITT antitrust suits and contacts between ITT and administration officials were delivered by ITT attorneys to Johnson..
38.1 Michael Mitchell affidavit, submitted co House Judiciary Committee, May 1, 1974, with attach-mats, ... 682
38.2 Wallace Johnson affidavit, April 25, 1974, ... 713
38.3 John Mitchell log, March 2, 1972 (received from SSC) 717
39. On the evening of Hatch 2, 1972 Dita Beard, having spent two days at the ITT offices in New York City, left Washington by airplane for Denver, Colorado en route to West Yellowstone, Montana. During the flight she became ill and on the evening of Hatch 3, 1972 she was admitted to a Denver hospital..
39.1 Dita Beard statement, 2 KCH 741–42 720
39.2 Edward Gerrity testimony, 3 KCH 1167 722
39.3 United Air Lines passenger ticket, issued to D. Beard for Flight 175, Hatch 2, 1972 (received from United Air Lines) 723
39.4 Stewardess report on passenger illness of Mrs. Beard, occuring on Flight 175, March 2, 1972 (received from United Air Lines) .. 72&
39.5 Letter from J. Edgar Hoover to Chairman James o. Eastland, March 5, 1972, 2 FCH 213 725
39.6 Medical Report by Dr. Joseph Snyder, Hatch 13, 1972, 2 KCH 637–39 726

On Friday, March 3, 1972 Kleindienst, in his testimony before Senate Committee on the Judiciary, denied consulting with, reporting or getting directions from anybody at the White House about the ITT trust cases, He also testified that he did not recall why on April1971 the Department of Justice requested a delay in the appeal of the ITT-Grinnell case Co the Supreme Court. 40.1 Richard Kleindienst testimony, 2 KCH 95, 181, 191, 203–04 D 0.
On the afternoon of Sunday, March 5, 1972, the President and Haldeman returned to Washington, DC from Kay Biscayne. On Monday, March 6, 1972 the President had conversations with Haldeman, Ehrlichman and Colson. At about 1:30 p.m., shortly after leaving the President's office, Ehrlich?? met with SEC Chairman Casey..
41.1 John Ehrlichman log, March 6, 1972 (received from SSC) 736
41.2 Meetings and conversations between the President and John Ehrlichman, March 6, 1972 (received from White House) 737
41.3 Meetings and conversations between the President and H. R. Haldeman, March 1, March $ and March 6, 1972 (received from White House) 739
41.4 Meetings and conversations between the President and Charles Colson, March 6, 1972 (received from White House) 741
41.5 John Ehrlichman log, March 21, 1972 (received from SSC) 742
41.6 William Casey testimony, House Interstate and Foreign Commerce Committee, Special. subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Agency Independence and the ITT Case, Jun 27, 1973, 261–64, 309–30 ..... 7&3
41.7 William Casey calendar, March 6, 1972 (received from U.S. Attorney, Southern District of New York) 749
42. On Tuesday, March 7, 1972 in a prepared statement given under oath before the Senate Committee on the Judiciary, Kleindienst described the circumstances surrounding the request for an extension of time to appeal ITT-Grinnell. He omitted mention of the President's order to drop the case made during their telephone conversation o April 19, 1971..
42.1 Richard Kleindienst testimony, 2 KCH 95, 249–50 752
43. On March 8, 1972 Kleindienst testified before the Senate Committee an the Judiciary and denied again that he was interfered with, pressured, importuned or directed by anybody at the white House in connection rich the discharge of his responsibilities in the ITT cases,.
43.1 Richard Kleindienst testimony, 2 KCH 95, 323, 353 756
In early March 1972 a White House cask force, consisting of Khrlichman, Colson, Moore, Dean, Fielding, Johnson, Assistant Attorney General Robert C. Mardian and others, was established Co follow the Kleindienst hearings; its activities continued throughout the month. was given the responsibility of reviewing White House files and collecting all documents relating to ITT, which he proceeded to do..
44.1 Charles Colson testimony, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Agency Independence and the ITT Case, 218 ..... 760''
44.2 Richard Moore testimony, 5 SSC 1947–48 761
44.3 Wallace Johnson affidavit, April 25, 197& 763
44.4 Robert Mardian testimony, 6 SSC 2348 767
44.5 John Dean testimony, House Interstate end Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Agency Independence and the ITT Case, 66, 6& 768
On March 14, 1972 John Mitchell appeared before the Senate Committee on the Judiciary and trice denied under oath that he talked to the President about the ITT antitrust litigation or any antitrust litigation. On the evening of March 14, 1972 the President and Mitchell had a telephone conversation which, according to Mitchell's logs, was their only telephone conversation during the month..
45.1 John Mitchell testimony, 2 KCR 539, 552, 571 772
45.2 John Mitchell log, March 14, 1972 (received from SSC).
On March 15, 1972 E. Howard Hunt met rich Colson. Johnson and It was determined that Hunt should interview Hoe. Beard the authenticity of the purported Beard memorandum. Hunt flew to Denver and interviewed Mrs. Beard in her hospital room. On March 17, after his return Co Washington, he ?? a detailed e??ary of the interview..
46.! Charles Colson calendar, March 15, 1972 (received from SSC) 778
46.2 ??. Howard Hunt testimony, 9 SSC 3734–35, 3752–53 780
46.3 Charles Colson testimony, House Interstate and Foreign Commerce Committee, Special Subco??ee on Investigations, Hearings on Legislative Oversight of SEC: Agency Independence and the ITT Case, 201–03 784
46.4 Memorandum regarding Dita B?? March 17, 1972 (received from White House) ..... 787'
47. ''ITT'' is written on Colson's calendar for the morning of March 18, 1972. Colson had three telephone conversations with ??he during the morning. That afternoon the Pre??ent and Colson met for more than two hours..
47.1 Charles Colson calendar, Hatch 18, 1972 (received from SSC) 796
47.2 John Mitchell log, March 18, 1972 (received from SSC) 797
47.3 Meetings and conversations between the President and Charles Colson, Hatch 18, 1972 (received from White House) 798
8. On March 24, 1972 the President held his only news conference during the period of the ??eindienst nomination hearings. He stated that nothing had happened in the Senate hearings that shook his confidence in Kleindienst as an able, honest wan fully qualified to be Attorney General. He also praised the actions of Richard McLaren, and the ??, in having moved effectively to stop the growth of ITT..
48.1 President Nixon news conference, March 24, 1972, 8 Presidential Documents 673 75 * 800
49. On the morning of Hatch 30, 1972 Colson, Haldeman and NacGregor met. That afternoon Colson sent a memorandum to Haldeman stating that certain factors should be taken into account in determining whether to continue co support, or to withdraw, Kleindienst's nomination, including the possibility that documents would be revealed tending to show that the President yes involved in the ITT situation in 1971 and contradicting statements made by Mitchell under oath during the hearings. Haldeman and Colson each had several conversations with the President on that day..
49.1 Memorandum from Charles Colson to H. R. Haldeman, Hatch 30, 1972, 55C Exhibit No. 121, 8 S5C 3372–76 805
&9.2 Letter from William Merriam to John Connally, April 22, 1971 (received from White House) 810
49.3 Letter from William Merriam to Peter Peterson, April 30, 1971 (received from White House) 812
49.4 Letter from ''Ned'' [Edward Gerrity] to Vice President Spiro Agnew, August 7, 1970, with attached memorandum (received from House Interstate and Foreign Commerce Committee) 813
49.5 Memorandum from John Ryan to William Merriam, August 24, 1970, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Legislative Oversight of SEC: Agency Independence and the IT? Case, 154–56, and partial handwritten copy of memorandum (received from White House) 816
49.6 Memorandum from Herbert Klein to H. R. Haldeman, June 30, 1971 (received from White House) 820
49.7 Memorandum from Richard Kleindienst and Richard McLaren to John Ehrlichman, April 23, 1969 (received from White Home) 821

49.8 Memorandum free Ted Hullin to Richard McLaren, August 10, 1970 (received from 9hire Home) 827
49.9 Memorandum from ??ohn Ehrlichman to John Mitchell, September 17, 1970 (received from White Home) 828

49.10 14urnrandom from John Ehrlichman to John Mitchell, May 5, 1971 (received from White House) 829
&9.11 Memoranda ''from John Ehrlichman to the President, April 28, 1971 and Nay 3, 1971 (received from White House) 830
49.12 a. R. Haldeman testimony, 8 SSC 3216, 3218–19 834
49.13 H. R. Haldeman calendar, March 30, 1972 (received from SSC) 837
49.14 Meetings and conversations between the President and H. R. Haldeman, March 30, 1972 (received from White House) 838
49.15 Meetings and conversations between the President and Charles Colson, March 30, 1972 (received from White House) 839
50. On April 4, 1972 Mitchell returned co his office after about two weeks in Florida. That afternoon he met with the President and Haldeman at the White House. According to Haldeman's testimony before the Senate Select Committee on Presidential Campaign Activities, notes Oaken during the meeting indicate that the Kleindienst hearings were discussed..
$0.1 John Mitchell log, March 21—April 4, 1972 (received from SSC) 842
50.2 Meetings and conversations between the President and H. R. Haldeman, April 4, 1972 (received from White House) 845
50.3 H. R. Haldeman testimony, 7 SSC 2866, 2881 846
On April 27, 1972, the final day of the Kleindienst confirmation, Kleindienst, referring co his earlier testimony about commin-with persons at the White House, testified that if someone had him to instruct him on the handling of the ITT case, he would such a call. Kleindienst said that no such conversation.
51.1 Richard Kleindienst testimony, 2 KCH 95, 3 KCH 1673. 1682 850
51.2 Richard Kleindienst statement, October 31, 1973, reprinted in New York Times, November 1, 1973, 33 853
$2. The press provided extensive news coverage and frequent editorial commentary on the Kleindienst confirmation hearings. John Mitchell's denials that he discussed the ITT cases with President Nixon were reported. Richard Kleindienst's descriptions of his role in the ITT-Grinnell appeal and settlement were also reported; these descriptions omitted reference to the President's order that the appeal be dropped..
52.1 Newspaper articles from The New York Times and The Washington Poet, February 25—June 28, 1972, regarding hearings on the Nomination of Richard Kleindienst to be Attorney General 856
52.2 The Washington Post, March 10, 1972, A–l, A–12 857
52.3 The New York Times, March 15, 1972, 1, 34 858
52.4 The Washington Post, April 27, 1972, A–l, A–7 859
52.5 The Washington Post, April 28, 1972, A–l, A–6 860
By letter dated April 25, 1972 from Senator Eastland, Chairman the Senate Committee on the Judiciary, co SEC Chairman William Casey, Eastland requested access co ITT documents in the possession of SEC. This request was denied by Chairman Casey. If* Chairman Casey complied with the Senate Judiciary Committee's request the SEC would the Committee with, along ocher things, the following not obtained by the Comic tee during the course of the Kleindienst hearings:.
1. Letter dated April 22, 1971 from Harold Geneed Co Peter Peterson concerning their April 16, 1971 nesting rich memorandum on antitrust policy attached..
2. Letter dated April 22, 1971 from William Merriam co John Connally relenting to the ITT antitrust litigation..
3. Letter dated April 26, 1971 from William Merriam ??o Peter Petersou referring to planned antitrust legislation..
&. Letter dated April 30, 1971 from William Merriam to Peter Peterson referring to Solicitor General Griswold's request for am extension of time Co perfect the ITT-Grinnell appeal. Letter dated August 7, 1970 from Thomas Casey of ITT co Charles Colson discussing the pending ITT antitrust litigation..
6. Letter dated August 7, 1970 from ''Ned'' [Edward Gerrity] Co Vice President Spiro Agnew with memorandum about ITT antitrust ??gat/on attached..
7. ITT Later-corporate memorandum dated August 10, 1970 from Edward Gerrity co John Ryan discussing, among ocher things, Richard McLaren and the Admini-aeration's merger policy..
8. ITT inter-corporate memorandum dated August 24, 1970 from William Merriam to John Ryan discussing, among other things, the ITT antitrust litigation, Richard McLaren and contacts with the Administration..
53.1 Letter from Senators Kennedy, Bayh, Hart, Burdick and Tunney to Chairman James Eastland, April 19, 1972, 3 KCH 1664 865
53.2 Letter from William Casey to Chairman James Eastland, April 26, 1972, 3 KCH 1664 866
53.3 Letter from Edward Kennedy to Chairman Harley Staggers, December 13, 1972, House Interstate and Foreign Commerce Committee, Special Sub-committee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT,.
28–29 867
53.4 Michael Mitchell affidavit, submitted to House Judiciary Committee, May 1, 1974, with attachmute 869
On June 8, 1972 the Senate confirmed Kleindienst's nomination. On June 12, 1972 he became Attorney General. 154.1.
54.2.
Congressional Record, June 8, 1972, S9114–15 902
President Hixon remarks at swearing-in ceremonies for Richard Kleindienst as Attorney General, June 12, 1972, 8 Presidential Documents 1024 904
(61).
55. On three occasions in September 1972 Congressman Harley Staggers, Chairman of the House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, requested from SEC Chairman William Casey access to material received from ITT by the SEC in connection with the SEC's investigation of ITT. Chairman Casey discussed Chairman Staggers'' request with Mitchell, Dean and Colson. By letters to Chairman Staggers, Chairman Casey refused the requests. The ITT material was transferred by the SEC to the Department of Justice on October 6, 1972. In addition, an envelope containing other documents obtained from ITT which reflected contacts in 1970 and 1971 between representatives of ITT and Administration officials was delivered separately by the SEC to the office of Deputy Attorney General Erickson..
55.1 Letter from Chairman Harley Staggers to William Casey, September 21, 1972, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT, 5 907
55.2 Chairman Harley Staggers statement, House Interstate and Foreign Coerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT, 23 908

55.3 Letter from Chairman Harley Staggers to William Casey, September 28, 1972, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT, 6–8 909
55.4 William Casey testimony, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Agency Independence and the ITT Case, 230, 235, 241, 250–51, 260–62 922
(62).
55.5 Letter from William Casey to Chairman Harley Staggers, September 26, 1973, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT,.
5–6 920
55.6 Letter from William Casey to Chairman Harley Staggers, October 6, 1972, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT,.
8–9 922
55.7 Letter from William Casey to Ralph Erickson, October 5, 1972, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT,.
135–36 924
55.8 Charles Mallory testimony, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry into Withholding and Transfer of Agency Files Pertaining to ITT,.
86–89 928
55.9 Ralph Erickson testimony, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Agency Independence and the ITT Case, 128–30, 149–64 930
In 8 letter dated October 17, 1972 Chairman Staggers requested from Deputy Attorney General Erickson access to the ITT materials referred to the Department of Justice by the SEC. Erickson denied the request on the grounds that disclosure might prejudice any future criminal proceedings..
56.1 Letter from Chairman Harley Staggers to Ralph Erickson, October 17, 1972, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Lagislative Oversight of SEC: Inquiry Into With holding and Transfer of Agency Files Pertaining to ITT, 9–10 950
56.2 Letter from Ralph Erickson to Chairman Harley Staggers, October 26, 1972, House Interstate and Foreign Commerce Committee, Special Subcommittee on Investigations, Hearings on Legislative Oversight of SEC: Inquiry Into Withholding and Transfer of Agency Files Pertaining to ITT, 10–11 952
57. On January 8, 1974 the Office of the White House Press Secre-issued a ''White Paper'' entitled, ''The ITT Anti-Trust Decision,'' describing the President's role in the ITT antitrust cases and their settlement..

57.1 White House ''White Paper'', The ITT Anti-Trust Decision. January 8, 1974 956

58. On May 16, 1974, Richard Kleindienst pleaded guilty to one count of refusing or failing fully to respond to questions propounded to him by the Senate Committee on the Judiciary on March 2, 3, 7, and 8 and April 27, 1972.

58.1 United States v. Kleindienst information, May 16, 1974, with attached Watergate Special Prosecution Force press release 966

58.2 Letter from Leon Javorski to Herbert J. Miller, May 10, 1974 (received from Watergate Special Prosecution Force) 969

PURPORTED DITA BEARD MEMORANDUM, JUNE 25, 1971,
PERSONAL AND CONFIDENTIAL
Washington Office
1707 L Street, NW
Washington, DC 20036
Tel. (202) 296–6000
To: W.R. Merriam
Date: June 25, 1971
From: D.D. Beard
Subject: .San Diego Convention

I just had a long talk with EJG. I'm so sorry that we got that call from the White House. I thought you and I had agreed very thoroughly that under no circumstances would anyone in this office discuss with anyone bur participation in the Convention, including me. Other than permitting John Mitchell, Ed Reinecke, Bob Haldeman and Nixon (besides Wilson, of course) no one has known from whom that 400 thousand committment had come. You can't imagine how many queries I've had from ''friends'' about this situation and I have in each and every case denied knowledge of any kind. It would be wise for all of us here to continue to do that, regardless of from whom any questions come; White House or whoever. John Mitchell has certainly kept it on the higher level only, we should be able to do the same.

I was afraid the discussion about the three hundred/four hundred thousand committment would come up soon. If you remember, I sug- geared that we all stay out of that. other than the fact that I told you I had heard Hal up the original amount.

* Now I understand from Ned that both he and you are upset about- the decision to make it four hundred in services. Believe me, this is not what Hal said. Just after I talked with Ned, Wilson called me, to report oh his meeting with Hal. Hal at no time told Wilson that our donation would be in services ONLY. In fact, quite the contrary, There would be very little cash involved, but certainly some. I am convinced, because of several conversations with Louie re Mitchell, that our noble committment has gone a long way toward our negotia- tions on the mergers eventually coming out as Hal wants them. Cer- tainly the President has told Mitchell to see that things are worked out. fairly. It is still only McLaren's mickey-mouse we are suffering.

We all know Hal and his big mouth.* But this is one time he cannot tell you and Ned one thing and Wilson (and me) another! I hope dear Bill. that all of this can be reconciled—between Hal and Wilson—if all of us in this office remain totally ignorant of any committment ITT has made to anyone. If it gets too much publicity. you can believe our negotiations with Justice will wind up sho?? down. Mitchell is definitely helping us, but cannot let it be known. Please destroy this, huh??

EXHIBIT B
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
UNITED STATES OF AMERICA, Plaintiff,
Civil Action No. 98–1232 (CKK)
V.
MICROSOFT CORPORATION, Defendant.
Civil Action No. 98–1233 (CKK)
STATE OF NEW YORK, et al., Plaintiffs V.
MICROSOFT CORPORATION, Defendant.
ORDER

In light of the recent tragic events affecting our Nation, this Court regards the benefit which will be derived from a quick resolution of these cases as increasingly significant. Accordingly, to avoid the expenditure of the parties'' financial resources on litigation costs which will surely be incurred if these cases continue to be litigated, the Court will order the parties into settlement for a fixed period of time, commencing as of the date of this Order and expiring on November 2, 2001. The Court expects that during this time the parties and counsel will fully expend and concentrate all of their resources upon resolving these cases through a fair settlement for all parties. If the cases have not been fully resolved through settlement by November 2, 2001, then the Court will proceed with the scheduling order

to be addressed at the September 28, 2001, scheduling conference and entered immediately thereafter.

The parties have indicated that if the cases are to be settled they can best resolve these cases without the assistance from a mediator. It has been three months since the appellate court rendered its decision with no resolution reached by the parties. The Court will give the parties until October 12, 2001, to settle the cases on their own. However, if at the end of that time, they have not been fully successful, the parties shall submit to Chambers, on October 12, 2001, the name of an agreed-upon individual to act as facilitator/mediator to assist the parties in their efforts. If the parties cannot agree upon an individual, then the Court will appoint such an individual to act as their facilitator/mediator. Any payment due the facilitator/mediator shall be borne equally among the three parties. At ten-day intervals, without disclosing or discussing the contents of the settlement discussion, the parties Shall participate in a conference call to apprize the Court of their progress in settling the cases. The Court will not entertain any requests for extensions of the deadlines.

The Court cannot emphasize too strongly the importance of making these efforts to settle the cases and resolve the parties'' differences in this time of rapid national change. The claims by Plaintiffs of anticompetitive conduct by Microsoft arose over six years ago, and these cases have been litigated in the trial and appellate court for over four years. As the Court of Appeals has noted, the relevant time frame for this dispute spans ''an eternity in the computer industry.'' The Court expects that the parties will act in good faith and will engage in an all-out effort to settle these cases, meeting seven days a week and around the clock, acting reasonably to reach a fair resolution.

Based on the foregoing, it is this day of September, 2001, hereby

ORDERED that all proceedings in the above captioned cases are stayed until November 2, 2001; and it is further

ORDERED that during this time, counsel shall focus all of their attention on the settlement of these cases; and it is further

ORDERED that the parties shall be permitted to proceed without a facilitator/mediator until October 12, 2001, and thereafter until a facilitator/mediator is appointed; and it is further

ORDERED that if no resolution is reached by October 12, 2001, on that date, the parties shall submit to Chambers the name of an agreed-upon individual to serve as a facilitator/mediator;

if the parties axe unable to agree upon such an individual, the Court will appoint such an individual to serve as a facilitator/mediator; and it is further

ORDERED that the parties shall participate in a conference call to Chambers on October 12, 200 I, and on October 22, 2001, wherein the parties shall report the status of their negotiations to the Court.

SO ORDERED.

COLLEEN KOLLAK-KOTELLY

United States District Judge EXHIBIT C

IN THE UNITED STATES DISTRICT COURT

FOK THE DISTRICT OF COLUMBIA

Civil Action No. 98–1232 (CKK)

UNITED STATES OF AMERICA, Plaintiff, vs.

MICROSOFT CORPORATION, Defendant.

STATE OF NEW YORK ex rel.

Filed: 6, 2001

Civil Action No. 98–1233 (CKK)

Attorney General ELIOT SPTTZER, et al., Plaintiffs, vs.

MICROSOFT CORPORATION, Defendant.

Next Court Deadline: November 6, 2001 Status Conference

STIPULATION

Ptaintiffs United States of America (''1.Trilled Stales'') and the Slates of New York, Ohio, Illinois, Kentucky, Louisiana, Maryland, Michigan, North Carolina and Wisconsin and Defendant Microsoft Corporation (''Microsoft''), by and through their respective attorneys, having agreed to the entry of this Stipulation, it [.s hereby stipulated and agreed that:

A Final Judgment in the form attached hereto may be filed and entered by the Court. upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act. 15 U.S.C. * 16, and without further notice to any party or other proceedings, provided that the United States has not withdrawn its consent, which it may do at any time before the entry of the revised proposed Final Judgment by serving notice thereof on Microsoft and by filing that notice with the Court.

2. Unless otherwise provided in the revised proposed Final Judgment, Microsoft shall begin complying with the revised proposed Final Judgment as it was in full force and effect starting on December 16, 2001. Subject to the foregoing, Microsoft agrees to be bound by the provisions of the revised proposed Final Judgment pending its entry by the Court. If the United States withdraws its consent, or if (a) ''the revised proposed Final Judgment is not entered pursuant to the terms of the Stipulation, (b) the time has expired, for all appeals of any Court ruling declining to enter the revised proposed Final Judgment, and (c) the Court has not: otherwise ordered continued compliance with the terms and provisions of the revised proposed Final Judgment, then all of the parties shall be released from all further obligations under this Stipulation, and the making of this Stipulation shall be without prejudice to any parry in this or any other proceeding. 3. Pursuant to 15 U.S.C. § 16(g), within ten (10) days of the submission of the revised proposed Final Judgment, Microsoft will file with the Court a description of any and all written or oral communications by or on behalf of Microsoft, or other person, with any officer or employee of the United States concerning or relevant to the revised proposed Final Judgment, except that any such communications made by counsel of record alone with the Attorney General or the employees of the United States Department of Justice alone shall be excluded from this requirement.

4. Pursuant to 15 U.S.C. § 16(b), on or before November 16, 2001, the United States will file with the Court a Competitive Impact Statement explaining the terms of the revised proposed Final Judgment. The United States will publish the revised proposed Final Judgment and Competitive Impact Statement in the **Federal Register**.

5. The United States will publish a notice informing the public of the revised proposed Final Judgment and public comment period in the Washington Post and the San Jose Mercury News, for seven days over a period of two weeks commencing no later than November 15, 2001.

6. Members of the public may submit written comments about the revised proposed Final Judgment to a designated official oft he Antitrust Division of the United States Department of Justice for a period of 60 days after publication of the revised proposed Final Judgment and Competitive Impact Statement in the **Federal Register**.

7. Within 30 clays after the close of the 60-day public comment period, the United States will file with the Court and publish in the **Federal Register** any comments it receives and its response to those comments.

8. Once the aforementioned procedures have been compiled with, the United States viii file with the Court a certification of compliance with the requirements of 15 U.S.C. § 16, and a Motion for Entry of Revised Proposed Final Judgment, unless it withdraws its consent to entry of the revised proposed Final Judgment pursuant to paragraph 2, above. At any time thereafter, and at the conclusion of any further proceedings ordinal by the court pursuant to 15 U.S.C. § 16(f), the Court may then enter the revised proposed Final Judgment, provided that the Court determines that entry of the revised proposed Final Judgment will serve the public interest.

DATED this 6th day of November, 2001

FOR PLAINTIFF THE UNITED STATES OF AMERICA:

Antitrust Division

United Slates Department of Justice

901 Pennsylvania Avenue, NW

Washington DC 20530

(202) 514—2,401

FOR PLAINTIFFS THE STATES OF NEW YORK, OHIO, ILLINOLS, KENTUCKY, LOUISIANA. MARYLAND, MICHIGAN, NORTH CAROLNA AND WISCONSIN:

Eliot Spitzer.

Attorney General of New York

120 Broadway

New York, New Yolk 10271

(212) 416–8282

FOR. DEFENDANT MICROSOFT CORPORATION: ??

?? & Cromwell

123 Broad Street

New York. NEW York 10004

(212) 558–4000

EXHIBIT D

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

Civil Action No. 98–1232 (CKK)

UNITED STATES OF AMERICA, Plaintiff, V.

MICROSOFT CORPORATION, Defendant.

Civil Action No. 98–1233 (CKK)

STATE OF NEW YORK, et al., Plaintiffs V.

MICROSOFT CORPORATION, Defendant.

ORDER

Pursuant to the status hearing held on November 6, 2001, it is this eighth day of November, 2001, hereby

ORDERED that the above-captioned cases shall proceed on two independent tracks:

''Track I'' is the label the Court shall use to refer to the Court's review, pursuant to the Antitrust Procedures and Penalties Act (Tunney Act), 15 U.S.C. 16(b)-(h), of the proposed Final Judgment which reflects a settlement of Civil Action No. 98–1232 in its entirety and a partial settlement of Civil Action No. 98–1233.

''Track II'' is the label the Court shall use to refer to the remaining litigation between the States proceeding to litigation and Microsoft concerning an appropriate remedy in Civil Action No. 98–1233.

Accordingly, with regard-to Track I, it is hereby

ORDERED that the States choosing to join the settlement shall inform the Court not late than November 9, 2001, of the identity of the individual(s) who will serve as their representative(s) in future proceedings before the Court; [1] and it is further

ORDERED that the United States shall inform the Court of the anticipated date of publication of the proposed Final Judgment and Competitive Impact Statement in the Federal Register as soon as such date is available; and it is further

ORDERED that, pursuant to 15 U.S.C. 16(b), the proposed Final Judgment, in its final form, and Competitive Impact Statement shall be filed with the Court not later than November 15 2001; and it is further

ORDERED that, pursuant to 15 U.S.C. 16(g), within ten days of the publication of the proposed Final Judgment in the **Federal Register**, Microsoft shall file with the Court a description of any and all written or oral communications by or on behalf of Microsoft, or other person, with any officer or employee of the United States concerning or relevant to the proposed Final Judgment, except that any such communications made by counsel of record alone with either the Attorney General or the employees of the United States Department of Justice shall be excluded from this requirement; and it is further

ORDERED that, pursuant to 15 U.S.C. 16(c), the United States shall publish in the Washington Post, the San Jose Mercury News, and the New York Times a notice containing a

summary of the terms of the proposed Final Judgment, a summary of the Competitive Impact Statement, and a list of materials and documents which the United States shall make available for purposes of meaningful public comment and the place where such materials and documents are available for public inspection. Such publication shall continue for seven days over a period of two weeks, commencing not later than November 15, 2001; and it is further

ORDERED that members of the public may submit written comments concerning the proposed Final Judgment to a designated official of the Antitrust Division of the United States Department of Justice for a period of 60 days following publication of the proposed Final Judgment and Competitive Impact Statement in the **Federal Register**; and it is further

ORDERED that, within thirty days after the close of the 60-day public comment period, the United States shall file with the Court and publish in the **Federal Register** its responses to any comments received; and it is further

ORDERED that, simultaneous with the filing of its response to the comments of the public, the United States shall file any appropriate legal briefing with the Court; and it is further

ORDERED that upon completion of the above procedures, the United States shall file with the Court a certification of compliance with the requirements of the Antitrust Procedures and Penalties Act (Tunney Act), 15 U.S.C. 16(b)-(h).

As discussed at the November, 6, 2001, hearing, following the close of the 60-day public. comment period, the Court will hold a status conference wherein the parties shall address the nature and need for a hearing concerning the proposed final judgment.

With regard to Track II, it is hereby

ORDERED that any and all motions in limine shall be filed not later than February 22, 2002; and it is further

ORDERED that a Pre-heating Conference shall be held on March 4, 2002, at 9 a.m.

SO ORDERED.

As discussed at the hearing on November 6, 2001, following the filing of the parties'' proposals for remedial relief in early December, the Court will require the parties proceeding along Track II to file a Joint Status Report which addresses any remaining issues concerning the nature of the remedy hearing. Thereafter, the Court will set a date for a status conference.

COLLEEN KOLLAR-KOTELLY United States District Judge

EXHIBIT E

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

Civil Action No. 98–1232 (CKK)

UNITED STATES OF AMERICA, Plaintiff, vs.

MICROSOFT CORPORATION, Defendant.

Civil Action No. 98–1233 (CKK)

STATE OF NEW YORK ex. rel.

Attorney General ELIOT SPITZER, et al., Plaintiffs, vs.

Next Court Deadline: March 4, 2002 Status Conference

MICROSOFT CORPORATION, Defendant.

NOTICE OF ENTRY OF APPEARANCE

Please enter the appearance of Charles F. Rule (Bar No. 370818) as counsel for defendant Microsoft Corporation.

Respectfully submitted,

Charles F. Rule (DC Bar #370818)

Fried, Frank, Harris, Shriver & Jacobson

1001 Pennsylvania Avenue, NW Suite 800

Washington, DC 20004–2505

Telephone No. 202–639–7300

Dated: November 15, 2001

Attorney for Defendant

Microsoft Corporation

EXHIBIT F

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

Civil Action No. 98–1232 (CKK)

UNITED STATES OF AMERICA,

Plaintiff,

V,

MICROSOFT CORPORATION, Defendant.

STATE OF NEW YORK ex. rel. Attorney General ELIOT SPITZER, et al., Plaintiffs,

Civil Action NO. 98–1233 (CKK)

V.

Next Court Deadline: March 4, 2002 Status Conference

MICROSOFT CORPORATION, Defendant.

DEFENDANT MICROSOFT CORPORATION'S DESCRIPTION OF WRITTEN OR ORAL COMMUNICATIONS CONCERNING THE REVISED PROPOSED FINAL JUDGMENT AND CERTIFICATION OF COMPLIANCE UNDER 15 U.S.C. 16(g)

In conformance with Section 2(g) of the Antitrust Procedures and Penalties Act (''APPA''), 15 U.S.C. 16(g), defendant Microsoft Corporation (''Microsoft'') respectfully submits the following description of ''any and all written or oral communications by or on behalf of'' Microsoft ''with any officer or employee of the United States concerning or relevant to'' the Revised Proposed Final Judgment filed in these actions on November 6, 2001. In accordance with the requirements of the APP& this description excludes only ''communications made by counsel of record alone with the Attorney General or the employees of the Department of Justice alone.''

Following the Court's Order dated September 27, 2001, and continuing through November 6, 2001, counsel for Microsoft met on a virtually daily basis with counsel for the United States and the plaintiff States in Washington, DC After the Court appointed Professor Eric Green of Boston University School of Law as mediator on October 12, 2001, Professor Green and his colleague Jonathan Marks participated in many of those meetings. From October 29, 2001 through November 2, 2001, Will Poole, a Microsoft vice president, also participated in some of the meetings.

On October 5,2001, counsel for Microsoft met with representatives of the United States and the plaintiff States in Washington, DC to answer a variety of technical questions. Linda Averett, Michael Wallent, Robert

Short and Chad Knowlton of Microsoft attended this meeting, as did Professor Edward Felten of Princeton University, one of plaintiffs'' technical experts.

Microsoft certifies that, with this submission, it has complied With the require- ments of 15 U.S.C. § 16(g) and that this submission is a true and complete description of such communications known to Microsoft.

Dated: Washington, DC

December 10, 2001

Respectfully submitted,

William H. Neukom

Thomas W. Butt

David A. Heiner, Jr.

Diane D'Arcangelo

Christopher J. Meyers

[1] While the Court is aware that the requirements of the Antitrust Procedures and Penalties Act (Tunney Act) apply only to proposals for ''consent judgment[s] submitted by the United States,'' 15 U.S.C. 16(b), the Court presumes that the States which have chosen to enter into a settlement agreement with Microsoft will play an active role in advocating the entry of the consent judgment proposed in this case.

MICROSOFT CORPORATION
One Microsoft Way
Redmond, Washington 98052
(425) 936–8080
Dan K. Webb
WINSTON & STRAWN
35 West Wacker Drive
Chicago, Illinois 60601
(312) 558–5600
Charles F. Rule (Bar No. 370818)
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1001 Pennsylvania Avenue, NW
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John L. Warden (Bar No. 222083)
Richard J. Urowsky
Steven L. Holley
Michael Lacovara
Richard C. Pepperman, II
Ronald J. Colombo
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Bradley P. Smith (Bar No. 468060)
SULLIVAN & CROMWELL
1701 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 956–7500
Counsel for Defendant
Microsoft Corporation
EXHIBIT G
AO 458 (Rev. 8/98 DC) .APPEARANCE
United State District Court for the Distri??t of Columbia
CASE NUMBER: 98–1233 (CKK)
STATE OF NEW YORK ex rel. Attorney General ELIOT SPITZER, et al., Plaintiffs,
V.
MICROSOFT CORPORATION, Defendant.
APPEARANCE
To the Clerk of this court and all parties of record:
Enter my appearance as counsel in this case for
The State of West Virginia
by Attorney General Darrell V. McGraw, Jr.
W. Va. 5502 Douglas Lee Davis
BAR IDENTIFICATION NO. Print Name
P.O. Box 1789
Address
Charleston, WV 25326
City Sate Zip Code
(304) 558–8986
Phone Number
US DISTRICT COURT FOR THE DISTRICT OF COLUMBIA
RENEWAL APPLICATION
(PLEAS PRINT OR TYPE)
Name
Last * Davis First Douglas
Middle Lee Generation (Jr., Sr., etc.)
DC/Federal Bar Identification Number Social Security Number 286–56–8106
(If Federal. Bar, please state name of court): Address
Firm Office of the West Virginia Attorney General
Building & Suite P. O. Box 1789
Street 812 Quarrier St., 4th Floor
City Charleston State WV
Zip 25326 Phone (304) 558–8986
Unit (within firm or agency) Consumer Protection and Antitrust
Status
Criminal Justice Act Attorney (Yes) (No)
* U.S. District Court Admission Date Sept. 25, 1990, S.D.W.Va.
Employed by the United States Government (Yes) (Not X
GOVERNMENT ATTORNEYS who practice and file pleadings before the US District Court should complete this form. Renewal Fees may be waived.
CHANGE OF ADDRESS:
This form may serve as written notification to the Clerk's office of address change under the requirements of Local Rule 706(c). However, this notification fulfill the PRAECIPE requirement of the Ride. 706(c) requires that, ''(t)he attorney shall also within 10 days file a praecipe reffecting such change in each case which the attorney has pending before this Court serving a copy upon each of the attorneys in these cases.''
FAILURE TO RENEW
An attorney who fails to file the??and pay the renewal fee will be provisionally removed from the list of members in good standing, The name of the attorney will be restored to the list of members in good standing: upon the filing of the required certificate and payment of the delinquent fee within five years after the done date. At the end of the five years from the dues date, the attorney's name will be permanently removed from the roll, without prejudice to an application for admission as a new member [??Rule.701.1(c)].
CERTIFICATE OF SERVICE
I hereby certify that on this 12th day of December, 2001, copies of my Notice of Appearance was served upon the following by first-class mail. postage prepaid, to:
Brendan V. Sullivan, Ir., Esquire
Williams & Connolly, LLP
725 Twelfth Street, N.W.
Washington, D. C. 20005
John L. Warden, Esquire
Sullivan & Cromwell
125 Broad Street, 31st Floor
New York, NY 10004–2498
Bradley P. Smith, Esquire
Sullivan & Cromwell
1701 Pennsylvania Avenue, N.W., 7th Floor
Washington, D.C. 20006–5805
William H. Neukom, Esquire
Law and Corporate Affairs
Microsoft Corporation, Building 8
One Microsoft Way
Redmond, WA 98052–6399
Dan K. Webb, Esquire
Winston & Strawn,
35 West Wacker Drive
Chicago, IL 60601
Charles F. Rule, Esquire
Fried, Frank, Harris, Shriver & Jacobson
1001 Pennsylvania Avenue, N.W., Suite 800
Washington D.C. 20004–2505
Philip S. Beck, Esquire
Bartlit, Beck, Herman, Palenchar & Scott
Courthouse Place, Suite 300
54 West Hubbard Street
Chicago, IL 60610
Renata B. Hesse, Esquire
United States Department of Justice
Antitrust Division
601 .D Street, N.W., Suite 1200
Washington, D.C. 20530
Jay L. Himes, Esquire
Office of the Attorney General of the State of New York
120 Broadway, Suite 260I
New York, NY 10271
Kevin J. O'Connor, Esquire
Office of the Attorney General of the State of Wisconsin
P. O. Box 7857
123 West Washington Avenue
Madison, WI 53703–7857
Beth Finnerty, Esquire
Office of the Attorney General of the State of Ohio
140 East Town Street, I2th Floor
Columbus, OH 43215
Blake Harrop, Esquire
Office of the Attorney General of the State of Illinois
100 West Randolph Street, 12th Floor
Chicago, IL 60601
Douglas L. Davis
Assistant Attorney General
State of West Virginia
EXHIBIT H
AO 458 (Rev. 6/98 DC)—APPEARANCE
United States District Court for the District of Columbia
CASE NUMBER: 98–1233 (CKK)
STATE OF NEW YORK, et al., Plaintiffs,
V.
MICROSOFT CORPORATION, Defendant.
APPEARANCE
To the Clerk of this court and all parties of record:
Enter my appearance as counsel in this case for
Plaintiff States New York, California, Connecticut, F1orida, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, North Carolina, Ohio, Utah, Wisconsin and the District of Columbia
November 1, 2001
253286 Steven R. Kimey,
BAR IDENTIFICATION NO. Print Name
Williams & Connolly LLP.
725 Twelfth Street, NW
Washington, DC 20005
202–43&—5000
CERTIFICATE OF SERVICE
I hereby certify that on this 1st day of November, 2001, copies of Notices of Appearance for Brendan V. Sullivan, Steven R. Kuney and John E. Schmidtlein were served by facsimile and first-class marl, postage prepaid, to:
John L. Warden, Esq.
Sullivan & Cromwell
125 Broad Street
31st Floor
New York, NY 10004–2498
Bradley P. Smith, Esq.
Sullivan & Cromwell
1701 Pennsylvania Avenue, N.W.
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Washington, D.C. 20006–5805
William H. Neukom, Esq.
Executive Vice President
Law and Corporate Affairs
Miscrosoft Corporation
Building 8
One Microsoft Way
Redmond, WA 98052–6399
Counsel for Defendant Microsoft

Philip S. Beck, Esq.
Bartlit Beck Herman Palenchar & Scott
Courthouse Place
Suite 300
54 West Hubbard Street
Chicago, IL 60610
Renata B. Hesse, Esq.
United States Department of Justice
Antitrust Division
601 D Street, NW
Suite 1200
Washington, D.C. 20530
Counsel for Plaintiffs
John E. Schmidtlein
EXHIBIT 1
United States District Court
for the District of Columbia
CASE NUMBER: 98–1233 (CKK)
STATE OF NEW YORK, et al., Plaintiffs,
v.
MICROSOFT CORPORATION, Defendant.
APPEARANCE

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for Plaintiff States New York, California, Connecticut, Florida, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, North Carol, Ohio, Utah, Wisonsin and the District of Columbia

November 1, 2001
12757 Brendan V. Sullivan, Jr.
Williams & Connolly LLP
725 Twelfth Street, NW
Washington, D.C. 20005
202–434–5000
CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of November, 2001; copies of Notices of Appearance for Brendan V. Sullivan, Steven R. Kuney and John E. Schmidtlein were served by facsimile and first-class mail, postage prepaid, to:

John L. Warden, Esq.
Sullivan & Cromwell
125 Broad Street
31st Floor
New York, NY 10004–2498
Bradley P. Smith, Esq.
Sullivan & Cromwell
1701 Pennsylvania Avenue, N.W.
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William H, Neukom, Esq.
Executive Vice President
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Philip S. Beck, Esq.
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Renata B. Hesse, Esq.
United States Department of Justice
Antitrust Division
601 D Street, NW
Suite 1200
Washington, D.C. 20530
Counsel for Plaintiffs
John E. Schmidtlein
EXHIBIT 11
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
UNITED STATES OF AMERICA Plaintiff,
V.
MICROSOFT CORPORATION, Defendant.
STATE OF NEW YORK ex rel.)
Attorney General ELIOT SPITZER, et al., Plaintiffs,)
v.
MICROSOFT CORPORATION, Defendant.
CIVIL ACTION NO. 98–1232 (CKK)
Filed: January 28, 2002
CIVIL ACTION NO. 98–1233 (CKK)
Next Court Deadline: March 4, 2002 Pre-hearing Conference
MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION OF RELPROMAX ANTITRUST INC. FOR LIMITED PARTICIPATION AS AN AMICUS CURIAE AND FOR AN EXTENSION OF TIME ON THE GROUNDS THAT THE UNITED STATES HAS NOT PROVIDED A COMPETITIVE IMPACT STATEMENT IN COMPLIANCE WITH THE REQUIREMENTS OF 15 U.S.C. 16(b)

Plaintiff, the United States of America, has not complied with the disclosure requirements of the Tunney Act, specifically 15 U.S.C. 16(b), or this Court's Order dated November 8,2001.

Pursuant to 15 U.S.C. 16(b), anyone has the statutory right to comment on the Revised

Proposed Final Judgment (''RPFJ'') in captioned Civil Action 98–1232 for sixty (60) days after the United States complies with the requirement for a Competitive Impact Statement (''CIS'') set forth in 15 U.S.C. 16(b). Relpromax Antitrust Inc. (''Relpromax'') hereby asserts its statutory right, which is also the statutory right of all Americans, to consider for sixty (60) days a CIS which meets the requirements of 15 U.S.C. 16(b) and then to file with the United States such written comments as it deems appropriate with respect to the RPFJ in light of the information disclosed in the CIS pursuant to 15 U.S.C. 16(b).

Accordingly, Relpromax seeks an order:

1) granting Relpromax status as an amicus curiae with the right of limited participation in proceedings so it can assist, if necessary, in obtaining, inter alia, the statutorily required (and Court ordered) CIS;

2) compelling the United States to comply with the statute and the November 8, 2001, order; and,

3) extending the time for comments to provide Relpromax and all interested parties with their statutory rights.

II. FACTUAL AND PROCEDURAL BACKGROUND

On November 15, 2001, the United States filed a CIS.

On November 28,2001, the CIS was published in the **Federal Register**.

III. ARGUMENT

The Tunney Act, 15 U.S.C. 16(b)(3), (4), and (6) requires in pertinent part a CIS which provides:

''(3) an explanation of the proposal for a consent judgment, including an explanation of any unusual circumstances giving rise to such proposal or any provision contained therein, relief to be obtained thereby, and the anticipated effects on competition of such relief;

(4) the remedies available to potential private plaintiffs damaged by the alleged violation in the event that such proposal for the consent judgment is entered in such proceeding; and

(6) a description and evaluation of alternatives to such proposal actually considered by the United States.''

In violation of 15 U.S.C. 16(b)(3), the CIS does not contain anything approaching an analysis of the effects of the RPFJ on competition.

In violation of 15 U.S.C. 16(b)(4), the CIS does not analyze or explain the effect of the RPFJ on private litigants.

In violation of 15 U.S.C. 16(b)(6), the CIS does not contain a full evaluation of all alternatives to the RPFJ actually considered by the United States. The CIS mentions, but does not evaluate, numerous other alternatives.

Further, no documents considered determinative in formulating the RPFJ throughout the negotiation process were disclosed as required by 15 U.S.C. 16(b).

Accordingly, entry of an order in the form submitted herewith is respectfully requested.

REQUEST FOR ORAL HEARING

An oral hearing on this motion is requested pursuant to 15 U.S.C. 16(0(5).

Respectfully submitted,
January 28, 2002
Peter Peckarsky
1615 L Street, NW, Suite 850
Washington, DC 20036
Telephone: (202) 785–0100
Telecopier: (202) 408–5200
Attorney for Relpromax Antitrust Inc.
EXHIBIT 12
TO THE COMMENTS OF RELPROMAX ANTITRUST INC. ARTICLES AND FEATURES
The Real Microsoft Case and Settlement
BY CHARLES A. JAMES

United States v. Microsoft, the first major monopolization case of the 21st century, has transformed antitrust from an [1] legal discipline into a broad public dialogue about the role of competition in our society and our national tolerance for economic power. The case has all of the trappings of a media event. It involves the signature product of the digital age, the Windows operating system, through which the vast majority of computer users worldwide interact with what has become a basic appliance in burnan life. It pits the power of the U.S. government against one of the country's most successful corporations, led by one of its wealthiest and most visible citizens. It became a contest between one of the nation's most skilled and flamboyant trial lawyers and a company with the resources to purchase all the legal talent money could buy. Additionally, the case became a contest between Microsoft and the other lions of the information technology industry. Never before in the history of the Antitrust Division have competitors of a firm under prosecution invested so heavily in the outcome of one of our cases. By virtue of its control over the operating system, Microsoft

[1] United States v. Microsoft Corp., 253 F.3d 3.4 (DC Cir. 2001).

enjoys distinct advantages in competition for adjacent markets. With huge amounts of money on the line, Microsoft's competitors hired scores of lawyers and lobbyists to press their views of the case and to insist that the remedy be crafted so as to advance their interests.

Finally, Microsoft was the first major antitrust case to be tried in the age of 24-hour news and, as such, came to be covered like the Super Bowl, complete with play-by-play reporting, color commentary, player interviews, and endless expert analysis. Antitrust lawyers and academicians suddenly became television personalities, providing blow-by-blow commentary on every development in the litigation, A nine-hour court of appeals arguments was broadcast live over the Internet, and, miraculously enough, ordinary people listened to lawyers debating the finer points of technology trying and market definition. The general public actually formed opinions about the appropriate outcome of an antitrust case.

Under the circumstances, it was very easy for the antitrust case itself to become mere substext—i.e., to become completely submerged beneath the show business, pontification, and self-interested advocacy. Antitrust, after all, is about the application of technical legal principles to highly complex economic circumstances. The types of issues that actually matter in antitrust analysis are far less glamorous and intriguing than the issues usually discussed in connection with the Microsoft case. One bedrock principle of antitrust law—that a firm might lawfully obtain a monopoly and exercise the power it affords—is almost counter-intuitive to the American psyche and presents difficult line-drawing exercises even for the antitrust cognoscenti. Thus, care must be taken to distinguish between ''Microsoft, the antitrust case'' and ''Microsoft, the public spectacle.'' The two have developed quite differently.

In this article, I address what I consider to be the real Microsoft case—the antitrust dispute fought out in the courts. In particular, I wish to refocus attention on the legal allegations charged in the complaint, how those allegations were resolved in the courts, and the remedies in the proposed Final Judgment presently undergoing Tunney Act review (the ''proposed decreed''). That the Microsoft litigation that emerged from the court of appeals was a far narrower antitrust case than was originally brought seems to have gone largely unnoticed. Viewed purely as an antitrust matter, we believe the remedy presently under consideration by the district court fully and demonstrably resolves the monopoly maintenance finding that the court of appeals sustained. Underlying the monopoly manintance claim was proof that Microsoft took actions, among other things, to discourage the development and deployment of rival Web browsers and Java technologies, in an effort to prevent them from becoming middleware threats to the operating system monopoly. The settlement extends the product definition to all manner of present and future middleware products, prohibits in the broadest terms the practices found to be unlawful, deprives Microsoft of the means of disciplining firms that might develop or deploy competing middleware products, and requires disclosure of proprietary interfaces and protocols so that rival firms may create middleware that can compete on a function-by-function basis with Microsoft's integrated products. The prescribed relief is supported by an unprecedented level of enforcement power, including a full-time, on-site, independent compliance team and the power to extend the decree in the event of serious violations. In strict antitrust terms, by any serious reading of the court of appeals ruling, the settlement represents a big win for the government.

Charles A. James is the Assistant Attorney General in charge of the Antitrust Division of the U.S. Department of Justice. The Antitrust Division commenced its case against Microsoft on May 18, 1998. A coalition of 19 states and the District of Columbia, with New York as the lead plaintiff ?? their lawsuit on the same day, and the two cases were consolidated and prosecuted jointly. Nice estates, including New York, have joined with the United States in propesing a settlement. The views expressed herein are the author's and relate to the Antitrust Division's case and settlement and do not purport to represent the views of any state plaintiff.

The Real Microsoft Case

A dose of reality is in order. Microsoft occupies a critical place in the the worldwide computer industry. Its proprietary Windows operating system exists as the de facto standard for the entire realm of IBM-compatible peronal computers. In rough terms, operating systems perform certain basic computing functions—drawing a box, opening a file, executing print commands, etc. These functions are accessed by software running on the operating system through application programming interfaces (APIs). The operating system is said to ''expose'' APIs. To facilitate the development of programs that run on the Windows operating systems, Microsoft discloses some, but not all, of those APIs to the software development community. Tens of thousands of software programs are written to the Windows operating system, a fact that has become a seemingly self-perpetuating basis for Microsoft's monopoly over the operating system market. Because computer users want their operating system to be a stable platform for present and future applications programs, new operating systems, whatever their technological merits, have difficulty gaining patronage. This is a ''applications badrrier to entry.''

The Microsoft operating system monopoly, fortified by the applications barrier to entry, is very durable, and gives Microsoft distinct advantages in competing in downstream markets for applications software, hardware, and Internet services. These has never been any serious contention, however, that Microsoft obtained its operating system monopoly through unlawful means, but rather that it unlawfully maintained it. Thus, under our antitrust laws, the existence of the operating system monopoly is not subject to direct attack and was not challenged in this case.[2]

In 1998, the Antitrust Division, nineteen states, and the District of Columbia commenced their respective antitrust cases against Microsoft.[3] The complaints alleged: (1) that Microsoft engaged in a series of anticompetitive acts to maintain its monopoly position in the market for operating systems designed to run on Intel-compatible personal computers, in violation of Section 2 of the Sherman Act; (2) that Microsoft attempted to monopolize the Web browser market, also in violation of Section 2; (3) that Microsoft illegally tied its Web browser, Internet Explorer (IE), to its operating system, in violation of Section 1; and (4) that Microsoft entered into exclusive dealing arrangements that also violated Section 1. After a full trial on the merits, the district court sustained all claims save for exclusive dealing.[4] The court of appeals, however, narrowed the liability findings, sustaining only the monopoly maintenance claim, but with fewer anti-competitive actions than the district court had found.[5] The court of appeals reversed with respect to eight of the twenty anticompetitive acts the district court had sustained as elements of the monopoly maintenance claim. The court of appeals reversed the attempted monopolization and tying conclusions, remanding the latter claim for further proceedings under the more rigorous rule of reason standards.[6]

And, of course, the court of appeals vacated the Final Judgment that had set forth the break-up remedy and interim conduct remedies.[7]In its own words, the court of appeals ''drastically altered the District Court's conclusions on liability.''[8]

The surviving portion of the case focused primarily on the so-called ''browser war'' and allegations that Microsoft engaged in various anticompetitive pratices to maintain its operating system monopoly. For all of its claimed technological prowess and industry foresight, Microsoft had fallen behind in the race to commercialize Web browser technology. An upstart company called Netscape had beaten the mighty Microsoft to the punch and quickly gained a respectable market share as the preferred technology for navigating the then-burgeoning Internet. More importantly, Netscape proponents were touting the prospect of a new world of Internet computing that would make operating systems less relevant, if not virtually irrelevant. Netscape touted its Web browser as a new category of software that came to be known as ''middleware,'' a form

[2] Even the structural remedy proposed by the government and ordered by Judge Jackson would have permitted Microsoft to retain its operating system monopoly.

[3] 3 United States v. Microsoft Corp., Civil Action No. 98–1232 (D.DC ?? May 18, 1998); State of New York v. Microsoft Corp., Civil Action No. 98–1233 (D.DC ?? May 18, 1998).

[4] (United States v. Microsoft Corp., 87 F. Supp.2d 30, 56–57 (D.DC 2000).

[5] Microsoft, 253 F.3d at 50–80.

[6] Id. at 96. The Court also held that although if it pursued the tying claim the tying government had the burden to show an anticompetitive effect in the browser market, it was precluded from arguing any theory of harm that depends on a precise definition of browsers or barriers to entry ....? Id. at 95.

[7] Id. at 119.

[8] Id. at 105.

of software that, itself, exposed a broad range of APIs to which software developers could write applications. Assuming that Netscape Navigator could become fairly ubiquitous, that large numbers of developers wrote programs to it, and that Netscape, itself, ran on multiple operating systems, operating systems other than Windows could become viable. In this sense, the browser was a ''nascent'' threat to the operating system monopoly.

Microsoft took this middleware threat seriously. The trial record disclosed a corporate preoccupation with thwarting Netscape and displacing the Netscape Navigator with IE as the prevailing Web browser in the industry. This campaign featured a host of strong-arm tactics aimed at various computer manufacturers, Internet access providers, and independent software developers. Even the decision to integrate its own browser into the operating system—in effect, giving it away for free—had an element of impeding the growth of Netscape and once was described as taking away Netscape's oxygen. Microsoft went so far as to make it more difficult to remove its browser from Windows in the apparent recognition that computer manufacturers would fear that the presence of two Web browsers on the desktop would cause consumer confusion and prompt expensive service calls.

The government's case against Microsoft focused heavily on the browser war—and a relatively narrow aspect of that war—the consumer's experience the very first time he or she boots up a brand new computer. a consumer with some basic level of computer knowledge and a small amount of effort, could elect to use the Netscape browser. Just like any form of computer software, alternate browsers were available through download and other forms of retail distribution. The underlying assumption of the browser war, however, was that most consumers become wedded to the first products to which they are exposed and those the computer manufacturer makes it easiest to deploy. Thus, desktop placement and other forms of ''first-sighting'' were important market movers.

The district court based its monopoly maintenance liability finding on the government's proof that Microsoft had engaged in a series of exclusionary acts. Those acts involved, in sum, the integration of IE into Windows, while closing off access for Netscape; various dealing with original equipment manufacturers, independent software providers, Internet access providers, and Internet hardware providers; effort to thwart Java technologies; and a course of conduct as a whole.[9] While Judge Jackson had sustained the government on most of the claims, the court of appeals was a bit more selective. It ruled that certain of Microsoft's practices—for example, Microsoft's practice of preventing computer manufacturers from substitution their own user interfaces for the Windows interface supplied by Microsoft—were justified and thus lawful.[10] The court of appeals also explicitly rejected the course of conduct theory.[11] Under that theory, we, in effect, argued that the whole was greater than the sum of the parts—that Microsoft's individual practices, rather than being judged on their individual merits, should be evaluated as part of a grander scheme of monopolization, providing an independent basis for monopolization liability.

Thus, we found ourselves victorious on the monopoly maintenance claim, albeit with less underlying conduct to remedy. The attempted monopolization count was gone and, based on the court of appeals'' decision and the need to move to the remedy phase as quickly as possible, we dropped the tying claim. Those two claims had been a direct assault on Microsoft's ability to compete outside of the operating system—in particular, its ability to integrate new functions into Windows. But the court of appeals had made it clear that, albeit with some limits, Microsoft could lawfully integrate new functions into the operating system and use the advantages flowing from its knowledge and design of the operating system to compete in downstream markets. What was left in the case was a series of individual practices directed against competing browser developers and others, which the court of appeals found to be unlawful because of their potential to protect the operating system monopoly. That was the conduct to be remedied; not the existence of the Microsoft operating system monopoly itself and not the prospect that Microsoft might come to dominate other downstream markets for reasons unrelated to its conduct protecting the operating system franchise.

Dropping the Structural Remedy. Having taken the helm of the Antitrust Division just weeks before the court of appeals decision, for me the prior history of the case had to be just that history. The court of appeals decision was the new reality. It set forth the rules of the game. Judge Jackson's order to separate Microsoft's operating system business from the appliations business had received a chilly reception, at best, in the court of appeals decision.[12] By admonishing that a structural remedy would only be appropriate if the government proved a more direct causal connection between Microsoft's exclusionary practices and maintenance of the operating system monopoly (a connection that Judge Jackson said he could not find), it was clear that a structural remedy was not favored.[13] Moreover, even in the absence of the court of appeals'' cautionary language about a structural remedy, its adverse conclusions on the tying and attempted monopolization claims undercut any real basis for separating the operating system and applications businesses. After all, the court of appeals declined to hold that Microsoft could not lawfully integrate appliations functions into the operating system. Given what was left in the case—essentially a series of heavy-handed contracting practices with computer manufacturers and software developer, unlawful when undertaken to protect the operating system monopoly—a conduct remedy seemed all that could be secured, let alone justified.

Eliminating structure from the remedial picture was also an important tactical issue as we moved into a remedy hearing before a new judge. The new judge obviously would take into account the court of appeals not-so-subtle message regarding structural relief, and likely would have little patience for some quixotic effort to press for that remedy, even as a mere bargaining chip. Moreover, the question of structural relief would have greatly complicated the remedy phase of the case. Microsoft would have been entitled to raise a raft of issues regarding the impact of such relief. This would have substantially protracted the discovery phase of the remedy proceeding, eliminating any prospect for a quick resolution, either in the district court or otherwise. Even if we had persuaded the trial court to impose structural relief, we would have found ourselves right back before the court of appeals, which already had said that it would review structural relief with considerable skepticism and under stringent legal k standards. Finally, from my own personal perspective, the structural remedy that Judge Jackson had ordered, i.e., a break-up into two companies without ongoing line-of-business restrictions—might have been a hollow, short-lived solution. Without the types of continuing line-of-business restrictions found to be hopelessly complicated and regulatory in the AT&T decree, Microsoft easily could have kept its operating system monopoly and reasonabled its appliations businesses through acquistion and internal development in a matter of years, if not months. Presenting the case for line-of0business restrictions would have been yet another complication. Taking structural relief off the table at the outset of the remedy proceeding before the new judge enabled us to get favorable procedural rulings that were essential to moving quickly to a prompt resolution.

The Conduct Remedy

An antitrust remedy for a Section 2 violation must stop the offending conduct, prevent its recurrence, and restore competition. While prohibiting the exact conduct found to be unlawful in the court of appeals decision would be relatively simple work, addressing the broader questionof monopoly maintenance was more difficult. Preventing recurrence must involve proactivesteps to address conduct of a similar nature. Restoration requires prospective relief to create lostcompetition and may involve actions to disadvantage the antitrust offender and/or favor its rivals. The relief, however, must have its foundation in the offending conduct. The monopoly maintenance finding, as sustained by the court of appeals, was not a mandate to range broadly across the computer industry purporting to solve unproven problems unrelated to the middleware threat to the operating system. Indeed, Judge Kollar-Kotelly stated in open court that she expected the government's proposed remedy to reflect the fact that portions of the government's case had not been sustained.

At the outset of the remedies proceedings, we stated that our proposed relief would be modeled upon the interim conduct

[9] Id. at 58.

[10] Id. at 50–80.

[11] Id. at 78.

[12] See id. at 105–06

[13] Id.

provisions of Judge Jackson's (now-vacated) Final Judgment. Those provisions were ''interim'' because they were intended to remain in place only during the year in which Microsoft was preparing to be broken into two companies. the government itself had proposed those interim remedies, and thus they provided a base from which to develop appropriate remedies. We were cognizant, however, that those remedies provided relief based on Judge Jackson's liability findings, including the attempted monopolization and tying claims and portions of the monopoly maintenance claim that were not upheld by the appellate court. In addition, because those remedies had never been subjected to the rigors of an adversarial proceedings, and had been prepared without any meaningful consultation with Microsoft, certain practical issues had never been fully vetted. This was a real danger, because the remedies had to be fully capable of being put into practice, anything else would be an enforcement nightmare.The interim remedies had also been based upon a trial record developed largely in 1998 and 1999. The industry had changed significantly since then. Among other things, by most accounts, Microsoft had essentially won the browser war, relief to revive Netscape Navigator as a middleware threat may have too little, too late. In addition, the character of potential middleware platforms had largely changed. It is unclear whether another general middleware threat like the browser will ever again emerge. The middleware war of today appears to focus on more specialized types of software, such as instant messaging systems and media players-systems that might be platforms for families of related functions, but whose potential to be a platform for a broad range of application remains to be seen. Today, one would not necessarily predict that a software developer would write a financial services program, for example, to run on either a messaging system or a media player. Finally, and perhaps most importantly, the operating system world has changed. At the time the case was filed, the browser was designed to sit on top of the operating system like any other application that had to be ''opened'' manually. In the ensuingyears, the technology evolved so that browser functions increasingly were integrated into the operating system and invoked automatically to create a more seamless user experience. This made middleware products easier for consumers to use, but placed greater demands on competitors to create products that could function as seamlessly as Microsoft's.

Enjoining the Unlawful Conduct. There was no question that any proposed Final Judgment had to include prohibitions to enjoin the offending conduct that the district court had found and the court of appeals had sustained. I must note, however, that the affirmative prohibitions contained in the proposed decree go considerably beyond the literal findings of the court of appeals. The decree broadly bans exclusive dealing, gives computer manufacturers extensive control of the desktop and initial boot sequence, and prohibits a broad range of retalitory conduct. There can be no question that Microsoft must fundamentally change the way in which it deals with computer manufacturers, Internet access providers, software developers, and others under the proposed decree.

The middleware definition was a very complex issue and would have been fought hard in a litigated remedy proceeding. The team has no accepted industry or technical meaning, and one might reasonably distinguish between products that might function as middleware (i.e., an intermediate software program between an operating system and an application) and products that actually might threaten the operating system monopoly. At the time of trial, the term middleware was used to describe software programs that exposed APIs. In today's world, by virtue of the extensive degree to which software programs interact with each other, a very broad range of programs—large and small, simple and complex—expose APIs. Obviously, all software that exposed APIs could not qualify as middleware for purposes of the case.

As middleware is defined in the proposed decree, it captures, in today's market, Internet browsers, e-mail client software, networked audio/video client software, and instant messaging software. On a going forward basis, it also provides guidelines for what types of software will be considered middlewares for purposes of the decree. These guidelines are critical because, while it is important that future middleware products be captured by the proposed decree, those products will not necessarily be readily identified as such.

Preventing Recurrence. Having addressed the basic prohibitions, the more formidable tasks of addressing recurrence, restoration, and enforcement confronted us. Because of the critical role Microsoft's Windows operating system plays within the computer industry, the company has at its disposal a broad array of potential means of projecting its will upon manufacturers anddevelopers. Many in the computer industry believe that Microsoft can influence product development and deployment decisions by other firms through a variety of carrots and sticks, and there was evidence in the trial record that Microsoft had used a number of such tactics to impede the emergence of competing Web browsers. By the same rocken, not all forms of collaborationbetween Microsoft and other industry participants are anticompetitive, and some actually benefit competition and consumers. To cover the broad range of potential strategies Microsoft might deploy, we sought to address the recurrence issue through the broad concepts of non-discrimination and non-retaliation, rather than by simply enumerating a list of specific prohibitions that we can identify today.

Restoring Lost Competition. With regard to restoration, we had to begin from the premise that the middleware threat to the operating system monopoly was a nascent one. It is said that some 70,000 applications currently run on Windows, making the applications barrier to entry quite formidable. At the very peak of our advocacy in the case, unfortunately not even we could hypothesize a point at which so many applications would be written to middleware APIs that there would be a meaningful threat to the Windows operating system, and the fact was noted in the court of appeals decision. Thus, the task in the restoration aspect of the decreed was to restore the potentiality of middleware. As had been the case in the mediation before Judge Posner and in Judge Jackson's order, our preferred approach was to ensure that middleware developers had access to the technical information necessary to create middleware programs that could compete with Microsoft in a meaningful way. This would have been a difficult undertaking in the earliest phases of the case, and it became even more difficult with the evolution of operating systems toward more integrated and seamless functionality.

API disclosure apparently had been a very difficult obsta??e to resolution of the case at every stage. Press reports of the mediation before Judge Posner indicated that the scope of API disclosure was the sticking point that doomed earlier efforts to settle. There had never been any allegation in the case that Windows was an essential facility, the proprietary technology for which had to be openly shared in the industry. Further, failure to disclose APIs sufficient to create interoperable software was not a critical underpinning of the case; after all, we argued successfully that the 70,000 applications written to Windows contributed so the strength of the monopoly. That is not to say that disclosure had not been used selectively by Microsoft, the government showed that Microsoft had sought agreements with middleware developers to refrain from developing competing products in exchange for preferential access to proprietary technical information. Such agreements, however, would have been facially unlawful, without regards to Microsoft having some inherent legal obligation to disclose APIs. Technical support, in that sense, was merely consideration for an otherwise unlawful agreement. There is a duality in Microsoft's position on API disclosure. The company frequently argues thatit has strong incentives to make broad disclosures of APIs and other technical information because it wants developers to write applications programs to its operating system. Nonetheless, the company is forced to acknowledge that many important Windows functions rely upon undisclosed APIs. Moreover, it seemed fairly clear that Microsoft's reluctance to disclose those APIs was based upon more than a concern about the burden of administering the disclosure regiment. The simple fact is that certain of the undisclosed APIs relate to cutting-edge functions and applications, many of them integrated deeply into the operating system, that could be meaningful points of differentiation between Windows middleware products and those offered by third parties. Thus, we believed that we were on strong legal ground in seeking to require Microsoft to disclose its undisclosed APIs as a means of restoring competition in the middleware industry.

The decree's provisions for API disclosure will be critical in enabling independent developers to match Windows'' functionality in their middleware products. Simply stated, if Microsoft middleware products rely on an API, that API must be disclosed. API

disclosure of this type has become all the more critical as the operating system has evolved to include more deeply integrated functions that are invoked automatically in connection with other applications. But for detailed API disclosure, many middleware functions offered in third-party software would be more difficult to implement than Microsoft's integrated functions. Independent middleware vendors also will be aided by the decree's provisions that require Microsoft to create and preserve''default'' settings, such that certain of Microsoft's integrated middleware functions will not be able to over-ride the selection of a third-party middleware product. This is yet another respect in which changes in the technology required us to go beyond the relief contemplated in Judge Jackson's order. By giving middleware developers the means of creating fully competitiveproducts, requiring the creating of add/delete functionality that will make it easier for computer manufacturers and users to replace Microsoft middleware functionality with independently developed middleware, and making it absolutely clear that computer manufacturers can, in fact, replace Microsoft middleware, the decree will do as much as possible to restore the nascent threat to the operating system monopoly that browsers once represented.

The disclosure of communications protocols for servers was another matter entirely. Very clearly this was a by-product of the negotiated resolution of the case that would have been highly contentious and by no means a certainty had the remedy been fully litigated. In recent years, Microsoft has moved aggressively into the network server market, competing with firms, such as IBM, Novell, and other. Servers tend to communicate through fairly standard communications protocols. Nonetheless, all server manufacturers have implemented their own proprietary communications technologies, working in tandem with the standard protocols, that each server line employs to differentiate itself from other brands ad models in terms of features and performance. In network computing, these proprietary technologies are implemented through software code residing at both ends of the communications link, i.e., on the desktop operating system or ''client'' and on the server itself. Anyone who has ever worked in a network computing environment it familiar with the process of the network administrator loading new software in the form of annoying updates, downloads and overnight system changes. While other server manufacturers must load all of their client software independently, Microsoft ships some of its client-server interoperability technology on Windows itself.

Competing server manufacturers complain that Microsoft has an inherent advantage in server competition in that it has a superior knowledge of the operating system and possesses the ability to embed within the operating system secret technology that gives its servers more features and better performance than servers offered by other. Although these claims have never been fully discovered or litigated, it seems intuitively correct that Microsoft would behave in this manner. Yet there is a clear body of case law that a vertically integrated firm, even one that is a monopolist, might rationally and lawfully gain a competitive advantage in one market from its strength or monopoly power in another. In other words, there is no legal rule of antitrust law requiring distinct businesses within a single firm to act as though they are complete strangers to each other. The connection between the ''secret sauce'' argument in the server market and the monopoly maintenance claim in this case may not be obvious. To establish the connection on even the theoretical level, one must hypothesize a number of circumstances concerning the future economic course of the server market. To use the Berkeley School ''econo-phrase,'' Microsoft's practices of embedding secret technology in the Windows operating system would have to cause the server market to ''tip'' in its favor, such that competing servers would no longer provide a platform threat to the desktop operating system.

Further, this issue developed primarily since the trial—it was barely raised and never litigated in the proceedings before the district court. Indeed, the word, ''server'' never appeared in the complain and was mentioned only a handful of times in the findings of fact—in those instances mostly in the context of discussing the browser as a component in network computing. In fact, the most cogent statement of the server theory appears in a series of proposed findings of fact we submitted that actually were not adopted by Judge Jackson. 15 Undoubtedly, Microsoft would have argued strenuously in the remedy proceeding that server issues had never been litigated in the case and provided no basis for relief.

Notwithstanding any difficulties the government might have faced in pursuing server relief in the remedies proceeding, the potential competitive consequences in this area are substantial. If it is true, as many seem to believe, that serverbased applications might be the next important threat to the operating system monopoly, this would be an area in which it is important to stretch for relief, whether or not the issue was fully fleshed-out in the liability phase of the case. The proposed decree, therefore, requires Microsoft to disclose communications protocols embedded in the operating system, but preserves for the company the ability to deploy proprietarycommunications technology provided separately. Though this does not fully negate Microsoft's inherent advantages as the designer of the operating system, it requires Microsoft to compete as other server manufacturers do by separately providing client-side communications technology. Enforcement. It has been suggested that no ''conduct'' remedy could be effective because Microsoft is a defiant company that cannot be trusted to comply with an antitrust decree. Our practice with regard to enforcement, however, is never influenced by the extent to which we ''trust'' a defendant. Rather, the decree must stand on its own as an enforcement vehicle. Thesettlement in this case contains some of the most stringent enforcement provisions ever contained in any modern consent decree. In addition to the ordinary prosecutorial access powers, backed up by civil and criminal contempt authority, this decree has two more aggressive features. First, it requires an independent, full-time, on-site compliance team—complete with its own staff and the power to hire consultants—that will monitor compliance with the decree, report violations to the Department, and attempt to resolve technical disputes under the disclosure provisions. The compliance team will have complete access to Microsoft's source code, records, facilities, andpersonnel. Its dispute resolution responsibilities reflect the recognition that the market will benefit from rapid, consensual resolution of issues, more so than litigation under the Department's contempt powers. The dispute resolution process complements, but does not supplant, ordinary methods of enforcement. Complainants may bring their inquiries directly to the Department if they choose.

The decree also contains a provision under which the team may be extended by up to two years in the event that the court finds serious, systematic violations. Assuming that Microsoft will want to get our from under the decree's affirmative obligations and restrictions as soon as possible, the prospect that it might face an extension of the decree should deter violations and provide an extra incentive to comply. We opted for this three-part compliance regime, not because of the assumption that Microsoft would act in bad faith, but rather because of the inherent complexity of the decree, which seeks to address Microsoft's interactions with firms throughout the computer industry. Under the circumstances, ongoing supervision backed up by tough penalties was in order.

Reaction to the Settlement. In our view, the proposed decree fully remedies the violations upheld in the court of appeals decision. No conceivable remedy could guarantee that middleware products will emerge as a palpable threat to the operating system monopoly. However, the decree, if entered, creates an environment in which Microsoft will have to compete on the merits and will be prevented from using anticompetitive means to impede the emergence of competing middleware products. In the short term, computer manufacturers will be able to offer consumers choices with respect to popular middleware programs free of interference from Microsoft. To the extent that the decree prevents Microsoft from unduly influencing the natural propagation of middleware technologies, it will have accomplished an important purpose, whether or nor any particular middleware product ultimately grows into a meaningful threat to the operating system. Not surprisingly, the settlement has its critics. Some of the criticism, however, heartfelt and passionate, can be dismissed as failing to reflect a real appreciation for the underlying law.

Generalized claims that Microsoft's operating system monopoly should have been taken away as ''punishment,'' or that the government should have obtained monetary relief, will not be seriously debated in antitrust circles. The remaining critics tend to fall into two categories. The loudest and most vocal critics, understandably, are Microsoft's competitors—some of which

hoped the case would bring about a wholesale emasculation of Microsoft, while providing their own companies specific strategic, technological, and financial advantages. A second group, which again includes competitors, raises questions as to whether a remedy of this scope and complexity reasonably can be expected to correct the unlawful conduct in which Microsoft has been found to have engaged. Questions of that nature are entirely appropriate and we hope will be raised and addressed in the Tunney Act process.

The Microsoft case is unique in the level at which competitors have sought to assist in andinfluence the government's liability and remedial determinations. From the very outset of thelitigation, virtually every significant player in the computer industry, directly or through coalitions, hired a team of antitrust lawyers (and sometimes lobbyists) to advance their views ofthe case. Support from competitors was extremely helpful to us during the liability phase, in thatit gave the government ready access to discovery materials, technical expertise and otherassistance. This support also was helpful in conceptualizing the remedy and testing the likely competitive effects of various remedial approaches.

Nonetheless, the government still had to make judgments based upon its own assessment of the marketplace, rather than solely or even predominantly from the perspective of competitors. Onceliability had been established, a sense of entitlement set in among some firms that had rendered assistance. Firms in the industry became very aggressive in pressing for all manner of relief,whether or not it had anything to do with the antitrust liability that had been established.[16] The Specter of the Microsoft operating system monopoly overhangs every level of the information technology industry and very clearly imposes serious challenges upon firms seeking to compete in adjacent markets. One can easily hypothesize any number of governmental actions constraining Microsoft or bestowing advantages upon its rivals that might be said to ''level the playing field'' upon which Microsoft must compete with other firms. The Antitrust Division,however, has no mandate to ''regulate'' competition divorced from remedying specific antitrust violations. Thus, from a law enforcement perspective, the relief had to be tailored to proven violations; it could not be a laundry list of unrelated requirements competitors might find useful.In this regards, it is useful to consider some of the principal concerns expressed publicly by competitors and others, in light of both the court of appeals decision and the proposed decree.Probably the single most widely, publicly expressed criticism relates to the questions of product bundling and commingling of software code. Firms in adjacent markets very clearly wanted the decree to restrict, if not prohibit, Microsoft from competing outside of the operating system market. That is one of the reasons that the structural remedy was so popular among competitors.Rules prohibiting Microsoft from integrating products into the operating system would benefit competitors. The court of appeals, however, refused to establish a rule of antitrust law that outlaws Microsoft's integration of new functions or products into the operating system. We had to accept that we had lost on that issue in the context of four separate claims; the contempt proceeding under the 1995 decree, and in the monopoly leveraging, tying, and attempted monopolization claims of this case. Given the manner in which the courts have treated this issue,it is surprising that there has been any suggestion that the settlement is deficient because it does not restrict bundling.

Equally surprising is the public criticism that the proposed decree should have required Microsoft to sell a la carte versions of Windows with the middle ware priced separately. As an initial matter,this would have been a remedy most appropriate for the tying claim, rather than for monopoly maintenance. Even more fundamentally, where is the consumer benefit in this relief proposal?Computer manufacturer tout the fact that their products include the Windows operating system,and consumers reasonably expect that a Windows operating system will include the Windows features. The proposed decree provides the computer manufacturer the option of featuring alternative middleware products, which consumers might accept or reject as they see fit. We saw no public benefit in depriving consumers of that choice.

Similar issues have been raised with regard to the commingling of code. At trial, the government challenged Microsoft's actions to prevent removal of its browser—in particular, eliminating the browser from the list of programs that could be removed by the computer manufacturer or end user with the add/remove function, and making it impossible to remove the Microsoft browser without removing related operating system code and thereby losing necessary operating system function. Our proposed decree addresses both issues by requiring that Microsoft redesign windows to include an effective add/remove function for all Microsoft middleware products and to permit competing middleware to take on a default status that will override middleware functions Microsoft has integrated into the operating system. In tandem, these provisions provide an unimpeded choice to select an alternative middleware product. We have never read the court of appeals decision with regard to commingling to be an attempt by the court to articulate an affirmative rule of software design under which all commingling would have been prohibited.This aspect of the court's opinion very clearly addressed the subject of consumer choice, which has been fully addressed in the proposed decree. Those seeking a broad ban on commingling appear to be seeking to reduce consumer choice, not increase it.

Public critics also express concern that the proposed decree does not address Microsoft's incursions into new markets and services, such as e-commerce, Internet services, or content.They contend that, left unabated, Microsoft will unfairly gain control over those markets from its base in operating systems. Given Microsoft's market power in operating systems, its movement into adjacent markets will almost always merit careful antitrust scrutiny. That said, the rulings in this case provided no basis for attempted monopolization or monopoly leveraging remedies that would proscribe Microsoft actions that do not have the purpose and effect of protecting the operating system monopoly. Once again, with the monopoly maintenance claim as the only surviving basis for relief, the remedy has to focus on middleware or middleware-type treats to the operating system, nor the prospect that Microsoft might come to dominate other markets.It has been reported that critics also claim that the proposed decree is riddled with ''loopholes,''particularly with respect to carve-outs from the exclusive dealing and non-retaliation provisions.Those carve-outs, which are stated in phraseology borrowed from well-established Supreme Court joint venture law, afford Microsoft a limited ability to engage in collaborative conduct that would be plainly lawful under the established precedents. We can understand why some would prefer that Microsoft be prevented from engaging in any collaborative conduct. Among other things, such relief would constrain Microsoft in its ability to more into new technologies,products, and markets, isolating the company into a world of internal product development. But we never alleged that all of the scores of types of agreements into which Microsoft routinely enters contributed to illegal maintenance of the operating system monopoly. Indeed, many developers actually benefit from their collaborations with Microsoft and the prospect that their products might be commercialized through, or with, Microsoft. Consumers benefit to the extent that such collaborations bring such new products and services to the market. A flat prohibition would have prevented such collaborations without regard to their potential procompetitive benefits. It might also have prevented Microsoft, for example, from offering a promotional allowance in connection with a new product to one developer unless it provided the allowance to all. Requiring Microsoft to provide those allowances to firms that did not even sell the product would have been nonsensical. For these reasons, an absolute ban on collaborative activity would have been overkill under the circumstances of this case.

Many competitors and others in the industry strongly favored a remedy that required Microsoft to disclose its source code in its entirety. There is within the computer science community,particularly among devotees of other platforms, a generalized notion that Microsoft unfairly foists inferior software upon the public by maintaining the protected proprietary quality of its operating system. Proponents of that view believe that innovation would accelerate, and Microsoft itself would be forced to compete on the merits, if Windows could be transformed into an open source code platform.[17]

[17] For ??, in a recent Washington Post article, Sun Microsystems is reported to have argued that all of Microsoft's formats and all of its communications protocols should be ''turned into open, published standards,'' U.S. Settlement Leaves Microsoft More??, WASH.Post. Nov. 9, 2001, at E1.

While competitor demands for access to source code are often stated in terms of interoperability,there is no question that such access would benefit competitors in other ways, as well. Access to the source code would provide competitors free access to Microsoft's programming approaches and innovations, allowing firms to imitate, copy, or clone products and services Microsoft offers.The proposed decree assures disclosure without providing an easy way for competitors or even hackers to misappropriate intellectual property and trade secrets for themselves. To the extent that the secure facility provided in Judge Jackson's order was to ensure adequate disclosure and documentation under the decree, we elected the effective but less intrusive approach of providing the compliance team, a group of computer science experts, with access to the source code. If a developer believes that there has been a failure of the disclosure regime, the compliance team will be able to determine quickly whether Microsoft has met its obligations under the decree. If it has failed, it may either cure the problem or risk contempt sanctions. There being no basis under the court of appeals decision to order Microsoft to disclose its intellectual property to undermine the operating system monopoly, it would have been a significant stretch to require open access simply to police a restorative provision. Our proposed decree provides an effective mechanism for developers to receive source code assistance, consistent with our remedial goals, without the danger of misappropriation of Microsoft's intellectual property.

With regard to compulsory licensing to computer manufacturers, again, the court of appeals ruling is a constraining factor. Judge Jackson ordered this disclosure upon the assumption that the tying and attempted monopolization decisions had been sustained, providing a basis for separating middleware products from the operating system. Those findings, of course, were reversed by the court of appeals, calling into question whether computer manufacturers could lawfully reconfigure Windows by stripping out Microsoft middleware products in their entirety.Moreover, one would have to question the practicality of having computer manufacturers redesigning Windows for their own purposes. As it is, the proposed decree provides the computer manufacturer considerable control over the Windows desktop at initial boot-up and beyond.Requiring Microsoft to design effective add/delete and default functions into new versions of windows would seem far superior to inviting computer manufacturers to create do-it-yourself versions. Last, a compulsory licensing regime would have raised many of the same security concerns as the secure facility.

In sum, it is understandable why competitors would want Microsoft to unbundle its integrated products, refrain from all collaborative activity, and widely disseminate its proprietary intellectual property. Those requirements, however, are largely beyond the scope of the court of appeals decision or otherwise do not advance public goals. The antitrust laws protect competition, not competitors. We believe that the relief we have negotiated fully addresses the legitimate public goals of prohibiting Microsoft's unlawful conduct and restoring competition.

EXHIBIT 13

TO THE COMMENTS OF RELPROMAX ANTITURST INC., THE WASHINGTON POST

Enron Executives contributed to Ashcroft Campaigns

By Dan EGGEN

Washington Post Staff Writer

One week before John D. Ashcroft suffered he biggest defeat of his political career, a $25,000donation arrived at the Ashcroft Victory Committee, one of the Missouri senator's fundraising committees for the 2000 race.

The donor was Kenneth L. Lay, head of a rapidly growing Houston energy company called EnronCorp., whose executives contributed more than $50,000 to Ashcroft's Senate campaign in 1999and 2000.

The contributions prompted Ashcroft to recuse himself yesterday from a criminal investigation into Enron's collapse by the Justice Department, which he heads s attorney general.Ashcroft's decision was based on ''the totality of the circumstances of the relationship between Enron and the attorney general,'' and Ashcroft ''has not been involved in any aspect of initiating or conducting any investigation involving Enron,'' the Justice Department said in a statement.Chief of Staff David Ayres, who ran Ashcroft's failed reelection bid, also will divorce himself from the Enron probe, officials said. In Houston, U.S. Attorney Michael Shelby said his entire office has removed itself from any matter involving Enron because he and other prosecutors have relatives affected by the company's collapse. The Justice Department had named Houston on Wednesday as one of three U.S. attorney's offices that would participate in the investigation.Ashcroft and his aides have determined that no other top Justice officials in Washington,including several who have played prominent roles in Republican politics, had direct involvement with Enron, officials said.

Deputy Chief of Staff David Israelite and new Communications Director Barbara Comstock came to Justice after working at the Republican National Committee, which received more than$700,000 from Enron and its executives in 1999 and 2000, records show.

''It was determined that all the people [from] RNC, including David and Barbara, had no involvement with Enron,'' an official said.

The Ashcroft campaign received $57,499 in 1999 and 2000 from Enron and its executives,according to records compiled by the Center for Responsive Politics, a campaign finance watchdog group.

Rep. Henry A. Waxman (DCalif.), in a letter to Ashcroft yesterday, complained that Lay's$25,000 gift ''was many times greater than the maximum allowable contribution by individuals to federal candidates'' and said the gift may have ''thwarted the intent of election laws.''The Ashcroft Victory Committee, like many similar committee formed by parties and candidates in the last election, was structured to avoid rules that limit individual contributions to $20,000and bar corporate donations.

The Enron probe will be overseen by Deputy Attorney General Larry Thompson and the Justice Department's criminal division chief, Michael Chertoff, officials said.

MTC–00030632

Sent By: zambeel; 510 9790314; Dec-19–01 10:36AM; Page l/l Peter van der Linden 185 West Portola Avenue, Los Altos, CA 94022 Dec 19, 2001 Dear Madam,

I have worked in the computer industry for 25 years, and I have seen first hand the adverse effects on the industry and consumers of Microsoft's monopoly on desktop operating systems. For example, for at least six years, it has not been possible to get venture capital funding for any technoloqy ideas in areas that Microsoft considers its own ''turf''. Microsoft meets regularly with venture capital companies to tell them areas that it considers it ''owns''.

Microsoft has been found guilty of serious antitrust violations stretchinq over several years, and the finding has been upheld by a Federal appeals court. The proposed settlement does nothing to remove Microsoft's ''ill-gotten gains''. It does nothing to redress competitors like Netscape, Sun Microsystems, Apple Computer, and Intel who were hurt by Microsoft. The settlement does practically nothing to prevent future abuses by Microsoft, such as their recent attempt to lock out the competitive Opera browser from its web site.

Any remedy must as a starting point do the following:

1. Ship the Java language from Sun with every Microsoft desktop OS.

2. Make public the specifications of the present and future file formats of all Microsoft products.

3. Make public, and subject to IETF approval, all Microsoft network protocols. IETF is an independent public interest network industry technical body.

As Microsoft has said, the national interest is involved here. That interest demands that a single company within a critical industry not be allowed to dominate and restrict available products by continuing to abuse its monopoly.

Yours faithfully,

Peter van der Linden

To: Renata Hesse, Trial Attorney, Suite 1200, Antitrust Division, Department of Justice, 601 D Street NW, Washington, DC 20530; (by fax 202–616–9937)

MTC–00030633

Dec 17 01 03:04p Richard S. Vann 336–722–2895 p.1 Rhoades Contracting, Inc Fax Cover Sheet

To: Renata Hesse

Trial Attorney

Antitrust Division

Department of Justice

From: Dewitt Rhoades

Rhoades Contracting

Subject: Microsoft Settlement

Dec 17 01 03:04p Richard S. Vann 336–722–2895 p.2 From the Desk of Dewitt

Rhoades Renata Hesse Trial Attorney Antitrust Divisions Department of Justice 601 D Street NW, Suite 1200 Washington, DC 20530

Dear Ms. Hesse,

I am writing today to urge Judge Kollar Kotelly to approve the settlement, which has been struck between the U.S. Department of Justice and Microsoft in their anti-trust case. I am pleased that the attorney general of my home state of North Carolina has signed the settlement agreement and will subject the taxpayers of our state to no further pain. I am hoping that the judge will do the same on the national level.

As a member of the board of trustees of Forsythia Technical Community College for 17 years, I am familiar with legal cases involving government entities and the private individuals or companies, From my experience, it is always best when litigation is settled and parties may get on with the business they do best whether it is government, private companies or educational institutions. Even though my experience with the federal government is limited to serving on the National Advisory of the Small Business Administration, I am convinced it is in the best interest of all concerned on the federal level when parties settled. That is because litigation in federal courts, particularly when the federal government is involved, tends to go on endlessly, sometimes for years. That is definitely in no one's best interest.

I know that in any settlement that both sides get a bit of what they want and some of what they do not want. That is why from what I have read that this settlement is fair both to Microsoft and to the U.S. Department of Justice as well as to the attorneys general who signed it. It is unfortunate that certain of Microsoft's competitors continue in the media to be critical of this settlement. Their purpose, I believe, is to gain through government fiat what they have not been able to achieve in the marketplace. Please do not be misled by such attempted misdirection.

Thank you for your kind consideration of my remarks.

Sincerely,

ss

Dewitt Rhoades

4587 Old Winston Road, Kemersville, NC 27284

MTC–00030634

From: Prigan by arrangement
To: Trial Attorney, Renata Hesse
Date: 12/17/01 Time: 2:04:56 PM Page 1 of 1 5649 Great Woods Blvd. Columbus, OH 43231–3173 Tel-D 523–2120 prigan@core.com December 17, 2001 Renata Hesse, Trial Attorney Suite 1200—Antitrust Division Department of Justice 601 D Street NW Washington, DC 20530 RE: NO!!! to Microsoft Settlement Proposal

I am writing to strenuously oppose the proposed settlement with the Microsoft Corporation. I think that it is extremely unwise, after a judgement that Microsoft has indeed abused its monopoly power, to then turn around and reward Microsoft by giving them a way out of responsibility which furthers their penetration of the academic market.

This generosity to Microsoft is ludicrous. It would be much more just were Microsoft to be required to establish an enormous trust fund from which schools could draw funds to purchase hardware, services, and software of their own choosing. Further, allowing Microsoft to ''give'' in-kind contributions of their own software allows Microsoft to arbitrarily determine the ''value'' of what they give out undoubtedly at a factor of many times their actual expense, so that the ''value'' of the settlement can be inflated for public relations purposes.

At this time there are many more cost-effective (and democratic) possibilities for software in academic settings. Linux and the BSDs are better operating systems, created in a collaborative manner that is more in tune with ideal academic and democratic principles. The choices presented by these alternatives are needed to stimulate the creativity of the next generation of cyber scholars and programmers. The manner in which they are developed models the community-minded creativity we want from young citizens. Should we really just surrender to the Microsoft monopoly? More may be at stake here than just ''where do you want to go today!''

In the long struggle between the Department of Justice (representing the American people!) and Microsoft, Microsoft has relied on the rapid nature of change in technology to outrun their responsibility for abuse of their monopoly power, employing delaying tactics and legal shenanigans coupled with well-funded misinformation. Many superior software products have been destroyed, sometimes even in very subtle ways such as by changing underlying code in ways that causes the competitor's programs to crash or suffer display problems. Two of my favorites, Netscape, and Word Perfect are superior software that is now headed for oblivion. (Although ironically Netscape may rise from the dead in the free Mozilla project!) Quicken, Palm and Java are on MS's hit list. MS seeks as well to leverage their OS monopoly to control the internet through such devices as NET and C#. And now that MS has determined open source to be a threat one encounters in the press almost daily misinformation concerning open source alternatives to MS.

It is time to call Microsoft to be responsible, not through corporate welfare by way of giving them assistance in taking over the schools market; but through going back to the good fight to achieve a fair judgement or settlement that will help our nation, and not just reward Microsoft's arrogance at the expense of the future competitiveness of American technology. It is important to keep in minds that Microsoft has actually invented very little, dating back to their fist DOS. They have generally squeezed out and overtaken the competition. A corporation employing these kinds of tactics is definitely not who we want to be in charge of our nation's agenda for computing innovation.

Sincerely,

Rev. R. Scott Prigan

MTC–00030635

DEC-17–01 14:36 FROM:KINKOS LACUNA NIGUEL ID:9493621957 PAGE l/2 DECEMBER 17,2001 FAX TO: UNITED STATES ASSISTANT ATTORNEY GENERAL CHARLES JAMES

202 307–1454 202 616–9937 202–616–2645 FAX FROM: NATHANNA GODFREE P.0. BOX 2584 MISSION VIEJO, CALIFORNIA 92690

DEAR ASSISTANT ATTORNEY GENERAL JAMES

I AM (E PLURIBUS UNUM) OF MR. & MRS. UNITED STATES OF AMERlCA AND AS SUCH I AM PERSUADED THAT WE THE PEOPLE BY THESE TRUTHS WHICH ARE SELF EVIDENT THAT OUR UNITED STATES FEDERAL GOVERNMENT IS OF THE PEOPLE, FOR THE PEOPLE, BY THE PEOPLE.

OUR UNITED STATES DEPARTMENT OF JUSTICE AND ALL OTHER GOVERNMENT DEPARTMENTS WHO SPEAKS FOR AND ON BEHALF OF ALL THE PEOPLE, REPRESENTING ALL UNITED STATES PEOPLES AND COUNTRYMEN HAS SPENT A TREMENDOUS AMOUNT OF DEDICATED TIME, ENERGY AND MONEY—TAXPAYER MONEY REPRESENTING US ALL TO (THE LETTER OF THE LAW) HAS ALREADY RESOLVED AND SETTLED THE MICROSOFT CORPORATION ANTlTRUST CASE.

ANY AND ALL OTHER ADDITIONAL PENALTIES ARE PURELY POLIITICAL BUREAUCRACY, PERSONAL AND DRIVEN BY CORPORATE PERSONAL ENDEAVOURS AND OPINIONS. OUR UNITED STATES FEDERAL GOVERNMENT SETTLEMENT OF THE MICROSOFT ANTITRUST CASE IS (NOT) A ''CONFUSINGLY VAGUE, SUBJECT TO MANIPULATION OR BOTH'' AS CHAIRMAN SENATOR PATRICK LEAHY PERSONALLY OPINIONATED IN THE USA TODAY NEWSPAPER THURSDAY DECEMBER 13,200l ON PAGE 2B. HIS WORDS IN ESSENCE PUTS IN QUESTION THE STATE OF MIND,

DEC-17–01 14:36 FROM:KINKOS LACUNA NIGUEL ID:9493621957 PAGE 2/2 THE INTEGRITY, PROFESSIONALISM AND CHARACTER OF YOU OUR GOVERNMENT OFFICIALS. CONTINUE: DECEMBER 17,200I FAX TO: UNITED STATES DEPARTMENT OF JUSTICE ASSISTANT ATTORNEY GENERAL FOR ANTITRUST CHARLES JAMES 202 307–1454 202 616–9937

CONTINUE FROM PAGE 1:

IF ANYONE SHOULD TAKE HIS WORDS FOR TRUTH THEY WOULD ALSO QUESTION: IF THE SETTLEMENT IS INDEED CONFUSINGLY VAGUE, SUBJECT TO MANIPULATION OR BOTH, IT WOULD STAND TO REASON THE GOVERNMENT IS ALSO CONFUSINGLY VAGUE, SUBJECT TO MANIPULATION OR BOTH.

ALL UNITED STATES FEDERAL GOVERNMENT EMPLOYEES PERSONNEL ARE DEDICATED PROFESSIONALS FROM THE LEAST TO THE GREATEST, FROM THE SUPREME COURT TO THE JANITORS. IT IS WITH THIS CONFIDENCE THAT OUR UNITED STATES GOVERNMENT, ELECTED OFFICIALS, DULY SWORN WARDS OF OUR COURTS AND JUDICIAL SYSTEM THEY WILL ON BEHALF OF THE PEOPLE FOR THE PEOPLE AND BY THE PEOPLE, LET THE MICROSOFT ANTITRUST SETTLEMENT STAND (AS IS) WHAT IS

ALREADY RESOLVED AND SETTLED. PLEASE REMEMBER THIS CASE IS ALREADY PAID FOR BY THE TAXPAYERS AND THOSE NINE OTHER STATES TAXPAYERS ARE PAYING TWICE (FOR WHO'S BENEFIT ?)

THANK YOU,
NATHANNA GODFREE
NG

MTC–00030636

DEC–14–2001 14:48
CHASE IT DEPT 216 479 2573 P.01 FAX
TRANSMITTAL SHEET TO FAX NUMBER:
202–616–9937
TO: Renata Hesse, Trial Attorney
PHONE NUMBER:
LOCATION: Antitrust Division, Dept. of Justice
REMARKS: Please consider this Public comment on the US vs. Microsoft Anti-trust case.
FROM: Cvetan Pavloski
FAX NUMBER: 216–479–2573
DATE: 12/14/01
PHONE NUMBER: 216–479–2500 x5016
TOTAL NUMBER OF PAGES 3 INCLUDING THIS PAGE. IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE AT THE ABOVE LISTED NUMBER.

THANK YOU. DEC-14–2001 14:48 CHASE IT DEPT 216 479 2573 P.02

I've been reading some rather disturbing articles centered on the great US vs. Microsoft debate. While I agree with the decision of overturning their breakup, I do believe that stiffer penalties than the current settlement need to be considered. As much as a necessity to today's economy as Microsoft is, I believe they are a threat to many of the values that we as American's stand for.

Part of being an American is the freedom to choose. With Microsoft in control of the software there is no freedom to choose what operates your computer anymore (at least on the PC side). Microsoft has gained some of this monopoly through some innovation, but has gained far more through things that the general public never sees. Its new operating system represents a great step toward the future of computing, but also harbors many unseen pieces that force customers to register their computer configurations with Microsoft, and apply for a ''passport'' (Microsoft's idea for a one login for everything system). The storing of computer configurations is used for Microsoft's new product activation feature. While it will curb piracy, it doesn't seem like Microsoft explored all of the options for curbing said piracy. Intel made similar claims with its processor serial number they release in early Pentium III chips, but the general public rebuked Intel and what was perceived as a way to track average individuals. I could go on for a long time about the things that Microsoft does to keep it's position as a monopoly, but that's not the main reason I'm writing.

A recent development stems from an article I read yesterday on www.news.com. It involves Microsoft having its Windows Media Technology put into the chips of several major manufacturers to drive windows media from DVD disks and regular compact discs. This move alone needs to looked at closely especially from an anti-trust point of view. I can't see how this will benefit a consumer at all, as current DVD players already play regular CDs and DVDs legally. Windows media on a DVD player can only be another way that Microsoft makes inroads to the home. We have computers which are run by Microsoft, now a Gaming console from Microsoft (Xbox), a Digital Video Recorder (Ultimate TV), and now they will be invading DVD players, too?

I would ask you to consider these facts. Windows Media is behind in use compared to the MP3 standard, which is an open standard that supports Fair Use. If Microsoft were able to allow their Windows Media into home DVD players, most companies may not choose to include MP3 support in the future in favor of the Windows Media. The reason for that is that Windows XP now only encodes windows media at the highest quality. MP3 recording in Windows XP only records at half the quality needed for good recordings. Once again Microsoft is leveraging their position in the market to get people to switch to their supported technology. People didn't choose Microsoft Internet Explorer over Netscape because it was better; they chose it because Microsoft made it convenient. That is not a bad thing for a consumer, but now businesses need to buy Microsoft's server software to take full advantage of Internet Explorer. Now the average consumer will think that Windows Media is better than MP3 because of the way that Microsoft cripples the format in Windows XP. This is unfair and dirty politics. This fact would cause manufacturers to choose the proprietary Windows Media for DVD players instead of MP3, the fair and open standard, A move that would cause Microsoft to have more control of another piece of hardware in your living room. A motive that they have stated publicly for some time now. They want control over your entire home, from the TV to the microwave.

It is in Microsoft's best interest to do this, as that is what they want, and of course they make more money from their licensing schemes. Please don't let Microsoft get away with something like this. The penalties need to occur now in order to stop them from going so far out of control that we may never be able to reign them in.

Thank you,
Cvetan Pavloski
5686 Broadview Rd. #2617
Parma, OH 44134

MTC–00030637

12/14/01 FRI 00:57 FAX 3103016032 BIGFISH 001
Thomas A. Johnson
8336 Westlawn Avenue
Los Angeles, CA 90045
December 14, 200l
Renata Hesse Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530
(facsimile) 202–616–9937
(telephone) 202–307–1545
(email) microsoft.atr@usdoj.gov

Dear Ms. Hesse.

As a professional in the computer industry, who began writing code for Internet applications in 1984, and the founder and Chief Scientist of an Internet Security Service company, I have followed the Microsoft case very closely over the last several years. Microsoft's antics during the original anti-trust trial were comical to those of us who understand the truth behind their technology and competition claims, But I was encouraged by the government's ability to sort through the majority of these games and, to prevail in the original judgment.

But I have been quite upset by the current governments seeming lack of interest in imposing any meaningful remedies in this case. The proposed settlement leaves loopholes big enough for even the most amateurish company to drive a truck through, and we all know that Microsoft is far from an amateur when it comes to exploiting these sorts of situations.

Microsoft's proposal to quell the class-action lawsuits by donating hardware and software to schools makes me shudder. Education is one of the last arenas where Microsoft's monopoly is less secure. Providing Microsoft software to these schools will, in effect, lock them into this platform. California Attorney General Bill Lockyer was right when he said ''It's a little like Big Tobacco being found guilty of selling cigarettes to minors, and the remedy is for them to agree to give them free cigarettes.'' The proposed settlement is very weak, and will do little to reduce the control that Microsoft holds over this industry. I join Matthew Szulik, the CEO of RedHat, Inc., in my astonishment that a firm with a 96% market share, who has a terrifying track record for destroying competitors, and whose guilt has already been established is being offered the improved terms of this proposed settlement.

I believe that any settlement that hopes to remedy the issue before us must at minimum:

1. Provide a guarantee that all Microsoft networking and client/server protocols be published in a full and complete manner, and verified by an independent third party, and further, be provided to the public at the time it is provided to their own internal programmers and application developers.

2. Microsoft should not be able to offer incentives or threaten punishment to computer manufacturers or resellers that results in Microsoft software being included by default in all system purchases, In the past, I have purchased equipment that was bundled with MS software—a request to unbundled the software resulted in absolutely no price difference, or at most a few dollars. This must stop to encourage competition. 12/14/01 FRI 00:58 FAX 3103016032 BIGFISH December 14.2001

3. All Microsoft document file formats (present and future) must be public and complete, to allow other operating systems and software to read and write files in these formats.

4. Microsoft must not the party that is allowed to determine what software is part of the Windows operating system.

5. Microsoft must provide all information and specifications, not just to commercial entities, but to the public at large, to enable the creation of compatible or competitive software and systems by open-source proponents, and non-profit corporations or organizations, as well as individual programmers working on their own. For example, the requirement that to qualify as a middleware product under the terms of the settlement, the competitor must have distributed at least 1 million copies of the software in the previous year. This allows Microsoft to annihilate start-up companies and individual developers at will.

6. The settlements provision that Microsoft need not ''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'', provides them with another one of those truck-sized loopholes.

It is well known and accepted in the academic and open-source world that peer review of code and protocols results in more secure systems. This is a blatant attempt by Microsoft to create a loophole that will allow them to stifle competition.

7. The definition that an ISV is ''is engaged in the development or marketing of software products designed to run on a Windows Operating System Product'' allows Microsoft to deny rights to those of us who develop systems for other operating systems such as Linux, which require access to the APIs and code that should be made public.

In summary, I have to believe that a settlement that is truly good for the industry and good for America would place a real remedy above expediency.

Sincerely,

Thomas A. Johnson

MTC–00030638

Dec 14 1 04:09p Richard S. Vann 336–722–2895 P. 1
OEM Sales Corporation
336–924–0090
Fax Cover Sheet
To: Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
Washington, DC
Fax No: 202–616–9937
From: William Miller, Owner
OEM Sales Corporation
Dec 14, 01 04:lOp Richard S. Vann
336–722–2895 P–2
OEM Sales Corporation
Renata Hesse
Trial Attorney
Antitrust Divisions
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

As a small businessman many of whose clients are in the business of making computers, I want to commend to Judge Kollar Kotelly the settlement which has been reached in the Microsoft case.

First of all, it is my believe that there has never been any consumer harm by any action taken by Microsoft and that so many of that company's innovations have led to big benefits both to users at home and in businesses. During the prosecution of the case, it was very clear that Microsoft's competitors played a major hand in trying to work against Microsoft's position with members of Congress, the media and tried to move the verdict against Microsoft. That battle actually cost taxpayers $30 million which is far too much. Because the economy is in the shape it is in, the last thing that we need is more litigation, expensive court fights and endless funds wasted on attorneys. Both the industry and the government attorneys need to focus on other matters, in my opinion. As chairman of the Republican Party of Forsyth County, the fourth largest in the state, I tend to hold those views strongly.

As I view the elements of the settlement, I believe it to be fair to both side with Microsoft guaranteeing certain provisions and the government getting enforcement provisions never before seen in an anti-trust settlement. I hope that Judge Kollar Kotelly approves this settlement.

William P. Miller
President
5640 Clinedale Court, Pfafftown, NC 27040

MTC–00030639

To:
From:
Subject:
Date:
Pages:
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Fax: 202–307–1545
Charles Jenkins
112 Nasson LN
Oak Ridge, TN 37830
Fax; 865–675–1241
Comments on the Remedy Phase of the Microsoft Antitrust Trial
December 14, 2001

I'm submitting this letter to you for inclusion in the public comments, as provided for by the Tunney Act, on the proposed settlement of the United States of America vs. Microsoft, I sent a copy of these comments via postal mail before I learned that fax or email comments are preferred; I'm now sending this copy via fax in order to comply with the request that appeared in the **Federal Register**. I have also corrected some omissions, so if you would, please accept this version of my letter instead of the one sent through the Postal Service.

The point of illegal, monopolistic behavior is to frustrate consumer choice. Competitors suffer as a side-effect. I believe that the goal of an antitrust remedy should be to restore consumer choice. If the settlement focuses on punishing Microsoft or giving some kind of boost to its competitors, the long-term effect will be negligible and the anti-competitive situation will remain.

The fundamental flaw in the remedy proposed by the Department of Justice is that it puts mild restrictions on Microsoft's behavior, with plenty of loopholes to allow Microsoft to escape the few provisions—like revealing Windows Application Program Interfaces (API's) to competitors—that could make some difference. This is especially egregious because the biggest threat facing Microsoft comes from open-source and free software, and Microsoft has been allowed to negotiate a remedy that defines its competitors in terms of sales revenue—thus allowing it to escape disclosing Windows API's to the real competitors who have the best chance of providing alternatives to Microsoft's monopoly. Basically, it seems to me that the overwhelming majority of companies that could meet this remedy's definition of a competitor are Microsoft's corporate partners!

Since Microsoft has been found guilty of illegally maintaining its monopoly in the market for computer operating systems, a verdict reaffirmed on appeal, I believe that now is the time to go forth cautiously, carefully crafting a remedy with the overt goal of restoring consumer choice,

The lynchpin of Microsoft's operating system dominance is the link between Microsoft Office and Windows. New personal computers come preloaded with Windows, and Office is usually included ''free'' or for a small, fee. I was formerly the network administrator at my company, and I have seen first-hand the deleterious effect of this situation.

Microsoft Office programs use proprietary file formats that change with each new version of Office, I believe Microsoft makes changes to these formats for three reasons: To add new features; to frustrate competition by preventing competitors'' efforts to develop up-to-date ''import filters'' that will allow their software interpret Office files and thus exchange data gracefully with users of Microsoft Office; and to make it difficult for an individual company to standardize on an older version of Office which cannot read new versions of the files. This wouldn't be such a problem, except that businesses automatically become ''infected'' with new versions of Office as computers are upgraded. A Corporate Information Systems (IS) department simply must to learn to support new versions of Office, because there is no way to keep them out.

Microsoft Office takes over, because companies are faced with the choice of getting Office ''free'' or paying for competing products. Even if competing products are extremely low-cost or free themselves, IS has to support Office because they can't keep it out of the door. In this environment, how can a company justify spending money supporting and retraining for a second office suite to be used in parallel? In the end, only companies with anti-Microsoft zealots in powerful positions can avoid becoming dependent upon Office, and therefore upon Widows.

Restoring Choice

Microsoft Office and Windows are linked in two ways: By technical links and by artificial links.

The technical links exist because Office is written to run on Windows, This is reasonable and appropriate.

The artificial links traditionally have included discounts, benefits, and even punishments offered to personal computer manufacturers to encourage them to bundle Office on new computers. They also include things like Microsoft licensing and support agreements that lump operating system software and business software together for the companies who purchase those agreements.

It is these artificial links that stifle consumer choice and software competition, and therefore, the remedy for Microsoft's illegal behavior should be to sever these artificial links as thoroughly and permanently as possible.

In a nutshell, whether sold separately or together as Microsoft Office (or by any other name), Microsoft's business software should be sold to every end user for the same price, whether purchased in conjunction with a computer or not. (And any ''home'' or ''personal'' version of business software should be treated the same way.) CompUSA should pay the same per-copy price; for the Microsoft business software that they stock on their shelves as Dell pays to pre-load it on new PC's, Also, Microsoft should not be able to offer/threaten any discount, benefit, or punishment to computer sellers in order to encourage them to purchase or pre-load Microsoft business software, Microsoft should not be allowed to ''integrate'' business software into the operating system and sell it as one product.

Support and upgrade/licensing agreements for the Microsoft operating system and business software product lines should be kept entirely separate, with no discounts or incentives for customers who purchase agreements for multiple product lines. These restrictions should either be in effect permanently, or until a healthy level of competition is achieved in both the business and operating systems software markets. Consumers should not become dependent upon Microsoft Office because it comes with the monopoly operating system, and they should not be forced to use Microsoft Windows because they need it to run the monopoly office suite.

This will force the Microsoft business software applications, whether sold together or separately, to compete based on price and performance.

How will this restore choice? On the face of it, these restrictions appear to do no more than add to the end user's cost, but the fact is, if everyone has to pay the same price for Office, we are likely to see that price drop dramatically, as Microsoft will suddenly have to face real competition. The corporate Chief Information Officer will have to justify expenditures on Microsoft Office, weighing real costs and benefits against competing software, instead of simply facing the inevitability of supporting Office.

Companies and individuals who purchase computers will no longer receive Office by default; if they want it preloaded on a new PC, it will be an add-on option that costs the same as going down to Wal-Mart and buying Office separately. This gives the consumer the option to perform a cost-benefit analysis, If Office is no longer ''free,'' is it worth what we pay? Are there other products that might serve us better? This will restore competition for business software, and also restore competition to the operating system market as well: Companies and individuals who choose not to use Office are likely to find that they are no longer locked in to Windows, either.

At the same time, this solution would not put an undue burden on Microsoft, There are indeed many customers who are happy with things pretty much the way they are now, and who don't realize how the ordinary consumer is injured by Microsoft's monopoly. If they had to pay a retail price for Office instead of receiving it ''free'' on new computers, they would choose to do just that in order to continue using a familiar product whose shortcomings they've learned to accept. This situation is fine; in fact, it is desirable. If it turns out that Windows and Office can compete well against other platforms in an environment of real consumer choice, then they deserve all the market share they can get. I and a great many others would like to see the result of that experiment; We would like to exist in an environment with real consumer choice.

In Conclusion

On December 12, forgetting that Brer Rabbit is supposed to say ''please don't throw me into that briar patch,'' Microsoft filed a motion vigorously supporting the remedy being considered by the court. I know that the law is a complex matter, and that this case is especially difficult, but I think it is a telling point that the defendant company, having been found guilty of illegal acts, now loudly and enthusiastically supports a remedy that they (Microsoft) are happy with, a remedy that they helped to create.

I respectfully ask the court to implement a remedy that will go much farther toward restoring consumer choice than does the one currently under consideration, and I ask that the final remedy be written without loopholes that would allow Microsoft to escape its provisions-especially in regard to open-source software systems that need to interoperate gracefully with Microsoft operating systems and business software in order to become viable alternatives.

Sincerely

Charles Jenkins

MTC–00030640

Renata Hesse, Trail Attorney
Suite 1200
Antitrust Division Department of Justice
601 D Street NW
Washington, DC U.S.A. 20530
Anthony J. Kocurko
23 Burling Crescent
St. John's. Newfoundland
Canada A 1 E 5H3
Officer Phone: 709–737–8898
Office FAX : 709–737–2589
E-mail : akocurko@mun.ca

Dear Ms. Hesse:

As a U.S. citizen living in Newfoundland and employed as a systems manager in a research department of a university, I have a keen interest in the Microsoft antitrust case. To be succinct. I believe that the complete details of the formats, including syntax and lexical interpretation, of both the data files and the network communications protocols of Microsoft products should be made public. That is the short of it.

Here is the long of it, although not very long. It is not uncommon for me to be asked by researchers. who do not happen to be using Microsoft operating systems, to help in deciphering e-mail attachments sent to them from colleagues or institutions using Microsoft products. (In fact. amazingly, there have been instances of researchers, who do use Microsoft operating systems. receiving c-mail text attachments and being unable to read them because they do not have the same Microsoft program that produced them.) Most often, we end up asking the sender to recreate the attachment in an open format such as Rich Test Format, for example, for which there are available readers for non-Microsoft computer systems. On the networking side, if it were not for the existence of the Samba software (http://www.samba.org). we would have a very hard time sharing our research data among our Microsoft and non-Microsoft systems. My fear, as a systems manager of a heterogeneous facility, is that Microsoft will use the proposed terms of the settlement to make it impossible for third parties to produce open source software that will allow the fluent interchange of data between Microsoft and non-Microsoft products.

In thinking about this issue, I usually return to several situations to which almost anyone could relate. At the moment. I can pick up my phone and talk to a person anywhere in the world, regardless of the manufactures of the phones and regardless of any fancy extensions that either phone may have. Similarly, I will be able to FAX this note to you without wondering whether the company that made your facsimile machine has so arranged things that only a FAX machine by the same company can send to yours. Again, I can make a recording on my VHS VCR and not have to concern myself with the VHS system on which it is re-played. Now, one may argue that no company would be so foolish as to create a phone that only phones of the same manufacturer can call, but, if that phone manufacturer controlled 90% of the phone market, it could well be tempted to do just such a thing.

It is my opinion that what goes on within the strict confines of a computer is up to that computer's operating system, but when the produce of that software leaves the computer, either as e-mail or a data file or a network transmission, then it has entered the public airways, so to speak, and its format should be readable by anyone on that airway. To put it in an almost ridiculously simple form, it is one thing to write a program that adds two numbers, but it is quite another to write such a program with an interface that requires that the two numbers be supplied to the program in some secret proprietary language.

Sincerely Yours,

MTC–00030641

To: Renata Hesse
From: Kevin Walsh
Fax: 202–616–9937 Pages: 1
Phone:
Date: 12/14/2001
Re: Mircrosoft Settlement CC:

I believe that the proposed Microsoft settlement is a travesty of justice. The settlement does not address any of the pertinent issues such as: The specifications of Microsoft's present and future document file formats Microsoft's networking protocols Microsoft's operating system monopoly

I propose that at least the following recommendations be taken into account

• Any remedy seeking to prevent an extension of Microsoft's monopoly must place Microsoft products as extra 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.

Thank you,

Kevin C. Walsh

MTC–00030642

DEVELOPERS CHOICE
''Southeastern Michigan's Internet Provider''
December 14, 2001
Renata B. Hesse
Aintitrust Division
US.Derpartment of Justice
601 D Street NW
Suite 1200
Washington, DC 2O530–0001
Via Fax (202) 616–9937
Renata B. Hesse Esq.

First of all I would like to offer my support for the candidacy of Steve Satchell for the Microsoft Anti-Trust Compliance Committee. Mr. Satchell seems to, have all of the requisite experience and, knowledge to do the job along with intestinal fortitude to take on Microsoft if need be, I don't believe there is a better choice!.

Secondly I would like to voice my objections, to the proposed settlement offer. This offer is a basically a capitulation to Microsoft. There is no effective barrier in the agreement to Microsoft continuing their current practices. Let me explain.

Microsoft argues that they must be allowed to continue to integrate their applications into their operating system. What will the ultimate result of this be? Microsoft's complete domination of the software business both, operating systems and applications. This will be accomplished by incorporating all of the Microsoft applications into the operating system. Since most non-technical users have little idea how to eliminate programs from their computers the mere ability is not enough—the user should have the options presented to them in a forthright and direct manner forcing the customer to make choices—either Microsoft or someone else. I am currently forced to use Microsoft to be compatible with the rest of the world—I would rather use something else as I dearly hate the way the program works. Alas, I can't as Microsoft has become the default word-processor of the world with the notable exception of banks and law firms it would seem. How did this happen—whenever you bought a new computer a few years ago Microsoft Office was nearly offered as a no or low-cost option—nearly everyone took it . The result is that Microsoft no longer has any effective competition in the ''productivity'' software arena and Office is no longer free—in fact it is quite expensive. Do you think they will back off from this type of business tactic—not as long as the sun shines and the birds chirp!

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 ''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 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 damain.

I could go on and on, about the questionable and underhanded tactics Microsoft has used, over the years to further their monopoly but I think you see my point. This a company that will stop at nothing to completely dominate the software industry—and now they have their sights set on my industry—the Internet. It would indeed be a shame if this opportunity to rein in this out-of-control behemoth were squandered. The Justice Department fought a good fight until the proposed settlement—please don't make the same mistake that former President Bush made in Iraq and stop the war before its objective has been reached. March on Redmond and don't stop until the scoundrels are cornered and say uncle! Then you need to keep a close eye on them to make sure that they mind their p's and q's.

Yours truly,

David DeFord, C.P.A.

Chief Financial Officer

Gateway Online

MTC–00030643

Sent By: TRACEANALYSIS;
14 Dec'Ol 12:46; Job 628;Page 1/2
Trace Analysis, Inc.
6701 Aberdeen Avenue, Suite H Lubbock, Texas 79424 800 378 1296 806 794 1296 FAX 806 794 1296
4725 Ripley Avenue, Suite A El Paso, Texas 79977 800 588 3443 915 585 3443 FAX 915 585 3443
E-Mail:lao@traceanalysis.com
TRACE ANALYSIS,INC
A Laboratory For Advanced Environmenal Research and Analysis
FAX COVER SHEET
TO: Renata Hesse
COMPANY: Dept, of Justice
DATE: 12–14–2001
FAX NO: 202–616–9937
202–307–1545
NO OF PAGES FOLLOWING: 1
FROM: Steve Rudeseal
MESSAGE: Comments on Microsoft Antitrust Settlement

Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged. confidential and exempt from disclosure under applicable law. If the reader of this message is not the recipient or the employee, or an agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via regular postal service.

Thank you.

Environmental Research and Analysis

Sent By: TRACEANALYSIS; 7941298; 14 Dec'01 12:47; Job 628;Page 2/2

Requiring that Microsoft donate software to schools does nothing to remedy their illeqal business practices. What it does in fact, is allow Microsoft an unfair advantage in a market in where Apple is competing successfuly. The proposed final judgement does nothing to address the fact that Microsoft is guilty of attempting to maintain its monopoly.

Microsoft has become a de facto standard throuqh both legal and illeqal means. Therefore, they bear the burden of ensuring interoperability with other systems. Microsoft's competitors consist of both businesses and communities of individuals. Companies like Apple, Sun, Netscape and Red Hat compete directly with Microsoft in the buisness arena. But, there is also the open source and free software communities which are not related directly to any given company. Open source projects like the Apache server and Samba file server have been very successful in competing with Microsoft. The proposed remedy does nothing to ensure that these Open Source competitors will be able to compete in the future.

To ensure that both companies and open source communities are able to compete fairly with Microsoft, two measures must be

taken. First off, Microsoft must not be allowed to pre-install and bundle its software onto new systems. The consumer should be allowed to choose what software they want on their system. Microsoft would still be able to offer volume pricing to vendors, but would not be allowed to attach restrictions on how the software is used by the vendor. Secondly, to ensure that there is other software available, Microsoft should be compelled to release the documentation on their protocols, APIs and file formats. Doing so would allow other competitors, both companies and communities, to compete on a level playinq field. This solution would not require Microsoft to open up its source code, but it would ensure interoperability with competitors products.

Steve Rudestal, Programmer,
Administrator.

Justin Shepherd, System Administrator.

MTC–00030644

11 Dez 01 22:lO lain Brodie
+49 89 4358 9382 s. 1
To/An: Antitrust Division
US Department of Justice
Washington, DC 20530–0001
FAX COVER SHEET
From/Von:
Iain Brodie Tel. Work/Biiro: +49 (0)89 9392 2705
Baumkirchner Str. 22 Home/Privat: +49 (0)89 43 1 5792
8 1673 Muenchen Fax: +49 (0)89 4358 9382
Germany Email: iain@who.net
Date/Datum: 11. Dec. 2001
Ref./Betr.: Microsoft Settlement
No. of Pages (incl. cover sheet) 1
/Anzahl der Seiten (inkl. Deckblatt):

Dear Sirs:

I am afraid that the ''penalties'' currently proposed will not prevent Microsoft enacting future misdemeanors.

Yours faithfully,
Iain Brodie

MTC–00030645

NOV-14–2001 12:14
VIA FAX 202 616–2645
DOJ/ANTITRUST DIV.
202 514 0306 P.01/01
Thomas C. Willcox Post it
Attorney-At-Law Fax Note R7673
601 Indiana Avenue, NW To Renata Hesse
Suite 500 Fax# 7–1454
Washington, DC 20004 From Dave Wates
Office: (202) 638–7541 Phone# 5–3055
Fax: (202) 628–2881
Member, District of Columbia
Pennsylvania Bars
November 13, 2001
VIA FAX 202 616–2645
United States Department of Justice
Antitrust Division
950 Pennsylvania Avenue, N. W.
Washington, DC 20530
Re: Microsoft Settlement

Dear Sirs/Madams:

I submit this letter pursuant to the Tunney Act as a comment on the Microsoft settlement.Based on the comments discussed in more detail below that I heard Antitrust Chief CharlesJamesoffer in mid-October, in my opinion, the court should not approve the settlement.

I am an antitrust lawyer and solo practitioner in the District of Columbia. On October 16 ofthis year, in the late afternoon, I lunched at a table outside the Manhattan Deli, just north of theNavyMemorial on Pennsylvania Avenue. As I sat, I noticed Antitrust Chief James in conversationwithanother gentleman, about fifteen feet away from me. I heard Mr. James express some frustrationabout the Microsoft case, although I did not hear his exact words on that topic.

Then, I heard him say ''It is going to take years to undo the damage done by Klein andPitofsky.'' I was stunned by this comment Antitrust Chief James seemed to be saying his plans for theAntitrust Division include not just relaxing antitrust enforcement, but subvertingaccomplishmentssuch as last summer's ruling by the District of Columbia Circuit Court of Appeals that Microsofthadabused its monopoly power. Such a philosophy clearly contradicts the testimony offered by ChiefJames during his confirmation hearings.

Two Fridays ago, less than a month later, Antitrust Chief James announced a settlement ofthe Microsoft case. In my view, given the attitude towards antitrust enforcement I heardexpressedlast month, he should recuse himself from the case, and career Justice lawyers should determineitsfuture.

Sincerely yours
Thomas C. Willcox

MTC–00030646

PO1
Australian Union of Students
P.O. Box 123
Roma Street
BRISBANE Qld. 4003
Telephone: (07) 3321 3069
facsimille: (07) 3311 2090
Email: Info@sfudents.org.eu
November 17. 2001
Renata Hesse
Trial Attorney
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Sir/Madam,

I refer to the case against Microsoft Corporation in the UnitedStates District Court for the District of Columbia, referenceCivil Action No. 98–1232 and No. 98–1233. In accordance withthe Antitrust Procedures and Penalties Act, the United StatesGovernment is required to consider submissions from members ofthe public about its proposed settlement with MicrosoftCorporation. Please take into consideration the accompanyingsubmission of our association, which we are making on behalfof our members who are United States citizens.

Cordially,
Geoff Bird
National President

SUBMISSION IN RESPONSE TOTHE PROPOSED SETTLEMENT OF THE ANTITRUST CASEAGAINST MICROSOFT CORPORATIONAUSTRALIAN UNION OF STUDENTSNOVEMBER 2001

EXECUTIVE SUMMARY

1.The proposed settlement will not end litigation against Microsoft, as it neglects to punishMicrosoft for unlawful conduct and compensate those affected.

2.If the proposed settlement goes ahead, it will deprive the United States Government ofinfluence over the settlement that Microsoft will ultimately reach with the EuropeanUnion.

3.Accordingly, our association, on behalf of our members who are American citizens,wishes to propose an alternative settlement.

4.Microsoft should be required to publish the source code for its operating systems.

5.Microsoft should be required, by way of a punishment, to set up a venture capitalcorporation, and to transfer a proportion of its assets to this corporation,

6.The assets which Microsoft should be required to transfer should be equal to thestockholders'' equity in Microsoft, less the stockholders'' equity that Microsoft would haveif it had complied with the law.

7.The venture capital company should be required to invest in business start-ups in acountry in proportion to the amount that residents of the country have spent onMicrosoft products.

8.Stockholders in Microsoft should be issued with stock in the venture capital company inproportion to their holding in Microsoft.

9.The United States Government should be required to use its best efforts to persuadeforeign governments to enact legislation excusing Microsoft for any illegal actioncommitted prior to 2002.

l0.If a government of a foreign country does not enact the legislation, the venture capitalcorporation should not be required to invest in the country.

SUBMISSION

The United States Government has brought an anti-trust action against MicrosoftCorporation. Following the election of President Bush with the assistance of donationsfrom Microsoft, the Justice Department has reached a settlement with Microsoft.According to the Antitrust Procedures and Penalties Act, the details of the settlement haveto be published in the ''**Federal Register**''. Members of the public have sixty days to makewritten submissions on the proposed settlement. This submission is being made inaccordance with the statute.

Our association, the Australian Union of Students, has standing to make a submission onthe following basis. We have a number of United States citizens as members. Under theconstitution of our association, we have the power to make representations togovernments on behalf of our members, without necessarily consulting the membersbeforehand. Accordingly, this submission should be treated as though it was made byAmerican citizens. We could, if necessary, provide to the United States Government, inconfidence, the names and addresses of the members concerned.

We are against the proposed settlement. It is not that we are unsympathetic to Microsoft.The management of Microsoft are very much respected in Australia, and are held out by our association as examples who young people in Australia should copy. Nevertheless,the proposed settlement will be of limited usefulness to Microsoft, and will

not settle existing litigation by American states, and proposed litigation by European Union countries. This litigation will go ahead, and there will in time be settlements or judgments,which may not be beneficial to Microsoft or the United States.

From the point of view of the United States Government, Microsoft has been held to have broken the law, and to have gained substantial financial benefits as a result. The Justice Department is of the view that it would be undesirable to break up Microsoft into smaller corporations, or to require that Microsoft pay fines. We agree with this. At the same time,Microsoft should have to make up for its illegal actions in some way, so as to discourage other corporations from breaking the law.

The advantage of an out-of-court settlement is that Microsoft can be made to do things that it otherwise cannot be made to do. A court is limited in what it can order. But an out-of-court settlement can contain anything within reason. As an example, an out-of-court settlement could contain a requirement that Microsoft executives must wash their hair each day. An out-of-court settlement should be a ''wish list'' of things that Microsoft should. The Justice Department has not been imaginative enough in formulating its ''wish list''.The Justice Department's ''wish list'' must meet two requirements. First, it must end the illegal conduct by Microsoft. Secondly, it must compensate the people adversely affected by Microsoft's actions. The Justice Department should be asking the question, 'What can Microsoft do that would be most beneficial to users of its operating systems?'' This should not necessarily be limited to things that Microsoft can do in its capacity as a supplier of operating systems, but should include anything that Microsoft can do.

For example, an out-of-court settlement could include Microsoft making donations to charities. No distinction should be made between a donation made by Microsoft and a donation made by its stockholders. Past charitable donations certainly go some way to making up for Microsoft's actions, and should be taken into account in deciding whether to accept an out-of-court settlement.

To end the illegal conduct by Microsoft, we propose that Microsoft should publish the source code written by its programmers, that is used to compile its operating systems,from DOS up to and including Windows XT. This should include comments by programmers put in to explain what the code does. But it should not include code for functions that are for national security purposes.

The publication of the source code would not make piracy of Microsoft operating systems any easier, The software can already be copied illegally. Anyone compiling the operating system from the source code, and using the software without paying a royalty could still be prosecuted.

The advantage of publishing the source code would be that software developers could produce operating systems that are functionally equivalent to Microsoft operating systems.If Microsoft refused to allow its distributors to bundle software with its Windows operating systems, Microsoft would run the risk that a distributor would use an equivalent operating system from some other software developer.Microsoft operating systems have a similar status to human DNA. The information is essential for everyday life. It is surely unsatisfactory that information that is essential for everyday live should be controlled by Microsoft. Certainly Microsoft developed the information, at great expense, so is entitled to a royalty. But they should not be able to prevent further development and improvement of the information.

In formulating its out-of-court settlement, the Justice Department appears to have thought that Microsoft can best compensate consumers for its illegal actions by continuing to develop operating systems. We disagree. We think Microsoft's talent can be used to greater effect in the field of Venture Capital. Of course, if Microsoft was complying with the law, it would be up to them how they use their resources. But since they have broken the law, it is up to the government. The terms of an out-of-court settlement are up to the government.

We propose that Microsoft should be required by a settlement to set up a venture capital corporation. This corporation would invest in and provide advice to business start-ups.Microsoft would be required to transfer a large part of its assets to this corporation. Its Stockholders would be issued with stock in the new corporation, in proportion to their holding in Microsoft. The corporation would be required by its charter to invest an amount in each country that is proportional to the amount that has been spent in that country on Microsoft products. This would be advantageous to the European Union, and so they would be likely to agree to such a settlement.

To make sure they do, the United States Government should lobby the European Union and other countries on Microsoft's behalf for legislation to excuse Microsoft from any illegal action committed prior to 2002. It should be included in the out-of-court settlement that the government must use its best efforts to secure such legislation. Such legislation should be a pre-requisite for the venture capital corporation being required to spend any money in a country.

The amount that Microsoft should have to invest in the venture capital corporation would be set so as to compel Microsoft to down size to the size they would have reached if they had complied with the anti-trust statute. In other words, their stockholders'' equity should be reduced to a level that it would be if they had complied with the statute. Microsoft will as a result have to scale down the extent of its activities and lay off staff. These people will be able to set up businesses in areas of Information Technology that Microsoft was previously involved in. Hence there will be greater competition.

We are suggesting that the Justice Department try to compel Microsoft to transfer its capital into the Venture Capital Industry. This is based on a number of considerations.Microsoft has expertise in taking an industry which is disorganized, and organizing it. The Information Technology Industry was disorganized in 1975, but after Microsoft released its Windows 98 operating system, it became organized on a comparable basis with other industries. In our view, it is a waste of resources for Microsoft to continue being exclusively involved in this area. Cars made in 2001 are not much better than cars made in 1971, and Windows XP is not much better than Windows 98.

There are a number of industries which are disorganized compared to other industries.The Venture Capital Industry is disorganized in most countries, and is organized only on the West Coast of the United States. Other industries that are particularly disorganised are the Entertainment Industry, the Property Development Industry, and the Genetic Engineering Industry. By getting involved in Venture Capital, Microsoft can bring its organizational ability to bear on helping set up businesses in Information Technology,Entertainment, Property Development, and Genetic Engineering. This will be of incalculable benefit to consumers. Microsoft already acts as a venture capital corporation,so it has staff who can be transferred to the proposed corporation.

The Justice Department's proposed solution certainly prevents future breaches of the anti-trust statute by Microsoft. But it is not as imaginative and beneficial as our proposed solution. Of course, the staff of the Department of Justice work under great pressure, in circumstances that are not conducive to imagination. That is why the United States Congress made provision for the Department of Justice to consider public submissions, in order to arrive at a more imaginative solution. We hope our submission is of some assistance.

Our telephone number including country code is +61 7 3321 3059, and our facsimile number is +61 7 3311 2090, while our e-mail address is info@students.org.au, and our postal address is Australian Union of Students, P.O. Box 123, Roma Street, Brisbane4003, Queensland, Australia.

MTC–00030647

Sent By: Century 21 Three Rivers;
559 561 3169;
Nov-25–01 18:ll;
Page 1/2
November 25, 200l
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Fax 202–307–1454 or 202 616–9937
Microsoft Settlement

Dear Renata B. Hesse:

Attached please find a comment to the proposed settlement. If there are any questions, please contact me at 559 284–2704 or e-mail me at pvg1@hotmaiI.com.

Thank you,
Pete van Gilluwe
43275 Kaweah River Drive
Three Rivers, CA 93271
Sent By: Century 21 Three Rivers;

Comments on the Proposed Settlement
between the United States and Microsoft

I have read the details of the proposed settlement and note that only 14%of students

in schools receive any benefit from this proposed settlement.As an technology coordinator in a small K-8 school in Central California, it is my opinion that all students, whether disadvantaged or not, have the same opportunities to learn and succeed once they enter a public school.In reality, they shed their socio-economic status at the school gate and are treated like all other students.

There are currently many federal (and state) programs that give assistance to 'disadvantaged'' schools, including Title l/2/4/6 funds, free and reduced rate breakfasts and lunches, EIA funds, SIP funds, as well as the E-Rate program and others. Many private foundations, such as the Bill and Melinda Gates Foundation and the Packard Foundation give funds to'disadvantaged'' schools and programs.

Many schools, both disadvantaged and non-disadvantaged have technology needs that are not met by any federal or local grant, particularly in the software area. Schools that have small numbers or no students in the'disadvantaged'' category do not receive any special funding that puts them ahead of other schools, and in fact, many 'non-disadvantaged'' schools are falling behind in the technology area due to programs like E-Rate.My recommendation regarding this settlement is to request that the Microsoft Company institute an ongoing program to give operating systems, educational and productivity software and use licenses to all K-12schools, thus giving all students the tools needed to progress and succeed in the world of technology. This is a win-win answer for students, schools and the marketplace.

Pete van Gilluwe

43275 Kaweah River Drive, Three Rivers, CA 93271

559 561–3168

pvgl@hotmail.com

MTC–00030648

Mathemaesthetics Inc. 3034400504
1140 Linden Ave.
Boulder CO 80304
November 27th, 2001
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
By Fax: 1–202–307–1454 or l-202–616–9937
Number of Pages: 1

Re: Microsoft Anti-trust Comments

The recent proposed Microsoft settlement is ridiculous in its lack of accountability for Microsoft,in its advantageousness to their court-declared monopoly and in the minimal nature of the penalty for their illegal behavior. Their ''punishment'' of giving their software to schools is nothing but a standard marketing expenditure that fortifies their monopoly position.

The entire proposal flies in the face of the very point of the trial, which they were held to be a monopoly for illegal tactics that were specifically meant to increase their market share, for bundling to increase market share, and for illegally blocking others'' products in order to maintain or increase Microsoft's market share. But now, a good portion of settlement specifically increases their market shares of both the OS and their bundled products.

Where in this settlement is there any incentive for Microsoft to change its behavior in the future?The proposed settlement directly harms competition in the computer industry, which competition of course is what the anti-trust laws and the and the various Attorney Generals whose jobs are to enforce those laws, are there to protect in the first place.

The current settlement proposal does not serve justice. I believe Microsoft's settlement offer should be declined.

Sincerely,

Douglas M. McKenna

MTC–00030649

11/28/2001 13:56 8183660370 Postal Plus Page 01
PostalPlus
Fax Cover Page
Date: 11–28–01
To: Judge Renata B. Hesse—Antitrust Div.
US Dept. of Justice
601 ''D'' St. NW. Ste 1200
Washington, DC 20530–0001
From: Sheila Small
Fax Number: (202) 616–9937 or (202) 307–1454

Message: Dear Judge Hesse:

I am writing to you to request that you do not destroy Microsoft. As an ''end user'' of Microsoft as well as a student, and as a member of the public, I want you to know that I use their products because they are the only ones that are up to a usable standard. If I had any complaint, I would change, or complain, etc. The fact that Microsoft has grown from nothing to the largest on earth is caused from the superiority of their products as well as the useless and amateur products being produced by its competitors. (The plaintiffs in this case have to use an attack on Microsoft to gain market share because they have nothing else to depend on.

They are a bunch of greedy no-talent frauds that are hoping they can intimidate and fool you into thinking they are telling the truth.

I have read the trial transcript and attempted to use the plaintiffs'' products and I am confident that what I am saying is true. Microsoft has done nothing to the business world except make the best product in its field. These people are responsible for their own failure and I hope you will keep that in mind. I am praying with all my heart that my tools won't be hurt by your decision.

Sincerely,

Sheila Small

Granada Hills, CA

MTC–00030650

11/29/01 09:55 FAX 01
cc: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Fax: l-202–307–1454 or l-202–616–9937
E-Mail: microsoft.atr@usdoj.gov
cc: U.S. District Judge Colleen Kollar-Kotelly
Tel: (202) 354–3340
November 28, 2001
Tunney Act—Submission of Public Opinion
Civil Action Nos. 98–1232 and 98–1233

Please file these comments in the Federal Registry as pursuant to the Tunney Act.After thoroughly reading the Microsoft vs. Department of Justice settlement, I find it to be a political settlement that is not at all in the public's interest. As the US Department of Justice takes the side of Microsoft, and not the side of the American entrepreneur it is publicly endorsing Microsoft's unethical, predatory,illegal and monopolistic behavior. Microsoft has already been found to be guilty of these things in a US Court of Appeals, and the Department of Justice completely overlooks this.

The US Department of Justice's settlement will make things worse for competitors of Microsoft, like myself, because it says, ''Microsoft's behavior does not warrant serious action and does not matter.'' The Department of Justice is painting a model of acceptable business ethics in the outline of Microsoft's behavior and it is accepting, endorsing, and condoning such behavior.

According to the DoJ's Competitive Impact Statement, the DoJ settlement aids in:Creating the opportunity for software developers and other computer industry participants to develop new middleware products that compete directly with Microsoft by requiring Microsoft to disclose all of the interfaces and related technical information that Microsoft's middlewareuses to interoperate with the Windows operating system.

I am a software developer competing directly with a Microsoft product (Microsoft Operations Manager'', and I am unsure what ''software developers'' the DoJ is referring to, because it certainly isn't me.

Microsoft's fundamental powers reside in the following principals:

1. Microsoft's core business model is the ''embracing and extending'' of third party or publicly originated standards, ideas, designs, and technologies.

2. Through court described ''monopoly maintenance,'' Microsoft has been able to create and maintain several monopolies in software markets including operating system software and office suite software.

3. Microsoft can sit around and wait for new things to happen. They wait for others to do the hard work of inventing, proving, and designing a concept.Microsoft then copies and integrates these features into one of its monopoly products. A typical entrepreneur has to spend 3 years or more proving anew product before it can get to even 10% market share. By virtue of it's existing monopoly, Microsoft can copy someone else's work, and have a monopoly in that new market within 6 months. It is this case that the Sherman Act was created, and it is this problem that a US Court of Appeals Found Microsoft guilty on all major counts.

Microsoft most certainly does not innovate, develop, or create original concepts or ideas. Not one of Microsoft's successful products was invented or created by the company. Consider the word processor, spreadsheet, presentation software,command prompt, operating system, publisher, e-mail client scheduler, webbrowser, mouse, window, GUI, database, SQL Server, or any of the other Microsoft tools you may use. Microsoft didn't invent even a single one of these.They copied the ideas from other companies. The patent system is supposed to protect

entrepreneurs from this kind of thing, but it is failing miserably in this case.

The reality is, most entrepreneurs in the software industry have a mutual respect for each other and their work. They want their work to be appreciated and respected and they sometimes copy each other ideas, but never to the breadth,depth, and scale that Microsoft does.

After agreeing to the settlement with the Department of Justice, Microsoft's Chairman, Bill Gates, went on camera and promised to ''act more responsibly''with partners and competitors.

I wish to illustrate the problems with Microsoft a software entrepreneur has by focusing on an existing fact, and an existing problem we are having with the company. For the benefit of the judge and the public I will try to make this example issue as simple and clear as possible. First, a description of the problem:In Windows NT 3.5, Microsoft allowed networking software to have up to 100network connections waiting on ''backlog''. The number of backlog connections is critical in determining how well a given piece of networking software can work.

With the release of Windows NT, 2000, and XP, Microsoft made the number of allowed connections on Workstation (Desktop) versions of its software 5. And Server versions of the software can have up to 200 backlogged connections. The following picture shows this:

Microsoft product	Number backlog connections
Windows NT 3.5	100
Windows 95x	5
Windows NT 4.0 Workstation.	5
Windows NT 4.0 Server	200
Windows 2000 Professional	5
Windows 2000 Server	200

This in and of itself is actually quite harmless. It seems like a perfectly fine way to try and differentiate your products. Buy the more expensive server products and you get better backlog connections and you can create better network software,right?

First let me explain that there is no difference in programming an operating system that supports 5 or 200 backlog connections. It is simply a number that you change and it may use a little bit more memory but there is no technical or labor related issue to change this number.

The troubling part becomes visible when you ask yourself, how does Microsoft networking software on Workstation, 95x, and other operating systems create these kinds of connections? These products, when running on workstation/desktop versions must be subject to the same limits, correct? We setup, as a trial case, IISon Windows 2000 Professional (Workstation version with a backlog limit of 5)and we hammered it with parallel requests. We could take bring the IIS down, but it was far beyond the limit of 5 backlogged connections. Our product, which uses the connection backlog, in its most simple test case, can barely handle a single user session before starting to drop connections (kind of like when you visit a website that is down□.

So the troubling question is, if our software is limited to 5 connections on Workstation versions of Microsoft software, why isn't Microsoft's competing software limited to the same?

I am an open-minded person and wanted to give Bill Gates the benefit of the doubt. So the week of November 20, 200l several weeks after his ''we will work better with everyone'' public statement, I contacted Microsoft. In fact I contacted Microsoft Premium Support Services and opened a paid, premium incident based on my troubling example issue. Maybe it is just our software I kept thinking?Microsoft wouldn't intentionally block our software from running well, while allowing Microsoft software to work well would they?

I told premium support services that if they find a solution, I would happily pay the price to provide me with it. Most software companies would be thrilled to be treated as well as I was treating Microsoft. This is an absolutely real case. The support incident was assigned SRXO11114602 in Microsoft Windows 2000Premium Support Services. After spending three quarters of a day on hold,working through 14 people in Microsoft support I did eventually reach peoples killed enough to at least understand the problem. Once I reached these people, the''Technical Router'' (the person responsible for the incident) said that more senior people had agreed to take up the incident, and they won't be charging me for it.He marked it closed, even though I was being very clear that it wasn't.Microsoft's Premium Support Service response was the following:They acknowledge the limit, and that my software was subject to it.They don't know how their web server is able to avoid the backlog limit on Workstation software, and if they did know, they wouldn't tell me.They said the API I was using was the lowest level API that Microsoft was willing to provide me with.

I followed up the next day and got an arrogant response from the Technical Router ''I can't give you contact information to the person helping you.''The person that was providing information said they would get back to me on it. It's more than a week later now, and not a peep.

The net effect is that Microsoft can sell networking software that runs on Workstation versions of their platform that cost $200, but my networking software, by virtue of the enforced backlog limit, and the limited API they are providing, requires a Server version of Windows, costing $1000 or more. By virtue of its monopoly and by virtue of blocking the APIs from us Microsoft has added $800 to the cost of my product and I am forced to compete with Microsoft with this monopoly created, anti-competitive, and unavoidable cost disadvantage.

This is one specific example of many problems we have with Microsoft, on an on-going basis. We have many ways around this, and are working with our customers to make special concessions in order to insure the cost of a Server license doesn't impact them. Some of them have been absolutely wonderful and offered to purchase Server versions outright, and I thank them and solute them. There is a wonderful team spirit in the world outside of Microsoft that works to handle and deal with the problems and issues it creates.

I submit that the Department of Justice's settlement does not even remotely address these issues in an effective manner. We have many other such problems with Microsoft. Microsoft does not understand what it means to be an ethical,effective, and responsible member of the business community. It doesn't understand how to be an asset to society. These are very basic values that my engineering professors taught me at the University of Florida. It is a shame Bill Gates didn't finish college, as I am sure his professors at Harvard would have taught him the same.Because his education in working ethically and in fairness with people fell short, it is up to the government to correct the problems he has created.Some of the possible solutions to the Microsoft monopoly:

1. A complete, unrestricted release of the Windows source code to any competing third party ISV that requests it, including the right to create derivative works from the source (but not necessarily to create a new operating system, just to make our applications work better), or

2. A break-up of the company into two companies, and Application company and an Operating System company, or

3. The creation of a new intellectual property mechanism that can protect entrepreneurs in the software market while their software comes to life, they win investment, and they develop the market. This mechanism should allow start-ups to compete amongst themselves, but companies with monopolies like Microsoft should not be allowed to develop for or enter these markets for an extended amount of time (I recommend a period of 7 years).

In solution 1, this would solve the problems without a structural remedy. There is a rumor that Windows may include unlicensed or ambiguously obtained source code, such as source code from projects created at universities (without obtaining permission from the university), and source code licensed under the GPL. This is a totally unsubstantiated claim, and I would be surprised if it is true, but I have heard it talked about. True or not, it does represent one plausible explanation as to why Microsoft is so protective of it's source and why it is unwilling to make it easier for third parties to create great applications on their platform.Solution 2 would also actually help level the playing field as application developers would no longer have to be in bed working with their biggest ally at the same time as divulging everything to their biggest competitor.

Solution 3 is what I favor, because all of us entrepreneurs are smart, we just need a little shelter in the open market for a time before Microsoft can come in and steal our ideas from us. We need a fighting chance to get to the up phase of start-up.The one solution we can't have is the Bush Administration's political settlement.The Swiss cheese like settlement the Bush

administration made with Microsoft will make things worse. I feel it is also important to disclose that I have heard rumors that George Bush owns a great deal of Microsoft stock. This raises interesting questions. But more importantly it means the Bush Administration's settlement is colored and born of a huge conflict of interest.

I would like to take this opportunity to thank the many state attorney generals and members of the Department of Justice that did not sign on to the settlement. I want you to know that we appreciate the hard work and time spent trying to truly solve this very real problem. I am sorry the Bush administration has turned it's back on America's software entrepreneurs, I won't be voting for them again.

I am not seeing the America I grew up as a kid in Bar Harbor, Maine believing in.the America I know is a country of fairness, free enterprise, and the reasonable availability of opportunity. We need to restore competition, free enterprise, and the reasonable availability of opportunity in the software market if we wish America's high tech industry to continue to be great.

If we don't, we will become an America, without an American Dream.

Kyle Lussier, lussier@autonoc.com
President, AutoNOC
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htttp://www.AutoNOC.com

MTC–00030652

November 29, 200 1
U.S. Department of Justice
Antitrust Division
Washington, DC
Re: Microsoft Settlement
Comments under the Tunney Act

We believe that the U. S. Department of Justice and the Attorneys General of the various states, in particular, California and Connecticut, have abused their power by misleading the American public. Under the guise of ''protecting the American consumer''from the monopolistic practices of Microsoft, their real aim has been to protect Microsoft's competitors, particularly Sun Microsystems, Oracle Corporation and AOLTime Warner. It is appalling that the U.S. government has wasted its resources and taxpayer dollars trying to destroy a successful American company. The above competitors through their lobbying efforts, have successfully used the government for their own gains. The government should be more forthright and declare their real purpose in pursuing Microsoft.

We wholeheartedly support the recent November, 2001 settlement with the U.S.Department of Justice. The economy and the entire technology sector, including Microsoft's competitors, large and small, will be aided by Microsoft's strength in the marketplace. A rising tide lifts all boats, and as we have seen, a falling tide has done just the opposite, hurting innovation in the entire tech sector, including small, upstart tech firms, many of which have gone out of business.

The American people have been harmed more by the drop in the stock price of Microsoft Corporation and, as an indirect result, the subsequent drop in the prices of various technology companies'' stock over the last 20 months, than by any possible overcharge by Microsoft. Many Americans would have preferred to spend an extra amount of money on a Microsoft product, than lose thousands and millions of dollars in their portfolios and 401 K plans. Microsoft is a premier American company and the leader of American technology companies. The drop in its stock price has affected many others on the NASDAQ. It is core holding of many institutional funds and a core holding in many American's 401 K plans and personal portfolios.

Average Americans have lost trillions of dollars of wealth in the last 20 months,much of it in technology stocks. Some of this loss can be in part attributed to the Government's relentless pursuit of Microsoft, and the subsequent precipitous drop in the stock prices of many other technology companies. Also, Fed Chairman Greenspan's desire to quell the ''irrational exuberance'' of stock market investors by raising rates in2000, even as the market had already started to fall on its own, did additional damage to the financial markets. The government is not doing the consumer ''any favors'' by interrupting the natural free flow of the capital markets. (The government did not help Microsoft in its fledgling existence in an Albuquerque strip mall from the vagaries of IBM corporation, did it? Microsoft managed to become a great American company on its own.

Most importantly, the government's actions actually impeded innovation and competition in technology by hurting the stock prices of technology companies nationwide. Many of these new companies'' stock has fallen 90, 95, even 99%. Even the prices of established technology companies have fallen to prices of 3–5 years ago, before the recent ''tech bubble''. Many small innovative companies have gone bankrupt, or if they are still in business, cannot raise the capital necessary to continue as going concerns.The market capitalization of these companies have fallen so precipitously that not only they cannot raise capital, but many American citizens are having liquidity problems. In summary, the government should be more concerned about the severe impact of the lack of capital spending by businesses, which precipitated the severe drop in stock prices. This abrupt halt in capital spending by businesses and the inability of companies to raise capital have resulted in layoffs of millions of American workers. The stock portfolios of American citizens have fallen 50—90% and more. Americans are having nervous breakdowns, are losing or selling or mortgaging their homes to raise cash necessitated by the severe losses suffered in the stock market and loss of jobs. Formerly wealthy individuals cannot afford to spend and provide jobs to lower income individuals,which, in turn, hurts their families. Americans have been more harmed by these issues than by Microsoft possibly overcharging.

Some of the State Attorney Generals are holding out on the settlement, preferring to go to court, and wasting still more taxpayer dollars. Why not put this to a vote of every American citizen? Let each and every American decide, instead of letting their elected officials pursue their own interests under the guise of ''protecting'' the American consumer.

Carol H. and Dennis F. Buss
3 19 Ravine Park Drive
Lake Forest, Illinois 60045
(847) 234-l 119

MTC–00030653

CASTLEBERRY FOOD CO
PAGE 01
'Subj: Lets go On !!
Date: 11/30/2001 IO:41:49 AM Pacific Standard Time
From: Clamguy300
To: microsoft.atr@usdj.gov

Haven't you spent enough of your taxpayers money on this case, lets get off Microsoft and get on a positive horse that will benefit the economy. This has gone way too far and hasn't produced one positive since this case began.Let me decide what I want, IF I MONT WANT A MICROSOFT PRODUCT I WONT BUY IT!Please let the consumer decide! ! Not your court

Mike Wieltschnig
Issaquah,Wac.
Friday, November 30, 200l America Online: Clamguy300

MTC-00030654

Phone Tools
I
Phone: 206 529–9336
Fax: 206 529–9336
Message :
re: Microsoft Proposed Settlement

Please accept these reasoned views under consideration in drafting a revised settlement offer.The security of the United States can be tied to settlement in which relief is provided by opening the source code to the public,an action which will result in effective competition whereby the consumer will benefit by increased customization, far more value than a $10 rebate to every Californian or a copy of Linux to every school wastebasket. Not responding publically to these suggestions, and others, has exposed the Justice Department to deserved criticism, unintended no doubt, but criticism that should be addressed.

Thank you,
Karel Lambert, MS MT(ASCP)
CTO, Chimerex Inc
From: Chimerex.com
To: Department of Justice
Karel J Lambert MS MT(ASCP) Antitrust Counsel

MTC–00030656

Dec-01–01 12:23P Dick Marble
425–453–5029
RICHARD A. MARBLE
9937 LAKE WASHINGTON BLVD. NE
BELIVUE, WA 98001
Ms. Renata Hesse
Antitrust Division
US Department of Justice
601 D Street Suite 1200
Washington, DC
Fax 202–616–9937
Fax 202–302–1454

Comments re Microsoft Anti Trust Case

I would like to comment on the DoJ/ Microsoft settlement of the Microsoft

AntiTrust Case As a consumer of Microsoft product I strongly endorse the agreement This case has been manuvered from the start by Microsoft's competitors in a very sophisticated manner, staring with Joel Klein's visit lo Pallo Alto at the invitation of Scott McNealy and other competitors of Microsoft in that area to plan an attack on Microsoft. Very little has ever been said from the consumers standpoint. They have expressed their support by buying the Microsoft products which have set today's standard of computer usage. I am attaching letters sent to Business Week Magazine of December 10th in response to an article Business week had run on Scott McNealy and his vendetta against Microsoft I have included all of these consumer letters and they all support Microsoft.

The States' cases against Microsoft are a crass money grab based on the amazing change that their citizens have been charged too much for their computer products. It IS hard to imagine someone fairly establishing what Microsoft should have charged. The consumer.again has had alternative choices lot most of his needs and has supported Microsoft by his purchases of their products.

The opportunity to comment on this case and it's ramifications is appreciated. I would urge the court to accept your settlement plan and remove this distraction from the industry.

DECEMBER 10, 2001

What Mankind Needs: Less Whining from Scott McNealy

Sun Microsystems CEO Scott G. McNealy thinks mankind needs a break from MicrosoftCorp. (''Face-off,'' Cover Stony, Nov. 19). What mankind really needs is a break from McNealy'sincessant whining,. Many people and businesses complain about Microsoft's monopoly None has bothered to offer a superior product Instead,they have used the government as a strategic weapon to cover their inability to develop something better. Microsoft may have a monopoly with Windows and Office, but it hasn't come close to the same level of domination on the Web. lf it had, America Online Inc. wouldn't still be around.

Technology writers from many publications have pointed out many flaws,weak areas, poor designs, and glitches in Microsoft products. What does it say about the rest of the software industry that Microsoft was able to achieve a monopoly with such imperfect products'? Innovation won't happen just because the government suppresses Microsoft

William A. Kirsten

Gaylord, Mich.

We have been reading Scott McNealy's ''trash talk'' for years. I would suggest he start concentrating on his own company's failings.

W. Donald Sally

Lake Forest, III.

If McNealy could just hold on for a few years, perhaps he could find another Administration like that of Bill Clinton. He could again donate heavily to the Democratic Party and again get them to shackle his competition.

What Mankind Needs Less Whining from Scott McNealyto work full-time. We in the industry hope that McNealy got the message

Jonathan Zuck

Association for

Competitive Technology

Washington

What if that softie [antitrust chief] Charles James limited what Business Week could charge at the newsstand?

Patrick M. Code

Alpena, Mich.

What Mankind Needs: Less Whining from Scott McNealy

Come on McNealy. Suck it up, and compete like a big boy!

Joe R Donathan

Centennial, Colo.

Scott McNealy's outlandish attacks on Bill Gates and Microsoft, and his 'sophomoric humor, make one wonder why Sun Microsystems stockholders put up with this overgrown child

Write the Right Laws to Rein in Software Makers

Animals that prey on others are usually successful only against the old and the lame That is all that Microsoft has done (''Settlement or sellouts?''Cover Story, Nov. 19) WordPerfect failed to innovate, so Word won Lotus failed to innovate, so Excel won. Netscape never stood a chance as a stand-alone, so lnternet Explorer won Microsoft had nothing with which to compete when it took these entities on, so it beat them fair and square.

Microsoft has nor beaten Real Audio, Adobe Systems, Intuit, Norton, and many others, because those companies innovated and improved their products. We the consumers and users have only stood to gain by letting the better innovator vanquish the lesser. Microsoft should use everything in its arsenal to compete. That is inherent in our economic system

Richard S. Mimick

Highland Park. N.J

It'lawmakers had made software developers accountable for the operation of their wares, the Microsoft debacle could have been avoided Microsoft would have had to recall products that crashed. It would have been less tempted to develop ''bloat ware'' and bundle others'' products into its own,lest it cause crashes. Taxpayers would have saved a. lot of money.

Tony Payne

Hong Kong

''Slapping Microsoft's wrist'' (Editorials, Nov. 19) relies heavily on Scott McNealy's constant mischaracterizations of the Microsoft settlement. The piece recites the vague and sometimes blatantly inaccurate complaints about the settlement that are often cited by Microsoft's largest rivals Coming after three years of litigation, the settlement between the Justice Dept. and Microsoft should finally allow the software industry to get back http://www.businessweek.com/magazine/content/01_5O/c3761023.htm

MTC–00030658

Dec 04 01 01:43p
Ben and Virginia Riva 1-425–454–5188
FAX COVER SHEET
Microsoft Settlement

SEND TO:

Company name:

I— mm I

U.S. Dept. of Justice

Attention: R.B. Hesse, Antitrust Division

Office location: Washington, DC

Fax number: l–202–307–1454 Virginia Riva

Date: 12/4/01 location: Bellevue, WA

Phone number: 425–454–5180

December 4, 200l

As a 'Consumer'' in the United States vs. Microsoft action, I feel compelled to comment on the proposed settlement, an opportunity provided by the Tunney Act. I am a Consumer because my husband and I purchased a Hewitt-Packard computer with Windows 95 software, a monitor, printer, etc. in 1997. We did not feel that we paid too much at that time, nor have we felt that we were overcharged since. In fact, we have been very happy with Windows and all of our Microsoft products. In fact, we are now considering upgrading with XP.

However, we feel that we hove been severely damaged, not by Microsoft, but by the Justice Department's suit against Microsoft in general and by Judge Thomas Penfield Jackson's very clearly biased rulings in particular. You see, we are retired. We are both in our 70s and are both very active, both mentally and physically, for which we are very grateful. We have raised a large family and have worked hard all of our lives, looking forward to the ''Golden Years'' of retirement. Well, the Justice Department (under Janet Reno) and Judge Jackson managed to tarnish these years for us in a big way. You guessed it—our IRAs and retirement finds containing our ''nest egg'' were heavily weighted with tech stocks, especially Microsoft. Joel Klein and Judge Jackson managed to destroy our financial security that was supposedly sufficient to see us through another 15—20 years, God willing, without ''damage to consumers'' by Microsoft ever having been proven as nearly as we or any of our tech-savvy acquaintances can find.

What kind of JUSTICE is that? The Appeals Court apparently upheld Judge Jackson's finding that Microsoft is a monopoly. But it is our understanding that it is not illegal to be a monopoly. We are now admittedly in a recession and are also a nation at war. The lives of all Americans have changed in the last few months. The settlement proposed now by the Justice Department (under Attorney General Ashcroft) appears to be a very adequate punishment for whatever Microsoft's misdeeds have been. Isn't it now time to GET OVER IT and GET IT OVER WITH and move ahead with matters of far greater importance to the country at this time? Those States still dragging their heels and withholding approval appear only to be trying to hang onto a ''Cash Cow'' and, possibly, make some more trial lawyers even richer, at our expense. We owned and operated our small business for over 25 years and we had to Compete to make good We did not, and could not, rely on the government to make us successful. In fact, the government made it more difficult for us to compete with affirmative action laws in effect at that time. Our biggest competitor's owner was classified as a Minority and, as such, was entitled to contracts that we could not even bid on or be awarded. The fact that

he was retired from the NFL and was also benefitting from a very sizeable NFL pension was irrelevant. But we did manage to compete by providing good work and good service. Microsoft's competitors should be encouraged to succeed in that same way. Let's hear it for ''INNOVATION over LITIGATION'', accept the proposed settlement, and let all of us get on with our lives and, hopefully, put a little life back into the retirement funds of ordinary hard-working citizens. And for all the computer users out there, you'll find that the options and choices are already endless—- no need to struggle through further class action suits to be rewarded in the end by a payoff of an estimated $5.00 per person.

Respectfully Submitted,

MTC–00030659

CREATIVE BEGINNINGS
December 5,2001
Attorney Renata Hesse
Division of Antitrust
US Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Submitted bu Fax,

Dear Attorney Hesse:

I believe the proposed attachment in the case U.S.v Microsoft is a good idea and hope it will be approved. This company's technical advances have led to great efficiences in the workplace and at home. Given that the antitrust laws were passed to protect consumers, it is obvious that the government is persuading a company whose actions have only benefited consumers. I urge you to approve this settlement as quickly as possible. Thank you for your attention in this important matter.

Sincerely,
MJ Marcucci
President

MTC–00030660

MYOR ROSEN
Myor Rosen
12800 Oak Knoll Drive
Palm Beach Gardens, FL 33418
5 December 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to voice my support for the November 2, 2001 settlement in the antitrust case between Microsoft and the Justice Department. The time for litigation is over, and I feel the settlement should be completed and no further action should be promoted.

Under the settlement, Microsoft is not getting preferential treatment. The company Will share more information with competitors; furthermore, it will open up space on its operating system software that allows competitors to place their components on the system. Never before has a software company been forced to give so much information and access to its competition. I hope your office will end this case with the November 2, 2001 settlement and allow the information technology industry to focus on business and not litigation.

I appreciate your efforts this year concerning this case. Please work hard to make sure this suit finally ends so that the American technology sector can get back to what it does best: being number one in the world.

Sincerely,
Myor Rosen

MTC–00030661

PENCOM SYSTEMS
TEL: 212 227 1854
40 Fulcon Street, 19th Floor
New York, NY 10038
Phone: 212.513.7160
Fax: 212.513.7001
TO: Attorney General Ashcroft
From: Joe Sabrin
Fan: (202) 307–1454
Phone:
Date: 12/6/2001
RI: Microsoft Settlement cc;

Urgent For Review Please Comment Please Reply Please Recycle Comments:
40 Fulcon Street, 19th Floor
New York,NY 10038
Tel: 212.513.7160
Fax 212.513.7001
December 5, 200l
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to comment briefly on the settlement that was reached between the Justice Department and Microsoft in the antitrust case. It is in America's best economic interest, and it will help get Microsoft's focus back where it belongs—on technology.

This case has kept Microsoft tied up with litigation for three years. It does not make economic sense to do this to someone who is guilty only of offering the best, most innovative product to the marketplace. The settlement has been carefully negotiated, and addresses the concerns of competitors who felt that they were unfairly shut out of the market.

it is time for the country to get back on track economically. Lawsuits and litigation are not the way to achieve this goal.

MTC–00030662

James M Cox
516–399–8166
44 Carlin Drive
Mastic, NY 11950
December 6, 2001
Attorney General John Ashcroft
United States Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to express my sentiments regarding the Microsoft settlement. I feel that your office has reached a fair settlement that will finally provide certainty about the new rules imposed on the IT sector. I do not see any benefit in pursuing further litigation at the federal level; I am happy to see that your office will be free to pursue the more urgent matters affecting our nation.

I feel that this lawsuit has had a direct impact on both the federal and states' budgets. These budgets are presently challenged, and it doesn't make sense to spend scarce resources on a battle that has already been won. In short, it is time to move on. We must ensure that the technology industry returns its focus to innovation rather than litigation. The longer this battle lasts, the better the chance that we may lose our competitive advantage in the world technology market.

The settlement will benefit all sectors of the economy. Resumption of competition will stimulate our economy and give consumers more choices. As far as the competition is concerned, Microsoft will change the way it develops, licenses, and markets its software in order to accommodate independent vendors. We don't need more federal litigation to keep Microsoft in check. Under the settlement, competitors can sue Microsoft if they don't think the company is complying with the terms of the agreement. The complaints that brought about the lawsuit have been addressed, and your office has set up protocol on how to handle future problems. The Justice Department has done its job. Now it is time to let businesses compete in the marketplace, not special interests in the Senate. I want to let you know that I approve of your settlement, and I appreciate your taking the time to hear my opinions on the matter.

Sincerely,

MTC–00030663

2477 Fairgrove Court
Cincinnati, OH 45244
December 6,200l
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to thank you and all those with whom you worked for your successful efforts at settling the lawsuit against Microsoft. I realize that there are some who disagree with your decision for bringing this lawsuit to a close, but there are also many of us who appreciate the simpler, more integrated way that software works in the Windows environment.

There are some who laugh at the Microsoft ''freedom to innovate'' slogan. However, I remember the days of the text only ''green screen'' when IBM was the provider of PC operating systems. Microsoft did indeed ''bet the company'' on development and marketing of its Windows operating system. The company is truly a ''&lsquo’David defeats Goliath'' story. You can only do this if you provide a quality product at a reasonable price and you are a very strong competitor. Perhaps, Microsoft became an overzealous competitor, but if we had yielded to some of the punishments requested by the Microsoft competitors then we would have set legal precedents that could extinguish the innovate entrepreneurial spirit that brought us the Windows OS and the Internet.

I hate to think of the potential ramifications had this suit ultimately broken Microsoft into smaller pieces. The software market that depends on Microsoft established standards would have been in chaos, and many typical computer users, such as myself, would have suffered.

Because of your foresight, however, this eventuality will not happen. For this I am thankful.

Sincere1y

Lewis Stepp

MTC–00030664

TO:
FROM : ALBERT & RHU KIGHT
FAX: 913–851–8521
TEL: 913–897–9709
COMMENT:
ALBERT & RHU KIGHT
12613 Flint Street Overland
Parka KS 66213
December 6, 200l
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you this letter today to express my support for the Microsoft anti-trust settlement. After three long years of tedious court battles it is time to move on. This settlement is fair and reasonable it will change the way that Microsoft does business by giving other companies greater opportunities in the IT field, but at the same time Microsoft will be allowed to continue providing quality products to American consumers.

The U.S. economy is on shaky ground, and I feel that this settlement will help give it a much-needed boost. We need to focus our time and resources on matters of greater necessity. I feel that the decision of some of the states to continue this litigation was imprudent especially when you consider the deficits that have been projected in many of these states.

I would like to applaud the foresight that you have demonstrated in your decision to settle this case on the federal level. Thank you for all the hard work and diligent deliberation that you have put into this case.

Sincerely,

Albert Kight

MTC–00030665

TO: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
FROM: Robert J. Berger UltraDevices, Inc.
257 Castro Street, Suite 223 Mt. View CA. 94041
Email: rberger@ultradevices.com http://www.ultradevices.com
Voice: 650–237–0334 Fax: 408–490–2868

SUBJECT: Comments on Microsoft Settlement (Don't be like Brer FOX) It is critical that the current wording in the settlement that wording in the settlement that requires Microsoft to only deal with commercial companies for some of the remedies needs to be opened up to non-commercial, open source and governmental entities as well. For instance, 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.

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.

With this wording, 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. SO YOU can see that the current wording actually helps to reinforce Microsofts Monopoly. Please don't let Microsoft use the ''Brer Rabbit Briar Patch'' trick (http://www.otmfan.com/html/brertar.htm if you are not already familiar with it) to get exactly what they want. —

MTC–00030666

Microsoft Antitrust Settlement

As a consumer I would like to think that there exists adequate protection from both State and Federal government to ensure that we are not subject to the whims and abuse of the marketplace bully.

In today's transportation highway a virtual monopoly exists in the oil industry. We have seen no alternative that has succeeded in the marketplace dominated by such friendly competitors. Choice is a sad joke in this area.

We cannot afford to allow the same mistake to happen on the information highway. We have seen Microsoft market defective products and charge us for patches to correct them . We have seen them bully their way and intimidate potential innovators to either sellout or enter niches that tag on to their monopoly.

Apple's existence is at Microsoft's pleasure. It serves them to have the lame dog still in the dog race. We need remedies in place to ensure that real competition and choice develops. One would think that the taunting and ridiculous self-serving proposals that Microsoft has offered would be sufficient to convince the DOJ that any handcuffs or self -monitoring. punishments are nothing but a joke to Microsoft. They feel that the laws were not written for them and so far they have been right.

What is needed are forceful punishments such as forfiture of sales, not profits, obtained through non-compliance plus a fine sufficient enough to jar the share price. This is the only action that Microsoft understands. Anything less is like trying to placate a carnivore with tofu.

We have spent a great deal of PUBLIC money to arrive at a finding that Microsoft engages in monopolistic activities. The public deserves a significant return on its investment. Anything less is making a mockery of the process and will fuel the further disconnect of the people from their government.

I believe that Microsoft is well able to compete in a leveled playing field and I will continue to buy their products as I have in the past. My only fear is that without forceful government oversight and expensive damages for abusive behavior my interest in their products will move from a decision of minuscule choice to a decision of no-choice.

I urge you to fight this battle, figuratively speaking, till your last breath for the benefit of all of us.

Respectfully,

Jack G. Simke

MTC–00030667

From :
Phone : (925) 933–6569
Robert F. Andrews
Fax : (925) 933–8991
To : UD DOJ Antitrust Division Phone
Renata B Hesse Fax : 1–202–307—1454
Date : 12/08/2001
Time : 15: 15

Attached are my comment regarding the proposed settlement of the Microsoft Lawsuit

Bob Andrews
1864 Castle Oaks Court
94595 Walnut Creek
Robert F. Andrews
1864 Castle Oaks CT.
Walnut Creek, CA 94595
925–933–6569
December 8, 200l
Ms. Renata B. Hesse
Antitrust Division
US Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001

Comments regarding the Microsoft Settlement

I support the current settlement with Microsoft by the Department of Justice and half of the states involved in this lawsuit.

I do not think any more severe penalties are warranted. Microsoft probably deserved a little hand slapping because of the way they dealt with the computer manufacturers. But the issue surrounding the operating system improvements and add on's is frivolous. The Internet Explorer was a needed part of the operating system and add on's such as these should be allowed. It was also very easy for others to use Netscape if they wanted to. Bottom line is that Internet Explorer wound up being the best browser. I believe that a large part of the fuss on this issue is being made by Microsoft's competitors who have wound up second and third best and have tried to compensate for their under performance by supporting the antitrust law suit against Microsoft. I believe that a major motivating force for the hold out states is purely political as it relates to companies in their area and political contributions. As a consumer, I believe that Microsoft has been good to us. They have provided outstanding products at reasonable and decreasing prices.

Some states would prefer that consumers buy all of the add on's and that could be big down the road. Where Microsoft has been dominate in a particular software application, prices have fallen. I also believe that Microsoft has contributed mightly to the US economy. They have probably been the biggest contributor in the last 10 years. They should not be punished for being good to consumers and the economy. I might also add that Microsoft is a good corporate citizen.

It is time to settle this suit as the Department of Justice and Microsoft have proposed. The more harsh remedies that are being proposed by the non agreeing states should be rejected.

Sincerely

Robert F. Andrews

MTC–00030668

From My Plumber
Sun Dec 9 04:51:37 2001
FACSIMILE TRANSMISSION
Please deliver this facsimile to:
US DEPT. OF JUSTICE
Page 1 of 2
From: bakewad@space.com
From MyPlumber
Sun Dec 9 04:51:37 2001

The Microsoft settlement does NOT go far enough. Microsoft should be divided into at least 2 separate companies—operating system and applications, or 3 companies—1angua ges, operating system, applications.

I was a programmer/system designer. Given this settlement, there will soon be no way to survive as an independent software producer (if indeed there is a way now—especia lly not-for-profit organizations like the U.S. GOVERNMENT which Microsoft can deny ac cess to the APIS)

Steve Satchell, a pioneer from the Arpanet days, should be appointed to the 3 person oversight committee, even if the above remedies are not implemented.

John D. Gleason
Livonia MI
309–416–5842

MTC–00030669

12/9/2001 11:27 FM FROM: Fax TO: l-202–307–1454 PAGE: 001 OF 001
Commerce & Administration Students'' Association
L'Association des etudiants et etudiantes en commerce et en administration
DATE: December 9, 2001
TO: U.S. Department of Justice Antitrust Division (fax:1–202–307–1454)
FROM: Nicolai Michel, CASA computer lab manager
SUBJECT: Microsoft Settlement

Like many others in the IT industry, I think Microsoft got off far too easily in this case. Why have they not been punished for violating previous agreements? Why is the settlement full of loopholes?

Rather than repeating what has already been said, I refer you to more informed and eloquent critics, such as Ralph Nader, Robert X. Cringely, and eWeek Magazine. To me, this outcome is typical of what happens in Washington, where lobby groups and big business have far too much influence. The only beneficiary of this weak ruling is Microsoft. Who is standing up for everyone else, including those of us outside the US? Concordia

MTC–00030670

17817350581 2001–12–10 05:33:38 (GMT), page 1
FAX COVER SHEET
TO
COMPANY
FAX NUMBER
FROM
1–202–307–1454
markus diersbock
DATE 2001–12–09
RE Microsoft Settlement
COVER MESSAGE
Microsoft Settlement
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001

Greetings,

Microsoft is like the greedy kid at the birthday party who sits at the table and grabs all the other kid's cake. He doesn't grab all the pieces because he's hungry, he just doesn't want anyone else to eat. So birthday party after birthday party Billy kid steals the cake while the others kids stare.

Some people will say, ''But who cares that little Billy steals everyone's cake, he gives a couple of pieces to the poor.''

Well what about the other kids at the table? This analogy has played on throughout the life of Microsoft. With a stranglehold on PC manufactures to sign exclusionary OS contracts they lockout their competition, not only in the OS market, but any other market that can be reduced to an icon sitting on the consumer's desktop.

So the OEMs are forced to bundle unrelated products together to sell to the consumer. The padded price is then funneled to Redmond. Those don't comply get ''punished'' through jacked-up pricing or non-renewal of their contracts.

''Protection fee''—isn't this what the mob does?

I'm a programmer and have used computers since the Apple][+. And I REALLY LOVE Microsoft development tools, but here's the rub.

Microsoft told the development community in the late 80's ''Come write for Microsoft Windows, look at all the great things you can do, blah, blah, blah.'' The reason being that more applications you have for an OS the more people want the OS and thus greater adoption of Windows over other OS's.

But Microsoft didn't want ONLY their OS PIECE of Cake they wanted the WHOLE cake. After Windows was pretty well-entrenched Microsoft turned around and started writing their own competing applications using secret hooks (Undocumented APIs) that gave their applications better power then the 3rd party developers they had been courting years earlier.

They ran company after company out of business going after one market then the next. They were pretty successful in crushing everyone except AOL in online and Intuit in personal finance software. Basically giving the birthday party, inviting everyone in, and when the presents arrived, booted everyone out with no cake.

So there those same people are again, ''Well Microsoft gives money to the Poor, blah, blah, blah.'' Well what about the employee's families of the companies that Microsoft ran out of business?

Microsoft has NO friends. They screw everyone. The developers, their partners, even the customers. How many in the tech community came to their aid during these court proceedings? Probably just as many who came to the aid of Standard Oil. So here we are again, years later. Billy has cake frosting all over his face, he didn't get a spanking for his past misdeeds and he's on his way to the next birthday party. Hmmm, wonder if he'll be better behaved THIS time?

Markus Diersbock
Contract Programmer
http://www.crowdshare.com/profile.asp

MTC–00030671

10 December 2001
Plaza Mikado Bldg. 303
2–14–5 Akasaka
Tokyo, Japan 107–0052
Renata B. Hesse
Antitrust Division
US. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001

Dear Attorney Hesse:

We are three American citizens writing to express our dissatisfaction with the Proposed Final Judgment of the Microsoft anti-trust case. The current wording allows Microsoft to exclude Open Source and Free Software projects and organizations from the list of groups to whom they must disclose the information needed for interoperability. Like many small software companies, we depend on Open Source and Free Software to leverage our development resources against larger competitors.

Specifically, Section III(J)(2) says that Microsoft 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.

Section III(D) says that Microsoft must disclose to several types of organizations the information needed to inter-operate with Windows. However, the legal definitions for these organizations specify commercial concerns only.

We urge you to correct this oversight.

Sincerely,

D, Silver Egg Technology
Leif'Mortenson, Chief Architect
Silver Egg Technology
Silver Egg Technology

MTC–00030672

December 10, 2001
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
re: Microsoft Settlement

The proposed Microsoft settlement Is a ghastly piece of work that:

Does not serve the public good, Does not punish Microsoft for its past transgressions (for which it was found guilty), Does not provide adequate remedies to prevent future illegal and/or monopoly activities

• Actually has the potential to increase Microsoft's dominance of the marketplace. I urge you to discard the current proposed settlement and start over with something that more properly addresses the court's concerns, creates opportunities for other companies to compete against Microsoft, and provides better protection for non-profit Open Source

Sincerely,
Andrew Michael Cohill, Ph.D.
Director

MTC–00030673

To: Justice Department of U.S.
Subject: Microsoft Settlement
From: Earl Sapp, 2010 Glennridge Drive, Tallahassee, FI. 32308
Fax # 850477–7484 Telephone #850–877–5581

I protest what several states have done to try to block the Microsoft settlement with the Justice Department. Their demands are unreasonable and not in the best interests of consumers. It is obvious that what they call for is the opposite to the intention and whole purpose of anti-trust laws. What the States want seems to destroy and devastate the competitive spirit of the great company that built the platform for the Internet. This is overkill! This is a shot that aims at the central theme of the whole American free enterprise system, fair competition. Antitrust laws should try to protect not to disrupt fair and reasonable competition. WHAT THE STATES WANT SEEMS TO BE TO PROTECT MICROSOFT 'S COMPETITORS FROM THE RESPONSlBlLlTY OF INVENTING BETTER TECHNOLOGY TO BETTER COMPETE. I notice that the location of the states that won't sign off on the settlement seems significant.

The Justice Department settlement was a recognition that this case has dragged on too long. This has already hurt the American economy and non-settlement will continue to harm the already weakened economy. Ultimately if it hurts the economy, it will weaken the ''War on Terrorism.''

I have never been convinced of the accusation that Microsoft has ever charged too much for its products. I have never heard any consumer accuse Microsoft of this; only competitors have accused them. I am confident that the new Judge who presides over this case will recognize this as well. It appears to me that competitors are trying to become guilty of the very same error for which they blame Microsoft, seeking an unfair advantage.

I strongly urge the Justice Department to stand FIRMLY and STEADFASTLY on the adequate agreement already hammered out by the two parties in the present settlement. If you do this, the Justice Department, the free enterprise system and the American consumer will be the winners.

MTC–00030674

Dec 12 01 09:11am David Updegraff 218 529 9475
P. 1
From: Dave Updegraff, 5130 Washburn Rd, Duluth, MN 55803, [dave@toimi.com 1
Re. : Microsoft Settlement, Public Comment.
To: 202–616–9937 / 202–307–1545
Renata Hesse, Trial Attorney
suite 1200,
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530

Greetings.

Please register my strong objection to the current (as of Dec. 2001) settlement reached with Microsoft regarding its anti-competitive behavior(s).

My objections are :

1. That when purchasing new consumer grade computers the presumption of a need for a Microsoft operating system remains so entrenched that no opportunity exists to permit real competition nor even to make the consumer aware that any options exist. In my view it is very important that the licensing fees for these operating systems be both optional and also appear as explicit line items such that the consumer is aware of what they are buying.

2. That the extent of the Microsoft monopoly not be effectively extended and legitimized by the very terms of the settlement: i.e. by Microsoft being given a special channel to supply public schools with the software of its choice. Public schools—more than any other place— should be places where we learn of many options, thence to make our own choices more intelligently.

Microsoft operating systems—as I'm sure you can guess from this note— are not my own choice for computing tools. I believe that Microsoft's aggressive anti-competitive behavior warrants that any settlement at least TRY to make consumers more aware of the choices they are making: that those choices exist at all! The argument for not doing so can only be that consumers ''needn't worry their pretty little heads..'' or that they may actually avail themselves of other choices.

Please craft a settlement that really boils down to simple truth in labeling. Consumers do actually read. Make sure consumers know what they are buying, what it is costing, and—most Importantly for an educated choice—what alternatives may exist.

Thanks for your time.

MTC–00030675

12/12/2001 14:27 FAX 678 375 3436
CHECKFREE CORPORATION
Engineering
4411 East Jones Bridge Road
Norcross, Georgia 30092
(678) 375.3000 Corporate Direct
(678) 375.3436 Fax
wwv.checkfree.com
CHECKFREE CORPORATION
12 December 2001
Renata Hesse
Antitrust Division
Department of Justice
Washington DC

Ms. Hesse:

I write to you as a computer professional of twenty-five years experience to comment on the proposed settlement in the Microsoft case per the Tunney Act provisions.

After being found guilty of anti-competitive behavior, the settlement as described does not seem to impose any onerous penalties on the company, nor noticeably restrict their ability to leverage their position to dominate other markets. In fact, on this date the computer trade press is trumpeting a deal between Microsoft and numerous manufacturers of DVD players to have those units support Microsoft's streaming media format in future models. I'm sure Real Networks and Apple's Quicktime division are less than thrilled with this, but they lack Microsoft's clout.

Microsoft has traditionally used 'hidden'' programming features in Windows to give their own applications, such as Office, an edge over competitors'' products. In fact, the original plan to split Microsoft would have broken this information pipeline between system and application programmers. Developers of third-party software packages must reverse-engineer the interfaces to and from Windows to provide compatible packages for other environments, such as the Macintosh or the increasingly popular Linux system.

Along the same line, Microsoft has used their dominant position in the office software market to pull consumers into a unending cycle of upgrades. A new version of Office emerges, with subtle differences in the format of documents created. One user at a company upgrades, which drives colleagues to follow along to be able to exchange files with one another, This has been referred to in the trade press as 'viral upgrading'. It also forces competitors in the office software market to lose time chasing the latest updates since, because of its monopoly position, any competing products must maintain Microsoft compatibility.

The proposed settlement makes some effort to open up Microsoft's protocols to the public, but loopholes in the provisions make its impact questionable. For example, the SAMBA project is an open-source, volunteer-staffed software package to provide file-and-print services to Windows desktops, using servers running on the open-source Linux operating system. To do this, they had to reverse-engineer the protocols for logging into Windows servers, remote disk mounts, etc. It would appear at first glance that the DoJ settlement would ease this problem. However, in an open letter to the development community, the Samba team leaders made these comments:

The Samba Team would welcome Microsoft documenting its proprietary server protocols. Unfortunately this isn't what the settlement stipulates. The settlement states:

''E. Starting nine months after the submission of this proposed Final Judgment to the Court, 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 II.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.''

Sounds good for Samba, doesn't it. However, in the ''Definition of terms'' section it states :

''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. Communications Protocol shall not include protocols used to remotely administer Windows 2000 Server and products marketed as its successors. ''

If Microsoft is allowed to be the interpreter of this document, then it could be interpreted in a very broad sense to explicitly exclude the SMB/CIFS protocol and all of the Microsoft RPC calls needed by any SMB/CIFS server to adequately interoperate with Windows 2000. They would claim that these protocols are used by Windows 2000 server for remote administration and as such would not be required to be disclosed. In that case, this settlement would not help interoperability with Microsoft file serving one bit, as it would be explicitly excluded.

This hardly seems to fit the intent of the settlement. The alternative settlement proposed by the dissenting state attorneys general would appear to offer more stringent provisions to assure inter-operability between Windows and competing products. I would suggest the following provisions to keep Microsoft from squeezing out their competitors:

(a) The alternative settlement proposes that Microsoft license the source code for Office to allow its adaptation (''porting'') to other operating platforms. This simply spreads the problem noted above of ''viral upgrades'' to these other platforms, What would make more sense is to compel Microsoft to document, FULLY, all file formats used in Office, and to require a reasonable (3–6 months?) notice of changes to allow competitors time to update their products accordingly.

(b) Addressing the issue above of communications protocols, Microsoft should be compelled to disclose ALL programming interfaces and protocols used between Windows desktops and servers. This would, again, allow competitors to build compatible products for alternate platforms without the need to 'chase'' changes by Microsoft. Given the current spate of security issues that have arisen with Microsoft products, this disclosure could in fact assist in ''hardening'' their products by allowing a wider audience to examine the interfaces for security gaps. In the current climate, this is definitely called for.

These provisions should be enforced by requiring Microsoft to release the source code for any product they fail to fully document. This documentation must exist in Microsoft's facilities for their own staff to use in development. It should be straightforward enough to make this documentation available for others to scrutinize. The plethora of ''Windows Secrets'' books available on the market suggest that the public and internal documentation of Windows interfaces have some differences. Given their confirmed monopoly status, it seems reasonable they should demonstrate a higher level of transparency in their business dealings.

Thank you for the opportunity to comment on these proceedings, I remain,

Robert K Halloran III
892 Trinidad Rd
Jacksonville FL 32216 004
Phone 904–723–5520
e-mail rkh@mediaone.net

MTC–00030676

December 12, 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

Let me begin by saying that the period of public comment is a wonderful nay to let everyday people express their opinions on topics usually handled by career politicians. Three years of Microsoft antitrust dispute has been long enough. It is time to let Microsoft return their focus to innovation, rather than litigation. Your office has produced a just settlement that has positive implications for software publishers, consumers, and the rest of the IT industry. I am grateful for this.

Our economy has suffered from this lawsuit, and I hope that no more federal funding is allocated to this inane case. State budgets are also hurting, and yet proceedings continue in some states. We must allow the IT industry to resume its former pace. The longer this lawsuit drags on, the more likely it is that our country may lose its lead in the world technology market.

The Justice Department's settlement is the best solution. Competitors are protected under your agreement, and consumers will find better software compatibility. Further pursuit of litigation benefits no one.

Our country and our economy need stability. Settling this case now is just one step in achieving that. I would like to thank your office for the comprehensiveness of the agreement, and to thank you for considering my thoughts on the subject.

Sincerely,
Adelaide W. Revnyak
27398 Cottonwood Trail
North Olmsted, OH 44070

MTC–00030677

2001/12/12 21:49 John D. Hardin (+1 360 668 5342) —) 1–202–307–1454 p. 1/2
17014 Broadway ave.
Snohomish, WA 98296–8031
(360) 668–5342
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530–0001
Fax: 1–202–307–1454/1–202–616–9937
Email: microsoft.atr@usdoj.gov

Ms. Hesse:

I am writing you to register my comments on the proposed settlement in the Antitrust case of U.S. v. Microsoft. I hope they will be considered. First off, I want to gently remind you that Microsoft has been found guilty in a court of law of committing crimes, in that they repeatedly violated the Antitrust laws and engaged in many acts of illegal anticompetitive behavior. Please do not lose sight of this fact when considering the settlement.

Microsoft has violated the law, and as such, they must be punished. Punishment involves causing the criminal SO much discomfort and pain that they regret having committed their crimes, and do not wish to repeat them. Otherwise it is not punishment. Any settlement where Microsoft does not squeal loudly and publicly about how unfair it is, is not punishment. Thus I find it disheartening that the Justice Department is even talking to Microsoft about what form the punishment shall take: ''Will this hurt too much? Oh, sorry. Okay, how about this. 7''—would this be done with any other criminal?

Where is the justice for the public in this? Please don't forget you are on my side, defending my rights, not Microsoft's The terms of the current settlement do little or nothing to punish Microsoft. In effect, Microsoft is being given an opportunity to spend a small portion of their enormous cash reserves to gain a powerful entry into and lock on a new market (that of disadvantaged schools), and is in the process being given protections against the competitors that do the most to threaten their business. How does this punish them?

Any solution to the problem of Microsoft's anti-competitive behavior must strike at the roots of that anticompetitive behavior: their constant and recurring exclusionary practices. These most often take the form of dictating OEM behavior and engaging in gratuitous blocking of software interoperability. The current proposed settlement does not effectively address these practices. Charles James'' comment that the proposed settlement will fully and demonstrably resolve'' all problems is the worst kind of wishful thinking, and shows that he is not acting in the public's best interest.

(1) Microsoft must not be permitted to dictate what software OEMs may or may not install on the computers they build and sell, including most importantly Operating Systems. OEMs must be able to build and ship so-called ''Boot'' systems without incurring any penalties or punishment from Microsoft. OEMs must also be able to ship computers without any Microsoft operating system at all without incurring any penalties or punishment from Microsoft.

(2) Microsoft must be required to publicly, freely and completely document the Application Programming Interfaces (APIs), communications protocols and data storage formats (file formats) used by all products they offer (for example, Microsoft Word and Microsoft Windows itself). In this manner, competing products, including those created by non-commercial sources, will be able to interoperate with Microsoft products. This documentation must be published well

before the release of any new product or upgrade, and must be freely available without fee or registration or restriction on use.

It is vitally important that there be no restrictions on the use of this documentation, for if there are any restrictions at all, Microsoft will find a way to use those restrictions to their advantage to stifle fair competition. See Section III(J)(2) and Section III(D) for their current attempt to do this; these sections would have the effect of allowing Microsoft to determine who they deign to provide interoperability information to. Remember, your goal is to punish Microsoft. Let them compete based on the quality of their products, not the obscurity of their APIs, communications protocols and file formats. Microsoft's ubiquity and ability to produce de-facto ''standards'' demands that their software interfaces be fully, publicly and freely documented. This is the price of their having a monopoly.

(3) Microsoft's products must be held to their documented interfaces. If a Microsoft product is found to use an undocumented extension to an API, communications protocol or file format, then the extension must immediately be documented under the above terms, and Microsoft must be fined and the offending product removed from sale until the documentation has been updated or the use of the extension removed. The same punishment should apply if a product is found to use a wholly undocumented interface.

In conclusion, The current proposed settlement is a very light slap on the wrist to Microsoft, and if it is enacted then in five years we will be right back where we are now all over again, just as we are now going through yet another penalty phase of yet another anticompetitive practices trial today because of the weak Consent Decree imposed in the mid-1990s.

The only difference is in five years Microsoft will be yet larger, more arrogant, and harder to effectively punish. I hope that the Justice Department will inflict meaningful punishment upon Microsoft. I hope that the currently proposed settlement is not enacted; it seems to me to be nothing more than Public Relations window dressing intended to hide the fact that the Justice Department cannot effectively enforce the law upon a wealthy company.

Please don't prove yet again that Money Talks, and that Microsoft is above the law.

Thank you for your time and attention.

Sincerely,

John Hardin

jhardin@impsec.org

CC: mail, email, fax

Renata Hesse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

Microsoft is being amply reprimanded and reigned in with the settlement reached. It is our understanding that under the Tunney Act, the public has 60 days to provide input for consideration by the parties involved regarding this settlement.

While we appreciate the idea of the government looking after the best interest of its citizens, nearly four years, $35 million dollars and the terms of the settlement are enough. It is more than time for this issue to be put to rest.

We strongly urge you to support the settlement. Please take the actions necessary to keep the process rolling to get the settlement through all the channels and put in place.

Sincerely,

Lou Gomez, Executive Director
Kern County Hispanic Chamber of Commerce
1401 19th Street, Suite 110
Bakersfield, CA 93301
661–633–5495
Mailing Address: P.O. Box 1121.
Bakersfield, CA 93302–1121
FAX 661–633–5499

MTC–00030679

DEC-12–01 13:56 FROM:KINKOS LAGUNA NIGUEL ID:9493621957
PAGE 1/7
FAX TO: EXECUTIVE: RENATA B. HESSE: ACCEPTING PUBLIC RESPONCES OF MICROSOFTANTITRUST CASE RESOLVED
202, 307–1454
202, 616–9937
UNITED STATES DEPARTMENT OF JUSTICE (ANT/TRUST DIVISION)
FAX FROM: NATHANNA GODFREE
P.0. BOX 2584
MISSION VIEJO, CALIFORNIA 92690

DEAR EXECUTIVE HESSE & ANTITRUST DEPARTMENT

I AM (E PLURIBUS UNUM) OF MR. & MRS. GENERAL PUBLIC AND AS SUCH I HUMBLY WANT YOU TO KNOW THE QUESTIONS OF MY THOUGHTS.

ON NOVEMBER 6, 200l ON TELEVISION NEWS AS I UNDERSTOOD IT TO BE THAT MY HOMELAND THE GREAT AND SWEET STATE OF CALIFORNIA WOULD BE PERSUING A CASE AGAINST THE MICROSOFT CORPORATION EVEN THOUGH THE UNITED STATES FEDERAL GOVERNMENT CASE IS ALREADY BEEN RESOLVED. FOR OUR OWN UNITED STATES FEDERAL GOVERNMENT ON THE BEHALF OF ALL UNITED STATES RESIDENCE AND PEOPLE HAS VIGOROUSLY SPENT A TREMENDOUS AMOUNT OF DEDICATED TIME, ENERGY AND MONEY—TAXPAYER MONEY RESPRESENTING ALL AND HAS RESOLVED THIS CASE.

I FAXED AND CERTIFIED A LETTER TO MY GREAT GOVERNOR GRAY DAVIS AND MY UNITED STATES SENATOR DIANNE FEINSTEIN WITH THESE QUESTIONS; THAT OUR GREAT STATE IS YET IN PROCESS OF RECOVERING FROM ELECTRICITY SHORTAGES AND BLACK-OUTS WHILE RECCESSION IS PROGRESSING AND OUR COUNTRY IN THE STATE OF WAR; MY QUESTION IS IT PRUDENT TO AND IN THE BEST INTEREST OF CALIFORNIANS TO PERSUE SUCH WHICH IS ALREADY RESOLVED. MY QUESTION TO YOU—

DEC—12–0

1 13:57 FROM:KINKOS LACUNA NIGUEL ID:9493621957

PAGE 2/7

(PAGE2)

FAX TO: EXECUTIVE: RENATA B. HESSE

UNITED STATES DEPARTMENT OF JUSTICE

ACCEPTING PUBLIC RESPONCES OF THE MICROSOFT

CORPORATION ANTITRUST CASE.

202, 307–1454

202, 616–9937 FAX FROM: NATHANNA GODFREE P.O. BOX 2584 MISSION VIEJO, CALIFORNIA 92690 CONTINUE.

TO YOU UNITED STATES DEPARTMENT OF JUSTICE EXECUTIVES, IS IT PRUDENT AND IN THE BEST INTREST OF THE UNITED STATES PEOPLES THAT WE THE TAXPAYERS PAY IN EFFECT TWICE. EACH STATE WHO IS DISSATISFIED WITH THE RESOLVEMENT OF THE MICROSOFT CASE IS PUTTING THE LUXURY OF ITS TAXPAYERS TO FOOT THE BILL OF THESE PROCEEDURES HOW EVER LONG THEY MAY BE WHICH HAS ALREADY BEEN PAID FOR BY THE PEOPLE FOR THE PEOPLE.

IT IS WITH THIS CONFIDENCE IN YOU OUR GREAT GOVERNMENT AND ELECTED LEADERS THAT YOU WILL AGREE TO LET STAND WHICH IS ALREADY RESOLVED WITHOUTANYMORE HESITATION AND SAVE TAXPAYER DOLLARS. I AM FAXING WITH THIS LETTER A COPY OF THE FAX TO MY GOVERNOR GRAY DAVIS AND HIS RESPONSE ALSO A COPY OF MY LETTER TO MY UNITED STATES SENATOR DIANNE FElNSTEIN AND POSTAL CONFIRMATION.

NATHANNA GODFREE

NG

MERRY CHRISTMAS & HAPPY NEW YEAR DEC–12–01 13:57 FROM:KINKOS LAGUNA NIGUEL ID:9493621957 PAGE 3/7 FAX TO: GOVERNOR GRAY DAVIS 916, 445–4633 STATE CAPITOL FAX TO: UNITED STATES DEPT. OF JUSTICE SACRAMENTO, CALIFORNIA 95814 ANTITRUST DIVISION EXECUTIVES RENATA B. HESSE FAX FROM: NATHANNA GODFREE 949,362–1957 202 307–1454 202 616–9937

DEAR GOVENOR DAVIS

MAY I FIRST SAY THANK YOU FOR YOUR GREAT DILIGENCE AND HARD WORK IN CONTINUING SOLVING OUR GREAT STATE 'S 'ELECTRICITY SHORTAGE CRISIS AS TO MY UNDERSTANDING OF IT.

I FEEL IT IS TRUE THAT WE THE GENERAL PUBLIC DOES NOT THANK OUR ELECTED OFFICIALS HARDLY ENOUGH, BUT I AND MY SON, WE THANK YOU. WITH THIS IN MIND AND OTHER CONCERNS OF WHICH ON TELEVISION NEWS YESTERDAY—THEY ARE SAYING AS I UNDERSTAND IT, THAT OUR STATE WILL BE SPENDING TAX PAYER DOLLARS TO PURSUE AN SEPARATE CASE AGAINST THE MICROSOFT CORPORATION AFTER THE UNITED STATES GOVERNMENT CASE HAS ALREADY BEEN RESOLVED. IN OVER STATE'S CURRENT, YET STILL IN PROGRESS RECOVERING OF ELECTRICITY SHORTAGES AND THE RECESSIONARY INDICATORS LOOMING ECONOMIC RECESSION,—MY QUESTION IS—IS IT

PRUDENT AND IN THE BEST INTEREST OF CALIFORNIANS AND OUR GREAT STATE TO PURSUE AND BE IN SUCH A POSITION AS THAT ? AND WHAT IS THE GREATER PROFIT OF SUCH FOR ALL CALIFORNIANS (DOLLAR FOR DOLLAR) ? AND WHAT CALIFORNIANS WILL AGREE TO SUCH A MEASURE FOR TAXPAYER DOLLARS TO BE SPENT WITH NO CLEAR GAIN ? IT IS WITH THIS CONFIDENCE IN YOU OUR GOVERNOR AND OUR ELECTED LEADERS, AS GREAT SOLVERS OF GREAT ISSUES THAT YOU ALL WILL LOOK PRUDENTLY AT THIS EXPENSE AND AGREE TO SAVE OUR TAXPAYER DOLLARS.

THANK YOU,

NATHANNA GODFREE

NG

MAILING ADDRESS: P.O. BOX 2584, MISSION VIEJO, CALIFORNIA 92690 DEC-12–01 13:57 FROM:KINKOS LAGUNA NIGUEL ID:9493621957 PAGE 4/7 OFFICE OF THE GOVERNOR December 4, 2OOl FAX TO: THE UNITED STATES DEPARTMENT OF JUSTICE—ANTITRUST DIVISION EXECUTIVES: RENATA B. HESSE 202 307–1454 202 616–9937 Ms. Nathanna Godfree Post Office Box 2584 Mission Viejo, California 92690

Dear Ms. Godfree:

Thank you for sharing your views.

Please be assured that your opinions will be taken into consideration. As Governor, my job is made easier when citizens take the time to share any thoughts regarding issues of importance to them.

Again, thank you for writing. Government works best when people remain active and express their views to elected officials.

Sincerely,

GOVERNOR GRAY DAVIS SACRAMENTO, CALIFORNIA 95814—(916) 445–2841 CALIFORNIA FAX TO: UNITED STATES SENATOR UNITED STATES DEPT. OF JUSTICE ANTITRUST DIVISION EXECUTIVES DIANNE FEINSTEIN RENATA B. HESSE 202 307–1454 202 616–9937 DISTRICT OFFICE IIII SANTA MONICA BLVD., SUITE 915 LOS ANGELES, CALIFORNIA 90025

DEAR SENATOR FEINSTEIN

ON TUESDAY NOVEMBER 6, 200l ON TELEVlSlON BUSINESS NEWS TO MY UNDERSTANDING, IS THAT OUR STATE WILL BE SPENDING TAX PAYER DOLLARS TO PURSUE AN SEPARATE CASE AGAINST THE MICROSOFT CORPORATION AFTER THE UNITED STATES GOVERNMENT CASE HAS ALREADY BEEN RESOLVED.

IN THE WAKE OF THAT WE CALIFORNIANS HAVE A SERIOUS ELECTRICITY SHORTAGE IN PROGRESS AND IS STILL IN THE PROCESS OF RECOVERING AS SUCH. THIS BEING SAID, MY QUESTION IS—IS IT PRUDENT AND IN THE BEST INTEREST OF CALIFORNIANS AND OUR GREAT STATE TO PURSUE AND BE IN SUCH A POSITION AS THAT? AND WHAT IS THE GREATER PROFIT OF SUCH FOR ALL CALIFORNIANS (DOLLAR FOR DOLLAR) ? AND WHAT CALIFORNIANS WILL AGREE TO SUCH A MEASURE FOR TAX PAYER DOLLARS TO BE SPENT WITH NO CLEAR GAIN WITH RECESSIONARY INDICATORS LOOMING ECONOMIC RECESSION ?

IT IS WITH THIS CONFIDENCE IN OUR GOVERNOR AND YOU OUR SENATOR AND ELECTED LEADERS AS GREAT SOLVERS OF GREAT ISSUES THAT YOU WILL LOOK PRUDENTLY AT THIS EXPENSE AND AGREE TO SAVE OUR TAX PAYERS DOLLARS.

THANK YOU.

NATHANNA GODFREE

NG

MAILING ADDRESS: P.O. BOX 2584, MISSION VIEJO, CALIFORNIA 92690

TEM. TEL: 949,347–8520, ext. 313

WITHOUT SOUNDING TOO ''CORNNY'' I HAVE GOT TO SAY, YOU INSPIRE ALL CALIFORNIA WOMEN GREATLY. ''THANKS'' MTC-00030680 12–12–2001 3:11PM FROM WSFO BIRMINGHAM AL 205 664 7821 P.1 Facsimile Transmission from NATIONAL WEATHER SERVICE 465 Weathervane Road, Calera, AL 35040 (205) 664–3010 FAX: (205) 664–7821

Date:

To: Dept of Justice Location: Microsoft anti-trust Fax Number: 202 616 9937

From:

To whom it may concern,

I am an IT Officer with NOAA. We use open source software a lot and feel the DOJ/Microsoft settlement has loopholes that Microsoft can use to eradicate its only real competition right now...the Open Source Software Movement.

FIRST:

There are certain file and document saving protocols Microsoft uses to save documents. These documents are deciphered into human readable text by Microsoft products. These document formats should be published and open so anyone can write an application to read them and display and manipulate them. By closing the document format Microsoft has a lock on the sole application that can read them. This is bad and perpetuates Microsoft's natural monopoly. By opening these document formats, competitors whether open source or commercial vendors, can all write software to read these document files. Some examples of Microsoft applications that create closed format document files are: Microsoft Office, Microsoft Word and Power Point and there are others such as spread sheets etc. The main issue here is the software can remain closed and protected and can compete based on its usability, functionality and security aspects... but NOT on its file format... which should not be a legally patentable entity in a competitive environment.

ACTION: Force Microsoft and any future companies writing proprietary closed software to publish file and document formats, for current and future applications, to the extent that ANY software developer whether for profit or non-profit could write an application to view and modify that document and resave it in the same format.

BENEFITS: This prevents natural monopolies from forming in the first place. Forces microsoft to write better and more secure software; because, if the does not (since the doc formats are opened up) someone else will. Competition and choice is open up and playing field is level. Other software writers can have access to the file formats and can focus more on writing good software instead of trying to figure out how Microsoft document files are saved. This will naturally eliminate Microsoft's monopoly in the Office applications environment and will stop or significantly reduce what are surely national security risks in Microsoft Outlook email software by bringing real competition to this now proprietary (Microsoft) product.

SECOND:

We often buy computers and put ''non-Windows'' operating systems on them. This is a very technical office and expertise in UNIX and computing in general. Finding a supplier that sells an OEM computer with a ''non-Windows Operating System'' or ''no operating system'' as you could do in the early and mid 90's... is impossible today. Microsoft essentially demands OEM's to include Windows on every machine they ship out the door. This also perpetuates Microsoft's natural monopoly. We as an organization need a choice when we buy an OEM computer. I would like to see a scenario much like the early and middle 90s'' where you purchased the computer and Operating System separately. This eliminates all the back rubbing and hidden costs that go into today's OEM computers from Dell, Compaq and others.

ACTION: Make it illegal for an Operating System developer to bundle or require any OEM computer supplier to bundle their operating system with any OEM computer. Leave it only to retailers or consumers to install the operating system of choice. OEM's shall not be involved in operating system installation. This is a conflict of interest and a road block to competition in the market place. Much like you choose which cell phone you choose to use with your provider, or which TV you choose to watch your cable service with.

BENEFITS: Again brings competition back to the computer operating system market. The operating system will have to stand on its own merits based on consumer perceptions of reliability, usability for a specific purpose, security and costs. This also allows upstarts to get a foothold in the marketplace by dis-allowing Microsoft the ability to ''force'' OEMS to install Windows on all computers. 12–12–2001 3:12PM FROM WSFO BIRMINGHAM AL 205 664 7821 P.4

THIRD:

Networking protocols!!! This is a biggie. This is the future of not just the internet but e-commerce of the future. No company and I mean NO COMPANY should be able to patent or close any networking protocol to block out other competitive Operating Systems. Networking protocol should be approved by and independent body and be published so that any computer operating system can communicate with any other computer operating system at the most fundamental level. Right now microsoft has their own internal networking protocol that is closed. This is to prevent rival operating systems from communicating with the Windows operating system. This locks corporations, organizations and businesses into the Microsoft platform. There is a project called SAMBA which is a not for profit organization that has tirelessly and painfully

tried to figure out how Microsoft's networking protocol works so that other computer operating systems like HP-Unix and Linux can communicate and exchange information with Windows and NT servers and desktops. The DOJ solution does not insure that Microsoft will publish these networking protocols and will essentially give Microsoft LEGAL means to kill the SAMBA project which our organization depends on to function. We also need Apache the free web server used by most of the Internet Service Providers. The lack of strong working in the DOJ solution give Microsoft new LEGAL grounds to shut down apache servers and put into their place... Microsoft products. This certainly does not halt the Microsoft monopoly but instead perpetuates it!

ACTIONS: Force Microsoft and any rival operating system they create to release networking protocol for review by an official body of experts and publish this protocol so any software developer whether commercial or not for profit can use this information to write networking software that is more secure and more functional that Microsoft's that will fully communicate with Microsoft products and services and allow them to work with rival operating systems. BENEFITS: Opens up competition in the server and networking environment. Allows all software vendors access to the operating systems core communication network protocol so more secure and stable server and networking software can be written.

I hope these additions can be added to the DOJ solution to the Microsoft trial. I feel at

the present rate of expansion of Microsoft products and, the severe lack of competition, is leading to national security nightmare. Microsoft is not being held accountable for huge security loop holes simply because there is no competition. This lack of competition allows Microsoft to slack off on refinement of essential networking and software issues that are so central to security. By incorporating these changes into the settlement, we can have real competition in the Operating System market place and will again see progress made in the computer market. The days of closed formats is over. Protecting the software with patents is fine... writing and re-writing core networking, communication and file format protocol and patenting that to lock out competition is wrong and is against all the principles this country was founded on. Microsoft will continue to change its file formats and networking protocol and will force users to upgrade to lock out competitors unless these issues are addressed. Please consider them.

Gregory Machala

Information Technology Officer,

National Oceanic Atmospheric Administration

404 Savannah Cove Calera, AL 35050

MTC–00030681

12–12–2001 04:lOpm
From-WESTMINSTER THEOLOGICAL SEMINARY
+2158875404 T–827 P.OOl/OOl F–267
Dec. 12,2001
fax: 202–6 16–9937
Renata Hesse, Trial Attorney
Suite 1200 Antitrust Division,
Department of Justice
601 D Street NW
Washington, DC 20530

Dear Attorneys:

I am responding to the invitation for public response in the Microsoft antitrust case. As an experienced user of Microsoft Windows, Microsofti Office, and Internet Explorer, and one with some acquaintance both with Microsoft practices and with other operating systems, I must say that I am greatly disappointed with the terms being offered in the proposed settlement. The court has pronounced Microsoft guilty of practices involving maintaining monopoly position.

Yet the proposed penalties have virtually no teeth. All computer desktop users could benefit from more open competition yet the proposed settlement allows Microsoft to go its own way at crucial points.

At a minimum, the settlement should stipulate the following: Microsoft must publish in full the API for the Windows operating system, making it available for free to all, not just available to those who meet its own criteria

Microsoft must publish full descriptions of its file formats (e.g., for Word, Excel, PowerPoint). It is well known that the secrecy of these formats helps Microsoft preserve monopolist control of the Office market. Microsoft must publish full descriptions of network interfaces. Without these, Microsoft uses it current dominant position to make incompatibilities that push firms into using nothing but Microsoft operating systems on every computer in the network. Microsoft must have sales arrangements with computer wholesalers and retailers that allow them to sell their computers without a windows operating system as well as with it. And the price differential must be the same as what it would cost to obtain the windows operating system without the hardware. This alone assures a level playing field, in which Microsoft does not use its market dominance to bully computer companies into offering no other options than Windows.

Ongoing compliance must be monitored by an independent group not containing Microsoft employees.

These moves are fair penalties that specifically target monopolistic practices. They would, moreover, strengthen the U.S. computing market by allowing genuine competition. And they would in the long run encourage Microsoft itself to do better by making better products rather than using its resources and ingenuity to produce more unfair practices.

Vern S. Poythress, Ph.D.

510 Twickenham Rd.

Glenside, PA 19038–2033

MTC–00030682

Dec-12–01 09:06P
Debora Millson
770–414–8206
To: Renata Hesse, Trial Attorney, DOJ
From Michael G. Millson
Dec-12–01 09:07P Debora Millson
Phone: 770–414–8206
AableTech Solutions, Inc.
December 12, 2001
Renata Hesse
Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530
REF: U.S. v. Microsoft Corporation Proposed Settlement

To the Department of Justice;

As the CEO of AableTech Solutions, Inc. and a Web Systems Engineer with 7 years of Internet experience and 20 years of programming experience, I am very familiar with the technologies and issues at hand in the Microsoft antitrust case. I have witnessed firsthand the negative impact that Microsoft's monopoly has had on our industry, and the proposed settlement is not an adequate response to the antitrust violations that Microsoft has committed.

Microsoft has already been found guilty of maintaining an illegal operating system monopoly, and now should be the time to enforce a penalty that accounts for Microsoft's past illegal activities and prevents further monopolistic behavior. However, I find the proposed settlement contains no substantial penalties and will only serve to advance Microsoft's operating system monopoly.

I believe a just penalty would contain the following remedies:

Microsoft's operating system should not be allowed to be coupled with computer hardware. Instead, the operating system should be an additional charge. Consumers should be able to purchase a computer without an operating system at a lower price than a computer with an operating system, and they should be allowed to choose the operating system that is installed.

Microsoft should not be allowed to bundle non-operating system related software such as Web browsers, e-mail programs, and media players with the operating system. These products should be offered as stand-alone products at a cost above and beyond the operating system to prevent Microsoft from continuing to use its operating system monopoly to take over new markets.

Microsoft should be forced to FULLY publish all its networking protocols and file formats in addition to publishing its operating system APls to allow competitors to build products that will interrupt with Microsoft's software and prevent Microsoft from seizing control of the Internet.

Microsoft should have to pay monetary damages to the companies such as Netscape, IBM, and countless others that have suffered or been driven out of business as a result of illegal activity. Microsoft has unjustly filled its coffers, and a percentage of this money should be distributed to the companies and individuals who have been wronged.

I do not believe the current state of the tech economy should be interpreted as a signal to enforce a light penalty on Microsoft, In fact, it is crucial to the national interest that Microsoft's operating system monopoly not be extended. In the report entitled ''Cyber Threats and Information Security: Meeting the 21st Century Challenge,'' the Center for Strategic and International Studies concluded that use of Microsoft software actually poses a national security risk.

Microsoft's activities over the last 10 years have substantially stunted the growth of the computer industry. Without any real competition, the software that Microsoft has produced has been riddled with security holes and productivity sapping bugs, and many truly innovative companies have been driven out of the marketplace. Consumers have been left with no other choice but a blase fare of sustaining, yet hardly remarkable products from Microsoft.

I support and commend the 9 states that have refused to agree to the proposed settlement. In order to breath new life into the technology sector and safeguard the future of the United States and the computer industry, stricter penalties and restrictions must be placed on Microsoft.

Sincerely, Michael G. Millson CEO Web Systems Engineer AableTech Solutions Inc. http://www.atsga.com/ 3658 WINDY CT . TUCKER. GA 30084 PHONE (770) 414–8834 FAX (770) 414–8206

MTC–00030683

the Kompany.com
Renata Hesse, Trial Attorney
Suite 12001
Antitrust Division Department of Justice,
601 D Street NW
Washington. DC 20530
(facsimile) 202–616–9937 or 202–307-I 545

Dear Renata Hesse:

I'm writing you to submit my comments with regard IO the Microsoft penalty currently under consideration. Let me provide you some brief background to establish my credentials for commiting. I have been developing software for 23 years now. my experience with Microsoft goes back to the very early I. days. I had an experience as a beta tester of Windows 3.1 using DR DOS instead of MS DOS. this worked tine during the beta. but in the final release wouldn't work at all, turned out that Microsoft had put code in specifically to disable it working with DR DOS. Microsoft recently paid out a settlement of about $ 150 Million to Caldera to satisfy this claim. I'm sure you've heard the old stories that use to go around Microsoft that ''DOS isn't done till Lotus won't run''. I can assure you that this was indeed the case.

For the last several years I've been running a software company whose primary business is on the Linux peraring system. We also support MS Windows and Mac OS. but the MS environment is so inherently unstable and full of security holes. we prefer to not we that environment if at all possible. Now the recently proposed penalty is in fact nothing of the sort, there is no penalty here that causes any fundamental change. As a Limux software enthusiast I am forced to build computer systems because it is almost impossible to buy a PC that doesn't have Windows on it. and I don't want to pay For Windows as I'm not going to use it. The only equitable way to deal with this is have hardware manufactures, offer hardware at a reduced price without Windows. This price should be the same price that I can buy Windows from them for. So if they are going to discount only SI0 to remove Windows. then I should be able lo go back and buy Windows from them for S10.

Microsoft needs to open up their file formats and API to Windows so that everyone has a fair chance to compete. As someone that has to develop import filters for Microsoft tile formats, I can tell you that the constantly changing versions and forced march to purchase upgrades is simply an expensive and manipulative nightmare.

To sum up. I don't believe that Microsoft should be broken up, but they have an unhealthy stranglehold on the computing industry that is causing enormous problems now (look at all the worms and viruses over the last few years,) and it will only get worse and more dangerous if this is allowed to continue.

MTC–00030684

Chester A. Barr
11722 31st Dr. S.E.
Everett, WA. 98208–6117
Nov 20, 2001
Reneta Hesse, Trial Attorney
Antitrust Division
U. S. Department of Justice
601 D. St., Suite 1200
Washington, DC 20530

Dear Honorable Hesse,

I am an ordinary American citizen whose use of the computer is for home use and a treasurer for a church. I have been watching with much interest the unfolding of the Antitrust Case with Microsoft from the newspaper reporting. I am greatful for the privilege to add my feeling over what I see as a sell out of the American people to Microsoft by our Justice Department.

In family life when you have a child bent on doing wrong, even crime, parents have a responsibility to do all possible to correct that wayward child If the child continues in his wayward crimes, he usually becomes a case for public correction, and at the cost to the public. This is the way I see Microsoft. To this day Microsoft do no accept that they have exercised monopoly power over their competitors to the harm and denial to those of us who use computers desiring to see more innovative software and more control over their own computers.

I respectfully disagree with the U.S. Department of Justice's settlement with Microsoft. First, because in the name of ''U.S. economy'' and pressure from the Bush Administration is not reason to pat Microsoft's hands and turn them loose again to continue their monopoly practices. They have been found guilty of exercising monopoly power, so how can our government and our Justice Department, for the sake of money, to improve the economy, justify to turn them loose with only a tap of the hand. If our government and Justice Department, who are charged to meat out justice, act for reasons not fitting the crime, how then can the American public feel they have representation?

I have observed Microsoft officials using their money power to buy their way with legislators and with those holding high office, meeting with them, dining with them, contributing to their political interest. I ask the question, how can the consumers in this industry compete for hearing, seeing such money flowing, and our politicians reaching for the grab.

Eighteen of our State Attorney Generals have come forth representing Microsoft competitors. Believe nine of them have agreed to accept the Justice Department's deal with Microsoft. Some of them have given in to avoid time and expense that their respective state I governments deem they cannot afford. I praise the other nine State Attorneys who have stayed the course for justice and for more realistic restrictions on Microsoft.

I note Bob Lade, an antitrust expert at the University of Baltimore allegedly said, ''it's odd that the Justice Department—at the end of the filing—outlined stricter remedies that it had considered without explaining why those remedies were not pursued'' and continued by saying, ''This is, of course, the case of the generation so I would have expected more''.

I do not believe for a moment that the settlement the Justice Department has arrived at with Microsoft will remedy the monopoly power. As earlier stated Microsoft have not recognized that they have been a monopoly or acted with monopoly power over their competition so why would they change course.

In closing if fair and competitive opportunities are going to be available, the deal that has been cut will not do it, and I urge stricter remedies, that will give equal opportunities for all and customers have a choice what is on their computers.

Respectfully submitted,

MTC–00030686

10/28/2001 05:02 3157881018
ROBERT DELL PAGE
01 946 Franklin St.,
Watertown, NY 13601–3858
(315) 788–2417
www. northern-ny.net
mail to: reply.letter@northern-ny.net
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530
December 13,200l

As an individual with over twenty years experience in the personal computer industry, I would ask you to consider my comments on the case U.S. v. Microsoft. The proposed settlement does not remedy the antitrust violations of which Microsoft has been found guilty, and in fact could extend their monopoly.

A proper settlement would create competition in the operating system market and impose a real penalty on the defendant without, however, forcing significant disclosure of intellectual property. Microsoft's domination of the operating system market began with their Windows 3.1 product. With the release of Windows 95 and then with Windows 98, their monopoly was secure.

Microsoft no longer ships or supports Windows 3.1 and Windows 95. Their present products, Windows 2000 and Windows XP, use what they call 'New Technology'' and are a significant departure from the earlier products Microsoft has recouped all development costs for Windows 3.1 and

Windows 95, and has, as a result of their monopoly, made very significant profits from these products.

A settlement that would mandate a transfer to the public domain all source code for Windows 3.1 and Windows 95 would allow competition in the operating system market and penalize Microsoft.

Although the defendant may argue that the loss of this intellectual property will significantly impair the present and future viability of the products they develop, such a statement cannot be considered with any credence.

Any settlement must address both competition in the operating system market, and a penalty Shipping free goods that increases the future dependence on the monopolist IS NOT a penalty. Allowing limited access to some source code. so that more products may be developed that can only be used with the monopolists products, is not a penalty I beg the court to consider that the key to a just and equitable settlement is increasing competition in the operating system market. The people are being held hostage by Microsoft and are suffering for it

Sincerely yours,

MTC–00030687

DEC-14–01 FRI 12:06 AM
RKFD PROCESS CONTROL FAX NO, 8159662026 P. 01
Attorney Renata Hesse
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW Washinqton, DC 20530

Ms. Hesse;

I would like to submit some comments regarding the issue of the proposed settlement of the U.S. v. Microsoft antitrust case.

I am an Information Systems professional and I have very grave concerns about the proposed settlement. The Microsoft Corporation has been found guilty of violating certain parts of the Sherman Act, yet the settlement proposed does almost nothing to curb future violations by this illegal monopoly and nothing at all to punish them for their past illegal actions. In fact it is a commonly considered opinion among those in my profession that the proposed settlement gives Microsoft license to continue their monopoly with impunity. As I see it, the Microsoft Corporation will continue to unfairly control and extend their monopoly if tho terms of this settlement are accepted. I would like to propose the following modifications to the settlement:

* The sale of Microsoft products must be placed on a level playing field with their competitors. Forbidding Microsoft from requiring exclusive contracts from new computer manufacturers and resellers is a start. But to be truly Competitive, Microsoft products must be offered as extra cost items just ,as any other competitive software or hardware product in a new computer sale. Not only should consumers have a choice of software products installed on new computers,they must also be presented with the true cost of their selection.

* Microsoft has: a monopolistic lock on the use of desktop office applications. This lock is extended by the use of proprietary file formats that prohibit documents created with their products from being effectively read or modified by competitive products. Until this strangle hold is stopped there can be no effective competition in the area of desktop office applications. Forcing Mircosoft to open the APIs (Application Program Interfaces) more fully is a start, but the proposed settlement seems to allow Mircosoft the choice of who gets the benefit from this. Microsoft should be forced to fully release the specifications for all of their current. and future proprietary file formats used in desktop office applications.

* The method that Microsoft employed to establish their proprietary formats in the area of desktop office applications is also being used to create proprietary network protocols. Already the use of proprietary extensions to network protocols by Microsoft is threatening to extinguish the open standards that the Internet was built upon and substitute proprietary standards useable only by Microsoft products. In fact Microsoft has already admitted this as a strategy to eliminate competition (www.opensource.org/ /halloween/halloween1.html). If this continues, Microsoft will have wrested control of the Internet and established their products as the de facto standard. To prevent Microsoft from leveraging their monopoly in this way they must be required to submit all proposed networking protocols to an independent network protocol body for approval, complete with details that will allow competitors to use those protocols effectively.

I have read comments from various sources that indicate that the proposed settlement should be accepted as a matter of national interest. Though this is a legitimate reason to settle the case, it is not a legitimate reason to accept this settlement. The Microsoft Corporation has shown that it will settle for nothing less than complete domination of the software industry and all that it entails. Further, they have demostrated that they are willing to use illegal means to achieve that end. It is in the national interest that no single entity be allowed to control something so important as our nation's information systems infrastructure. The capitalistic model that our country's economic system is built upon requires competition and the proposed settlement does little to encourage future competition with the current monopolist. Though it may be tempting to accept the proposed settlement in these economic times, the long range effect will benefit Microsoft's interests above those of the nation.

Respectfully submitted,
CLaude Horsman
616 E. Jackson St.
Belvidere, IL. 61008
December 13, 2001

MTC–00030688

12/13/01 THUR 11:O7 FAX 858 452 4410
COMPUTER ASSOCIATES
DOJ
Michael Bergknoff
Computer Architect
3655 Caminito Carmel I Landing
San Diego. CA 92130
December 13. 2001
Judge Colleen Kollar-Kotelly
United States District Court for the District of Columbia
333 Constitution Avenue. NW
Washington DC 2OOl

Dear Judge Kollar-Kotelly.

I wish to add my voice co many others in disagreement with the proposed settlement. Rather than repeating the arguments you have assuredly read many times I will just point to one of the first commentaries I read that. I was in agreement with. It was written by Ralph Nader and James Love on November 5, 2001. It is available at the web address http://www.cptech.org/at/ms/doj12kollar/kotelly/nov5.html

In addition Nader's commentary I have a few additional items that I feel strongly about.

Any remedy seeking to prevent an extention 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 I 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 additton to opening the Windows application program interface (API. the set of ''hooks'' that. allow other parties to write applications for Windows operating system), which is already part of the proposed settlement.

Any Microsoft networking protocol 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. Microsoft should not be allowed to dictate which parties have access to the specifications.

Sincerely.

MTC–00030689

12/ 14/ 01 09:54
FAX 9133108348
JOHN DEERE IT
December 14, 2001
Renata Hesse
Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530

Dear Department of Justice,

I wish to make some comments on U.S. v. Microsoft. I work in the computing industry as a progammer. I have been a programmer for 22 years. I don't -think the settlement as proposed adequately remedies the antitrust violations of which Microsoft has been found guilty. I would propose the following additional features to the settlement.

1. Make all Microsoft products as extra-cost options in the purchase of new computers.

Publicize that users are not forced to buy Microsoft products. The price difference between a computer with Microsoft products and without Microsoft products must be the same as the extra-cost options above.

2. Microsoft must make public all document file formats both now and in the future. A prime element of Microsoft maintaining their monopoly has been the secret nature of their file formats. By publicizing these formats in a clear, easy-to-read manner, it would allow other companies and individuals to develop competing software.

3. Any Microsoft networking protocols must be published in full. Also, these protocols should be reviewed and approved by an independent network protocol body. This will prevent Microsoft from controlling the Internet with proprietary protocols. In addition, it will allow competing software to be written to replace Microsoft's software seamlessly on individual's computers. I believe these recommendations that I have outlined would help to contain Microsoft's illegal anticompetitive behavior both now and in the future.

Donald W. Price
12114 Bluejacket
Overland Park, KS 66213

MTC–00030690

12/14/2001 10:34
ADVICEFRAMEWORKS
12826169937PP2418 NO. 35701
December 14, 2001
Renata Hesse, Trial Attorney
Antitrust Division,
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FAX: (202) 616–9937
RE: Public Comment AGAINST Microsoft Proposed Settlement

I am writing this comment to express my voice AGAINST the proposed Microsoft settlement. I am a Microsoft Certified Solution Developer, one of the first 500 certified under their new track, one of the fit 5000 Microsoft Certified Professionals, and one of the first 300 Microsoft Certified Professionals + Site Building. Because of my background as a software developer using Microsoft technologies, I am uniquely qualified to express an insiders point of view on the efforts Microsoft takes in preventing competition. It is from that experience that I URGE THE COURT TO DISAPPROVE fhe proposed settlement.

Although Microsoft's domination of the desktop operating system market was earned, they continue to USC this monopoly to channel upon consumers sub-standard, insecure applications. IF A CONSUMER PRODUCT GAlNS A NEAR MONOPOLY MARKET POSITION, IT MUST. BE EARNED, NOT lNHERITED. As a software developer focused on integrating data from multiple platforms and multiple companies, I am constantly frustrated by the bottlenecks that Microsoft has put in place deliberately to enhance their position at the expense of other products that are superior to theirs.

This cut-rent proposed settlement relies upon Microsoft's integrity as it deals with the Court. When has Microsoft ever demonstrated integrity with the Court? Take for example (one of many) the case in which they were ordered by the Court to ship me Java Native Interface with Internet Explorer and they deliberately disobeyed it with the excuse that it made download time longer. Hence, THE COURT CANNOT TRUST MICROSOFT to honor its obligations. IT MUST BE FORCED as was proposed in the solution that broke apart Microsoft's operating systems groups from the applications groups.

Microsoft has become an expert at maintaining their tyranny through manipulation of our legal system. It is time to bring this institutional evil to an end. Hence, THE COURT MUST DISAPPROVE the proposed settlement and pursue one that correctly separates their operating system monopoly from their applications domain.

n Charles Walker, MCSD, MCP+SB, MCP
6614 Ronda Ave
Charlotte NC 28211
(704) 367–9341

MTC–00030691

To Whom It May Concern:

I would like to express my concern over the latest settlement proposed by the Department of Justice in the Microsoft Antitrust case. As introduction, I am a software developer who builds applications primarily for the Windows platform.

One of my primary concerns with the proposed settlement is that it ignores the damages done by Microsoft's anti-competitive behavior to rival technologies. While I am pleased that Microsoft's future actions are to be regulated by the settlement, I feel that much of the damage has already been done. Simply enforcing certain prohibitions on Microsoft's business practices will not repair many of the companies that have suffered because of Microsoft's predatory activities. Granted, it would be a difficult task to quantify all the damages done by Microsoft to every company, but the fact that so many companies have been affected suggests that the current settlement is not appropriate. While I will not propose specific alternative settlements, I do suggest measures that will impose damages on Microsoft tantamount to those it imposed on its competitors.

I take greatest exception to the idea that a quick settlement will be in the interest of the people. Its monopoly in the Operating System market has allowed Microsoft to expand to new areas such as Internet retailing, broadcasting, and entertainment. Given that the current settlement amounts to a slap on the wrist, Microsoft will have no impediment to extending its stranglehold to these new domains.

Thank you for your attention.
good@ pare.xerox.com
589 Oak Street
Mountain View, CA 94041

MTC–00030692

Russell Cage
1615 Morton
Ann Arbor Ml 48104
14 December 2001
Renata Hesse, 'Trial Attorney
Suite 1200, Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530
202–616–9937 FAX
microsoft.atr@usdoj.gov

It is my understanding that the Department of Justice has reached a proposed settlement with Microsoft in the matter of the recent anti-trust suit. Despite the established guilt of Microsoft, this settlement calls for only a token cash outlay, no fines, few conduct penalties and great freedom on the part of Microsoft to continue doing business as it wishes.

In my humble opinion, such a settlement is unconscionable. Not only does it fail to remedy the effects of past monopolistic behavior or prevent the same or worse in the future, it leaves the victims of the monopoly without a remedy. Worst of all, it may present a threat to national security.

Certain terms of the proposed settlement, such as the provision of $900 million in Microsoft software to schools, do nothing to ameliorate the damage done by previous monopolistic behavior. It has been argued that this would only extend the monopoly into an area where Microsoft is currently weak. This should not be allowed. By all means allow Microsoft to make up some of the damage the company has done to schools with its marketing practices, but make them do it in cash. The disposition of the cash should be overseen by people charged with getting the most benefit to the schools; benefit to Microsoft should not be a consideration. For this reason stock is inferior to cash; the value of the stock can be affected by the purchasing decisions of the schools, and Microsoft's welfare should not be a factor in the decision.

Other terms leave much to be desired. Microsoft has been proven to ignore conduct restrictions imposed on it by consent agreements. What is to prevent Microsoft from doing what it pleases regardless of the terms of this settlement? For this reason, I believe that the court was premature in ruling out a structural remedy.

But the most important issue may be national security. Microsoft's dominance in desktop operating systems means that most businesses run it on most or all of their computers. The vulnerability of Windows and other utilities such as the Outlook mail agent to viruses, worms and Trojan horse software has made both the global Internet and company intranets subject to being swamped with traffic and even crashed.

Even crude viruses such as the Love Bug required eradication efforts amounting to billions of dollars world-wide. This vulnerability is almost entirely due to Microsoft's ''integration'' of unwanted functionality into Windows and its related utilities. Once such functionality is ''integrated'', users and companies alike have few ways to remove or disable it if it becomes a liability. If an intelligent and determined enemy were to exploit many such liabilities, the cost to the USA could be far greater than the September 11 disaster.

For this reason, any settlement must stop Microsoft from ''integrating'' utilities and ''middleware'' with the operating system. Microsoft should be required to package, sell,

install and remove software functionality in distinct, related units. If functionality such as an insecure web browser can he removed and replaced, the damage from an attack on that utility's vulnerability 'is limited. The effect on competitors to Microsoft may be one of the smaller issues; if such functionality cannot be removed and replaced because it is ''integrated'' by Microsoft, the entire Internet can potentially be shut down by a single security flaw.

Thank you for your attention to this pressing matter.

MTC–00030693

STERLING GILLILAND
(408) 377–6374
Fax to: (202) 616–9937
Renate Hess
Trial Attorney: Antitrust Division
U.S. Department of Justice
601 D. St. NW Suite 1200
Washington, DC 20530
Subject: Microsoft Penalty

Gentlemen I am a 'home' computer user that uses Microsoft's Windows 98 for eMail, snail mail correspondence, and occasional web browsing. I am not an accomplished high-tech user. However, I was pleasantly surprised by the recently published recommendations of the various dissenting states, for solution of the Microsoft case. The particular part that interests me, and I would imagine would interest others, is the following:

'Have Microsoft offer a lower-cost, striped-down version of the Windows Operating system without Microsoft's multi-media software, Internet Explorer Browser or email program.'

I choose to use other sources for these parts of my computing, but am interfered with by the Windows parallel programs. I am not qualified to comment on other recommendations of the dissenting states.

I would also hope that Judge Colleen Kollar-Kotelly applies some stringent restraints to Microsoft to eliminate the scorn that Microsoft's management has shown for U.S. antitrust laws.

743 Briar-wood Way
Campbell, CA 95008–5527
408–369–9487
Fax 408–377–6374

MTC–00030694

December 15, 2001 II:11 AM
From: Software Marketing
Fax #: 614–459–1790
Software Marketing Center, LLC
4149 Winfield Road
Columbus, OH 43220
December 15, 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I believe that it was a tremendously important and beneficial decision for the Department of Justice to have settled the case against Microsoft. Having spent the past twenty years in the software business, I can attest to the positive impact that Microsoft and other innovative companies have had in contributing to the remarkable productivity gains which helped to generate a robust national economy for many years. Without this leadership and technological advantage, our country would be far less able to succeed in an increasingly competitive global marketplace.

I think that the current settlement is fair to both sides. I was happy to learn that The State of Ohio is ready to settle the case. Further litigation and congressional hearings would benefit no one but Microsoft's competitors.

Sincerely,
Donald Bogart
President
Software Marketing Center, LLC

MTC–00030695

December 6, 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a user of Microsoft, I fully support the current settlement in the Microsoft Antitrust case, Microsoft has endured three long years of legal action, and it is time that legal action against Microsoft is stopped.

I am following the economic recession, and am concerned that continued legal action against Microsoft would only foster the current economic climate. We need Microsoft to get back to business and out of the courts.

Stopping this legal action is best for the economy, the consumer and the software industry, Thank you.

Sincerely,

MTC–00030697

Dec 18 01 10:25a
Richard S. Vann
336–722–2895
Fred F. Steen III
Town of Landis, NC
December 18, 2001
Fax Cover Sheet
To: Renata Hesse
Trial Attorney
Department of Justice
From: Fred Steen
Mayor of Landis, NC
Fred F. Steen, IX, Mayor
Town of Landis, NC
Rennet Hess
Trial Attorney
Antitrust Divison Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse

I would like to urge that Judge Kollar-Kotelly approve the settlement that the U.S. Department of Justice has worked out with Microsoft as well as nine other attorneys general including our attorney general in North Carolina As an elected official, I have always been wary of government lawsuits against private business and I was an opponent of this particular lawsuit from the start. But now that the parties have come to an agreement, I think it is important for everyone to move on particularly considering the state of our economy.

There can be nothing gained by continuing on with a trial against one of the finest companies in America, which makes the products that, just about every computer user in the country benefits from. I cannot see where there has ever been any consumer harm because of Microsoft since their prices have not gone up greatly and on some products and the price has actually gone down. I am saddened that nine states will continue to press their case even though I believe in the end that Microsoft will prevail

MTC–00030698

November II, 2001
Renata Hesse, Trial Attorney
325 7th Street, NW
Suite 500
Washington, DC 20530

Dear Renata,

I would like to express my concern over the proposed settlement in the DOJ—Microsoft case. I understand I may not be getting the whole story, but from what I understand, there are no provisions for anti-competitive pricing on the part of Microsoft. No matter how 'open'' the market is to other middleware developers, if Microsoft can just bundle their middleware in with the operating system, how likely is it that a consumer will have the know-how or inclination to remove a bundled piece of software such as instant messaging or a web browser, and then have to shop around and purchase a competing product. It is a well-known fact that com- puter users get comfortable with products and don't change them often unless they are causing some kind of problem: If competing products are only on-par or even just a little better, there is no real incentive for some- one to spend money on a competing product.

The only way I can see this deal working is that Microsoft cannot be allowed to give away products that com- peting companies have to charge for. If Microsoft software is as good as they say it is, consumers will have no problem paying for it. Each piece of software Microsoft makes should be able to stand on its own. If the only reason, people: are-using it, is because it was free and 'not that bad'' in comparison to the competition, then this whole lawsuit was. for nothing except to waste taxpayer money.

I am also concerned that people are talking about the technology market sector as being a factor in settling this case. The law is the law, and money is money The idea behind having laws is to protect the public good. If Microsoft broke the law then they should be punished and no amount of money should be able to change that, including the stability of the stock market. The market goes up and down as the economy does. No matter how large Microsoft is, they are not the sole factor in the stock market's health. The only thing that should be of concern is. if justice is being served.: the law is supposed to be the great equalizer, where everybody is the same. If the law treats this case differently because of financial concerns, then Justice is not being served.

Citizen and avid computer user

MTC–00030699

Trevor Carlson
132 North Valley bad
Naselle, WA 98638

I have personally felt the heavy oppression of Microsoft's monopoly, forced to buy

Windows, unable to get a program that can perfectly interpret Word files, and unable to remove Internet Explorer; and therefore I followed with interest the Microsoft Anti-Trust case. I am disappointed with the proposed settlement however, and was glad to learn I could give suggestions.

In order to allow competition to flourish, three features must be included in the antitrust agreement. Each is meant to address the Microsoft monopoly in one area.

I. Windows must be included as an extra-cost option in all computers.

People who do not want to purchase Microsoft Windows are still forced to do so because of agreements between Microsoft and computer manufacturers. As it stands now, the perceived cost of Windows to consumers buying a computer is exactly nothing, giving an incredible burden to anyone who dares to compete with Microsoft in the area of Operating Systems. In order, to restore competition in this area, computers will need to be offered without Windows.

That means that Microsoft cannot sign exclusive deals with computer manufacturers, the cost of the operating system must be visibly included with computers, and the operating system must be available at that price without having to buy a computer.

2. Windows file formats must be available for people to copy.

There are people who are forced to buy Microsoft Word, not because it is the best software for the job, but because everyone else has it. They do not want to loose business just because they cannot understand a file that was sent to them by a customer. While almost every Word replacement includes a converter to get information from Word files, they do not work all that well because Microsoft has not revealed how Word files are stored, forcing them to use guesswork to determine the format. Of course, if people have to buy Word anyway, they have no need to buy a product that does the same thing as Word.

Forcing Microsoft to reveal the file format used in their products would let their products compete on merits, not on market share

3. The third and final features is not meant to address a current monopoly, but one that may develop in the future and must be prevented.

If Microsoft were to change networking protocols, (the language used to communicate between computers) they could force everyone on the Internet to choose a side; between Microsoft and their protocol and everybody else. This would almost certainly force everybody to bow to Microsoft in order to communicate to anybody else, allowing 'Microsoft to seize complete and utter control over the Internet.

The solution to this is to force Microsoft to reveal networking prtocols, and to keep them from changing unless approved by au independent network protocol governing body. These three features will destroy Microsoft's grip on the computing world if implemented. Although they may seem radical, they must be the only moves that will stop Microsoft.

MTC–00030700

American Homeowners
Grassroots Alliance
December 18, 200l
Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW., #1200
Washington, DC 20530
By fax and Email: microsoft.atr@usdoj.gov

Dear Ms. Hesse:

We are writing to comment on issues in the settlement of the Microsoft antitrust case. We also wish to commend the Department of Justice for negotiating a fair and reasonable Revised Proposed Final Judgment in the case, and to urge the Department to resist efforts of Microsoft competitors to undermine the proposed settlement of the case.

The American Homeowners Grassroots Alliance is the national advocacy organization representing, along with its sister foundation, the nation's 70 million homeowners since 1983. Our interest in this case comes from the fact that nearly 60% of homes have one or more computers. Those tools are increasingly important to homeowners who depend on them as tools for personal and business communications, financial management and planning, adult and children's education, and also to manage the rapidly growing number of home-based businesses. In the early history of the personal computer industry there were many choices for operating systems, much as there are in cellular telephones in the U.S. today. The utility of personal computers was undermined by the inability of software written for one operating system to work on a different operating system, just as the incompatibility of today's cellular telephone operating systems is a limiting factor in their value to consumers. Over time the development of many types of software for the Windows operating system lead more and more consumers to select the Windows operating system. Consumer preference for a wide variety of software applications, convenience, and ease of use also lead to a consumer preference for the integration of software applications into the Windows operating system,

The evolution of the Windows operating system into an industry standard through consumer choice is the most valuable consumer benefit of Windows. Actions taken to address Microsoft behavior should, in no case, undermine the current right of consumers to select Microsoft operating systems and popular arrays of integrated software applications. We believe the revised proposed final judgment strikes the right balance in effectively addressing Microsoft's unacceptable practices and also preserves consumer choice. The agreement calls for uniform pricing and allows computer makers flexibility to configure Windows and promote non-Microsoft programs. Both interfaces and protocols necessary for other software to work with Windows must disclosed, and both retaliation and exclusive agreements are prohibited. An independently appointed permanent technical committee will monitor compliance and assist with dispute resolution. The U.S. or any of the states have a right to inspect all Microsoft documents and all source code for any Microsoft program, interview any Microsoft employee, and order Microsoft to prepare any report under oath regarding any issues relating to the final judgment. Any person may complain regarding noncompliance to the Justice Department, the states and/or the technical committee and the plaintiffs can immediately initiate proceedings to hold Microsoft in contempt. We see no loopholes in this remedy.

Our members have not urged us to support more stringent sanctions against. Microsoft. In fact we believe there is little or no consumer opposition to the revised proposed final judgment. We oppose many of the suggestions of Microsoft competitors, directly or through their influence of federal legislators, state attorney generals, or third party organizations, for settlement provisions designed to increase their market share. These companies do not represent consumers, and consumers have made their preference for the Windows operating system known by their actions in the marketplace.

We thank you for the opportunity to present our views on this case.

Sincerely,
Beth Hahn
President

MTC–00030701

Dec 19 01 04:26p Richard S. Vann 336–722–2895 p.1
Vernon Robinson
South Ward Alderman
Winston-Salem, North Carolina
Fax Cover Sheet
To: Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
Microsoft Case Comment for Federal Register
Dec 19 01 04:27p Richard S. Vann 336–722–2895 p.2
Vernon Robinson
South Ward Alderman
Winston-Salem, North Carolina
Renata Hesse
Trial Attorney
Antitrust Divisions
Department of Justice
601 D Street NW., Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

As an elected official who represents taxpayers, I am pleased that Judge Kollar Kotelly has before her a settlement agreement, which has been reached between Microsoft and the U.S. Department of Justice. I hope that this agreement will be signed off on soon.

As one who has urged fiscal restraint in all matters and less government involvement in people's lives and businesses where possible, I have been displeased with what I believe to have been the unwarranted pursuit of Microsoft, not to mention the $30 million in taxpayers money used to prosecute this case which was so quickly overturned by the Court of Appeals.

However, since the U.S. Department of Justice and Microsoft plus several attorneys general have sought to end this sad affair, I would certainly endorse this settlement

rather than pushing on year after year and devouring even more taxpayer dollars. I know that in any settlement, both sides will get what they think are victories but not get everything they want. That is also true of compromises which come up at the city level upon which I must vote each month.

As an alderman, there is one thing I have learned about endless litigation. It is not good for anyone. When our city is sued, it takes time and resources that should definitely be spent on other matters. It often means hiring of outside counsel which is expensive. Eventually, if the city is plagued with too many lawsuits, it begins to affect our budget and brings about increased need for higher taxes.

I encourage approval of settlement in this case for the sake of the taxpayers.

Sincerely yours,
Vernon Robinson
South Ward Alderman
2713 Edinburg Drive, Winston-Salem, NC 27103

MTC–00030702

19/19/01 15:04
FAX 330–678–1007
KINKO'S KENT OH 002
1026 H Allerton St.
Kent, OH 44240
December 19, 200l
Renata B. Hesse, Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street NW., suite 1200
Washington, DC 20530

Dear Mr. Hesse,

The American ideal is to have products thrive in an open market where competition fosters improvements and new technologies. Microsoft has been found guilty of violating this ideal by illegally maintaining a monopoly on its Windows operating system. To remedy this situation I feel that Microsoft should be compelled to do the following:

• Microsoft should be required to make Microsoft 0ffice available on at least five other non-Microsoft operating systems without price differences between the Microsoft and non-Microsoft versions.

• Microsoft's present and future document file formats must be made public so that documents made in Microsoft applications can be read by other applications on other operating systems.

• The Microsoft networking protocols and Windows application program interface (API) should be made publicly available.

• Microsoft should not be allowed to retaliate against computer manufacturers that sell personal computers with a non-Microsoft operating system. Microsoft has been found guilty of illegally maintaining its monopoly and the current phase in the lawsuit is to determine Microsoft's penalty. Any settlement must be punitive and insure Microsoft's cooperation in the American ideal.

Sincerely,
Dennis Jarecke

MTC–00030703

Sent By: NORDIC SERVICES INC: 2065249014: Dec-19–01 9:51AM: Pane ½

CD CHUCK BATIS, PC
December 17, 2001
Reneata Hesse, Trial Attorney, Suite 1200
Antitrust Division, Department of Justice
601 D Street NW.,
Washington, DC 20530
Re: Microsoft vs. Public

To Whom It May Concern:

I am writing to express my frustrations which again today have been piqued by the United States Government

I would like to suggest three parts of of what I think should be included in my effective remedy: (1) Enjoin the U.S. Government and governmental agencies from requiring us to use Microsoft products to conduct business in the Unites States;

(2) Prohibit maufacturers from preloading any operating system on these products;

(3) Include ALL offenders in the remedy.

As for part one. We are required by the Congress to file taxes with the IRS electronically. The only viable provision the IRS has made to accomplish this feat requires us to use Windows. Additionally, today I received notice from the U.S. Postal Service that they will no longer publish the national zip code directory in hardcopy but we can order an electronic version—of course the electronic version (of which all businesses will require at least one copy) only works on Windows.

This amounts to a direct U.S. Government subsidy of Microsoft and requires all business to ''invest'' in Microsoft crapware—supporting that monopolistic empire. The court should put a stop to this nonsense by requiring U.S. and said governmental agencies to release all software in form that is free of dependence upon the presence of the Windows API-software that can run on a variety computing platform. If the Government wants to use Microsoft products that is up to the people the Government has to make those decisions. But government employees should not be allowed to require those of us in business to use Microsoft products if we citizens choose to use other computing environments. No use of the Windows API should be allowed in governmental software release. Please require the government to release all future applications for multiple platforms and retrofit all current applications within a period of two years to eliminate calls so the Windows API.

Part two: I manufacturers were required to ship their product ''naked'' a whole new economic boom would. Third parties would spring up to in still the customer's choice of operating system and software applications. There is certainly for this in the IBM anti-trust settlement of past decades. This would mean all software application developers would have an equal opportunity to market share through value added resellers. Furthermore, I can think of no other single section which would give an much improved usability of both hardware and software components. If either hardwre or software were difficult to use resellers would choose to install alternative components other providers. This would stimulate competition in the marketplace like no other option than I have heard suggested. Microsoft would have to compete on an even playing field with all other providers.

Finally, the manufacturers were the other side of the equation! IBM, Compaq, Gateway, Dell and Micron (and all the others) all knew the licensee were illegal but chose to sign anyway. They were complicit in the illegal activities of Microsoft and should share in the pain. They should be at least required to refund, to any customers who requests that retail value of the Windows licenses they forced unwilling customers to purchase in order to other hardware products. This action would put businesses (a legal position expense and promoted by Congress at every session).

Please include in the settlement whatever it takes to allow business to be conducted in the United States with both federal and state governmental agencies the Microsoft -free environment. The government should not be allowed to require businesses Microsoft products in order to conduct business in the United States. Currently the U.S. Government is schricopherenic—one segment ones Microsoft for monopolies tactics while the rest of the government requires us to purchase Microsoft products. Only the Government can possibly be that disoriented!

Thank you for any relief you choose to provide U.S. based businesses.

Very truly yours,
Chuck Davis, CPA

MTC–00030704

Attn Charles A. Jones

this letter pertains to the ownership and lawsuit with microsoft. I own microsoft. I have no understanding how you can file lawsuit against the co. without me representing the co. or making sure the co is properly reprresented. I don't understand how you can file lawsuit against this co. Did you investigate any to know who owns microsoft. I've called you people and told you this more than once. I would like a reply.

Kevin Olland W6763 Co. Rd A
Spooner, Wi. 54801
715–635–8837 10pm-2pm
Mon-Fri

MTC–00030705

12/20/01 THU 10:20 FAX 001
December 19, 200l
Renatta Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street, NW., Suite 1200
Washington, DC 20530

Dear Ms. Hesse;

I am writing this letter to you in support of the Consent Decree proposed by the Department of Justice in the case of US v. Microsoft and pursuant to the Tunney Act, which allows public comment on such matters. I believe the settlement proposed by the Department of Justice is fair and should be accepted by the court.

I work in the technology industry and have watched this case very closely since it first began some three years ago. Though I didn't agree with all of the assertions made by Microsoft's competition, there was some validity to their position. It was important to have the issue heard in a court of law and allow the facts to come out. But when Judge Jackson pushed for breaking up Microsoft

and the hi-tech industry started a rapid decline, I felt the case had gotten out of hand. It is now time to resolve the matter and move forward.

The settlement proposed by the Department of Justice should be accepted because it is fair. The remedies proposed in the settlement will address future issues and are adept at fixing any challenges which may arise from rapid technological innovation. It ensures competition by forcing Microsoft to disclose information on the operating system. They can no longer enter into agreements of exclusivity and they cannot retaliate against manufacturers for helping to develop competing software.

The current agreement proposed by the Department of Justice will remedy past violations by Microsoft while ensuring the technology industry remains innovative and competitive. Solutions being suggested by Microsoft's competitors will not make the industry more competitive.

Though I realize closure is not the issue for the courts, I do hope they will take into account what settling the case against Microsoft will mean to the technology industry. As this case drags on, so does the insecurity of the hi-tech industry. I currently work for a dot-com company. Since the day Judge Jackson ordered a break up, things have not been the same. Because many in our industry are nervous about the impact to Microsoft, our ability to plan for the future is difficult. If US v. Microsoft is settled, we will get back some sense of security in our industry. It is the sort of boost we desperately need right now.

As I mentioned before, the case against Microsoft may have been justified in the beginning. But Judge Jackson, the break up, and the extreme politicizing practiced by competitors has caused the issue to get completely out of hand. The settlement is a fair and prudent one, I hope the courts will accept it and the case so we in the hi-tech. industry can restart the expansion where it left off.

Brenda J. Zamzow
Senior Vice President
Internet Directories USA, Inc.
2461 Santa Monica Boulevard, Suite 408
Santa Monica, CA 90404
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www.idusa.com

MTC–00030706

DEC 20 ''01 18:24 FR BROADCOM
949 450 0244 TO 12023071454
P. 01/03

To DOJ,

I'm writing to express my anger over Microsoft and the current state of Microsoft anti-trust lawsuit. The US government is too easy on Microsoft. Microsoft must be much more severely punished to bring a more competitive marketplace into the software industry. There are more examples than I can write to demonstrate the harms Microsoft have done to the software industry and consumers. I will only list a few here:

1. Before Microsoft Outlook email software, it is SIMPLY IMPOSSIBLE to spread virus through emails. There have been at least two serious virus spread (Melissa, etc.) through Microsoft Outlook software. Due to the extremely unthoughtful construct of their email software and operating system, a third party software that is attached in the email can easily gain control of the desktop systems. To my personal knowledge, no other email software/platform can spread and get virus except Microsoft Outlook.

2. Microsoft has repeatedly demonstrated their incompetence in writing secure and bug-free software. The latest release of Window XP has such a serious security flaw that a hacker can gain the control of the personal computer as soon as the personal computer gets onto internet (http://dailynews.yahoo.com/h/nf/20011220/tc/15458 l.html. Unfortunately this is not the first serious problem, nor probably won't be the last. The number of patches to their different versions of operating systems have been just endless. Without bringing in a more fair competition into the operating system marketplace, and software in generally, we would wait in eternity for Microsoft to improve on their quality of product.

3. The stronghold on operating system by Microsoft has enabled this shameless company to expand into one software market after another. In the last few years, I have personally witnessed the disappearance of other great software company one after another. By withholding critical documentation and information on their operating system, Microsoft was able to produce much better products than its competitors. Since all other software must interface with the operating systems to do anything with the computer screen or keyboard or mouse or any devices, in general it is close to impossible to write software without sufficient documentation on a certain operating system. Throughout the years, I have seen the dwindling or disappearance of WordPerfect (word processor), Borland (software compilers), Lotus 1-2–3 (spreadsheets) companies. In every case, I have witnessed that these companies were not able to provide a fancier graphics on the screen or easier controls at the same time as Microsoft put their products out. It is simply an outrage when Microsoft compilers won over Borland compilers with inferior constructs, but better graphics. I will not elaborate on the technical details, but to simply state that Microsoft initial compiler products on C++ language is close to a joke.

This Microsoft company created such a laughable product that basically shows their ignorance on C++ language.

Even after so many generations (Win 2.0, Win 3.0, Win 3.1 Window 3.2, Win 95, Win 98, Win ME, Win XP) of their operating systems, their operating systems still hang without notice. I don't know when it would be the time that I don't need to unplug my notebook battery to be able to reset my notebook simply because my Win 98 hangs. The lost time and wages to maintain faulty systems of Microsoft is just unimaginable. Now that Microsoft wants to settle this lawsuit by donating 1 billion dollar of their faulty product (which will cost them only 140 million according to their latest financial report), and plus that they probably get a tax write-off of 1 billion dollar. At their -30% tax bracket, it would translate into 300 million tax saving. And would they end up with 160 million dollars gain after settlement? Even if the tax write-off is calculated using 140 million, their out-of-pocket expense would only be 60% of the 140 million which is 84 million. So is US government telling their citizens that Microsoft will be punished with a paltry 84 million dollars or even 160 million gain in another calculation, after all of these? With this donation, Microsoft would obviously be making a lot of inroads so swiftly into the education market which was/is entrenched by Apple company, and that the schools will probably end up paying so much more for Microsoft monopoly.

Till this day, the price of every single component inside a PC has gone down by probably more than 80%, except Microsoft operating system and its software. Microsoft is the only company that still enjoy a gross margin of more than 80%. Only when there are meaningful competitions, we can start to see any price erosions. And the worst of the worst about the Microsoft monopoly is that we the consumers will pick up their faulty products without any choice and suffer all the inconveniences.

Sincerely yours,
Sean Lee
seanlee@broadcom.com
** TOTAL PAGE.03 **

MTC–00030707

12/21/01 01:31 714 368 6610
UNIT 1 OPERS A72
001/001
December 21, 2001
Renata Hesse
Trial Attorney, Suite 1200
Antitrust Division

I have a few comments I would like to express regarding the proposed final settlement of the U.S. vs. Microsoft Corp. case.

Microsoft Corp. has been found guilty of ''illegally maintaining an operating system (OS) monopoly.'' The function of the court is to now determine the penalty for the crime. The current proposed settlement does nothing to prohibit Microsoft from continuing their campaign of monopolizing the computer software market.

I was amazed to see the Microsoft proposal that they be ''punished'' by giving away their software to schools. As Mac/Apple has long been the OS of choice in US schools, this punishment is nothing more than a Microsoft attempt to gain a larger share of school exposure. This and they will be able to write off the cost of this ''punishment'' to further their monopoly. I find it laughable that the guilty party is allowed to ''suggest'' their punishment. Any true punishment to Microsoft must limit their ability to continue their monopoly. In order to do this I propose the following as a just and reasonable penalty;

Microsoft products must be made an extra-cost option in the purchase of new computers, so that the user who does not wish to purchase them is not forced to do so. There are several viable OS's now on the market. The industry (Microsoft) should no longer be allowed to choose which OS is installed for you. In order to make the

playing field even, allow the end user to decide which OS they desire. Allow market conditions (price/value) of the OS dictate which one an end user purchases.

Installing Microsoft Internet Explore must be made optional. Not pre installed in any sense of the word. Remove all links which attempt to make this the Browser of choice (default) after loading it. Allow equal access to other Internet Browsers without favor.

I realize this is a very complex issue and you are not treating it lightly. However, this decision will impact the future of the entire computer industry. Microsoft has created many valuable innovations in the industry. That does not give them to right to dictate history. That is the role of the court.

Thank you for taking the time to understand my point of view.

Doug Lahann
26633 Guadiana
Mission Viejo, CA.
92691–5904

MTC–00030708

Dec-24–2001 02: 58pm From-
T-557 P.001/002 F-482
Trial Attorney Renata Hesse
Suite 1200
Anti-Trust Division
Department of Justice
601 D Street NW.,
Washington, DC 20530
Jens Gecius
53 Sherwood Drive
Larchmont. NY 10538
FAX 202–307–1454—two pages

Dear Trial Attorney Renata Hesse:

I am writing you today in response to the invitation of public comment on the proposed Settlement of the Mircrosoft Anti-Trust case.

I am an amateur systems application developer and enthusiastic computer user, familiar with many aspects of programming and administering a computer system as well as following the development of the computer Industry.

I have also been following the Microsoft Anti-Trust case and like to take the opportunity to comment on the case. I cannot see that the proposed settlement is a remedial action for the illegal maintenance of a monopoly Microsoft has been found guilty of. I do not see any penalties in the proposed settlement for Microsoft, actually, even enhancing the current monopoly Microsoft has been found guilty of maintaining Monopolies have never proved to benefit the public and national interest.

As a minimum of a remedial action, I would see four penalties:

1. Full disclosure of all Windows Application Program Interfaces (API) and other specification documents for Microsoft products to the public using a license to enable everybody to write applications, system-drivers, and API and such, to enable third parties to develop any such program, driver, or API being compatible with Microsoft's current, former and future products. Such a license has to be free of royalties and discrimination of any kind. Microsoft must be prohibited to extend any such API or other specification without proper publication.

2. Necessity to show the Microsoft operating system as an extra-cost option for buyers of a new computer. This would facilitate buyers of a new computer to choose an operating system themselves, or buy a computer without an operating system, using an existing license or another operating system. Futhermore, it would enable buyers of a new computer system to make an informed decision about which operating system to buy or use, using all information available in regard of stability, security and compatibility.

3. Networking protocols and protocols for new applications of Microsoft must be published to the public and approved by an independent protocol body. This would prevent Microsoft to extend its existing monopoly by seizing other areas and enable users of other operating systems to use such enhancements.

4. Forcing Microsoft to open all current and future patents involved in the operating system business to the public and to grant a public license free of royalties and discrimination on such patents. Nowadays in the computer business, patents are the perfect tools to monopolize any future developments in that industry, preventing enhancements by other developers. This would prevent Microsoft to extend its current monopoly into areas of future computer industry development, be it Hardware or Software.

Finally. I would like to point out that this Anti-Trust case is in the national interest, and that I believe that it is crucial that Microsoft's monopoly will not be extended. Even the highly respected Center for Strategic and International Studies recently pointed out that the use of Microsoft software actually poses a national security risk. The latest serious security flaw in Windows XP shows once again how ruthlessly Microsoft acts. It is outright declining to send a simple email reminder to its customers, hence putting at risk computers of their own customers as well as other computers world-wide due to ''hijacked'' computers running this again insecure version of Windows.

Microsoft would be more diligent to get all affected computers fixed if it would not be a monopoly In conclusion, everybody agrees that the resolution of this case is of great importance, not only for now but also for many years to come. Therefor, I suggest a careful and deliberate decision is worth far more for the national interest than a hasty one.

Thank you for considering my comment.

Yours sincerely,
Jens Gecius
53 Sherwood Drive
Larchmont, NY 10538

MTC–00030709

insario 14354 Morht Frank Lloyd
Wright Blvd
Suite 21
Scottsdale, AZ 85280
480–281–1582
December 21, 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Mr. Ashcroft:

Like many other people. I have often felt that Microsoft's anti-competitive stance may have been a little restrictive, but I am not sure that it has really ever risen to the level of a lawsuit. The computer technology business is largely comprised of people who would rather see a freer exchange of information. Microsoft plays a little closer to the vest and this annoys some. However, I have always believed that a lawsuit like this will end up just as harmful for the entire technology market as it ever would for any one company.

This is why I believe that the settlement between the Department of Justice end Microsoft is a good one and should be sustained throughout this public comment and review period.

I am hoping that we can all get through this review period without initiating any further action. Any such action will most certainly hurt the entire computer technology market even more than it has already been hurt. Our country is only now beginning a slow recovery back to relative normalcy. I would hope that our national and state leaders would do nothing untoward to dampen this recovery.

Josh Kewley
VicePresident

MTC–00030710

Claude David Baldwin
1212 Haig Circle
Virginia Beach, VA 23456–1613
December 19,2001
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW.,
Washington, DC 20530

Dear Renata Hesse:

I am writing to express my opinions on the proposed settlement between the Department of Justice and Microsoft Corporation.

Microsoft Corporation was found guilty at trial of having maintained an illegal operating system monopoly and of having illegally tied its Internet Explorer to its monopoly operating system. When Microsoft appealed the appellate court threw out the guilty verdict as pertains to the browser but said yes, Microsoft did in fact illegally maintain an operating system monopoly. In light of the appelllate court finding I feel the proposed settlement between the Department of Justice and Microsoft Corporation is lacking in several key areas.

If the purpose of the sertlement is to remove barriers illegally maintianed by Microsoft to competition then I feel the following changes need to be made to the proposed settlement:

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 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 Microsocft 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. In my career I have purchased many computers each of which came supplied with Microsoft products although I do not and have not for some time use Microsoft products I was given no option to purchase the computer hardware without the Microsoft products installed. Thus I paid Microsoft for products I had no intention of using. A ''hidden'' tax that went directly to Microsoft.

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 Micorsoft's or other operating systems. By keeping these file formats secret and changing them frequently, Microsoft stifles competing programs.

3. Opening the Windows application program interface (called the API, the set of ''books'' that allow other parties to write applications for Windows operating systems), which is already part of the proposed settlement. Microsoft has in the past only provided this information to its internal staff and close development partners thereby putting all other software developers at a disadvantage. Only by opening this interface will true competition be possible.

4. All Microsoft networking protocols must be published in full and approved by an independent and inter-national network protocol body. Bodies such as the Internet Engineering Task Force (IETF), ECMA, or the World Wide Web Consortium(W3W) are examples of such bodies. This would prevent Microsoft from seizing de facto control of the Internet.

In addition to these comments I would like to add that Microsoft has, in the past, agreed to certain restraints on its behavior and failed to do so. In any settlement there must be immediate and severe enforcement remedies to insure compliance with the terms of agreement.

Thank you for the opportunity to comment on the proposed settlement between the Department of Justice and Microsoft. I hope you will take my comments into consideration. A level playing field is the only way this country can contribute to innovate in the computer software industry and insure continued economic and national success.

Sincerely

Claude David Baldwin

PS: In light of the events of September 11, 2001 and the subsequent anthrax attacks via the United State Post Office I am also sending this letter by email to insure that you will receive it prior to the end of the comment period. I will send the email with my PGP signature. You may verify my signature a any of the public PGP keyservers, e.g. http://certserver.pgp.com/

MTC–00030711

12/25/01 TUE 18:05 FAX 617–258–8321 WHITEHEAD INST. 4TH FL
Jonathan Singer
19 Wyatt St
Somerville. MA 02143
Renata Hesse,
Trial Attorney
Suite 1200, Antitrust Division, Department of Justice,
601 D Street NW., W
Washington, DC 20530
202–616–9937

Dear MS Hesse,

I am writing in reference to the proposed Department of Justice settlement with Microsoft. While I am not hostile to Microsoft (I am writing this in Microsoft Word), I am concern that the proposed settlement is far too weak. Despite the fact that the company has been found to have abused a monopoly position, it is effectively being let off with no punishment and minimal oversight to avoid future violations. This is all the more troubling since a previous deal was struck several years ago, and Microsoft brazenly flouted it.

I am not in favor of the proposed breakup of the company's software operations. I do support policies along the following lines:

* Microsoft networking protocols must be published in full and approved by an international standards body.

* Past and future Microsoft document formats must be published in full.

* Microsoft Internet content and service properties should be broken into a separate business.

Finally, it must be made clear that any portion of the settlement that requires information to be made available requires that it be made available to all requesters. That includes independent software developers and hobbyists, not only corporate entities.

Thank you,

Jonathan Singer

MTC–00030712

25736 Yucca Valley Rd.
Valencia, CA 91355
21 December 2001
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
FAX: 202–307–1454 or 202–616–9937

To the Public Servants of the Department of Justice:

I wish to share with you a prediction of Microsoft's plan for the Internet. I wish you to ask yourselves if the settlement to the United States v. Microsoft anti-trust case could prevent such a scenario.

As you may be aware, in the mid- 1990s Apple Computer was in a difficult financial position. Microsoft aided Apple Computer with a large purchase of non-voting stock. In exchange for this stock purchase, Apple Computer was required to make Microsoft's Internet Explorer the default Macintosh browser application.

You are also aware that Microsoft's illegal anti-competitive behavior captured dominance in the network browser application market from Netscape Navigator.

I predict that Microsoft will eliminate Sun Microsystems'' Java through the use of its monopoly strength and browser application. Because a network browser is the primary interface between Java and the computer, this is feasible. I believe they will do this through the deployment of the C# (C Sharp) programming language, which has elements to replace Java.

Microsoft has used their monopoly strength to establish their network browser as the default for both Windows and Macintosh computers. There is strong evidence that Microsoft designs elements into their operating system and applications to disadvantage users of non-Microsoft products.

I predict that Microsoft will use its Internet Explorer browser application to disadvantage users of Java. Microsoft will then subsequently offer its C# language to users who are frustrated with Java's problems under Internet Explorer.

Do you believe that the settlement of the United States v. Microsoft anti-trust case can prevent such a scenario? If not, the settlement stands in need of revision.

Sincerely,

Mark Wilkinson

cc: Michael H. Morris, General Counsel, Sun Microsystems, Inc.

MTC–00030713

MIS-On-Call, Inc.
P.O. Box 5746 Santa Clara, CA 95056–5746
December 21, 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Since 1982 I have used computer software regularly for work, school, and personal reasons. During this time I witnessed most major changes in software products by Microsoft, IBM, Lotus, and Corel. In an effort to address my needs for the best product over a period of ten years, I had switched back and forth from one company's product to another company's product. Around 1992 I had settled in with most of Microsoft's product lines and have used them continuously ever since. My reason for choosing Microsoft's product is truly because Microsoft's products offer what I need and in most cases more than what I could ever use. With this in mind I know Microsoft has invested and added value in their products beyond what consumers could have received from Microsoft's competitors.

I have very quickly concluded that this lawsuit against Microsoft by our government has been a great injustice. Since the great industrial revolution period there were various other such antitrust actions that have occurred throughout the years, and this is a prime example of creating a public crisis out of good. I know our nation must balance economic concerns with social concerns and I believe Microsoft understands these concerns and know their value as well.

I am relieved to see that the government and Microsoft have agreed to a settlement of this suit. The settlement appears fair, I suppose, from the government's standpoint. I am hoping that this period of public comment will sustain the settlement so that we can put this entire unfortunate business behind us.

Throughout this entire process, I am at least appreciative of the current leadership at the Department of Justice that has seen fit to settle this thing. I am certainly hopeful that no further federal action will be taken.

Sincerely,

Joseph Hanlon, CPA, CIS, MCP, A+
President and Chief Executive Officer.

MTC–00030714

Dec 21 01 03:12p p.1
Michael Green
811 Chicago Ave. #5O8
Evanston IL 60202
December 14,200l
Renata Hesse, Trial Attorney
Suite 1200, Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530;
(facsimile) 202–616–9937

Dear Sir or Madam:

I am a computer programmer and consider myself knowledgeable of the computer industry. I am writing concerning the proposed Microsoft settlement with the Department of Justice. Since Microsoft has already been found guilty, I consider the existing settlement to be severely lacking in several areas.

As it is currently written, the settlement will not prevent Microsoft from continuing their anti-competitive behavior. Also, it provides no penalty for Microsoft's past behavior. A meaningful settlement needs, at a minimum, the following:

•Both the Windows API and Microsoft document formats (MS Word, MS Excel, etc) must be made freely available to anyone who wants them.

•Microsoft networking protocols must be standardized by a standards body. This will prevent Microsoft from using their private, proprietary protocols to seize control of new applications used on the Internet.

•Microsoft products should be provided only as extra-cost options on personal computers,

The software should also be available for the same price as the difference between a computer loaded with Microsoft products, and one without any Microsoft products. This will prevent Microsoft from ''bundling'' an entire kitchen sink of applications with Windows, increasing the price of Windows (either directly or indirectly), and preventing competition.

Sincerely,
Michael J. Green
Concerned, Informed Citizen

MTC–00030715

12/21/2001 18:02 2023314212
AGRI WASHINGTON
PAGE 01
Ms. Renata Hesse, Esq.
Antitrust Division
U.S. Department of Justice
601 D Street NW (Room 1200)
Washington, DC 20530
10732 Hampton Road
Fairfax Station, VA 22039
20 December 2001
F : 202–616–9937

Dear Ms. Renata:

As I express views following, please do not misconstrue them as personal but directed toward larger issues of government's role in national affairs. I am not a particular admirer of Microsoft and find fault with many of their practices. But it was a sad day for America when Department of Justice intruded into the private sector with intent to coerce Microsoft into an inferior position. Federal penchant for control and intervention has cost our country dearly.

Harassment by Justice shook Microsoft so that public investors lost money in that protracted process, Great public expense is accrued as Justice continues the process of ''negotiating a settlement'', an exercise that keeps federal lawyers employed at taxpayers'' expense. This DOJ exercise is especially egregious because it does not add to national wealth or benefit and is a net decrement because federal employees do not pay taxes, only recycle taxes revenues originated solely by the private, profit-making sector.

Most federal employees do not know how the private sector works but insist on policies to inject government into private affairs causing harm to the US economy and offense to taxpayers, most of whom are not dependent on government. My view of you and the Antitrust Division is similar to my urgings to former President Clinton and his retinue; GO AWAY ! Stop doing harm to my country and taxpayers who are coerced to support frivolous federal behavior.

Sincerely
R. Barry Ashby

MTC–00030716

December 21,2001
Renata Hesse
Department of Justice
Fax (202) 616–9937
Rc: US v. Microsoft Settlemcnt

To Ms. Hesse:

The settlement in the case of US v. Microsoft should be accepted by the courts and I am writing to express my support.

My letter comes to you as a professional female executive, mother, and (most importantly) civic activist. I have been extremely involved in the Orange County, California community. First, as the regional representative for Governor Pete Wilson and now, as the President of a company specializing in local community relations. My business serves the needs of numerous ethnic communities including Hispanic, Chinese, and Vietnamese.

Over the last five years, I have seen the financial stability of many in these ethnic communities rise to levels unimaginable before the technology boom. New jobs were created, wages increased, and quality of life dramatically improved. Many in the second and third generations of these communities are now training for jobs in the technology industry. But, in the last six months, their financial stability has begun to erode. The technology companies in Orange County have stopped hiring. Wages are beginning to go down. Many members of the different ethnic communities are concerned and beginning to look for financial assistance they didn't need just one year ago, Why am I saying all this in a letter about the case against Microsoft? Because settling the case against Microsoft, in my opinion, is going to give a shot of adrenaline back into the economy. It will also free up some resources for the assistance needed by many of the people I work with.

In my discussions with some corporate clients, I have learned that many of the technology companies are waiting for a settlement before making new investment decisions. Computer training centers across Orange County are turning out hundreds of Microsoft certified technicians who won't find work until the case is settled. The examples of the economic impact of this case are endless.

As you are also aware, California is facing a budget deficit. I don't think it is fair that the schools attended by many in these ethnic communities may go without books, yet the government is considering spending millions more on the case against Microsoft.

I support settling the case against Microsoft from two differing perspectives. As an executive, I believe the case is damaging to our economy. More importantly, as a civic activist working with ethnic communities, I know this case is having a negative impact. I hope the case will be settled.

Sincerely,
Suzanna Tashiro-Choi

MTC–00030717

12/26/01 WED 15:46 FAX 7O4 541 0259
FAX 001
Thomas Paul Weldon, PhD, P.E.
9026 Roseton Lane
Charlotte, NC 28277
December 26, 200l
Renata Hesse, Trial Attorney,
Suite 1200, Antitrust Division,
Department of Justice,
601 D Street NW,
Washington, DC 20530;
Fax 202–616–9937 or 202–307–1545;
e-mail microsoft.atr@usdoj.qov

I must vigorously oppose the Department of Justice settlement in the Microsoft antitrust case, since I feel that the remedies are woefully insufficient.

I ask that the Department of Justice and Judge consider the long history of abuse of Microsoft's monopoly, even though this long history may not have been included as part of the trial. The long list of innovative companies and products that have been eliminated, primarily due to Microsoft's monopoly on their operating system include word processing (Word-Perfect), spreadsheets (Lotus 123), web browsers (Netscape), etc. It is somewhat ridiculous that Microsoft presents itself as an innovator, when the initial commercial success of these product areas was driven by the aforementioned companies. It is now clear that the demise of these companies was primarily accomplished through monopolistic power in the operating system, and not by any superior innovation at Microsoft.

In light of the unfortunate history of Microsoft in abusing its monopoly, it is imperative that the department of justice seek real remedies that subdivide microsoft into separate units and that provide forced supervision of internal practices, with legal power and sanctions to prevent and penalize future abuses. Too much of the current settlement is vague, leaves much to interpretation, and allows Microsoft to determine its own level of compliance.

The situation is all the more critical as Microsoft enters the internet arena. We cannot afford to have the same monopolistic abuses stifle competition on the internet,

since the internet will play a very important role in the economic future of our nation.

It seems to me that the settlement will also encourage future monopolies to abuse their power, when they see that Microsoft got less than a slap on the wrist. Finally, the government has seemed to be influenced by the financial institutions and investors with great sums of money invested in Microsoft. Unfortunately, the government is not considering the great many investors whose investments were lost due to Microsoft monopolistic practices. What about the people who lost their investments in Lotus 123, Word-Perfect, Netscape, etc? Who will speak for those who were unfairly deprived of their investment and those who were unfairly deprived of their entrepreneurial opportunity? The department of Justice MUST speak for them, loudly. Thomas

Paul Weldon, PhD, PE
NC Licensed Professional Engineer 023548
North Carolina
Professional Engineer
Thomas Paul Weldon Seal
Q23648

MTC–00030718

12/27/01 THU 12:27 FAX 617 258 6321
WHITEHEAD INST. 4TH FL 001
Jonathan Singer
19 Wyatt St Somerville,
MA 02143
Renata Hesse,
Trial Attorney
Suite 1200, Antitrust Division, Department of Justice,
601 D Street NW, W
Washington, DC 20530 202–616–9937

Dear Ms Hesse,

I am writing in reference to the proposed Department of Justice settlement with Microsoft. While I am not hostile to Microsoft (I am writing this in Microsoft Word). I am concerned that the proposed settlement is far too weak. Despite the fact that the company has been found to have abused a monopoly position, it is effectively being let off with no punishment and minimal oversight to avoid future violations. This is all the more troubling since a previous deal was struck several years ago, and Microsoft brazenly flouted it.

I am not in favor of the proposed breakup of the company's software operations. I do support policies along the following lines:

• Microsoft networking protocols must be published in full and approved by an international standards body.

• Past and future Microsoft document formats must be published in full.

• Microsoft Internet content and service properties should be broken into a separate business.

Finally, it must be made clear that any portion of the settlement that requires information to be made available requires that it be made available to all requesters. That includes independent software developers and hobbyists, not only corporate entities.

Thank you,
Jonathan Singer

MTC–00030719

FROM : CASH FAX NO. : 434 384 6614 Dec. 27 2001 12:55PM Pl
December 27,200l
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC. 20530

Dear Ms. Hesse:

I understand that public comments on the Microsoft settlement are to be brought to your attention. I offer the foliowing:

For Microsoft, for consumers, and for thousands of information technology businesses that rely upon the Windows platform, this settlement offers the chance to get back to work. It's regrettable that this settlement goes beyond the issues upheld on appeal. In addition, we may all regret having a committee and the Court supervise the future of software design. Nevertheless, this settlement would bring to an end the most disruptive competitor-driven antitrust campaign in our nation's history, and that, more than anything else, is something for everyone to celebrate.

Let me close by saying that given that the economy is now in recession, the last thing we need is more litigation and regulation of the high-tech industry.

Sincerely yours,
Mary-Margaret P. Cash
201 Colonial Court
Lynchburg, VA. 24503

MTC–00030721

12–28–2001 9:36AM FROM 000000000000
CREDIT CAR AMERICA 001
12–28–2001 8:48AM FROM 000000000000
CREDIT CAR AMERICA December 27, 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to offer comments on the Microsoft case settlement. As I understand it, under the proposed settlement, all new Microsoft operating systems, including Windows XP, would have to include a mechanism that readily allows end users to remove or re-enable Microsoft's middleware products. Those include the Internet browser, instant messaging tools, media player, and email utilities. While end users can already remove Microsoft middleware from Windows XP, this settlement would make it easier for users to switch end compare among competing middleware products. As an end user. I fee1 that this provision guarantees me flexibility.

May I also add that settlement of this case is in everyone's best interests—the technology industry, the economy and consumers.

Sincerely yours,
John E. Mohrman
7300 Brook Road
Richmond, Virginia 23227

MTC–00030722

12–28–2001 9:21AM FROM 000000000000
December 27,200l
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Regarding the Microsoft settlement, Microsoft's largest rivals were disappointed when the Appeals Court took breakup off the table. However, you may be assured that they will find ways to use this settlement to inhibit Microsoft from competing in markets they dominate today, (like Internet access, high-end servers, and instant messaging.) The enforcement provisions of this settlement agreement would make it effortless to slow innovation and delay product launches by filing multiple complaints, much like these competitors attempted to do with Window XP. For AOL Time Warner, Oracle, and Sun, opportunities abound to hinder Microsoft by abusing the settlement agreement. There has been no consumer harm as a result of any actions taken by Microsoft. In fact, Microsoft's innovation has led to tremendous benefits for consumers, such as better products and lower prices. Antitrust law is supposed to be about consumer harm, and on that key issue, the government has failed to show any harm whatsoever.

Yours truly,
Goy Martin

MTC–00030723

12/28/01 07:23 714 368 6610
UNIT 1 OPERS A72
001/001
December 27,2001
Renata Hesse
Trial Attorney, Suite 1200
Antitrust Division

I have a few comments I would Like to express regarding the proposed final settlement of the

U.S. vs. Microsoft Corp. case. Microsoft Corp. has been found guilty of ''illegally maintaining an operating system (OS) monopoly.'' The function of the court is to now determine the penalty for the crime. The current proposed settlement does nothing to prohibit Microsoft from continuing their campaign of monopolizing the computer software market.

I was amazed to see the Microsoft proposal that they be ''punished'' by giving away their software to schools. As Mac/Apple has long been the OS of choice in US schools, this punishment is nothing more than a Microsoft attempt to gain a larger share of school exposure. This and they will be able to write off the cost of this ''punishment'' to further their monopoly. I find it laughable that the guilty party is allowed to ''suggest'' their punishment.

Any true punishment to Microsoft must limit their ability to continue their monopoly. In order to do this I propose the following as a just and reasonable penalty:

Microsoft products must be made an extra-cost option in the purchase of new computers, so that the user who does not wish to purchase them is not forced to do so. There are several viable OS's now on the market. The industry (Microsoft) should no longer be allowed to choose which OS is installed for you. In order to make the

playing field even, allow the end user to decide which OS they desire. Allow market conditions (price/value) of the OS to dictate that choice.

Installing Microsoft Internet Explore must be made optional. Not pre installed in any sense of the word. Remove all links which attempt to make this the Browser of choice (default) after loading it.

Allow equal access to other Internet Browsers without favor.

I realize this is a very complex issue and you are not treating it lightly. However, this decision will impact the future of the entire computer industry. Microsoft has created many valuable innovations in the industry. That does not give them to right to dictate history. That is the role of the court.

Thank you for taking the time to understand my point of view.

Doug Lahann
26633 Guadiana
Mission Viejo, CA.
92691–5904
douglah@yahoo.com

MTC–00030724

DEC-28–2001 11:43 OVERFELT 573 636 6846 P. 01/01
Post Office Box 1336
Missouri Retailers Association
(573) 636–5128
Jefferson City, MO 65102
The Voice of Retailing
Fax (573) 636–6846
E-mail: moretailer@aol.com
December 28,2001
Renata Hesse
Trial Attorney-Anti Trust Division
Department of Justice
601 D Street Northwest, Suite 1200
Washington DC, 20530

Dear Ms. Hesse:

I am writing in support of the recently reached settlement between Microsoft and the United States Department of Justice.

The agreement is pro-consumer helping the technology sector of our economy contribute new and better jobs at this time of economic uncertainty This settlement brings to an end the most disruptive competitor-driven antitrust campaign in our nation's history. This is something all consumers can celebrate.

Dave S. Overfelt
President
TOTAL P.01

MTC–00030725

12/28/01 10:56 FAX
KINKOS GOLDEN
00l
501 Golden Circle #103
Golden, CO 80401
December 23, 2001
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530

To Renata Hesse,

As a US citizen, and in accordance with the invitation posted in the **Federal Register** (Vol. 66, No. 229, p. 59452), I wish to have my comments concerning the proposed final judgment in the United States v. Microsoft Corporation case added to the **Federal Register**.

First, I think it is important to re-state the gist of the of case: Microsoft Corporationhas been found guilty of illegally maintaining a software (operating systems) monopoly inviolation of section 2 of the Sherman Act. This judgment has be reaffirmed upon appealand now stands.

Given this judgment, I think any reasonable individual would find the terms of the pro-posed settlement wholly inadequate. The proposed restrictions (including opening of APIs,formation of an independent review board, and some requirements for licensing) do little ornothing to address the underlying problem-that Microsoft continues to illegally maintainand extend their monopoly position.

In the trial, the term ''barrier to entry'' was often used to describe this effect and the detailsbear further discussion. Microsoft continues to trap both users and software developersthrough a ''web of software dependencies'' that is, for many, nearly impossible to escape.The ''web of software dependencies'' that I refer to is the combined effect of:

1. secretive, restrictive, and anti-competitive licensing policies;

2. intentionally undisclosed, incompatible, and ever-changing specifications for file formats, network protocols, and APIs; and

3. destructive ''embrace and extend'' strategies designed to corrupt existing formats andprotocols.

Once users and developers employ Microsoft products, they generally find that their data,time, and effort becomes locked within, for example, file formats which they cannot effec-tively access through non-Microsoft software or on non-Microsoft platforms.

These dependency problems are pandemic. As the trial demonstrated; the vast majority ofpersonal computer users in the United States (both companies and individuals) are alreadyensnared. And even as the court considers options to remedy the situation, Microsoft hascontinued their practices and released new operating systems (the ''Windows XP'' family)that seek to further extend their exclusionary control. One of the most brazen of theseactions is Microsoft's current attempt (called ''.NET My Services'') to become the solegateway for authentication and payment systems for all on-Line transactions.In summary, the proposed settlement does little or nothing to fix the illegal and damagingbehavior that has been clearly and repeatedly outlined during the case. What is needed isa court-ordered remedy that truly solves the problem. Here, I propose three requirementsthat any final remedy must include. These restrictions would immediately and directlybenefit the US citizens and intuitions that have been victimized by the defendant's illegalactions. They are as follows:

1. Any remedy seeking to prevent an extension of Microsoft's monopoly must place Mi- crosoft products as extra-cost options in the purchase of new computers. Thus, a buyer who does not wish to purchase Microsoft products with new computer hard-ware is not forced to do so. This requirement will have the effect of ending some of Microsoft's restrictive and anticompetitive licensing policies for new computer sales. And it has the added benefit of clearly itemizing the cost of the Microsoft products for consumers which would prevent Microsoft or computer sellers from claiming that any differences in price are insignificant. The ending of anti-competitive Licensing terms for new computer sales is a critical and illegal choke-hold on the market that must be broken if competition is to flourish.

2. The specfications 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. This would help put an end to the trap of intentional incompatibilities and forced upgrades that Microsoft currently perpetrates.

3. All networking protocols used by current and future Microsoft products must be pub- lished in full and approved by an independent network protocol body. This is both a reasonable and workable requirement. The Internet was built and has famously flour- ished upon free and open standards and protocols. This requirement would prevent Microsoft from further extending its software monopoly by seizing de facto control of the Internet through proprietary protocols and through corruption (eg. incompatibleextensions) of existing open protocols and standards.

The effect of these restrictions would be the commoditization of many kinds of software. Likeother mature markets which support healthy competition, Microsoft and any competitorswould be driven to produce compatible products. Strategies would turn from the currentwasteful processes of intentional incompatibility and proprietary lock-in towards competitionbased primarily upon the quality, price, and timeliness of the competitors'' implementations.All parties wronged by the current lopsided monopoly situation would benefit as competitionflourishes.

In view of the ever-increasing dependence of our country upon software for commerce, health,communication, transportation, and security, I urge the court to take a firm stance. Mi-crosoft continues to demonstrate that it cannot be trusted to obey the law. Their continuedgrowth into new markets creates an unhealthy software mono-culture which, as demon-strated by recent events, poses a significant risk to national security. Therefore, the courtshould take this opportunity to prevent future problems by reigning in Microsoft's monopolyand enforcing the antitrust laws that are in the best interest of this country.I wish to thank the court for consideration of these recommendations.

Sincerely,
Edward H. Hill III, Ph.D.

MTC–00030726

DIRECTORS
Edmundo Alire
TDW Construction
Armando Solis
Solis Chiropractic
Julio Correa
Vision Latino Magazine
Mike Martin
RMC Enterprises
December 28, 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse,

Microsoft is being amply reprimanded and reined in with the settlement reached. It is ourunderstanding that under the Tunney Act, the public has 60 days to provide input forconsideration by the parties involved regarding this settlement.

While we appreciate the idea of the government looking after the best interest of itscitizens, nearly four years, 35 million dollars and the terms of the settlement are enough.It is more than time for this issue to be put to rest.

The Hispanic Chamber of Commerce of Contra Costa County, California, strongly urgesyou to support the settlement. Please take the actions necessary to keep the process rollingto get the settlement through all the channels and put in place.

Sincerely.
Pedro E. Babiak
Vice-President
Web Page: www.h5c.org
E-Mail: info@h5c.org

MTC–00030727

FROM:
FAX NO. :
Jun. 26 2001 03:25AM P1
December 17,2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax: 202–616–9937
Dear Ms. Hesse:

I write to register my hope that the government will work in a productivefashion with Microsoft and other technology interests in crafting a positiveworking relationship. I felt as though the federal government's positionagainst Microsoft was excessive and anti-business.

After all, without Microsoft, what would the American workplace look like?How would it function without their useful products? Things would be lessfunctional, and less efficient.

Microsoft is the market leader, and other companies sought to gain bypromoting additional legal action against Microsoft. Lawyers and lobbyistsfrom other companies ought not determine the shape of the tech industry,consumers should.

The provisions of the settlement make it easy for other companies to havemarket access. Every new Microsoft operating system will have to include amechanism that readily allows end users to remove or re-enable Microsoft'smiddleware products.

While end users can already remove Microsoft middleware from Windows XP,this settlement would make it easier for users to switch and compare amongcompeting middleware products,

I sincerely hope that Judge Kollar Kotelly approves the settlement.

Regards,
Mark Fleming
Executive Director
Wake Forest
Chamber of Commerce

MTC–00030728

FROM :
FAX NO. :
Jun. 26 2001 03:27AM P1
Harnett Tractor Company
1500 South Clinton Avenue
Dunn, NC 28335
December 17, 2001
Renata Hesse
Trial Attorney
Antitrust Division,
Department of Justice
601 D St. NW, Suite 1200
Washington, DC 20530
Fax: 202–616–9937
Dear Ms. Hesse:

Many of us don't realize how many people benefit from Microsoft's products since so manypeople use them at home and at work. Therefore, when the government comes down hard on acompany that is so important to everyone, it has a substantial effect on the economy.

In Fact, announcement of the first judgement against Microsoft and the sudden decline in thatstock traces almost exactly to the large declines in the NASDAQ as a whole, according toeconomistsand brokers.

There has not been any consumer harm as a result of Microsoft's business practices. In fact,Microsoft's innovationhas led to tremendous benefits for consumers, as a better product andlower prices. Antitrust law is supposed to be about consumer harm, and on that key issue, the government has failed to show any harm whatsoever.

The last thing the technology industry needs are government lawyers, bureaucrats and judgeswatching over the industry, attempting to micromanage it—which is exactly what Microsoft'srivalslobby for on a regular basis.

I realize that tech is ''the new frontier'' of American business, but that shouldn't givecompanies license to ''muddy the waters'' regarding Microsoft's impact of consumers on aperpetualbasis. I hope that Judge Kollar Kotelly will approve the settlement, and that all tech firms canworkon developing new products to make businesses operate more efficiently in the twenty-firstcentury.

Thank you,
David R. Leewis, CEO

MTC–00030729

TECH5 CORPORATION
MARK HILTON, PARTNER
Renata Hesse
Trial Attorney
Antitrust Divisions
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax: 202–616–9937
Ms. Hesse:

As a tech professional, I am pleased that the United States Justice Department is settling with Microsoft. We use Microsoft products everyday to enhance our business services, and I am relieved to know that wewill be able to continue to purchase these products at a fair price.The tech industry ought to be operated by highly creative techprofessionals, not government bureaucrats. With over $30 million intaxpayer funds having been spent on the case, I sincerely hope we'veseen the last of this issue.

I serve in the North Carolina Legislature, and believe that North Carolinians would be better off if this federal tax money came back to the states.

At least consumers and IT businesses that rely upon the Windowsplatform can get back to work. It's regrettable that this settlement goesbeyond the issues upheld on appeal.

I have no question that Microsoft's competitors have lobbied to cause Microsoft much grief throughout this unfortunate process.

I hope Judge Kollar Kotelly approves the settlement.

Regards,
Mark Hilton
Representative Mark Hilton

MTC–00030730

FROM :
FAX NO. :
Jun. 26 2001 11:15AM P2
Mason Properties Company
December 17,200l
Renata Hesse
Trial Attorney
Antitrust Divisions
Department of Justice
601 D street NW, Suite 1200
Washington, DC 20530
Fax: 202–616–9937
Dear Ms. Hesse,

I am pleased with the settlement of the Microsoft case because I believe that the terms ofthe agreement will benefit the United States tremendously.It seems to me that Anti-trust laws were intended to protect consumers, not to protectcompanies from legitimate market competition. It's high time that tech companies otherthan Microsoft work on building their products up, rather than tearing down Microsoft'squality products.

AOL Time Warner, Oracle and other companies will have many opportunities to hinderMicrosoft by abusing the settlement agreement. These competitors were disappointedwhen the Appeals Court took breakup off the table, but they'll find ways to use thissettlement to inhibit Microsoft from competing in markets they dominate today, likeInternet access, high-end servers, and instant messaging.

The enforcement provisions of this settlement agreement could enable these companies toslow innovation and delay product launches by filing multiple complaints. Enough already!

With the economy in bad shape, now is not the time for more litigation over this issue. I request that Judge Kollar Kotelly approve the proposed settlement, and I hope thatMicrosoft's competitors will act in good faith under its terms.

Sincerely,
Ronald Earl Mason
Former State Representative

MTC–00030731

MARVIN V. ANDERSEN, M.D.
7 Perth Drive
Wilmington, DE 19803
Phone: (302) 478–3115 Fax: (302) 478–5528
e-mail: mva@del.net
December 29,200l
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue NW,
Washington, DC 20530.

Dear Mr. Ashcroft:

I am in awe every time I think of how our society has been transformed bycomputers. Truly, the world is a completely different place than it was from eventen years ago because of computers. This great innovation has been led by a greatAmerican company, Microsoft. Thanks to them, computers have become anaccessible technology for many millions of people. The efforts and innovation ofMicrosoft should be applauded rather than punished.

The antitrust lawsuit has plagued the technology industry and disturbed furtherinnovation in technology. Like many computer users, I believe that the motivationfor the lawsuit has been greed and jealously on the part of Microsoft's competitorsand the government. The proposed settlement is fair, it penalizes Microsoft forthe times that they have crossed the line, and it will provide more competition inthe long run.

That is why I would like to see an end to the lawsuit as soon as possible. The economy cannot afford to have one of its biggest players not participating at fullstrength. As soon as the suit is finally settled, the technology industry can returnto normal and life can move on. Please accept the settlement and let us move on tomore important issues facing our great country.

Sincerely,
Marvin V. Andersen MD.

MTC–00030732

Dec.31 2001 11:12AM ATRA DATA No.2030 P. I
DENNIS MICHAELREE
P.O.Box 1720
Lake Ozark, MO. 65049
December 31,2001
Ms. Renta Hesse
Trial Attorney
Anti-Trust Division
Department of Justice
601 D Street Northwest, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to you to voice my support for the recent settlement between Microsoft andthe United States Department of Justice.

I believe it is time to stop the litigation against Microsoft and proceed with what appearsto be a fair compromise.

The many innovations that have been made over the years by Microsoft have been ofgreat benefit to consumers. Let's bring this matter to a close by proceeding with thesettlement between the Justice Department and Microsoft and end the court proceedings.

Sincerely,
Dennis Michaelree

MTC–00030734

Dec 31 01 01:20p Edward Zimmerman 937–878–9622 p.1
EDWARD ZIMMERMAN
1448 POPLAR DRIVE o FAIRBORN o OHIO o 45324
December 29,200l
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

As a voting constituent, I have great concern about the Microsoftantitrust case. I feel that after three long years of court battles, it is time toallow the company to get back to software innovation. The settlement is fair,and it should be finalized.

Our economy is in a recession. It is companies like Microsoft that fuelthe success of our nation's economy. Pursuing further government action, atthe federal level, against Microsoft will only foster the economic downturn. Microsoft's willingness to agree to terms that extend beyond termsinitially in question, in conjunction with the physical during of this suit, is morethan enough reason to settle at this point. Please continue to work to convince others about the appropriateness of this settlement.

Sincerely,
Edward Zimmerman

MTC–00030735

AtFreeWeb.com AtFreeWeb.com
801 Calle Mar Vista
Oxnard, CA 93030
Tel: 805 278 9548
Fax: 805 278 9554
http://www.atfreeweb.com
December 31, 2001
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
CC: Representative Elton Gallegly

Dear Mr. Ashcroft,

I write this letter in accordance with the Tunney Act expressing my support of the settlementbetween Microsoft and the Justice Department. I believe that this settlement will be beneficial tobothe IT industry and the consumer, but continuing on with more court nuisance is a fleecing of theAmerican taxpaying citizen. To prevent this from continuing any further, the D.O.J. shouldfinalize thesettlement as soon as the Tunney Act comment period is over.

This settlement is fair and reasonable. If anything, Microsoft was treated a little spitefully. Afew terms of the agreement follow, which should underscore the severity of this settlement: theDOJ willestablish an Independent technical committee, monitoring Microsoft's compliance with thesettlement;Microsoft also cannot retaliate against computer makers that may ship software that wouldcompetewith the Windows operating system; and Microsoft will open up their vault of secrets concerningsystemInteroperability to competition.

Even though the settlement prevents laissez-faire economics, the right thing to do is to settlethe suit now and work to ensure that the industry and the economy can move forward again.Microsoftmust be allowed to return to innovation, rather than litigation.

Sincerely,
Alex H. Qu
President

MTC–00030736

DEPT OF JUSTICE 1/6
LEAVE MICROSOFT ALONE. LET FREE ENTERPRISE WORK AND BE ENCOURAGE
Joseph Bona
117 52 9597
BCSS Owner
407 925–3508 Cell
767–7472 Hm
JoeBona@EARTHLINK.NET

MTC–00030737

From MyPlumber
Sun Dec 30 21:27:51 2001

I think that, in the settlement of the U.S. vs Microsoft federalcase, the example of the settlement criteria proposed by another suitbrought by 7 states in a class action action against Microsoft should befollowed. This would be more like what a settlement should be, with amore significant penalty for violations Microsoft has been found guiltyof.

In addition, since the software is free, Microsoft softwaredevelopers should be required to work closely with developers of Linux.Especially the Linux developers working on WINE, the Windows emulator forLinux. More of the economically disadvantaged would get a better break ifLinux could run Windows programs.

Frank Starr
13014 N. Dale Mabry
#204
Tampa, Florida 33618

MTC–00030738January 2, 2002

Bryan Carey
11700 Fairgrove Industrial Blvd.
Maryland Heights, MO. 63043
Ms. Renta Hesse
Trial Attorney
Anti-Trust Division
Department of Justice
601 D Street Northwest, Suite 1200
Washington, D. C. 20530

Dear Ms. Hesse:

As President of a St. Louis area company, I am in full support of the settlement that hasbeen reached between the Justice Department and Microsoft.

Microsoft is a very important part of the technology sector of our economy and we mustdo everything possible to strengthen all parts of the American economy. Further litigation will accomplish nothing to stimulate the economic growth that we need. Competition has helped to create an American economy that is the envy of the world. We must seek to increase competition

in our economy because that is the key toincreased demand for our products and services. Continued legal action against Microsoft will not increase competition.

Further litigation against Microsoft should cease.

Very truly yours,
Bryan Carey

MTC–00030739

613 Andover Road
Wilmington, DE 19803
December 29, 200l
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC, 20530

Dear Mr. Ashcroft,

This Microsoft lawsuit has dragged on long enough. I understand thatwe are now in the public comment period of this lawsuit and, hopefully, oncethat is done, this ill-advised lawsuit will be as well.

I have heard that there are various Microsoft detractors that want thislawsuit continued on the federal level and so will try to find some way to derailthe settlement. I am respectfully asking that you resist these efforts, stay thecourse for the Justice Department, and continue to guide this settlement to asuccessful end.

Microsoft has no doubt done many things that have rankled theircompetitors, but these are not enough to have brought about the wrath of theentire federal judicial system. Now that this settlement has been reached, weshould accept it and move on. There simply are too many other moreimportant issues that need our attention than this. Thank you.

Sincerely,
John Allabashi

MTC–00030740

HEALTH CARE
January 2, 2002
Renata Hesse
Trial Attorney—Anti-Trust Division
Department of Justice
601 D Street Northwest, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

I am writing in support of the recently reached settlement between Microsoft and the United States Department of Justice.

The agreement is pro-consumer helping the technology sector of our economy contribute new and better jobs at this time of economic uncertainty.This settlement brings to an end the most disruptive competitor-driven antitrust campaign in our nation's history. This is something all consumers can celebrate.

Sincerely,
Stephen B. Hoven
Vice President
Public Affairs
SH/jmm
SSM Health Care Missouri Quality Award
477 N. Lindbergh Blvd.
St. Louis, MO 63141–7832
www.ssmhc.com
(314) 994 7800 phone
(314) 994 7900 fax

MTC–00030741

Representative Kitty Rhoades
30th Assembly District
Phone: (608) 266–1526 * Toll Free: 1–888–529–0030 * Fax: (608)282–3630 * E-mail: Rep.Rhoades@legis.state.wi.us
Fax Cover Sheet
To: Renata Hesse
From: Rep. Kitty Rhoades
Fax: 202–616–9937 Pages: 2 (including Cover Sheet)
Phone:
Date: January 2, 2002
Re: CC:
Urgent For Review Please Comment Please Reply Please Recycle
Comments
Dear Ms. Hesse:
Please contact my office (608–266–1526) should you have any questions.
Kitty Rhoades
1–2–02 : 10:16AM : Wisconsin Assembly : 608 266 2133 #2 2
State Representative 30th Assembly District
Kitty Rhoades
State Representative
January 2, 2002
Renata Hesse
Trial Attorney
Antitrust Division
DOJ
601 D Street NW, Suite 1200
Washington, DC.
Dear Ms. Hesse:

I am writing to voice my support of the recent Microsoft settlement, and encourage you to approve the settlement as soon as possible.

Under the terms of the settlement, Microsoft will provide over one billion dollars in computer related assistance, which will open numerous doors and opportunities for all American students. This is an unprecedented opportunity for both our country as well as our education system, and should be approved as soon as possible.

Furthermore, I believe that it is time to put this legal wrestling to a close. With our nations economy struggling, making sure that companies based in the technological sector are free to develop and advance new products, in the overall hopes of bringing new life, to an economy that has been tarnished by the terrorist acts of September 11th.

Thank you in advance for your time and thoughtful consideration on this very important issue.

Sincerely,
Kitty Rhoades
State Representative
30th Assembly District
P.O. Box 8953 * Madison, Wisconsin 53708–8953 * (608)266–1526 * Toll-Free: (888) 529–0030
* Rep.Rhoades@egrs.state.wi.us
Home: 708 4th Street o Hudson, Wisconsin 54016 o (715) 386–0660

MTC–00030742

Brandon Galbraith
380 South Hickory Avenue
Bartlett IL 60103
December 14, 200l
Reneta B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington DC 20530–0001

Dear Madam:

This letter is to the proposed Microsoft settlement. In reading through the settlement, I noticed that provisions are made to help commercial competitors of Microsoft get the information they need to write applications for the WindowsTM operating system. Whil this is a step in the right direction, specific language needs to be added to the settlement agreement to allow not-for-profit competitors of Microsoft the same access to Microsoft intellectual property as commercial competitors. The reason for this is that some of the fiercest competition to Microsoft software comes from open source software being developed by not-for-profit organizations. One example of this is the Apache web server. The Apache web server, which is an open source software package, dominates the Internet server market. It is also a direct competitor of Microsoft's IIS or Internet Information server (which is also a web server).

For there to be a level playing field between Microsoft and its competitors, not-for-profit groups who develop open source software that competes with Microsoft products should be given the same access to Microsoft's intellectual property as commercial competitors of Microsoft. Without this provision in the Microsoft settlement, not-for-profit groups would be effectively cut out of the picture, which would be a devastating loss.

Sincerely,
Brandon Galbraith
System Administrator

MTC–00030743

FROM : AMERICAN FINANCIAL ADVISORS
PHONE NO. : 530 223 2230
Jan. 02 2002
10:23AM P1
To: The Department of Justice
From: Dorothy Palfini
Date: January 2, 2002
RE: Microsoft Settlement

The Department of Justice should settle the case of Microsoft ASAP. The government should not penalize a company that is successful and has helped the economy roar. If government does not interfere, the market place will decide what company offers the best and most efficient product. Competitors will compete and eventually find a way to excel in the business.

The lingering litigation has caused havoc with the US economy and the effects have been felt overseas as well. We need to get the economy going fast, so let's get on with business at hand.

Sincerely,
Dorothy Palfini
3011 Victor Avenue
Redding, CA 96001
530–223–2195

MTC–00030744

PRESERVATION WORCESTER
Preserving Neighborhoods For People
December 31, 2001
Renata Hesse
Trial Attorney

Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSIMILE

Dear Attorney Hesse:

I would like to comment on the impending settlement in the Microsoft suit. It is imperative that the government reaches a settlement in this case as soon as possible. Our economy is in tough shape and we don't need this lingering case to drag us down further.

I believe that the settlement will be beneficial to small non-profit community organizations such as the one I head. The potential donation of computers and software will be invaluable. The money we save with this potential donation will free us to spend more in our community.

I urge the Justice Department to settle this matter as soon as practical.

Sincerely your,
James W. Igoe
Executive Director
10 Cedar Street * Worcester, Massachusetts 01609 * (508)754–8760 Fax
(508)798–0693

MTC–00030745

DESIGN DEVELOPMENT
Innovative Green Architecture
DATE 01/02/02
PROJECT
CONTACT Narendra Patel, A. I. A.
69–730 Highway 111, Suite 118
Rancho Mirage, CA 92270–2873
Ph #: 760–328–8221 Fx #: 760–328–8887
WebSite: www.patelarchitect. com
FACSIMILE TRANSMISSION
DEPARTMENT OF JUSTICE
ATTENTION TUNNEY ACT
MICROSOFT.ATR@USDOJ.GOV
PHONE#
DESTINATION FAX # 1–202–307–1454
PAGES TO FOLLOW 1–202–616–9937
SUBJECT MICROSOFT SETTLEMENT
PURPOSE PLEASE REVIEW
—PLEASE REVIEW AND CALL BACK—AS REQUESTED—FOR YOUR RECORD—URGENT
COMMENTS Dear Justice Department, Please call if you have any questions.

We fully support Micorsoft's position in this issue of Tunney Act. Department of Justice needs to stop all allegation and release MICROSOFT from alleged charges
SUBMITTED BY
69–730 Highway 111, Suite 118, Rancho Mirage, CA 92270–2873
TEL. 760–328–8221 FAX. 760–328–8887
www.patelarchitect.com
DESIGN DEVELOPMENT
Innovative Green Architecture
Subj: USDOJ Comments
Date: 10/9/01 1:21:17 PM Pacific Daylight Time
From: PatelARCH
To: AskDOJ@usdoj.gov
CC: secretary@state.gov

Dear Justice Department,

Can some one please think logical and get off the Microsoft's case and get after the real terrorists in our country. I simply do not understand why our justice department is wasting so much time on punishing a great company like microsoft who has contributed immensely to the growth of US economy as well as raising standards of human life to a much higher level. There are thousands of Bin Ladin's followers in this country to go after and punishing them. This does not take a PHD to figure out.

We are very upset with the way Justice department is going after Microsoft and the effect it has on the stock market. This needs to stop immediately. Our country has suffered enough as result of neglecting the real threat from the terrorists since they first attacked WTC in 1993.

Narendra Patel
Proud US citizen
69–730 Highway 11 1, Suite 118, Rancho Mirage, CA 92270–2873
TEL. 760–328–8221 f A X. 760–328–8887
www.patelarchltect.com
JAN–01–2002 12:20 P.03 DESIGN DEVELOPMENT
Innovative Green Architecture
Subj: Jutice Department
Date: 10/10/01 7:14:09 AM Pacific Daylight Time
From: PatelARCH
To: president@whitehouse.gov

Dear Mr. President,

Can you please have some one in your department stop our Justice Department from punishing Microsoft. As you well know, It will take all of the staff from Justice Department and more to track down terrorists in our own country. We do not have a luxury to stabb our own company like Microsoft in times like this or for ever.

They should be rewarded for all the contribution they have done to bring our country to a cutting edge in technology.

Narendra Patel. Proud US citizen
780 328 8221
Forwarded Message:
Subj: USDOJ Comments
Date: 10/19/01 1:21:17 PM Pacific Daylight Time
From: PatelARCH
To: AskDOJ@usdoj.gov
CC: secretary@state.gov

Dear Justice Department,

Can some one please think logical and get off the Microsoft's case and get after the real terrorists in our country. I simply do not understand why our justice department is wasting so much time on punishing a great company like microsoft who has contributed immensely to the growth of US economy as well as raising standards of human life to a much higher level. There are thousands of Bin Ladin's followers in this country to go after and punishing them. This does not take a PHD to figure out.

We are very upset with the way Justice department is going after Microsoft and the effect it has on the stock market. This needs to stop immediately. Our country has suffered enough as result of neglecting the real threat from the terrorists since they first attacked WTC in 1993.

Narendra Patel
Proud US citizen
69–730 Highway 111, Suite 118, Rancho Mirage, CA 92270–2873
TEL. 760–328–8221 FAX. 760–328–8887
www.patelarchitect.com
TOTAL P.03

MTC–00030746

Lewis Stepp
From: Lewis Stepp [lstepp@cinci.rr.com]
Sent: Wednesday, January 02, 2002 3:30 PM
To: Microsoft.atr@usdoj.gov''
cc:senator—dewine@dewine.senate.gov''
Subject: Microsoft Settlement
2477 Fairgrove Court
Cincinnati, OH 45244
January 2, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse:

I am writing you to submit comments about the antitrust settlement against Microsoft (United States v. Microsoft Corp., Civil No. 98–1232) pursuant to the Tunney Act. I am a retired US citizen and a software user whose only links with Microsoft are 400 shares of stock in my IRA retirement account. Before retirement, I was an information technology consultant for Computer Sciences Corporation and Spherion Corporation.

I appreciate the excellent operating system and office software that Microsoft has created and how their products have contribution to jobs in the information technology sector and to increased efficiency throughout the business sector. Microsoft was not known as a monopolist when they introduced the Windows operating system. Indeed, they had some formidable competitors and they ''bet the company'' on development and marketing of an innovative new operating system and other office software. They won the market because they offered ''world class'' software at an affordable price with consumer benefits and features that no one else matched. For several years, I was a subscriber to the Microsoft Developer Network (MSDN) which, as a systems consultant, provided me with lower cost software and better training than was available from any other software vendor.

Microsoft customers and stockholders have been the beneficiaries of Microsoft's success. Microsoft competitors and some of their customers may have suffered, but that is the nature of our enterprise system. It is not something for which Microsoft should now be punished. Indeed, Microsoft is deserving of public respect for developing and providing a low cost ''standard'' operating system that has enabled large numbers of software developers to bring significant networking and productivity improvements to our lives and to our economy.

In a recent meeting of the Senate Judicial Committee, the court rulings were interpreted to say that Microsoft ''did in fact violate anti-trust laws and did hurt the market place''. It may be true that Microsoft was an ''overzealous competitor'' who, in a very competitive situation, did harm its competitors to an extent that violated some laws, but it is obvious to most software users that they did not hurt the software market place. Indeed, Microsoft's development of an advanced and broadly accepted PC operating system brought swift changes to the software market and grew the market. The improvements that they brought to PC

operating systems are remarkable compared to the much less friendly and text oriented PC operating systems previously introduced by IBM and others. As a result, almost everyone today is able to be a computer and software user.

Based on a misguided interpretation of the court rulings, a member of the Senate Judicial Committee stated that Microsoft actions resulted in the effective destruction of Netscape and Java, Yet Netscape was sold to AOL for billions of dollars and Java is still a popular programming language supported by many major vendors such as Borland and Sun. A version of the Netscape browser was always available for free. In its formation years, Netscape developed many competitors who also offered their products for free. Every operating system eventually included a free browser. It is reasonable for the court and public to question if there ever was a true browser market. The district judge in the Microsoft case said that there was no evidence that Java would be successful as an alternative ''platform'' to the Windows operating system, Indeed, time may prove that Java was a flawed concept. The prophecy of competitors should not be considered fact.

The Judicial Committee questioned if the settlement was in the public interest. Certainly the public wants to see this case settled. The current district judge asked the parties to work night and day to reach a settlement. Mr. James, from the Justice department, has indicated that the settlement goes beyond the court rulings to include other restraints on Microsoft that would not prevail in a court decision since they were not considered in the trial. These include restraints on server operating systems for which Microsoft does not possess monopoly power. Only Microsoft competitors, not the public, want more.

The Justice Department and Microsoft have reached a fair settlement in this case. Microsoft needs to move forward and to continue serving its customers and stockholders. There is no justification for the courts to continue to investigate and punish Microsoft when there are other companies and market place problems that need greater attention in our legal system, such as the Enron debacle.

The court made a wise decision not to dismantle Microsoft. According to a recent Wall Street Journal article, the US Postal Service revenues are more than those of Microsoft, McDonald's and Coca Cola combined. No one wants to dismantle the US Postal Service simply because it operates as a monopoly or protects its monopoly. We need a universal standard operating system for our computers in much the same way that we need a universal standard mail service for our homes and business. I hope that this case can conclude without destruction of one of the most innovative and successful American companies. We only wish that the US Postal Service was equally innovative and efficient.

Sincerely,

Lewis Stepp

MTC–00030747

Farm
Family
Glenmont, NY

David S. Wyman
Senior Agent
117 Highbridge St
Fayetteville, NY 13066
Bus: (315) 637–0284
Fax: (315)637–0822
Claim: (800) 871–3326
Res: (316)682–3540
January 2, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Division
601 D Street NW, Suite 1200
Washington, DC 20530
Re: U.S. v. Microsoft

Dear Ms. Hesse,

I am in support of the settlement of the above captioned case and for the following reasons; I hope you will be as well.

The antitrust laws of this country were put in place to protect consumers, not other corporations who do not like the way Microsoft does business. The fact that my business and industry are more efficient and competitive in the marketplace can be directly linked to computer innovation and products like Microsoft sells. In addition, no direct consumer harm can be linked to Microsoft. In my twelve years in business, I have personally seen computer technology in every sense of the word, become less expensive while doing more for my bottom line. Microsoft certainly deserves as much credit as any other business for that. In conclusion, I would hope that the agreed upon settlement would be left in place. Further litigation will only cost the taxpayers more money and likely provide no better solution.

Thank you for your time and consideration.

Sincerely,

David S. Wyman

MTC–00030748

Eugene J. Michael
1327 West 28th Street
Lorain,OH 44052–4504
PH: (440) 282–8377
FAX (440) 960–5976
January 2, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft,

I am writing to urge you to continue supporting the settlement that was reached on November 2, 200l between Microsoft and the Justice Department. I believe this settlement is fair and that no further legal action should be taken on the federal level. The settlement has teeth and requires Microsoft to make significant concessions. For example, computer manufacturers were granted new rights to configure systems with access to various Windows features. And to ensure compliance, the government created an ongoing technical oversight committee to test Microsoft on whether they are meeting the agreement's requirements.

This settlement is good for our economy, consumers, and the computer industry. After three years of litigation, it is time to move forward and support the settlement. On a personal note, I'd also like to say I think you're doing a superior job as Attorney General and I strongly support your point of view and value system. Keep up the good work and God Bless.

Sincerely,

Eugene Michael
1327 W 28th Street
Lorain, OH 44052

MTC–00030749

Renata Hesse, Trial Attorney
325 7th Street NW, Suite 500
Washington, DC 20530

Dear Renata Hesse,

I am pleased that an agreement has been finally made with Microsoft Corporation. For disclosure purposes, I am not a shareholder of Microsoft, nor have I ever been. However, I find in the agreement that was posted at http://www.usdoj.gov/opa/pr/2001/November/01 at 569.htm on November 2, 200l did not carry enough teeth at the end of the agreement. I have cut and pasted the portion I do not agree with and believe that if this agreement remains intact the way it was written you will have accomplished nothing to deter Microsoft.

''The proposed Final Judgment will be in effect for a five year period and may be extended for an additional two-year period if the Court finds that Microsoft has engaged in multiple violations of the proposed Final Judgment.''

The portion that I strongly disagree with is in the last part of this sentence. ''... if the Court finds that Microsoft has engaged in multiple violations of the proposed Final Judgment.'' This portion should read, and I might add, would put some teeth into the agreement, ''if the Court finds that Microsoft has engaged in any violations of the proposed Final Judgment.'' The word that precedes this statement MAY still may remain as MAY [...and may be extended....] which give you the out to pursue or not. However, and finally, with out the changing of this word from multiple to any allows Microsoft ''the ability'' to continue to violate antitrust laws with the vague assurance that nothing will happen if they do.

This is my 2 cents worth.

Sincerely,

Stephen A. Frlekin
28608 Montereina Drive
Rancho Palos Verdes, CA 90275

MTC–00030750

01/02/2002 01:57
From: Robert J Sobon
FAX
189 Old Ashley Loop
Pawleys Island, SC 29585
January 2, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

As a resident of South Carolina, I am concerned about further Capitol Hill involvement in the Microsoft antitrust case. It is clear that Microsoft has agreed to a fair and reasonable settlement; the settlement should be final, and further federal action against the company represents nothing short of anti-business posturing by the government.

As you know, the economy is in a recession. Microsoft is a major contributor to the nation's economy, and it is imperative that the company is allowed to innovate in the software industry. Any further action would be negative for the consumer and the IT industry.

I appreciate your support in ending this legal action, and putting this case behind us.

Sincerely,

Robert Sobon

cc: Senator Strom Thurmond

MTC–00030751

FROM : HOWARD A WILCOX JP
PHONE NO. : 9127570907
Jan. 02 2002 09:48AM p1
Subj: Settlement
Date: 1/2/02 2:50:18 PM Eastern Standard Time
From: Popedo711
To: Microsoft.atr@usdoj.gov

It is hoped that those people in official capacity positions realize that our economy started slipping around the time President Clinton's jealous liberal Government paid team members first attacked Microsoft. Damage is felt by every voter and tax payer in our United States.

Let the current settlement stand and get back to free enterprise practices that built our great nation in the first place.

Thank you in advance for listening to one little self employed renovation contractor in Macon, Georgia USA.

Howard A Wilcox, Jr. Voter, tax payer, Christian, husband, parent, step parent, grandparent.

MTC–00030752

WAINWRGHT INDUSTRIES
WAINWRIGHT INDUSTRIES, INC.
17 Cermak Boulevard St.
Peters, Missouri 63376
636–278–5850 Fax:636–278–8806
www.wainwrightindustries.com
January 2, 2002
Renata Hesse
Trial Attorney—Anti-trust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC, 20530
Dear Ms. Hesse:

Enough is enough when it comes to all the hoops Microsoft has had to jump through even in the wake of the recent settlement reached through extensive negotiations with the Department of Justice. The high-tech industry must get back to normal in order to help small businesses utilize technology to open new markets and to better serve their customers—many of which are the largest job creators across the nation.

I ask your help in ending this prolonged regulatory debate that is denying workers the technology necessary to do their jobs in the best way possible.

Microsoft and their competitors should go toe-to-toe in the marketplace—not in the courtroom. A thriving high-tech sector of our economy is a key to future business development and the key to a stronger economy and better jobs.

I support the reached settlement between the DOJ and Microsoft.

Very truly yours,

Arthur D. Wainwright
Chairman/CEO

MTC–00030753

Date: 1/2/02 12:56:07 PM Central Standard Time
From: MAILER-DAEMON@usdoj.gov (ShellUser MAILER-DAEMON)
To: LEEMES@aol.com -
Date: Wed, 2 Jan 2002 13:55:34 EST
Subject: Microsoft Settlement
To: microsoft.atn@usdoj.gov

From all that I have read concerning the Microsoft Settlement, the judgment rendered by the various courts are in my opinion, more than fair. Because of a few unhappy competitors who want to upset the settlement without legitimate reason, other than greed. seems to me to be most unfair. Microsoft is one of the finest and best run companies in the USA, known world wide for it's innovation and useful output and whose foreign as well as domestic sales add millions to the GNP. Now some less efficient and less innovative companies want Microsoft penalized further, so they can take advantage of the very market created by Microsoft. And the States that want more money need to stop their own inefficiencies and not try to balance an out of kilter budget be getting a freebie from some other entity, while they fritter away on boondoggles, the taxes they receive.

Sheldon L. Mesirow
leemes@aol.com
I tried it!!
So Here It is

MTC–00030755

Herbert Maar
801 Augusta Road
Wilmington, DE 19807
December 29, 2001
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I have been extremely concerned over the regrettable lawsuit against Microsoft; I believe that Microsoft has been—and still is—one of the most instrumental American businesses to drive and sustain the longest running and strongest economic expansion in recent memory. I also believe that unless there is some real threat to the American free enterprise system, the government should always refrain from interfering in business. There seem to be two diametrically opposed guiding principles at work: On the one hand, the government seems to do its best to provide free (tax-supported) services to any it can find, while the American business ethic demands quality and efficiency. Mixing the two—as was done with this lawsuit—only results in havoc and confusion.

More specifically, where the American consumer is greatly aided in Microsoft's efforts to integrate its software with its operating system, the government—no doubt spurred on by less successful Microsoft competitors—sees a phantom threat of ''monopolization.'' For those of us that actually spend our hard-earned money on the necessary hardware and software needed to be even a little productive in this computer age, you had better believe that we look for integration rather than confusion.

I am writing this letter as a citizen invoking the Tunney Act, and I would like to respectfully request that you continue to do everything that is possible to protect the terms of this settlement. Do not let those parties, looking for excuses to derail it, succeed. We as consumers deserve better than that. Thank you.

Sincerely,

Herbert Maar

MTC–00030756

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Douglas B. Schaper
3 10 East 44th Street; #1509
NYC, NY 10017
Judge Colleen Kollar-Kotelly
C/O Attorney General Richard Blumenthal
MacKenzie Hall
110 Sherman Street
Hartford, CT 06105–2294

Dear Judge Kollar-Kotelly,

My introduction to computer software came in the winter of 1973 when I narrated a media presentation for BASIC computer language.

Since that time I have used many softwares for many purposes personal and professional, some commercial some proprietary.

I am writing you this letter to decry the recent agreement between the DOJ and Microsoft, and in support of the actions of the nine states before you.

President Kennedy, in 1961, proposed that we land on the moon with our science. Eight years later We achieved that goal.

By way of comparison Microsoft went public in 1986—fifteen years ago, and software is still in the dark ages. Every single day that I use Microsoft product I curse its inefficiencies. I recently asked a computer salesman at J&R Computers in NYC about an alternative to Microsoft product. He looked at me like I was sprouting wings and new heads on the moment.

I worked in venture capital for a company in New York City—there are no funds for competition to Microsoft product. This says a lot about a tax regulatory environment reinforcing competition to Microsoft product—a situation these nine states are attempting to address. It also says a lot—particularly in light of our moon exploration—about Microsoft's pursuit of ''quality'' product.

Microsoft has not pursued quality product-at least not from the standpoint of the consumer. Quality to Microsoft has meant quality of its control over the marketplace, which until this opportunity to open it up has been absolute-all because of one sale to IBM and the company's ensuing

determination, successful until now (we hope), To maintain control over that marketplace. Look around you. What alternative to Microsoft is there? Standardizing product, in light of 110 volt electricity for the home, 220 for heavy machinery, 12 volts the car, 3/8 inch pipe for plumbing, #2 pencils, size 8s for women and so many other examples in manufacturing, design and service, comes out of pressure from the consumer and the marketplace—not from one company exercising control over that marketplace and any competition.

Microsoft product is an abomination in terms of its quality for the consumer and since there is no real alternative to it there can be no argument about that fact or the control-from somewhere-of both the product and the market. You must know that if we had a competitive marketplace arena for software, Microsoft product would be much better and there would be alternatives to it The company's primary focus has been not on quality—but on control. And in this, and in this alone, it has been successful.

I deeply. nay—more than deeply, hope you will help everyone—including Microsoft—by ruling in favor of these nine states. I am desperate for better software—we ALL are.

DBS

MTC–00030757

QSE—Quality Software Engineering, Inc.
Quality Software Engineering, Inc.
10820 Sunset Office Drive
Suite 302
St. Louis, Missouri 63127
(314) 965–7800
December 31,2001
Attorney General John Ashcroft
The Justice Department
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft:

After three strange years of court, Microsoft andthe Department of Justice have reached a settlement. Both the IT industry and the consumer will benefit from it, and as such, it's best if we work to put this issue behin us, and consider the future instead.

Even though the settlement steps a bit outside of the notion of free enterprise, settling the case now is the right thing to do to help the industry and the economy move ahead. This agreement is pragmatic and reasonable even employing a mediator at the end to negotiate the final details.

The abuse of the American tax-dollars has gone on long enough. To prevent this from continuing any further, all action that is taking place at the federal level must be stopped at the end of the comment period. It is time to let Microsoft go back to innovation, rather than litigation.

Sincerely,

Donald R. Kossman

President

cc: Representative Dick Gephardt

10820 Sunset Office Drive Phone: (314) 965–7800

Suite 302 FAX: (314) 965–7802

St. Louis, MO 63127–1037 e-mail qse@qse.com

MTC–00030758

From: Patrick Settle
Note: DOJ—202–616–9937
Jan–02–02 14:13 From-WORLDWATCH INSTITUTE
+2022967365
T–846 P.O2/03 F–566
Patrick Settle
5221 42nd Street NW Apt. B
Washington, DC 20015
Friday, December 28, 2001
Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Greetings,

As an Information Technology professional, and user of Microsoft products, with over six years of professional experience in the computer industry, I have seen the negative impacts to the computer industry brought upon it by Microsoft. Their unethical business practices which allowed them to evolve into a monopoly, and their current attempts to maintain that monopoly has stifled a great deal of technology innovations, along with damaging business opportunities for other companies.

I cannot see how the settlement that is proposed even pretends to remedy the antitrust violations for which Microsoft has been found culpable. Microsoft has already been found in violation, and this is the penalty phase of the case, but the settlement contains no penalties and actually advances Microsoft's operating system monopoly.

A just penalty, would at barest minimum include three additional features:

* Any remedy seeking to prevent an extension of Microsoft's monopoly must place Microsft 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.

As the judge has suggested the national interest is at issue here, therefore it is crucial that Microsoft's operating system monopoly not be extended. Allowing Microsoft's Monopoly to stand weakens our national security by the creation of an information monoculture. As Paul A Strassmann states, ''Info-terrorists and criminals will continue to take advantage of the ever-growing proliferation of flaws in the gigantic Microsoft system, consisting of hundreds of millions of lines of failure-prone code.'' In closing, the outcome of this case will affect us not only to day but the future of information technology, and the nation. A thorough and though out penalty is far more important to the health of the nation than is a hasty one.

Thank you for your time,

Patrick Settle

5221 42nd Street NW Apt.B

Washington, DC 20015

202–321–7370

hyrcan@sneakeasy.net

MTC–00030759

To: U.S. Department of Justice
Company: United States Government
City: Washington, DC
Fax Number: 202–307–1454
Phone Number
From Virginia C. Sullivan
Direct Dial Phone 312–558–5337
Client/Matter Number 7325378–00043
Document Description

Message

If this transmission is incomplete, please call 312 558–6294.This document is intended only for the addressee(s) named above and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. Any use, dissemination or copying of this communication other than by the addressee is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us by mail. Thank you.

Virginia C. Sullivan

88 W. Schiller St., Apt. 2503 Chicago, IL 60610

January 2, 2002

United States Department of Justice

1Oth Street and Constitution Avenue NW

Washington, DC 20530

Re: Microsoft Settlement

Dear Honorable Justices:

I believe it is in the public interest to settle the Microsoft case with the settlement that is being proposed now and upon which the Department of Justice is requesting public comment between now and January 28, 2002.

I am a legal secretary who has been working for 40 years. I started out with an IBM electric typewriter. I have used over the years six different word processing systems—none of them Windows-based, all of them difficult. In all my 40 years of working one thing stands out above all else and that is the great contribution Microsoft has made to the workplace. I have the greatest respect for Microsoft. I love to use their products, e.g., Word 97, Excel 2000, and PowerPoint. I am sure millions of other people feel the same. The product that they have developed in the Microsoft Office Suite is of the highest merit and has had a positive impact on the life of millions over the years, making their work easier and even pleasurable. As far as Windows is concerned, I want to use the Windows operating system for the rest of my life. To me, it is one of the greatest inventions of all time. I believe that if Microsoft will provide for other companies, e.g., Netscape Navigator, to be an option in regard to

internet browsers they will have come a long way toward equal opportunity for intermet navigation.

I just wanted you to know that I will always have the deepest gratitude and highest regard for the Microsoft company. Please help to make sure that no more money is wasted on litigating this matter. Microsoft deserves our thanks, not our condemnation. Thank you very much.

Respectfully yours,
Virginia C. Sullivan

MTC–00030760

ARCHIVES/MUSEUM
Fax: 1–617–825–3613
Jan 2 2002 15:36
The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth Archives Facility
FAX TRANSMITTAL
Date: 1–2–02
To: Dept. of Justice
FROM:
PHONE NUMBER: 617–727–9150
FAX NUMBER: 617–825–3613
TIME:
Message: Re: Microsoft
THIS FAX CONTAINS 2 PAGES INCLUDING COVER SHEET.
220 Morrissey Boulevard, Boston. Massachusetts 02125. (617) 727–9150
ARCHIVES/MUSEUM
Fax: 1–617–825–3613
Jan 2 2002 15:36 P.02
The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth Archives Facility
January 2, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSIMILE

Dear Attorney Hesse:

I would like to urge the Justice Department to expeditiously reach an equitable settlement in the Microsoft lawsuit.

According to what have read about this case, over $30 million in taxpayer money has already been spent on this case. This has caused more harm to American taxpayers than anything Microsoft may have done. It is time to end this folly.

Let's allow Mcrosoft to do what it does best-create jobs and move the hi-tech industry and the American economy forward. With the economy so fragile, now is not the time to selectively pursue American business.

I urge the Court and the Justice Department to support the settlement in this case.

Yours truly,
Richard M. Sundstrom
Director, Massachusetts State Archives
220 Morrissey Boulevard, Boston, Massachusetts 02125—(617) 727–9150

MTC–00030761

Kelly Jones
1008 Telegraph Station Lane
Glen Allen, Virginia 23060
December 28, 2001
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW. Suite 1200
Washington. DC 20530

Dear Ms. Hesse:

I wish to give you some comments on the Microsoft settlement, In terms of Microsoft's compliance with the settlement. the agreement provides adequate resources, access, and authority to quickly respond to camplaints about Microsoft's compliance. In addition, it creates an independent Technical Committee with the power to hire unlimited staff, on-site at Microsoft's campus and entirely at Microsoft's expense. While the agreement positions the U.S. Justice Department us the sole enforcement authority, the state Attorneys General may insist on being able to escalate complaints to the Court. Therefore. for those who doubt Microsoft would comply with the settlement agreement, they need only look at the unprecedented enforcement) mechanism.

It is a shame. however, that rather than competing in the marketplace, Microsoft's rivals felt compelled to use their lawyers and lobbyists to petition the government to intervene and regulate the high-tech industry. Thank you for the opportunity to present my views.

Sincerly,
Kelly Jones

MTC–00030762

JAN–02–2002 16:08 ROSS
312 527 4166 P. 01/01
Real Estate
154 West Hubbard
Suite #2OO
Chicago, IL 60610
312–527–4747
312–527–4166 Fax
17–18 Old Bond St.
London WlX 3DA
01–493–1613
Telex: 28407
*FACSIMILE TRANSMlTTAL FORM *
DATE: 1/2/02
ADDRESSEE: Microsoft@USdoj.gov
COMPANY:
FAX NUMBER: 202–307–1454
SENDER: Frederick B. Rolison
TITLE: Executive Vice President
NUMBER OF PAGES BEING TRANSMITTED: 1

Operator:

Please deliver this document IMMEDIATELY to addressee. If there is any problems with this transmission, please notify the sender at (312) 527–4747. Thank you.

Comments: I believe the Microsoft Settlement is fair and just. For all parties concerned.

Thank you,
Fred Rolison

MTC–00030763

FROM : SUZANNA TASHIRO CHOI AND ASSOC PHONE NO. : 9496535713 Jan. 01
2002 01:42PM P1
Vietnamese—American Political Action Committee
PO. BOX 836 . GARDEN GROVE. CALIFORNIA 92642—0836
TELEPHONE : (714) 286–7710
REC ID # 00028198—STATE ID # 923472
KY NGO , CHAIRMAN
January 2, 2002
Department of Justice, Antitrust Division
Attn: Renata Heese
601 D Street, NW Ste. 1200
Washington, DC 20530
Fax (202) 616–9937
The Justice Department vs. Microsoft
Dear Ms. Hesse and Whom It May Concern:

I have been following the antitrust case against Microsoft for a number of years and understand we are close to a settlement. It has been brought to my attention we are within the Tunney Act's 60-day deadline to submit public comments and I'd like to extend my support of the proposed consent decree.

Yes, it is true the courts have ruled Microsoft engaged in violation of the Sherman Act. But it is also true The Justice Department vs. Microsoft can't go on forever, as some of Microsoft's competitors may wish.

Our nation is now officially in a recession. The significance of accepting this decree can't be emphasized enough. Millions of dollars and time have already been spent on this case. A proposed consent decree has been submitted. It is now in our national interest to accept this settlement and move forward.

For the Vietnamese community in particular, this issue is of great concern. Many are employed in everything from programming to distribution. Over the years of this case, we have seen thousands of jobs lost and distribution numbers drastically reduced. While the outcome of this case remains pending, so does our economy and livelihood. In addition, the success of the hi-tech industry has a ripple effect which opens the door for other good people from Vietnam to come to the United States. Many in our community believe settling this case and allowing the technology industry to continue its growth will be extremely positive for all of us (here or abroad).

It is my opinion the settlement is fair and benefits consumers. I encourage you to accept this settlement.

Sincerely,
Ky Ngo

MTC–00030764

FROM: DICK ELDER CPA PHONE NO.: 425 653 0840 Jan. 02 2002 02:13PM P1
MEMO FROM DICK ELDER R.H. ELDER, CPA—Small Business Consultant 5372 Highland
Dr. S.E. Bellevue, WA 98006 Voice (425) 643 8522 FAX: (425) 653.0840 Wireless (425) 442.0376 Email: ELDERDICK@AOL.COM
To: Dept of Justice Date Jan 2, 2002 Time:
Telecom#: 202/307–1454
US GOVT. MICROSOFT SETTLEMENT

I believe the best interests of the American People and the economics of Free Enterprise, and Capitalism, which we have chosen, is best served by ending the litigation with Microsoft quickly. The settlement reached is fair and further litigation and stalling tactics by competitor corporations is unfair. Please have the District Court confirm the settlement agreement.

Richard H. Elder

MTC–00030765

TIM A.VANCE
838 GREEN DRIVE
COSHOCTON, OHIO 43812
(740) 622–5883
(740) 622–8311—OFFICE
TIM A. VANCE
January 2, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft.

I am writing to encourage your continued support for the settlement recently reached between Microsoft and the Department of Justice. It would seem in the best interest of Microsoft users, the Department of Justice, and Microsoft to discontinue any further legal action against the company.

Microsoft is an innovative leader in the computer software industry and as such the company has brought many benefits to computer users. I believe Microsoft, if given the opportunity, will continue to accrue benefits for every computer user and others in the computer and software industries. I do not believe further litigation against this company will be of any benefit to the American taxpayers. Please let the free enterprise system work without undue government intervention.

As a taxpayer and user of Microsoft products, I think everyone would be better served if the settlement reached between Microsoft and the Department of Justice is supported. Thank you for all the work you do on behalf of the citizens of the United States.

Sincerely,
Tim A Vance

MTC–00030766

330 376 7886
12846 Troyer Ave.
Uniontown, OH 44685
December 29, 2001
Atty. Gen. John Ashcroft
US DoJ
950 Penna. Ave, NW
Washington, DC 20530

Dear Mr. Ashcroft:

After three long years of court battles Microsoft and Department of Justice have reached an agreement regarding the antitrust suit. This settlement will be beneficial to both the IT industry and the consumers alike. It is necessary that those who are involved in the suit put aside their differences and work to put this issue behind them. This settlement will help strengthen the economy during this difficult time and ensure that the industry continues to deliver advanced technology to the market. Your office has thus done well in offering a reasonable settlement, and I think you should see it through to the end. I appreciate the hard work you have done on this case.

It is time for you to stop all action taking place at the federal level regarding this case.

Let Microsoft get back to innovating and stop wasting its time litigating. Your settlement offer is fair and balanced, please don't back out on it now.

Sincerely,
Jerry Parker

MTC–00030767

January 2, 2002
Deptment of Justice
Washington, DC

I'm very disappointed at the prolong case against Microsoft and that 9 states are still fighting the case even though I thought an agreement had been reached. The only winners here are the lawyers as they have won in so many cases at the expense of the consumer. Not only are they paid endorsement fees, but the CONSUMER made up the LOSER! Eventually all cost of defending the cases are passed on to the CONSUMER!

From what I can determine with the information available the settlement is FAIR!!!!

Please let's not have another IBM fiasco, where alot-of-money was spent and the case was dismissed. Let's move on with this case and force the states to accepted the agreement so that business can go on.

Sincerely,
Gene Pizzato
6007 E. Harvard Street
Scottsdale, Az 85257

MTC–00030768

Microsoft Corporation
One Microsoft Way
Redmond, WA 98052–0677
UNITED STATES OF AMERICA
Phone: (425) 882–8080
Fax: (425) 93MSFAX (936–7329)
Internet: http://www.microsoft.com
MSFACSIMILE
TRANSMITTAL FORM
To:
From: Don Holtzinger
Fax Number:
Company: Dept Of Justice
Phone Number:
Date: Wednesday, January 02, 2002
Time: 11:25:43 PM
Pages: 1
Subject: Microsoft Settlement
Note:

Dear Department Of Justice.

I'm very proud of the way you and Microsoft have worked to find a solution to the Anti-Trust case, and I think the solution promotes competition while letting the industry move forward with standards that will ensure another 20 years of continued technology growth. This settlement is tough, but I believe it's reasonable and fair to all parties involved.

Please don't let this lawsuit get sidetracked by special interest groups or Attorney's Generals who are trying to keep their names in the public spotlight.

Thank you
Sincerely,
Don Holtzinger
17605 NE 101st Court
Redmond, WA 98052

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MTC–00030769

Wednesday, January 02, 2002 7:55 PM
CHARLES E. KESSLER 206 725 3279 P.01
Attention:
Date: l/2/02
Company: DEPARTMENT OF JUSTICE
Number of Pages: 2
Fax Number: 1–202–307–1454
Voice Number:
From: CHARLES E. KESSLER
Company:
Fax Number: 2067253279
Voice Number: 2067253279
Subject:
Comments:
Wednesday, January 02, 2002 7:55 PM
CHARLES E. KESSLER 206 725 3279
FAX
January 2, 2002
Department of Justice
FAX 1–202–307–1454
Subject: Microsoft Settlement

Gentlemen,

My family or I have never worked for or had any connection to the Microsoft Co. and I do not own any Microsoft stock. My only connection is that I have a personal computer that uses Microsoft software.

It has always been my opinion that to penalize Microsoft for improving its software for the benefit of its customers is crazy. The freedom to innovate and provide better software should be rewarded not penalized.

The only reason for these lawsuits is to benefit the attorneys and the politicians who support Microsoft's competitors.

Sincerely,
Charles E. Kessler
3000 S Graham St.
Seattle, WA 98108
206–725–3279

MTC–00030770

WED, JAN–02–02 9:24PM SHIRLEY KRATZER 6109656132 P.01
3324 Berger Street
Allentown, PA 18103
January 2, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
cc: Senator Rick Santorum

Dear Mr. Ashcroft:

After three long years of legal battles, Microsoft and the Department of Justice thankfully reached a settlement in their antitrust dispute. This settlement is going to be very good for both American industry and American consumers. It offers something for everybody, and fosters the kind of competition that creates jobs and better products that cost less. Therefore, it is necessary that all those involved in the suit work to enact this historic settlement.

This settlement is fair. At the end of the negotiations, a mediator worked to finalize

the details at the government's behest. But not only is this settlement fair; it will also help strengthen the economy, and ensure that the industry continues to deliver advanced technology to the market.

The flagrant abuse of American taxes needs to be ended. All action that is taking place at the federal level must be stopped. It is time that Microsoft went back to focusing on innovation, rather than litigation. Thank you for your work in bringing this settlement about. Now we can finally get our economy back on target.

Sincerely,

Shirley Kratzer

MTC–00030771

January 2, 2002

To Whom It May Concern:

RE: The Microsoft Anti-trust settlement

I am an independent computer consultant in the Chicago area. My client base includes several small to medium-size companies that have the need for a computer consultant, however, do not have the need to hire a full time staff member dedicated for their IT solutions. I have over 14 years experience working with computers (mainframes, servers, workstations, and desktop computers) with a variety of operating systems.

Working with small to medium-size companies, I receive the entire spectrum of requests for computer support: building computer systems, installing operating systems, installing application software, networking computers together for local and wide area, making software recommendations, designing and writing custom built software applications. From my clients'' direction, the two most required features of an operating system for a computer solution is price and reliability. Price is obvious: the lower the cost, the better for the client. The more reliable a computer system is, the less maintenance time the client will have (which directly lowers the total cost of the computer solution).

For my clients, I have purchased and installed open source software for the operating system and file/print services (i.e., Linux and Samba). Though many of my customers use Microsoft Windows based desktop on the client side, Linux and Samba comprise the server side. With regards to the small to medium-size company, below are my grievances with the proposed Microsoft Anti-trust settlement.

1. Microsoft application developers will still be able to practice unfair competition. Windows Application Programming Interface (API) allows Microsoft applications to integrate seamlessly with Microsoft operating systems. Competitive products do not integrate well with a new release of Microsoft operating systems. Rather competitive products must go through an upgrade to work with a new Microsoft operating system. The root cause is that Microsoft application developers have access Windows APIs (both documented and undocumented). To remedy this problem, Microsoft should be split into three companies: application software, operating system software and network services (i.e. MSN). All Windows APIs must be revealed to the competition, as well as Microsoft application developers. Only at the time of a new operating system release will application developers (Microsoft application developers and the competition) get access to the new/updated Windows API details.

2. Network protocol interfaces must be completely released and the ability for non-Microsoft entities to integrate their network protocols into the same Windows API as Microsoft network protocols. By revealing the network protocols, Microsoft Windows desktops can be easily integrated into non-Microsoft servers (i.e., Linux and Samba). By providing the ability for non-Microsoft entities to integrate their network protocols into Microsoft operating systems, competition for better network communication protocols will benefit Microsoft operating system desktop users.

3. File formats of all Microsoft application software need to be disclosed and changes to the file format released at their product release. Interoperability of Microsoft software and competitive software needs to be maintained, such that, when Microsoft releases a new version of their software, competition's software has the ability to read Microsoft file formats. Without file formats being detailed, the competition's software may not access files created by Microsoft applications, thus, requiring Microsoft applications to also be installed to access the information contained within (and again, eliminating the competition).

4. Recent deployment of Windows XP and the resulting security breach clearly identifies that Microsoft cannot be an operating system company, an application company and a network services company. A convicted monopoly must insure that the security and efficacy of their operating system does not jeopardize the network computing community. If security is breached when a new Microsoft operating system is released, then Microsoft should pay a fine. The message to Microsoft is simple: Pay for your research and development up front or pay for it in the back as a fine. Consumers are not your test bed for under developed operating systems.

5. With the release of Windows XP, Microsoft is still up to its monopolistic practices of integrating similar competitive applications into its operating system releases to eliminate competition. Two products that have been added to the latest Windows operating system are: remote administration ability and CD-RW ability (burn CDs). Both of these products were available from the competition, however, by bundling these features into the operating system Microsoft again eliminates its competition, similar to what Microsoft did when it bundled its Internet Explorer browser into its operating systems. The Anti-trust settlement does not go far enough to stop the predatory practice.

6. The actual cost of the bundled software when purchasing a computer system must be listed on the computer invoice, and must be permitted to purchase the same computer without the software (unbundled). Currently, when a computer consumer goes to purchase a new computer, only Microsoft operating systems are bundled with the computer. A special order computer must be made to purchase a computer without a Microsoft operating system.

7. Microsoft should pay, in the form of a fine, for the time to register and activate its new operating system and application software releases. Why should users pay the bill to register and activate an operating system feature that users never requested? I realize Microsoft is trying to reduce or eliminate software piracy, however that should not encroach on the user's time or expense to provide this service to Microsoft without being compensated. When trying to activate operating systems or application software on 25, 50 or over 100 desktops, this cost becomes large. Microsoft, the initiator of the act, should be burdened for the time and expense.

8. In October of 2001, Microsoft owned and operated web sites would only work with Internet Explorer. The Anti-trust settlement does nothing to insure that non-Microsoft browsers will be locked out of Microsoft owned web sites. Again, another predatory tactic of Microsoft to insure their monopoly by eliminating any non-Microsoft browser from connecting to their web sites.

9. Developing web sites that put Microsoft in a negative light is not allowed in the license agreement the user must acknowledge when using Front Page 2001, a Microsoft web site development tool. If this type of licensing is permitted (and enforceable), then the government is acting as a subsidiary of Microsoft Corporation, and allowing violation of the Freedom of Speech by a convicted monopoly. The Anti-trust settlement does not address this issue.

10. Microsoft's direction to annually tax for the use of their operating system and its application software means user's work developed today may not be accessible in the future, if the Microsoft annual fee is not paid. This amounts to extortion. The Anti-trust settlement does not curtail this Microsoft practice. If this practice is allowed, then it must clearly be labeled before a user purchases a Microsoft product to decide whether or not the terms are acceptable. If the terms of the agreement are not disclosed before opening the software box, after opening the software, often the user is not allowed to return the software.

11. I chose the words entities and competition throughout this list of grievances, because I advocate that competition does not solely come from for-profit companies. However, competition does also appear in the form of open source solutions as well (i.e., Linux and Samba). The current Anti-trust settlement favors Microsoft by eliminating the requirement to share its Windows API, networking protocols, file formats, and any information detailed in the settlement with open source groups or non-profit organizations.

12. Historically, the government has split monopolies up to insure competition and protect the people from abuse of the monopoly. I strongly think Microsoft should be split into three companies: applications software, operating system software, and network services. Since Microsoft is convicted of being and acting as a monopoly, yet the government does not want to split Microsoft up, I think a new remedy must be

imposed on Microsoft. That remedy is Microsoft must list the words ''A Monopoly'' with all their Microsoft brandings of their products, services, web sites, etc. Anywhere Microsoft lists the words Microsoft Corporation, the clause ''A Monopoly'' must also be listed.

In my humble opinion,

Kenneth Cobler 9943 Drury Lane
Westchester, IL 60154

MTC–00030772

FROM: STENGEL BROS INC
FAX NO.: 6104331793
Jan. 03 2002 09:50AM Pl
213 Shelf Street # B12
Lower Paxton, PA 17109
January 2, 2002
Attorney General John Ashcroft
The U.S. Department of Justice
950 Pennsylvania Ave.
Washington, DC, USA 20530

Dear Attorney General Ashcroft,

I am writing to express my thoughts on the Microsoft antitrust case. The settlement was hammered out after negotiating with a court-appointed mediator, and was apparently good enough for nine states to approve. Microsoft is currently working with the remaining states to reach a resolution to the lawsuit. I support the settlement, and I encourage you to continue working to enact it.

The settlement allows competitors to sue Microsoft if they feel that it is not complying with the terms of the agreement, and the government created a technical oversight committee to review Microsoft's codes and books. The federal budget is tight, and it is a bad idea to spend scarce resources on a problem that has already been solved. In short, three years has been long enough I ask that you work to allow the settlement the time to prove itself.

Sincerely,

John Stengel

cc: Senator Rick Santorum
Representative George W. Gekas

MTC–00030773

ELITE PERSONNEL AGENCY 202 353 8856 No. 955 P.01
FAX COVER SHEET
ELITE PERSONNEL AGENCY
940 The Terminal Tower Phone-(216)771–7810
50 Public Square Fax.(216)348–7086
Cleveland, Ohio 44113
e-mall: elltepa@aol.com
Check us out on the Web/: www.elltepersonnelinc.com
0 Urgent 0 Reply ASAP 0 Please comment O Please review 0 For your information
Comments:
Re: Tunney Act

Please accept the following letter as my opinion regarding the Microsoft case

Sincerely

Valeri Stephens-Ellis
1444 West 10th Street Apartment 401 Cleveland, Ohio 44113
December 20, 2001
Sen. Mike DeWine
United States Senate
Washington, DC 20510

Dear Senator DeWine:

As a resident of Ohio, I am writing to express my relief that the government has finally settled its case against Microsoft. I am sorry that the case was ever brought against them in the first place but now that it has been resolved, I hope that it will not be long before they will able to get back to business.

I have supported Microsoft from the beginning because of the influence it has on our economy. As a major player in the stock market, any boon to Microsoft will be a good windfall for the rest of the market and the IT industry as a whole.

I hope that you will listen to the opinions of your constituents on this matter and support Microsoft and the Department of Justice's decision. Thank you for your time and I look forward to hearing back from you on this matter.

Sincerely,

Valeri Stephens-Ellis

MTC–00030774

JAN. 3. 2002 8:04AM HIVNET STATS CENTER NO. 1451 P. 1
Renata Hesse, Trial Attorney,
Suite 1200, Antitrust Division,
3 Department of Justice,
601 D Street NW,
Washington, DC 20530
re: United States of American v. Microsoft Corporation, Civil Action No. 98–1232
To whom it may concern:

I am writing as a private citizen to express my concerns about the revised proposed Final Judgment, Stipulation and Competitive Impact Statement which has been filed with the United States District Court for the District of Columbia in United States of America v. Microsoft Corporation, Civil Action No. 98–1232.

It is my opinion that nothing in the above referenced proposal addresses the unfair advantage Microsoft has gained by being the creator of both operating systems and application software. In 1990, Lotus 1–2–3 was a dominant spreadsheet package and Word Perfect a widely used Word Processor. dBASE was a widely used database and Novell was beginning its rise as a way to network individual PCs. None of these companies has been able to complete with Microsoft. Why? They had to wait for Microsoft to release an new operating system before they could adapt to it. By the time they had adapted to Windows 3.1, Microsoft was getting ready to release Windows 95 and by the time Microsoft got to Windows 98, they were dead or dying. Users had little interest in software that was a step behind the cutting edge.

About the time Apple released the Macintosh operating system, it also released Word Processing and database software. Few others even tried to complete. The market was small and anyone could see the significance of Apple's advantage in it. By contrast, Microsoft never tied to sell application software of any sort until MS–DOS was well-established in the marketplace, and its initial entries were not well-received. Other companies had already done a good job of creating software for a character-based interface. But, when Microsoft began to pair its applications with a graphical user interface, both the operating system and the application software quickly overwhelmed all competition.

There is no way any maker of application software will ever compete successfully with a company that also makes both applications and operating systems. As long as Microsoft is allowed to sell both operating systems and application software, it will continue to enjoy monopoly power no matter what other remedies the court might impose.

I ask the court to give serious consideration to a remedy which separates Microsoft's operating system and applications development, such as that proposed by California, Connecticut, Florida, Iowa, Kansas, Massachusetts, Minnesota, Utah, West Virginia and the District of Columbia. Nothing less will give any other maker of operating systems or applications a chance to erode Microsoft's 90% plus share of the software marketplace.

Sincerely,

Phillip L. Kirsch
20421 SE 157th Street
Renton, WA 98059–9041

MTC–00030775

Admiral Integration
8564270600
01/03/02 11:39A P.OO1
Admiral Integratian, Inc.
1950 Old Cuthbert Rd.
Suite L
Cherry Hill,NJ 08034
Phone (856) 429–6700 Fax (856) 427–0600
December 31, 2001
Attorney General John Ashcroft
US Department of Justice; 950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Now that this regrettable suit against Microsoft has been settled, I am hoping that the public comment portion will indeed sustain the wisdom of the settlement. I do not believe that any further federal action would do anything more than to further fragment our nation's business community and further erode any economic progress now under way.

There are times where it is a good thing to have our government possess the power to radically alter a large, monopolistic company so that it becomes more responsive to the American consumer. But this case against Microsoft was not one of those times. Microsoft has been extremely responsive to customers, and that is exactly why it has been successful. Microsoft is not an ossified giant. While Microsoft may well have exhibited tendencies toward safeguarding its technology, this is and of itself did not, in my opinion, approach the level of federal intervention.

With so many other more important issues facing our country today, this sort of thing ought to be the last on our growing list of priorities.

Sincerely,

Mike McEntee
General Manager
mike@dmint.com

MTC–00030776

CARPET & INTERIORS UNLIMITED

602 SLATER STREET
KINGS MOUNTAIN,NC 28086
704/739/7234
FAX COVER SHEET
TO: DOJ
FAX#: 1–202–307–1454
FROM: Carpet + Interior
DATE: 1/3/01
TOTAL PAGES (INCLUDING COVER SHEET): 2
MESSAGE:
CARPET & INTERIORS UNLIMITED
602 SLATER STREET
KINGS MOUNTAIN,NC 28086
(704)739–7234

I think all states should settle with Microsoft ASAP—Will be good for folks

HA

MTC–00030777

FROM : JERRY R MODRE
PHONE NO. : 205 822 2960
Jan. 03 2002 11:32AM P1/1
Jerry R. Moore
513 Lansdowne Place
Vestavia Hills, AL 35226
(205) 822–2960
January 2, 2002
Attorney General John Ashcroft
The Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Cc: Representative Spencer Bachus

Dear Mr. Ashcroft:

As a big fan of Microsoft, I write you in reference to the recent settlement between Microsoft and the Department of Justice. I am pleased to see that a settlement has been reached; I encourage any action by the government that would put this issue behind us.

Being an ''old dog'' trying to learn new tricks, I found Microsoft very helpful in making me comfortable with using a computer. Thanks to their ''point and click'' instructions, I felt right at home, as were many of my friends. It is technology such as this that we need to support. During these times of financial troubles, our country has to support the competitive process, and let our technology industry continue to grow.

Since this settlement is beneficial to consumers, the IT sector and our economy as a whole, it seems foolish to waste scarce resources in reexamining a settled case. Let us support the growth of our technology Industry, and put a stop to any further hearings against the Microsoft settlement.

Thank you for taking the time to hear my positive outlook: on the settlement.

Sincerely,
Jerry R. Moore

MTC–00030778

Date: January 3, 2002
From: Henry Balboni
1329 Doylin Dr.
Cary, NC 2751l-5844
To: U. S. Department of Justice
Washington, DC
Re: Microsoft Settlement

It is time to end this case and allow one of the nation's finest companies to get back to business. I am retired now but worked for a competitor of Microsoft. It was common knowledge in my company—and others in the computer industry—that Microsoft got to where they were because they had the vision to see the future, its potential, and the talent to get them there.

The government is certainly in no position to tell anyone how to run a business. And if you look at the damage that DOJ has caused to some of our major industries over the last 70 years it raises serious questions about the value of DOJ to the United States. For example: The U.S. had one of the world's best shoe industries in the early 1900's. The USMC (United Shoe Machinery Corporation) was the reason for it. Complaints from other countries—who found it difficult to compete in the U.S. against the USMC caused the DOJ to bring a ''Monopoly'' suit against them, which, among other things, forbid them to lease their equipment. This put most of our shoe manufacturers out of business, and, eventually, drove the great USMC out of existence. We no longer have a shoe industry or a shoe machinery industry.

The ill-conceived suit against IBM (because they were too good at creating and building THEIR OWN industry) cut the company's value and stopped their growth cold. They nearly went out of business. It forced them to do things no other competitor had to do—announce their new products 6 months in advance, give competitors DRAWINGS and hookup information 6 months in advance, prevented bundling of services and products, etc. No one else had to play by these rules. I don't know how they survived.

The breakup of AT&T is another example. This is the company founded by Alexander Graham Bell—the INVENTOR of the telephone. If the FCC did their job they could have directed lower rates to consumers (like they need to do now to the cable companies) and the 'reason' for the breakup would have disappeared. Of course, that would be too quick and too efficient—words not known to the Federal Government.

Yours truly,
Henry A. Balboni

MTC–00030779

Max Sperry
52 Sunset Drive
Ottsville, PA 18942
January 2, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing you to encourage our government to agree to the proposed settlement of the Microsoft case. The current settlement was reached after much deliberation and effort. It calls for changes in Microsoft's business practices, creating new rules that allow for more competition in the IT sector. I see no need for federal hearings and lawsuits when the states have already had their say. Big-Brother government should keep its nose out of business and concentrate on fighting our wars.

I have had extensive experience in dealing with Microsoft, working for years in the broadband communications industry, I am currently retired but do some engineering consulting, whereby all of the software I use is integrated with Microsoft's internal systems (e,g. MS office tools, etc). I agree that some of their practices are designed to keep their business rolling, but what business isn't looking out for their future interests? If people or businesses do not like their practices or products, they can simply choose not to buy or use them. It is not the government's job to determine individuals' preferences or best interests. Our country's economy is based on capitalism, and should continue in the same fashion by leaving Microsoft alone. Again, I ask that you please continue the Justice Department's present course of action and enact the settlement. Thank you.

Sincerely,
Max Sperry
CC: Senator Rick Santorum

MTC–00030780

M & T PROPERTIES
602 SLATER STREET
KINGS MOUNTAIN, NC 28086
(704) 739–2756
FACSIMILE TRANSMITTAL
NAME: DOJ
FAX#: 1–202–307–1454
FROM: M&T Properties
DATE:
NUMBER OF PAGE BE FAXED: 2
MESSAGE:
M & T PROPERTIES
602 SLATER STREET
KINGS MOUNTAIN, NC 28086
(704)739–2756

I Think All States Should Settle With Microsoft it Fair An Good For Folk

DR

MTC–00030781

J. Frederick Laucius M.D.
1025 Arboretum Road
Wynote, PA 19095–21O9
Department of Justice
Dear Sir or Madam:
January 3, 2002
RE Microsoft Settlement

I believe the settlement negotiated by the United States Department of Justice is fair. Further litigation is a waste of the country's resources to benefit only a few. The current products provided by Microsoft have proved productive in my practice of medicine. I believe that the distraction thus far has been disruptive. I hope this information is helpful to you in your decision.

Sincerely yours,
J. Fredcrick Laucius M.D.

MTC–00030782

WISCONSIN EDUCATION ASSOCIATION COUNCIL
January 3. 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D. Street NW
Suite 1200
Washington, DC 20530–0001
VIA FACSIMILE: 1–202–307–1454

Dear Ms. Hesse:

The Wisconsin Education Association Council represents the public policy, labor and professional interests of its 92,000 members. WEAC is a strong voice, advocating for Great Schools for its members and for the 800,000 children in Wisconsin public

schools. Every child deserves to attend schools that are wired and equipped with technology and to have teachers trained to effectively use technology in the classroom. WEAC supports the goals set forth in the proposed Microsoft class action settlement agreement to establish an independent foundation comprised of educators that will distribute technology funds, computers and software to the country's poorest schools and provide for teacher training.

These funds will be critical to Wisconsin, especially schools in our poor, small rural districts and some of our larger urban areas. Overall, Wisconsin falls below the national average in the categories of the percentage of fourth-grade and eighth-grade students in schools that make computers available in all classrooms and hours of training for teachers, according to ''Technology Counts 99'', a report issues by Education Week. In addition, a 1999 survey of our members showed that only about half believe they receive sufficient training to run the computers and software in their districts and only 40 percent get sufficient help from their district to integrate the new technology into curriculum.

The proposed settlement will address both needs—to get computers into the classrooms and to train teachers on how to integrate them into the curriculum. WC encourage the Department of Justice to accept the proposed settlement. Every child deserves a Great School, a school that is wired for the future.

Sincerely,

Stan Johnson President

Wisconsin Education Association Council

Stan Johnson, President

Michael A. Butera, Executive Director

33 Nob Hill Drive PO BOX 8003 Madison, WI 53708–8003 [608] 276–7711 [800] 362–8034

MTC–00030784

William McDonough
384 Waltham Street
West Newton, MA 02465
January 3, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Attorney Hesse,

It is my understanding that you are accepting public comment with regard to the MICROSOFT ANTITRUST case, and the settlement proposal now before Judge Colleen Kollar Kotelly. I would like to express my hope that the Settlement is accepted and that this case can end. I do not know the intricacies of antitrust law, but I can infer from what I read that much of this is subjective in nature: more gray area than black and white. As such, I believe the settlement process is an appropriate way to settle the case and get this out of the counts.

If I might be somewhat optimistic at this point, I think much good can come of this. consider the Justice Department achieves a means to regulate and monitor Microsoft's activity; microsoft be allowed to continue the business model that has worked so well for them; the other companies bringing complaint receive some measures of remedy; the public, especially investors and those in related industries, get some much-needed certainty in the settlement; and ideally the national economy will take the settlement as something of a spark to get us out of the recession.

Perhaps I am too hopeful, but I would guess not. This settlement proposal is evidence that disagreeing parties in the corporate and legal worlds can reach accommodation at times. And that in itself is good news. I hope the settlement is approved, and with dispatch.

Thank you for taking the time to consider my opinion on this matter.

Very truly yours,

William McDonough

MTC–00030785

Hydratecs Injection Equipment Inc.
430 Morgan Avenue
Akron, Ohio 44311 USA INTERNET
www.rubberworld.com/hic
Phone (330) 773–049 I
Fax No. (330) 773–3800
January 3, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

This letter is to express support for the settlement to the antitrust dispute negotiated by Microsoft and the Justice Department. I think it is in the best interest of everyone involved if the District Court Judge accepts the agreement, and this case is brought to closure.

The settlement is sensible, just, and addresses many of the problems that people had with Microsoft to begin with. Important steps will be taken to ensure that others have reasonable access to the market. At the same time, it recognizes the contributions that Microsoft has made to the computer industry and the U.S. economy. For example, Microsoft will still be able to sell licenses to computer makers, but only at a set standard price, meaning that Microsoft can't play favorites or retaliate if another company's software is also being put on a computer. The settlement also allows Microsoft to continue to use the integrated technology that has made it a world leader. Other firms will also be able to access this technology, so computers will become even more integrated, and consumers will end up with even more creative choices.

Thank you for allowing me to comment on this. I hope that the settlement will be final.

Sincerely,

Carl Chiofolo

President

MTC–00030786

526 Doral Drive
Bethany Beach, Delaware 19930
January 3, 2OO2
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Thanks for settling the antitrust case against Microsoft. The settlement is fair for all parties involved. We are all fortunate to have this case behind us. In my opinion Microsoft conceded more than they initially intended, but the state of our Nation's economy was more important to Microsoft than the stipulations agreed upon, The new rules now require that Microsoft turn over information to their competitors about how they, Microsoft, design their Windows operating systems. In essence, Microsoft has agreed to give-up its intellectual property to competitors who are neither as smart nor technologically advanced.

Hopefully we can now move on to issues that are vitally important to the safety and security of our nation—as opposed to those issues directed at undermining America's business competitiveness. Again, thanks for your prudence in settling this matter.

Sincerely,

Charles Hatch

MTC–00030787

724–746–7012 Sherwood Valley Pools
672 P01
1943 Route 980
Canonsbura, Pennsylvania 15317
January 2, 200l
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I feel that the settlement between Microsoft and the Justice Department is fair and should be accepted by all eighteen of the original suing states. It is my opinion that the government should leave well enough alone, and let Microsoft get back to business. I do not feel that this is, or ever has been, a government issue. It is matter of business, and since we are a society built upon the ideals of free enterprise and hard work, business should be the last of the government's worries.

Microsoft owns the rights to some of this country's greatest technologies, and now other companies are jealous. Instead of creating products that can compete with Microsoft's, these other companies have aligned themselves with outside interest groups. I have four PC's at home and use Microsoft products daily. I am free to use whatever software I choose, and Microsoft simply provides me with the most consistent quality.

Microsoft is one of this nation's largest employers, and it is truly one of America's greatest corporate assets. As such, it should be allowed to continue doing business the way business was intended to be in America, free of government control and interference.

Thank you for settling this case; I appreciate your belief in free enterprise.

cc: Senator Rick Santorum

Sincerely,

Darlene Barni

MTC–00030788

CINCINNATI INSURANCE
65 Twin Lakes Drive
Fairfield, OH 45014
January 3, 2002
Attorney General John Ashcroft
U.S. Justice Department
950 Pennsylvania Avenue
Washington, DC 20530–0001

Dear Mr. Ashcroft,

It recently came to my attention that the Justice Department is accepting public comment on the Microsoft antitrust case for a 60-day period. The settlement reached between Microsoft and the Department of Justice makes a lot of sense, and it should be implemented as soon as the formality of the comment period is over.

It appears to me that the problems that brought about the lawsuits in the first place have been addressed, and that guides are in place to protect smaller companies from future injustices. There is no need for more wasted time on the federal level. Personally, I think the issues in question were non-issues to begin with.

In short, it is time to move on our country has more serious matters to deal with then the practices of Microsoft. Although new government guidelines w-ill be placed on the IT sector, this settlement will provide certainty about the new rules and bring stability to the industry, This will ensure that our country can continue to introduce advanced American technology to the world market. I thank you for taking the time to consider my thoughts, and I wish you luck with the other matters your office is handling.

Sincerely,

Tom Lupinetti

MTC–00030789

ANDOVER STRATEGIC ALLIAN 978 470 4800
Unit 2 Cromac Wood
Ormeau Road
BELFAST
Tel: 028 9051 2000
Fax:028 9051 2080
January 2,2002

Please accept these comments in support of the settlement proposal in the Microsoft antitrust case. I support the arrangement agreed to by the government attorneys and Microsoft to end the litigation, and impose certain sanctions and competitive protections. I do not support any further intrusion into the private marketplace as is sought by Microsoft's competitors. The agreement serves the public interest: the increased (illegible) only serve special interests.

Millions of us in private industry, as well as consumers at home, use and appreciate Microsoft product. We are also not unaware of the competitive nature of the information technology business. Microsoft no doubt play:; rough, but so do its many competitors. It does not seem to me that any monopolistic force is at work in that very volatile market. The free-market system appears alive and well.

The antitrust laws are an important protection for American consumers and the economy as a whole. It is good that the Justice Department acts when it perceives a violation. And it is even better when they recognize it is time to compromise and settle.

That time is now.

Sincerely,

Patricia (illegible)

Canal Street, Lawrence, Massachusetts 01843

Tel: (978) 686–2907

MTC–00030790

Arthur J. McCabe & Associates, P.C.
Attorneys and Counselors at Law
January 2, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

Under the provisions of the Tunney Act, I offer my comment in support of the settlement agreement reached in the case United States v. Microsoft. As an attorney and small businessperson involved in economic development projects, I believe this to be a fair and reasonable settlement of the complaints brought forward in federal court. To the extent that Microsoft violated law, this seems to be an equitable settlement for consumer and competitor alike. And in the interests of the business community as a whole, a decisive resolution is a very welcome prospect.

Microsoft and the information technology sector as a whole have contributed a great deal to daily life, and to the growth of the national economy. A resolution of this case as detailed in the settlement agreement will allow that beneficial growth and development to continue.

I appreciate your time in considering my opinion in this matter.

Sincerely,

Arthur J. McCabe

One Elm Square, P.O. Box 990, Andover, MA 01810 tel978–470–0200—fax 978–470

MTC–00030791

William J. Cunningham
January 2, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

I would like to go on record in support of the settlement negotiated between the Justice Department and Microsoft to settle their ongoing antitrust case. Too much time, energy and money have been expended in pursuit of this case already, and it is clearly time to end things now. Whatever perceived public interest there might have been in litigating this case certainly is achieved in the terms of the settlement, Microsoft is punished for its apparent wrongdoings, and the high-tech sector of the economy is now to be more closely monitored.

It is hard to imagine what further public good would be achieved by more stringent measures than those outlined in the agreement, but sadly that is what Microsoft's competitors are seeking. I believe it would be a dangerous precedent for the government to assume a role of daily arbiter in the workings of an industry that by its nature needs freedom to innovate. The Justice Department should hold its ground and seek to end this case: it is not the purpose of antitrust litigation to reward competitors in an industry.

Please accept my thanks for your work in resolving this case, and for considering my input. I hope Judge Kollar Kotelly will act with dispatch and see the wisdom in this settlement.

Sincerely,

William Cunningham

P.O. Box 1992—Andover, MA 01810—Telephone 978–475–3444—Fax 978–948–5135 wcunningham@capital-partners.com

MTC–00030792

PAUL GLAVEY
LITTLETON SELECTMAN
January 3, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

As a local official serving a community with many high-tech employees, I would like to take this opportunity during the public comment period to offer my thoughts on the proposed Microsoft settlement. The region where I am from is home to many high-tech companies, both established and start-ups, and so I am able to see the ramifications of the two-plus year case against Microsoft as it is manifest in the local economy. The litigation is certainly not the only factor, but it is decidedly a big factor in the evident slow down in the information and related technology sectors.

I support the settlement because I believe the case was misguided, because I think it was bad for the economy, and because I think it is a sensible time to end all this with a compromise. I believe it was wrong to prosecute Microsoft for antitrust violations because everything my own experiences tell me say that the information tech industry is nothing if not volatile, and that the end product of that volatility has been inexpensive and efficient products. I think the case has been bad for the economy because the nature of the industry is that freedom to evolve is essential, and the litigation portends a more restricted marketplace for ideas and technology. And I think it is best to settle now because a settlement has been reached between two opposing forces (Microsoft, and the DOJ) at a time when the economy could use some good news.

All this suggests to me that the calls for a more stringent set of conditions are unwise and fraught with risk. I urge the Department of Justice attorneys to stick to your position and urge the Judge to accept the proposed settlement. Thank you.

Sincerely,

Paul J. Glavey

MTC–00030793

VALLERIS
Phone: 310–473–2858
Fax: 310–388–1240
www.valleris.com
Technology Solutions for Business
January 2,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing this letter per Tunney Act criteria expressing my support of the Department of Justice settlement reached against Microsoft. I also hold the view that this being a free country, everyone has the right to free enterprise, and that government involvement should be as minimal as possible in such cases as the antitrust suit. The settlement that was reached will be beneficial to the entire IT industry, not to mention end users of Microsoft's—and other IT companies''—products,

There need not be any more restrictions imposed upon Microsoft. The settlement is far and reasonable, and, more than anything else, it is comprehensive. The establishment of a ''Technical Committee,'' which will monitor compliance to the settlement, will also arrange enforcement of the settlement. Microsoft cannot retaliate against any computer-makers that may ship software that would compete with the programs that compete with Microsoft products. In light of this extremely punitive settlement, the company deserves a break from spending more time in the courtroom.

Even though settlement seems to curb free enterprise, it is necessary to settle the case now to help strengthen the economy and end this tax-funded witch-hunt. This has been a real misuse of American taxes and a federal settlement will demonstrate what it means to do the right thing. Thank you for your effort in bringing about the settlement, and please continue to see it through to fruition.

Microsoft CERTIFIED Partner
Sincerely,
Shahin Kohan
CTO
11040 santa monica boulevard, los angeles, ca 90025

MTC–00030794

Systems Integration
Network Synergy
126 Monroe Turnpike, Trumbull CT 06611
Phone (203) 261–2201 Fax (203) 261–2935
31 December 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530
Dear Mr. Ashcroft,

Like many others in the high technology business, I have sometimes found Microsoft's business dealings a bit protective and overzealous. However, I am not sure that this attitude should have ever warranted the strong-arm government intervention of the kind that we have seen over this federal lawsuit against Microsoft. Of course, one of the greatest fears in the IT community has been a back-of-the-mind fear that if the government's case against Microsoft had succeeded with the enthusiasm once considered, that other companies within the IT community would soon find themselves subsequent targets, as well.

Now that a reasonable settlement has been reached, it is my hope that it will be upheld through the review process, and that we can all get on with the obviously more important issues facing the nation this new year.

I am writing this letter to voice my support for the settlement. I hope that others will follow. Thank you.

Sincerely,
Dana Gargano
President

MTC–00030795

Joseph and Ann Rosenthal
4712 Meadowview Boulevard
Sarasota, Florida 34233
January 3,2002
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 the settlement that was reached between Microsoft and the Department of Justice last November. I am glad to see that this case is finally coming to a close.

Microsoft has agreed to grant its competitors new rights that will allow computer makers to configure the Windows operating system so that non-Microsoft software can be promoted within Windows. The company has also stated that it will not retaliate against any hardware or software developer that develops products that compete with Windows. Microsoft has even agreed to let a three person technical committee oversee its business operations to ensure that the company complies with all terms of the current settlement. These tenets all combine to guarantee a fair and workable settlement that will address the concerns of all involved parties.

I support the settlement between Microsoft and the United States Department of Justice. It is a reasonable solution to a legal battle that has been draining resources for too long.

Sincerely,
Joseph Rosenthal 1/3/02

MTC–00030796

Folks:
Re: Microsoft Inc.

Get Off Their Backs- Get our economy on track— If not for Microsoft, MEL Many more people would not find it easy to use a computer !! They are the Best ! Stop Holding Them Back With

New Ideas !!
Thank You
P.S.
Winners Admire Other Winners—
Losers Resent Winners !!
Marvin Epstein
234 Uxbridge
Cherry Hill, NJ 08034

MTC–00030797

RENET CONSULTING, INC
10175 SW Barbur Blvd.
Suite 201B
Portland, OR 97219
Phone: 503–517–0472
Fax: 503–517–0474
Email: support@renetusa.com
We Help You Find a Way In a Labyrinth of Technology
Microsoft CERTIFIED Partner
January 3, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

I am writing to express my support for the recently negotiated settlement between the Department of Justice and Microsoft. I am of the opinion that this lawsuit had been generated more because of Microsoft's direct competitors, rather than from any sense of altruistic justice that the government was hoping to achieve. In fact, when the courts erroneously suggested that carving Microsoft up into littler, more manageable pieces was a good idea, any concept of justice had long since departed the discussion.

At long last, there is a fair and equitable settlement in sight. It obliges Microsoft to program successive versions of Windows with a mechanism to promote non-Windows products on Windows, and gives hardware companies flexibility with what software they want to ship on their computers to dealers and purchasers. The settlement will force improved interoperability between Windows and non-Microsoft programs as well, so the settlement includes and affects every company in the IT community. It is my hope that this settlement will ultimately prevail, and that all of us can turn our collective attention back upon the task of re-strengthening our faltering economy.

Sincerely,
Alexander Altotsky
President

MTC–00030798

FROM : Respondus, Inc.
FAX NO.: 425–861–3839 Jan. 03 2002 O5:20PM P1
Respondus
17127 NE 83rd Ct., Redmond, WA 98052
Phone: 425–497–0389—Fax: 435–881–3329
Email: info@respondus.com—www.respondus.com
January 3, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I wanted to let you know that my colleagues and I were pleased with the settlement that was reached between Microsoft Corporation, the Department of Justice, and several States. I believe that the settlement addresses the key issues that are of concern to consumers and most software development companies. Moreover, I think it is in the best interest of the software development industry, if not the nation, to put this matter behind us. The entire technology community has lacked direction and has had to deal with a great amount of uncertainty for the past two years. I think this settlement is the best way to end this lawsuit and to put the technology industry back on track.

Sincerely,
David J. Smetters
President
Testing, Assessment, and Survey Applications for the e-Learning Market

MTC–00030799

CHANGE
NEW YORK
TELEPHONE: (518) 383–2696
FAX: (518) 383–2841
FAX TRANSMISSION

TO: Renata Hesse
Antitrust Division, U.S. Dept. of Justice
FAX #: 202–616–9937
FROM: Bennard T. Brooks
TOTAL NUMBER OF PAGES (including this cover sheet): 2
COMMENTS:
NOTE: If you experience any problem with this transmission,
please call the CHANGE NY office at (518) 383–2696 immediately.
Thank you
P.O. Box 720, Clifton Park, New York 12065
CHANGE
NEW YORK
January 3, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
SENT VIA FAX:202–616–9937

Dear Ms. Hesse,

As New York State's largest taxpayer organization, CHANGE-NY encourages Judge Kollar Kotelly to adopt the settlement as proposed in the case of the United States v. Microsoft. We believe that such a settlement now would benefit New York, one of the states that was a party to the original lawsuit.

Taxpayers have been forced to foot the bill for the case against Microsoft while surveys of New Yorkers show that 64 percent support a settlement or dropping the case altogether.

Thank you.

Sincerely,

Bernard J. Brooks

Statewide Coordinator

P.O. Box 720—Clifton Park, New York 12065—618–383–2696

MTC–00030800

Sent By: Ultra Inc;
502 241 2535;
Jan-4–02 11:09AM;
FAX TRANSMISSION COVER SHEET
Date: January 4, 2002
To: Mr. John Ashcroft, Attorney General
Fax #: 1–202–307–1454
From: John Swinney
Number of pages (including this form): 2
If you have not received all of the pages, or if transmission has been faulty, please call (502) 241–2530.
Message: Regarding the Microsoft settlement
Sent By: Ultra Inc;
Jan-4–02 11:lOAM;
John Swinney
6813 W Highway 22—Crestwood, KY 40014
January 3,2002
Mr. John Ashcroft, Attorney General
The Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft,

I wanted to express my appreciation for your support toward Microsoft in the antitrust suit battle between the Department of Justice and Microsoft.

The three year long battle has finally ended, only to find out that those parties who are still trying to hold up the process. It is obvious many of Microsoft's competitors are trying to utilize the legal system to gain some sort of competitive edge. I am opposed to these tactics.

Since there are many more important issues currently facing our country it is important to enact the settlement and support our technology industry by letting the process move forward and by allowing the competitive process to take hold. The people being harmed by this delay include not only those in the IT sector, but also consumers and our economy as a whole.

I urge you to continue your support of the settlement, and help make sure that no more action is taken against this agreement. Let us move forward and allow the American consumer to fully benefit from the high-end technology that we can surely provide, with a settlement that improves business practices as well as design improvements in Windows and other Microsoft programs.

Sincerely,

John Swinney

MTC–00030801

Jan 04 02 09:58a
FrankVan Overstraeten 864 944 7146 p.1
22 Cardinal Point
Salem, SC 29676
January 3, 2002
Attorney General John Ashcroft, US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

It has come to my attention that the Department of Justice (DOJ) has finally settled its antitrust lawsuit against Microsoft with a strong and binding agreement that will permanently change the software industry. I applaud the decision to end this lengthy lawsuit, because our economy needs a break, and Microsoft is a big part of the economy.

This settlement is a common-sense compromise, and court-appointed mediators worked with the DOJ and Microsoft around the clock to make this settlement work, It grants all sorts of privileges to Microsoft competition concerning business dealings and trade-secret protection. In my opinion, it would be a waste of America's tax dollars to pursue this case in court beyond this agreement.

The settlement grants computer makers broad new privileges to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows. Computer makers will now be free to remove the means by which consumers access various features of Windows. They can also replace access to those features with access to non- Microsoft software.

On top of that, Microsoft has also agreed to design future versions of Windows XP to make it easy for computer makers, consumers and software developers to do these non-Microsoft promotions within Windows, The new Windows version will make it easy to add or remove access to features built in to Windows or non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time.

What else could Microsoft's competitors want? Enough is enough. My hope is that the DOJ will not get involved in any more lawsuits against Microsoft after this agreement. I hope the DOJ will work on the obviously more pertinent issues it faces in this world.

Sincerely,

Frank Van Overstracten

cc: Senator Strom Thurmond
Representative Lindsey Graham

MTC–00030802

TO. Administrator
COMPANY: Department of Justice
FAX NUMBER: 202–307-1454
Or 202–616–9937
FROM: James W. Bushee
DATE: 01/04/02
NUMBER OF PAGES 1
SENDER'S FAX NUMBER: 703–281–2931
RE: Microsoft Settlement YOUR REFERENCE NUMBER:
x URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE
Notes/Comments:

Gentlemen;

I was pleased that a settlement with Microsoft was worked out by your Department. While the terms weren't as permissive as Microsoft would have chosen, they obviously weren't as onerous as Microsoft's competitors would have chosen. I fully support the settlement and hope we, as a Nation, can get on to more productive (than making lawyers rich by litigating) issues.

Jim Bushee
315 EAST STREET, NORTHEAST
VIENNA, VlRGINIA 22180–3619
E-MAIL: JBUSHEE@ATTGLOBAL.NET

MTC–00030803

249 Beverly Road
Chestnut Hill, MA 02467
January 4, 2002
Re: Microsoft Settlement

Sirs:

My personal feelings about the Microsoft case are: The case is drawn out too long. We need the economy to move in positive directions as all indicators are now leaning to. MSFT has done much for the American economy. Put the issue to bed The settlement is more than fair. Lets move the American economy forward to benefit all Americans and all people.

Yours truly,

Elaine Ross

MTC–00030804

GOLIATH NETWORKS
THINK BIG
January 4th, 2002
Attorney General John Ashcroft, US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing this letter to lend my support to the settlement reached between Microsoft and the Department of Justice. This lawsuit is just a way for competitors of Microsoft to feel good about their lack of success and block any further achievements of Microsoft. Even though I believe this suit should not have been brought about, it is better to resolve this issue and move ahead, rather than spending another three years in court.

Microsoft has earned its success along the way. It has provided its consumers with quality care and service, which has tremendously helped in its worldwide

accomplishments. Microsoft opponents have suggested terms that appear to stifle trade, such as uniform licensing price agreements. Even so, Microsoft has acknowledged the terms so that it can move on.

This waste of American tax dollars is pointless. To stop this from continuing any further, all action that is taking place at the federal level be brought to an end.

Sincerely,
Tareq Saddiq
Senior Network Architect
Goliath Networks Inc.
cc: Representative Tammy Baldwin
goliath.com
1966 South Stoughton Rd
Madison, WI 53716
tel: 608.278.7866
fax: 608.224.0788
1110 N. Old World Third St
Milwaukee, WI 53203
tel: 414.272.0265
fax: 414.278.6019
207lD Lawrence Dr
DePere, WI 54115
tel: 920.964.640
fax: 920.964.1046

MTC–00030805

JAN-04–02
FRI 12:15
CURT LONG
RICHARD ZAHNER
10101 Howe Street
Leawood, KS 66206
January 4, 2002
Ms. Renta Hesse
Trial Attorney—Anti-Trust Division
Department of Justice
601 ''D'' Street Northwest
Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I have been involved in the management of various aspects of the construction industry for many years in the Kansas City Area. Technology is playing a very significant role in our industry today.

We must do everything possible to promote the continued growth of technology. I believe we must end the litigation against Microsoft and proceed with the terms of the recent agreement between the Department of Justice and Microsoft. This agreement will promote fair competition and serve the best interests of consumers throughout our country.

Sincerely,
Richard Zahner

MTC–00030806

WATNE'S
EMELTZER'S
BIKE SUPERSTORE
2714 Erie Blvd. E. Syracuse, NY 13224
www.waynesbikes.com
P (315) 446–6816 F (315) 446–1156
January 4, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, D.C 20530

Dear Ms. Hesse:

I am the owner of one of the largest bicycle stores in Syracuse, NY. My business has been family-owned for more than thirty years, and has been able to thrive because of our reliance upon affordable and up-to-date technology.

Currently, Wayne's and Mellzer's Bike Superstore operates solely on Micrsoft software. We depend on our software capabilities to handle everything from billing to inventory control. Many of our vendors such as Trek, Schwinn, Raleigh and Giant require us to do business with them using the latest technology.

The antitrust laws meant to protect consumers, not for powerful companies to protect themselves from market competition. ProComp, AOL, Time Warner, Sun and Oracle should stop encouraging the government to fight their battles for them in court and fight in the marketplace. where this battle belongs.

Our national economy is currently in a State of recession and the last thing business owners need is to have the price of technology and software skyrocket due to litigation and regulation of the high-tech industry.

Sincerely,
Daniel W. Venditti
Owner

MTC–00030807

JAN-05–2002 12:33 AM
RAY. RICHARD&ASSOCIATES
954 435 8629 P.01
Helen L. Richard
17415 NW 10th St
Pembroke Pines, Fl. 33029
04 January, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my opinion regarding the settlement reached in the Microsoft antitrust case in early November. I believe the government should focus its attention on more important matters rather than filing claims against Microsoft and prolonging unnecessary litigation. Contrary to popular belief the terms of this settlement were more than reasonable. The company agreed to terms that go beyond the products and procedures at hand as well as several product developments that were not found to be unlawful by the Court of Appeals. This demonstrated the willingness of Microsoft to comply with the standards set forth in order to prevent future antitrust violations.

As in the AT&T case, I sincerely believe that the government has wasted time and money on litigation. We have not had a decent, understandable phone system since the breakup of AT&T. Therefore, I urge that the government devote itself to ridding the United States of terrorists and threats of terrorist attacks.

Thank you for your time and willingness to hear comments from the public.

Sincerely,
Helen L. Richard

MTC–00030808

01/04/2002 12:47 6165383444
PARIS MOTORS INC.
PAGE 01
PARIS MOTORS INC.
Honest Value Since 1960
James Niewiek
4112 S. Division
Grand Rapids, MI 49548
January 3, 2002
Attorney General John Ashcroft,
Dept of Justice
950 Pennsylvania Avenue,
Washington, DC 20530

Dear Attorney General Ashcroft,

As a small business owner, I write you in support of the recent Microscft settlement. After more than three years of court battles, I am happy to hear that the Department of Justice and Microsoft have finally reached an agreement. Microsoft agreed to terms that extend way beyond the products and procedures that were actually an issue in the suit in the first place. Under the terms of the agreement, Microsoft has agreed to subject itself to constant review by the government, and will license out protocols, codes, and interfaces for Windows and other software so that other software companies can compete more effectively. I fail to see how anyone could purloin anything else from Microsoft.

Owning my own business makes me very aware of the recession our nation is going through. The IT industry needs to move on and get the competitive process rolling. It is time for our economy to prosper, by getting back to business as usual.

Sincerely,
James Niewiek
4112 South Division Grand Rapids, MI 49548 Phone (616) 538–9220 Fax (616) 538–9444

MTC–00030809

FACSTORE TM
354 North Avenue
East Cranford, NJ 07016
Tel .: (908) 653–4500
Fax (908) 653–4511
E-Mail: drjws@cybernex.net
31 December 2001
Attorney General John Ashcroft
US Dept. of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Democracy functions best when our elected representatives are responsive to the perceived majority demand from our nation, rather than the well-financed voice of those who are special interest groups. We have seen a bit of a breakdown of this principle regarding the Microsoft lawsuit instituted by the Department of Justice. Here, we experienced a handful of Microsoft's most ardent competitors and critics attempting to use the power of the federal government to scale back the effectiveness of one of our country's most successful and innovative companies. I

agree that oftentimes it appears as if Microsoft takes an extreme anti- competitive position regarding their closest-held trade secrets, but this is only prudent and certainly has never risen to the level of federal lawsuit status. At long last, this regrettable suit has been settled. I am hopeful that this will bring to an end one of the saddest chapters in American business, with no further federal action contemplated. Now is the time to look

to our nation's leaders to strengthen our country's businesses, rather than listening to the special interest groups'' desire to tear them apart. Thank you for you attention to this matter.

Sincerely,

Jeffrey Schram

President Jan-04–02 02:08P FACSTORE, INC 906534511 P.01

MTC–00030810

JAN. 4. 2002 12:21PM
NO. 4637 P.1/2
January 4, 2002
FACSIMILE TRANSMISSION
To: Renata Hesse
Fax Number: 202.616.9937
From: Kim Lambert
user: 3035
Code: 999100–0100
xxx.xxxxxx.xA
JAN. 4.2002 12:21PM NO. 4637 P. 2/2
KIM M. LAMBERT
5311 Forest Lawn Circle
McFarland, WI 53558
January 4,2002
Renata Hesse
Trial Attorney
Department of Justice-Antitrust Division
601 D Street, NW, #1200
Washington, DC 20530

Dear Attorney Hesse:

I am writing to express my full support of the Microsoft Settlement recently reached with the Department of Justice.

There has been no consumer harm as a result of any actions taken by Microsoft. Consumers have enjoyed tremendous benefits due to Microsoft's innovation. The government has failed to show any ham to consumers.

I believe this case has continued far too long. With over $30 million already spent by our taxpayers, it is time to stop the litigation. Thank you for you attention to this urgent matter.

Sincerely,

Kim M. Lambert 003.336576.1

MTC–00030811

JAN. 4.2002 12:21PM
NO.4638 P. 1/2
January 4, 2002
FACSIMILE TRANSMISSION
To: Renata Hesse
Fax Number: 202.616.9937
From: John Matthews
User: 3035
Code: 999100–0100
XXX.XXXXXX.XA
JAN. 4.2002 12:21PM NO.4638 P.2/2
JOHN W. MATTHEWS
4238 Savannah Court
Middleton, Wisconsin 53562
January 4,2002
Renata Hesse
Trial Attorney
Department of Justice-Antitrust Division
601 D Street, NW, #1200
Washington, DC 20530

Dear Attorney Hesse:

1 am writing to express my full support of the Microsoft Settlement recently reached with the Department of Justice.

The settlement is appropriate in scope because it addresses only those items upheld by the courts. It is now in the best interest of the technology industry, our fragile economy and our consumers to finally resolve this case, which has cost our taxpayers over $30 million.

Thank you for your concern in this important matter.

Sincerely,

John W. Matthews 003.334570.1

MTC–00030812

JAN-04–2002 15:57
VERIZON PA PRESIDENTS OFC
215 466 8515 P.01/01
January 2,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Finally, after three protracted years of legal battles, Microsoft and the Department of Justice settled their increasingly tedious antitrust dispute. The settlement reached will benefit the IT industry as well as the American consumer, not to mention the stability it will bring to our tenuous economy. This case has been a gross misuse of American tax dollars, and I hope that this settlement will bring this nonsense to a close after the public comment period.

This legal battle has seriously damaged the IT industry as well as the U.S. economy in general. The settlement will help strengthen the economy, and ensure that the IT sector will continue to deliver cutting-edge technology to the market. This settlement is fair, and should appease all parties involved in the dispute. Only those companies who feel that they cannot succeed without the help of the government would still be pursuing this case in the face of this settlement.

I am ardently opposed to any further legal action against Microsoft. Microsoft needs to focus on delivering innovative products to the market. As for the government, I am sure that there are other issues to focus on. Thank you for the work that you have done to ensure that this case is brought to a swift end. I look forward seeing it completely resolved.

Sincerely,

Daniel J. Whelan 247 S. 7th Street
Philadelphia, PA 19106
cc Senator Rick Santorum
TOTAL P.O1

MTC–00030813

Syracuse Fitness
2716 Erie Boulevard East
Syracuse, NY 13214
P (315) 446–4136
F (315) 446–1156
www.syracusefitness.com
January 4, 2002
Ms. Renata Hesse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC. 20530

Dear Ms. Hesse:

I am writing to you in regards to U.S. vs. Microsoft. I'd like to take a moment your time to tell you why I am in favor of the settlement of this case. The national economic recession we are currently dealing with will not be helped with continuing litigation against Microsoft, as well as regulation of the high technology industry Our economy needs the high-tech sector to be strong and prosperous in order to aid in economic recovery.

I firmly believe that there has been no harm done to consumers as a result of any action, taken by Microsoft. Being a sole proprietor, I can safely say that in my experience Microsoft's innovation has led to tremendous benefits for consumers, such as improved products with lower price tags.

I urge Judge Kollar Kotelly to be an advocate of business and economic recovery by supporting the settlement of this case.

Thank you.

Respectfully yours,

Andrew Venditti

Owner

Syracuse Fitness 3154465611 16:16 01/04/2002 01/04/2002 16:16 3154465611 PAGE01

MTC–00030814

02/19/1995 01:39 3156877564
LBD ENTERPRISES PAGE 01
1174 Fylor Rd.
Kirkville, NY 13082
LBD Enterprises
January 4, 2000
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530
Re: U.S. vs. Microsoft

Dear Ms. Hesse,

As an entrepreneur who has grown his business exponentially throughout the past ten years, I can say that my business would not have been able to thrive if I had not had affordable access to Microsoft software. As the founder and President of a successful waste management business and the owner of 4 farms throughout upstate New York, I can personally say that operating a successful business during a time of economic recession can be challenging. Continuing further litigation against Microsoft will only hurt business owners by adversely affecting the economy and driving up the price of software that is essential to the operations of numerous companies.

Over $30 million dollars in taxpayer trends have been spent on U.S. vs. Microsoft Agreeing to the settlement of this case is in the best interest of the technology industry, the economy, and consumers.

Thank you.

Sincerely,

Louis B. DeMario

President

MTC–00030815

01/84/2002 14: 14:18 3156824992
OLEARY LAW PAGE 01/01
Robert P. O'Leary, P.C.
ATTORNEY AT LAW
104 Pleasant Street—Post Office Box 57
Manlius, New York 13104
Telephone: 315–682–9131
Fax: 315–682–4992
Admitted to practice law in New York and Florida
January 4, 2002

Renata Hesse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: U.S. vs. Microsoft

Dear Renata:

In light of recent developments I thought it beneficial to write you in regard to the referenced matter.

I believe settlement of this case is in everyone's best interest. The settlement being reviewed by Judge Kollar Kotelly while entirely satisfying to none, includes something for everyone. Given that the economy is now running at a much slower pace the last thing we need is more litigation and regulation of the high-tech industry.

I believe that the break-up of America's most successful company is not in the best interest of consumers, the economy or the future of technology development. Microsoft's innovation has led to tremendous benefits for the public, such as better products and lower prices. Antitrust law is supposed to be about consumer harm, in my opinion the government has failed to show any harm at all.

Thank you for your time and interest.

Very truly yours,

Robert P. O'Leary

MTC–00030816

JAN-04–02 FRI 13:20
CURT LONG
314 636 6919 P. 01

RICHARD ZAHNER
4200 Gardner
Kansas City, MO. 64120
January 4, 2002
Ms. Renta Hesse
Trial Attorney—Anti-Trust Division
Department of Justice
601 ''D'' Street Northwest
Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I have been involved in the management of various aspects of the construction industry for many years in the Kansas City Area. Technology is playing a very significant role in our industry today.

We must do everything possible to promote the continued growth of technology. I believe we must end the litigation against Microsoft and proceed with the terms of the recent agreement between the Department of Justice and Microsoft. This agreement will promote fair competition and serve the best interests of consumers throughout our country.

Sincerely,

Richard Zahner

MTC–00030817

JAN-04–2002 13:28
COLORADO TECH SF
1 605 361 5954 P.01/03
FAX TRANSMITTAL FORM
Date: 1/4/02
Company Name: Dept of Justice
Fax Number: 202–616–9937
Please Deliver
To: Renata Hesse
Number of Pages (including cover sheet): 3
Sender: Clark Cutler
Colorado Technical University—Sioux Falls
3901 W. 59th Street
Sioux Falls, SD 57108
(605) 361–0200
Fax (605) 361–5954
www.colotechu.edu
JAN-04–2002 13:28
COLORADO TECH SF
1 605 361 5954 P.02/03
Joni M. Clark Cutler, Attorney at Law
3901 W. 59th Street
Sioux Falls, SD 57108
605–361–0200 x114
Fax 605–361–3954
January 2, 2002
Renata Hesse, Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

This letter is to address the proposed settlement agreement in U.S. v. Microsoft, and to express my support for it as an advocate for children and families, and as an educator and attorney in South Dakota. Microsoft has been a responsible partner for strengthening our nation's economy, as well as for the development of information technologies in our state's effort to wire its public schools and buildings for high-speed internet access. One of the Bill and Melinda Gates Foundation's many contributions to children and education was a $670,000 matching grant to our state to foster IT education in our state's school systems. The Microsoft Corporation, I believe, has been a responsive company by delivering software products which make access to information technologies affordable and easier to use for consumers, and that has had a tremendous affect on our nation's economy. If an anti-trust case is designed to protect consumers, I think it's important to note that there has been no consumer harm proven in this case which involved any of Microsoft Corporation's actions.

Microsoft has been a creative and aggressive company in exploring and developing new and better software technologies to empower the American consumer, breaking down the barriers of cost and function for users. As a result, the company is a major factor in our nation's economic strength because it has been so successful meeting and anticipating the needs of American consumers and consumers throughout the world. I believe the anti-trust case has fully run its course and continuation of it seems to serve no useful purpose to consumers nor to fairness to the IT industry as a whole. I believe the settlement, which has been sought by the Justice Department and nine of the states.
JAN-04–2002 13:28
COLORADO TECH SF
1 605 361 5954 P.03/03
Joni M. Clark Cutler
Attorney at Law
3901 W. 59th Street
Sioux Falls, SD 57108
605–361–0200 x114
Fax 605–361–3954

involved in the anti-trust suit is fair and highly beneficial to our nation, to the cause of better education and to our children's futures. Most importantly, the settlement does address the issues, which have been upheld by the courts as being valid. It is time this case is declared finished. A sensible agreement is at hand which is fair and highly beneficial to everyone, despite the nagging wishes of Microsoft's corporate enemies who want to achieve an unearned advantage by keeping this case active.

Our nation's economy needs to move ahead, and Microsoft and the rest of the technology industry need to move forward and help our nation's economy rebuild. Thank you for your consideration of my views on this case.

Sincerely,

Joni Clark-Cutler

MTC–00030818

P. 1
December 31, 2001
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

There are a great many important issues that we as Americans and our nation ''s leadership are dealing with today that are virtually unprecedented As time moves on toward the new year, we are all struggling with issues of our national economy, our national security, and our ability to emerge from a slight economic downturn.

With all of these critically important tasks, I am hoping that we do not unnecessarily slow ourselves down with the playthings of yesterday, such as this ill- advised lawsuit against Microsoft. There is, I believe, an excellent settlement at hand, and it would benefit us all for this settlement to be accepted, with no further action against Microsoft.

Microsoft did employ aggressive tactics at protecting both its position as a technology leader, as well as its proprietary Windows coding, but this only makes good business sense, despite the fact that Microsoft's competitors may have sobbedfor their relative lack of similar innovative leadership. Blaming Microsoft for these shortcomings is a bit excessive; convincing the federal government to institute a federal lawsuit is just plain vengeful. Let's be done with this, Let's move on. Let's accept the settlement and hope that we can all play better together.

Sincerely,

Eric Speer

President 917–576–1537

MTC–00030819

Sanford Krasnoff
417 South Broad Street
New Orleans, Louisiana 70119
504.822.4877
Office 504.822.3407-Fax
FAX COVER SHEET
To: Renata Hesse
From: Sanford Krasnoff
Date: 1–4–2002 Pages Including Cover: 2
Phone: Fax:
Message:.
CONFIDENTIALITY NOTICE

This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for

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Jan. 4 2002 3:57 PM No. 0820 P.1
Jan 04 02 02:56p
SANFORD KRASNOFF
OFFICES OF SANFORD KRASNOFF
417 SOUTH BROAD STREET
NEW ORLEANS, LA 70119
Telephone: (604) 822–4877
Fax #: (604) 821–4853
January 2, 2002
VIA FAX: (202) 616–9937
Renata Hesse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
RE: Settlement of U.S. v. Microsoft
Dear Ms, Hesse:

It is time we settle this case once and for all, Over thirty million tax dollars have been spent and it is time that we move on to closing this case and letting the technology industry compete openly again.

Microsoft is a great American success story and its competitors need to fight with them in the marketplace and not in the courtroom. Our economy could use some help and ending this drawn out and expensive case would sent the right signal. Protect consumers and keep the market place open by approving the settlement.

Sincerely,

SANFORD KRASNOFF SK/blb Jan. 4, 2002 3:57PM No. 0820 P.2

MTC–00030820

212–1238 Seymour St.
Vancouver, BC, V6B 3N9 Canada
January 4, 2002
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division, Department Of Justice
601 D Street NW,
Washington, DC 20530
Dear Renata Hesse, Trial Attorney

As a self-employed PC user, many aspects of my livelihood depend on the smooth functioning of my home computer and my freedom to choose the appropriate software to meet the needs of my business. Microsoft's actions have caused undue frustrations and increased workload on my part in its efforts to illegally maintain monopoly power in the PC operating system market. For example, by binding its Internet Explorer Web Browser with its Windows operating system, Microsoft has forced me, the consumer, to take extraneous measures to exercise my right to choose the appropriate browser software for my needs. The Court has found that Microsoft has not acted in this way to benefit the consumer, or even to competitively increase revenues, but to illegally maintain its monopoly power. in effect, Microsoft has illegally victimized consumers for its own preponderance. I find this infuriating and in direct contradiction to the laws and basic principles of the competitive free market that has made the United States of America what it is today.

As an international consumer of products originating in the United Stats, I feel I speak for my peers in expressing deep concen that the lenient sentence passed on to Microsoft will allow Microsoft to continue to rob consumers of their right to choose and to illegally propogate its monopoly as it has freely done so. Moreover, a monopoly of this kind will, as it has in the past, result in retardation of technological advancement and economic turmoil due to inflated prices and unhealthy market conditions. The consumer is the lowest common demoninator in the entire economic system, as we know it today. If this lenient sentence is ratified, it will sacrifice the rights of consumers worldwide; and that is a trajedy that will have grave consequencs for years and years to come.

I urgently plead for a much more stern, much more responsible and appropriate sentence in the case of the United States of America v. Microsoft Corporation.

Sincerely,

Yee Jee Tso 014/04/2002 14:11 6046826668 INTERNET COFFEE PAGE 01

MTC–00030821

01/04/02 17:3 0
FAX 7854840191
THE SOURCE 01 THE Source maximum creativity
FAX TRANSMITTAL #PAGES: 2 (including cover)
TO: Renata Hesse
COMPANY: USDOJ
FAX#: 202–307–1454
FROM: K. Van Meteron
DATE: 1/4/02
MESSAGE: See Attached Letter
PO BOX 2034
TOPEKA, KS 66601
PH.905.484.0192
FAX.785.464.0194
01/04/02 17:30 FAX 7854840194 THE SOURCE 02
SOURCE
January 3, 200l
Judge Kollar Kotelly
Attn: Renata Hesse
U.S. Department of Justice Antitrust Division
601 D Street, NW, Suite 1200
Washington, DC 20530
Dear Judge Kollar Kotelly:

The time has come to bring closure to the Microsoft case. Thankfully, President Bush's Department of Justice has come to an agreement with the Microsoft Corporation that settles this case and addresses the concerns of the complaint.

The costs of this case to the American taxpayers have been astronomical. To date the federal government has, spent in excess of $35 million dollars chasing Microsoft and this figure does not include the millions that the states have invested in this lawsuit. Taxpayer dollars were spent needlessly on a case in which the government has yet to prove consumer harm. Rather than be harmed, Americans have benefited in their use of the world's most advanced and affordable software. At this moment in history, our nation is faced with serious economic concerns on both the national and state levels. It is crucial that all taxpayer dollars are spent in the most responsible manner. The continued prosecution of this case is not, in my opinion, an example of responsible use of government revenues.

Based on reports that I have read, the proposed settlement offers an evenhanded resolution to this case. This, combined with today's economic realities, argues strongly for your approval of this settlement. As an independent businessman and taxpayer, I encourage you to accept this settlement.

Sincerely,

Kristen D. Van Meteron, General Partner
POST OFFICE Box 2034 TOPEKA KANSAS 66601–2034 PHONE 785.484.0192 FAX.785.484.0194
INFO@MAXIMUMCREATIVITY.COM
www.MAXIMUMCREATlVITY.COM

MTC–00030822

01/02/2002 16:21
COVER PAGE
TO:
FAX: 12023071454
FROM: SUMMIT GROUP INC
FAX: 5044862317
TEL: 5044862317
COMMENT :
0l/02/2002 16:21 5044862317 SUMMIT GROUP INC PAGE 01
Summit Consulting Group Inc.
614 N St. Patrick Street
New Orleans, LA 70119
January 2, 2002
Attorney General John Ashcroft POST-IT FAX NOTE:7671 DATE:1/4/02 # of Pages 1–1
US Department of Justice TO: ATTORNEY GENERAL FROM: Ben Claassen
950 Pennsylvania Avenue, NW CO/DEPT: CO: SCG1
Washington, DC 20530 PHONE#: PHONE# FAX#: 202 307 1454 FAX#: 504 486–2317
Dear Mr. Ashcroft:

I write you to make you aware of my support for the recent settlement regarding Microsoft and the Department of Justice. I was happy to hear that the case had been settled. We need to let this settlement move forward and let our technology industry continue to provide us with the high quality products that help small businesses to compete.

Furthermore, this settlement seems to be quite reasonable. The terms not only allow other software manufacturers to have access to various Windows interfaces, but allow other companies to access new licensing and marketing terms. All of this will promote the use of non-Microsoft programs within the Windows operating system.

As a small business owner involved in electric utility consulting, I strongly value Microsoft's place in our economy. Since I am pro-competition, I see Microsoft actions inviting more competition to the IT industry. This was the original goal in the anti-trust suit, and now we that we have achieved this goal we should forward,

Sincerely,

Ben Claassen

MTC–00030823

FROM : FAX NO. : 8037763093 Jan. 06 2002 01:52PM Pl

104 Emerald Lake Road
Columbia, SC 29209–4243
January 5, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my happiness upon hearing the DOJ has ended its three- year antitrust lawsuit against Microsoft with a strong settlement. I support Microsoft and am anxious to see this agreement between Microsoft and the government finalized. I believe this settlement is more than fair to both Microsoft and its competition, and I really do hope that there will be no further action taken against Microsoft at the federal level.

This settlement has been reached after extensive negotiations. This settlement allows Microsoft to continue designing and marketing its innovative software, while benefiting the technology industry as a whole. Among other regulations, under the settlement Microsoft will be unable to take retaliatory measures against hardware companies for putting Microsoft software on a computer that also has non-Microsoft programming on it. This way, hardware makers can be more responsive to their clientele.

Microsoft has pledged to carry out all provisions of this agreement, and the government has created a technical oversight committee to test Microsoft compliance.

I believe that this settlement will benefit the economy, the computer industry, and consumers. I believe that it will be most productive to allow Microsoft to devote its resources to innovation, rather than litigation. Please see to it that the settlement is finalized and enacted as soon as possible.

Sincerely,
Wilbur Goodwin
cc: Senator Thurmond

MTC–00030824

12/29/2001 03:55 0015832224 Haskell Prochnow PAGE 01
7108 Killyons Canyon Lane
Salt Lake Citv, Utah 84108
January 4, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am in support of the settlement that has been reached between Microsoft and the Department of Justice and want to take this opportunity to comment on this issue. It is time for this suit to come to an end. From an economic standpoint, the suit is costing taxpayers money at a time when we should promote our economy. Under the terms of the agreement Microsoft will drastically change the way they do business, they have agreed to disclose information about the internal interfaces of their Windows operating system, and they have agreed to make Windows compatible with non-Microsoft software.

If there is any fear that Microsoft will infringe on antitrust laws, or that they will not comply with the terms of the settlement, the appointed government oversight committee will certainly take care of it. We need to move on.. There are issues of greater importance that we should concentrate our efforts on such as economic stimulus. Thank you in advance for your decision to settle this case as more litigation would, at this point, be imprudent. I appreciate your time and hard work in Washington.

Sincerely,
Janet Haskell

MTC–00030825

From: Duncan McGregor
To: Attorney Genera Ashcroft
Date: l/6/2002 Time: 9:58:36 AM Page 1 of 1
Duncan D. McGregor—ddml@shtc.net
313 Curtis Road—Chesterfield, SC 29709—1043—USA—Phones: Home & Office: (843) 623–2597 Fax: (843) 623–3123
January 6, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I wish to express my happiness upon hearing about the Department of Justice (DOJ) decision to end its antitrust lawsuit against Microsoft. This decision will be a boost to Microsoft which will benefit our economy at a time that when it's greatly needed.

The DOJ and Microsoft have been involved in this case for more than three years now. After much consideration, the parties agreed to settle. The settlement has many heavy sanctions against Microsoft, but is simply not enough for those that wish to harm Microsoft for more than just antitrust reasons.

The settlement requires Microsoft 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. It also forces Microsoft to make available to its competitors any protocols in Windows'' operating system products that are used to interoperate natively with any Microsoft server operating system. These will make other companies'' products run more efficiently on Windows, increasing competition.

Now that all of this is finally over, the government should let this agreement fall in to place. In my opinion, the federal government needs not take any more action against Microsoft beyond this settlement.

Sincerely,
Duncan D. McGregor
cc: Senator Strom Thurmond

MTC–00030826

Jan 06 02 12:43a Sandi Wiemers 1–785–632–6240
721 Franklin
Clay Center, KS 67432
January 5, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft,

I find the possibility that the Department of Justice could revive its case against Microsoft to be ridiculous. Millions of dollars have been spent on this case and a reasonable settlement has been crafted; pushing this case on would be rather excessive.

There is no reason to extend this expensive and time-consuming case.

Once again I ask that you please support the Microsoft settlement agreed to on November 2,2001. Your restraint and good judgment in this case is appreciated.

Sincerely,
Sandra Wiemers

MTC–00030827

Jan 05 02 06:48p Arthur W. Miller 425 316–0306 P.1
3309 97th Place SE
Everett, WA 98208–4371
January 5, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I wanted to let you know that I am in favor of the settlement that Microsoft and the Justice Department agreed to recently.

Government should not be getting involved in business disputes in private enterprise. This was simply a nuisance suit that should never have been brought in the first place. It frankly reminds me of the tobacco suits where some states were able to extort money from private enterprise.

Continued litigation is bad for business and bad for investors. Microsoft needs to be able to innovate. This is what has made them the flagship of the U.S. computer industry, which is second to none in the world. The settlement is reasonable, and it will allow independent companies to promote their software within the Windows operating system. Because there will be a three-person technical committee to oversee Microsoft and restrict the company from any further behavior that hinders competition, it is my opinion that this case has been won by the government and should not be pursued past this point.

Thank you for letting me explain my position, and I look forward to a hasty end to this matter.

Sincerely,
Arthur W. Miller

MTC–00030828

Jan 05 02 06:46p Arthur W Miller 425 316–0306 P.1
Arthur Miller
3309 97th Place SE
Everett, WA 98208
December 10, 2001
Senator Maria Cantwell
United States Senate
Washington, DC 20510

Dear Senator Cantwell:

I wanted to let you know that I am opposed to the Senate Judiciary Committee holding hearings on the fairness of the Microsoft antitrust settlement. It is my hope that you will be able to have these hearings canceled. The Government should not become involved in a business dispute, especially when the suit should never have been brought forth in the first place.

This is primarily a nuisance suit reminiscent of the tobacco suits, where

several states were out to extort as much money as they could by filing frivolous law suits against the tobacco companies. This type of law suit stifles creativity which not only hurts the industry but drives up cost to consumers. Continuing this antitrust litigation is bad for all American businesses, for Microsoft, for the consumer and for the country. Microsoft must be allowed to innovate. This is what has made them the flagship of the U.S. computer industry, which is second to none in the world.

Thank you for letting me voice my opposition to these hearings.

Sincerely,

Arthur Miller

MTC–00030829

@A
From: ROLAND OLAF PETERSON
To: Attorney General John Ashcroft
Date: 2002/01/05
Time: 8:13:22 PM Page 1 of 1
22 Ravenswood Road
Waltham, Massachusetts 02453
2002 January 5
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

I am writing you today to express my feelings on the settlement that was reached on 2001 November 2, between Microsoft and the Department of Justice. I believe that this settlement is fair and reasonable, and I am anxious to see this dispute resolved.

This settlement allows Microsoft to devote its resources to designing and marketing its innovative software, rather than litigation. At the same time, Microsoft has pledged to engage in activities that will benefit competing companies, such as: sharing more information and giving consumers more choices. An oversight committee will be assigned by the federal government to monitor Microsoft's compliance with the settlement, and competitors have the option to sue Microsoft if they feel Microsoft is not complying with the settlement.

After three long years of litigation, I believe it is time to allow Microsoft to devote its resources to creating advances in technology, rather than litigation. Thank you for your support.

Sincerely,

Roland Peterson

MTC–00030831

10/17/2001 07:43 9419230154 SCOTT GOLDBERG PAGE 01
Sharon Doyle
4021 Las Palmas way
Sarasota, Florida 34238
January 5, 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 the settlement that was concluded in November between Microsoft and the Justice Department. This settlement represents the best opportunity to move forward. The settlement will require 'Microsoft to make significant changes in they way they operate. In a first for an antitrust settlement, Microsoft has agreed to disclose for use by its competitors various interfaces that are internal to Windows' operating system products.

To assure its compliance with the settlement, Microsoft has agreed to be monitored by a Technical Committee. The Technical Committee will be comprised of three experts in software engineering. Thereafter, if any third party believes Microsoft is not complying with the settlement's terms, that party can lodge a complaint with the committee. Most importantlv, the speed with which the new cultures of technologica1 development, entrepreneurship and global competition are progressing mav require new governance however this is a larger legislative issue and not Microsoft specific. The damage done to Microsoft and its investors should have been avoided. The competitive delay caused by this suit was damaging to our overall economy in mv opinion.

In summary, this settlement is the right choice for the federal government at this time. It is also in the best interest of citizens and consumers like myself. I hope you will continue supporting this settlement and commend your office for the efforts so far to bring this case to a close.

Sincerely,

Sharon Doyle

000TT@AOL.com

MTC–00030832

FROM: VELCO ENGINEERING INC PHONE NO. : 281 398 3741 P01 VELCO ENGINEERING INC.
FAX TRANSMITTAL COVER SHEET
To: U.S. Department of Justice FAX No. 1–202–307–1454
From: M. A. Vela PE No. of Pages incl. cover 2

Comments:

As a personal and business user of Microsoft products for about twenty years I agree completely with the editorial page article in the Jan 4 Houston Chronicle article attached. Microsoft: products are generally low priced consumer products aimed at the home user. Competitors such as Oracle, Sun and others are higher priced producers targeting large corporations. I shudder to think what prices would be like if Microsoft had not been around and the absence of standards would further compound the users problems.

I have been a practicing Consulting Chemical Engineer for about 25 years.

M.A. Vela
VELCO Engineering, Inc.
64 Kelliwood Courts
Circle Katy, Texas 77450
FROM : VELCO ENGINEERING INC. PHONE NO. : 281 398 3741 P02

Competition is best way to regulate Microsoft DESPITE the settlement between Microsoft and the Justice Department, nine states continue to seek stronger restrictions and penalties. We advise the states'' attorneys general to settle and not waste more public money on further legal efforts. Their fight for additional legal regulations outlooks the extensive evidence that Microsoft must continue to innovate or it will lose its leading position.

The case against Microsoft is based on the belief that market leaders are entrenched, self-serving monopolies that stymie superior products of smaller rivals. This belief is supported by elaborate augments but scant empirical evidence.

In contrast, our decade-long research of 66 markets refutes the prevailing logic about the entrenched position of market leaders.

Consider how often market leadership has changed in just a few categories. In video games, market leadership changed from Magnavox to Atari to Nintendo to Sega and now to Sony.

Similarily, in personal computers, market leadership changed from Apple to Tandy to IBM to Compaq and now to Dell. In on-line service providers, market leadership switched from CompuServe to Prodigy to America Online.

Some of these changes came quickly. Their frequency indicates that a market leader cannot easily hold its position. What triggers these changes? In most cases, it is the superior quality or the substantially lower price offered by innovative companies.

Many people attribute the success of Microsoft's software applications to the domi nance of its Windows operating system. However, the the facts support an alternative explanation.

Word, Excel and PowerPoint were all unsuccessful when first released, even though they were tied to Microsoft proprietary operating system. They became successful only through relentless innovation to produce better versions.

Even the Internet browser market, which triggered the case against Microsoft, demonstrated the same pattern. Before Netscape, Mosaic was the dominant browser. However, Netscape's superior speed and features enabled it to quickly overtake Mosaic.

Microsoft's initial release of Internet Explorer did not succeed because of its poor performance. Persistent improvements in features won the endorsement of reviewers and led to its market leadership. In our research, we did not find a single market where a non-innovative leader was able to maintain its dominance.

Many people assume that market Pioneers or first movers will be enduring market leaders. Instead, we found that such companies lead in only six of the 66 markets studied, and innovation is essential to their sustained leadership and prof itability.

For example, Intel and Sony maintain their leadership in microprocessors and CD players by regularly introducing inno vative products, even when they cannibalize still-successful older prpducts. Coca-Cola Sustains its lead in the cola market by seizing new distribution channels and continually updating its advertisings. In the other 60 markets, innovation toppled established leaders.

In 1959, Kodak and 3M led the copier market. Analysts believed Xerox (then the Haloid Corp.) had almost no chance to succeed. Yet its revolutionary copier was an immense success and propelled Xerox to market dominance.

Even in the mundane category of disposable diapers, Johnson & Johnson's

Chux brand was overtaken by the superior features and lower price of Procter & Gamble's Pampers. Then Kimberly Clark's further im improvements enabled Huggies to wrest market leadership from Pampers. In all of these markets, costly and distracting antitrust actions were unnecessary. Innovative competitors discovered better ways to serve customers with improved products and lower prices. The results were unequivocal, they cost the public nothing and they were more exacting than legal remedies.

So it will continue to be for Microsoft and ocher market leaders. They too will begin their own demise the day they cease to innovate. Nimble, innovative rivals at the gate, ready to administer the law of the market far more effectively than the Justice Department or states can prosecute antitrust cases.

MTC–00030833

Sent By: FULCRUM PROPERTIES; 111 1111; Jan–5–02 3:00PM;
Page 1/1
145 Scottsdale Square
Winter Park, Florida 32792
January 5, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
BY FAX 202–307–1454

Dear Mr. Ashcroft:

I want to say that I don't feel that the settlement is as fair toward Microsoft as it should have been. Microsoft has had to make many concessions that I think are unreasonable in this whole matter. It will have to be reviewed by a technical committee, and share critical software code information with its competitors, for example. Nevertheless, I am pleased to see that the Justice Department has finally resolved this case.

While the case should never have come against Microsoft in the first place, I'm glad to see that after three years, the government has finally come to it's senses. I hope that it will think twice before pursuing hard working, American companies simply for being successful in the future.

I appreciate you hearing my opinion on this matter and I hope that you will take it into account before finalizing the terms of the settlement.

Sincerely,
Patricia Andrews
cc: Representative Ric Keller
BY FAX 202–225–0999

MTC–00030834

Jan 05 02 11:36a
Michael H. Brannon 864–281–1360
Michael H. Brannon, M.D.
7 Foxglove Court
Greenville, SC 29615–5505
January 5, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to express how happy I am to hear that the Department of Justice has ended its antitrust lawsuit against Microsoft with a strong agreement. Microsoft has been a leader in technology and innovation for at least the past decade, and I see no reason for the federal government to punish them for that. America's economy was founded upon the competitive free enterprise system. Government involvement in the day-to-day workings of a company completely undermines this country's economic foundation. The agreement calls for Microsoft 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. Microsoft has also agreed to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time.

Enough is enough What more could Microsoft's competitors want? My hope is that the federal government takes no further action against Microsoft beyond this agreement, so that it can work to tackle the truly pressing-issues of the day.

Sincerely,
Michael H. Brannon, M.D.
cc: Senator Strom Thurmond

MTC–00030835

10/18/2001 09:01 802–896–9766 JERRY CAILOR PAGE 01
P.O. Box 162
West Wardsboro, Vermont 05360
January 4, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to give my utmost support to Bill Gates and Microsoft. My husband and I live in Wardsboro, Vermont, a town with a total of 500 registered voters. If you blink, you miss our town. WC had a goal of making our town library into something special. The library was bequeathed a house by a resident, so we had the space, but we had no computer capabilities. We applied to the Gates Foundation, figuring all we could lose from doing so would be a piece of paper and the cost of postage. To our surprise, Mr. Gates gave us a grant; a complete software on-line integration package, printer connectivity, and on-site software training for our librarian. People are now lined up to use our computers.

Bill Gates did not have to do this. He did not have to establish his foundation, Yes, he makes millions of dollars, but he gives away millions of dollars to those who desperately need funds to provide computer capability to their small towns. Everyone lauds small towns, but very few are there when those small towns need financial help. Bill Gates stepped in when no one else would, We are now on our way to having a viable, working library, making it an integral part of the community, and giving our children a place to go and learn.

Microsoft is taking a big hit with this lawsuit, but it is willing to accept a lot of restrictions in order to settle. How many businesses would be willing to share their sensitive information with their competitors like Microsoft is doing with the internal interfaces of Windows under this settlement? Microsoft and Bill gates were there for Wardsboro. Now I support Microsoft by supporting the antitrust settlement.

Sincerely,
Joyce Cailor

MTC–00030836

Jan 04 02 07:00p Gunnar Sevelius 650–366–4115 P.1
58 Austin Avenue
Atherton, California 94027
January 2, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am very pleased that the Justice Department has reached an agreement with Microsoft and has finally settled it's three year long antitrust dispute with the company. It is my strong personal belief that the suit against Microsoft should never have been brought against them in the first place. I feel the finalization of this settlement will provide a boost to the struggling national and global economies. The settlement is both fair and reasonable, and it is in the best interest of the American public.

I appreciate your attention to this matter and I hope you do will continue to make decisions that will benefit the United States of America. Thank you for your time and consideration.

Sincerely,
Gunnar Sevelius

MTC–00030837

3280 Sportsman Club Road
Bourbonnais, Illinois 60914
January 5, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania: Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

I would like to take some time to express my opinion about the settlement that was reached between, the Department of Justice and Microsoft last November. The settlement brought an end to the three-year antitrust dispute, and was fair and just. I also hope that there will be no further legal action against the Microsoft Corporation.

I simply do not understand why American taxpayer dollars have been misused in the pursuit of litigation against Microsoft. Now more than ever, America needs to spend its money more carefully. The economy is still suffering from the beginning of this whole dispute, and the stock market is in disrepair. Microsoft has done so much for the economy, providing jobs, and has completely changed the face of the computing and technology industries. They need to be allowed to continue with innovation and bringing new and useful products to the marketplace. Even with restrictions like having to share its software information and allowing being

reviewed by a government committee, Microsoft can still be a powerful economic force.

I appreciate your time and consideration with this issue. I am happy with the settlement that was reached in the beginning of November. I believe this settlement will benefit all of us.

Sincerely,

Donald Burlison

01/07/2002 08:27 FAX SHORT MILLING 001/001

MTC–00030838

01/05/2002 16:17 FAX 513 421 0244 STUDIO ART SVCS p.1
613 Main Street Cincinnati, Ohio 45202 (513) 421–8040 FAX (513) 421–0244
Friday, January 4, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

We are writing to express our feelings in regards to the Microsoft settlement issue. We support Microsoft in this dispute. We have seen the great positive impactful benefit that Microsoft has had on American Business with our own eyes... by adding to business productivity.

We are writing you today to urge you to do your part to stop further action against Microsoft at the federal level.

Specifically, Microsoft has agreed to be monitored by a technical committee to ensure its compliance with the settlement. In our opinion, this is the most important term of the agreement. Additionally, Microsoft will share information and parts of its software coding with competitors to increase compatibility with its Windows operating system, and revamp its marketing and licensing practices to increase competition. We sincerely hope that there will be no further action against Microsoft at the federal level. Please support the Microsoft settlement. Thank you for your attention to this matter.

We wish you and yours a prosperous New Year.

Respectfully,

Philip Holt

Jillian Chamberlain Holt

cc: Representative Steve Chabot

MTC–00030839

JAN–5–02 11:10 AM 1 510 794 8797 P.01
Waste Watcher Inc
P.O. Box 3535
Premont, California 94539
Alameda Phone (510) 794–8797
Fax (510) 894–0486
Email rgahern@aol.com
Member Northern California Coalition for Limited Government
January 5, 2002
Ms. Renata Hesse
Trial Attorney-Antitrust Division
Department of Justice

Ms. Hesse:

This letter is to indicate the support. of my organization for the settlement of US v, Microsoft. I understand the settlement being proposed by the Department of Justice is waiting for public. comment and I would like this letter to be included with 1 those comments. Our organization, WASTE WATCHERS INC. is a grou of citizens from Northern California working to ensure our government is NOT wasting taxpayer money, Because of our location and proximity to the Silicon Valley, our membership is very familiar with the technology industry and details surrounding the Microsoft case. It is our firm belief that the United States government have spent far too much time and money on the case against Microsoft case. It is estimated that the states and federal government have spent at least $37 million on this issue. With a settlement on the table, the country finally has an opportunity to end this extremely costly endeavor. $37 million is really only a fraction of what US v. Microsoft has cost the American people. Since the day the case began, we have seen the technology industry plummet. The domino effect of the tech crash went from the Nasdaq to the New York Stock exchange and almost brought our entire economy to a grinding halt. For our organization, the greatest reason for concern is the budget deficits now being faced by most states. In California, we are going to be billions of dollars short of reaching the budget for the next year. That shortfall, when combined with competing political needs, wil inevitably result in tax increases. We already pay among the highest taxes in the country, and the Fiasco of the Davis Adminstration in our state embelishes the whole mess. It is important also realize that housing prices have not come down and thousands of our neighbors are losing their jobs because of the tech crash.

Tax Action Network Affiliate of Council of Citzens Against Government Waste 1301 Connecticut Ave, NW Suite 400 Washington, DC 20036 1–800–BE–ANGRY—http://www.cagw.org JAN–05–02 11:10 AM 1 510 794 8797 P.02

Ms. Renata Hesse

All of this does not add up to strong financial conditions, We are not arguing that settling the Microsoft case will end our economic woes and fill Californis'a coffers up again. That will require a fically ''sane'' administration and legislature in Sacramento. But we are saying that it is time for our Country to begin taking steps which help the economy grow and expand. Settling the Microsoft case is one step closer to the sort of economic environment we need to create. And may we also add that we think it about time, yes long overdue, for the Government to stop their crusade of ''punishing'' the successful and damning innovation and hard work, It is organizations such as Microsoft that provide the jobs and the work places for earning power of we—the citizens, who ultimately pay the taxes that fund this government in the final analysis.

The settlement proposed in US v. Microsoft is good. More importantly, it is time to stop wasting millions of dollars to continue this case. Our economy is no longer strong enough to withstand litigation over innovation.

The facade being used by many politicians to paint organizations such as Microsoft as the ''bad'' guys must come to an end. As said before, these ''bad'' guys PROVIDE millions of jobs and millions of pay checks to purchase homes, groceries, cars and etc. These things do not come from ''government.'' The ''government needs to get out of the way and let us get on with the business of providing all the things mentioned above for millions of ''citizens''!

Sincerely,

Kenneth D. Steadman, President

Richard Ahern, Vice President

MTC–00030840

01/04/2002 06:27 +000000000 PAGE 01
JAN–03–2002 09:25AM Carrie McKinley 916 441 6857 P.02
Carrie McKinley
Fundraising and Event Planning
821 (illegible) Street Suite D
Sacremento, CA 09814
Phone (916) 441–0865
Fax (916) 441–6857

Renata Hesse
December 29, 2001
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

The last things that our economy and the technology industry needs right now are government lawyers, bureaucrats and judges watching over the industry and attempting to micromanage it. The federal government and Microsoft have reached a fair agreement that addresses the majority of the antitrust charges and complaints.

Now that a fair settlement has been reached, it is time for the federal government to focus its attention and its limited resources on other issues. I urge you to join me in supporting the settlement.

Yours truly,

Carne McKinley

MTC–00030841

01/04/2002 06:25 +000000000 PAGE 01
MSI Mailing Systems Inc
THE DIRECT MAIL EXPERTS
P.0. Box 429 o Rancho Cordova, California 95741
o Phone (916) 631–7400
o Fax (916) 916–7488
o e-mail: si@msimail.net—website:www.msimail.net
January, 2 2002
Renata. Hesse
Trial Attorney Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to express my opinion regarding the antitrust case with Microsoft. I believe that this case should be settled and that the remedies proposed are in the public good.

Seeing that the economy is currently in recession, a strong technology sector led by Microsoft could lead us back to the prosperity we recently experienced. The last thing we need is for this case to drag on and lead to more regulation of our high tech industry. In short, I feel the settlement proposed is good for the country.

Sincerely,

Doug Muraki
CFO

MTC–00030842

01/04/2002 06:22 +000000000 PAGE 01
FROM: FAX NO: JAN.03 2002 07:34PM P1
Tracy Pillows
December 29, 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
605 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I can't believe this anti-trust case is still going on. The government has spent over $30 million dollars of the taxpayers' money on this case. I can think of many important programs that could be funded with that money, especially during this time of economic uncertainty since the country is currently facing a recession and a huge budget deficit.

I am glad to see that the federal government has finally agreed to a settlement. Settling this case is in the best interest of all involved, the technology industry, the economy and most importantly, the consumers.

I urge you to please approve the settlement so that all of the parties involved can move on.

Cordially,
Tracy Pillows
8006 Pocket Road, Apt. 226
Sacramento, CA 95831
916/424–5652

MTC–00030843

ALLIED PRINTING CO.
Renata Hesse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

This letter is in following the Tunney Act and the opportunity for the public to offer an opinion on the settlement reached between the government and Microsoft. These lawsuits have gone on for so long and become so mired down in political agendas that it is a difficult and arduous task for the public to follow, It bothers me that the general public, for whose protection this whole lawsuit was started has been squeezed out of the process. I feel strongly enough to write this letter.

Microsoft is a successful company. They didn't utilize fair business practices to attain that success and will pay the consequences for that and be monitored for years to come to make sure that from here on out, they do 'play fair'.

Now the only hold up is getting the settlement through the channels. Please take this letter and the sentiments behind it into consideration and support the settlement on the table.

Thank you for your time on this matter.

Respectfully,
Matt Zellmer
1912 '0' Street Sacramento, CA 95814
Ph.(916) 442–1373 FAX 442–7655 email
4allied@cwo.com
Ph. (9l6) 442–1373
FAX 442–7655

MTC–00030844

01/04/2002 06:19 +000000000 PAGE 01
Leading Edge
Data Services
P.O. BOX 6008 o Stockton. CA 95206
Renata Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Why is the federal government still spending our tax dollars trying to break up Microsoft? Please accept the settlement that has been reached between all of the parties and stop wasting tax payer's money.

With everything going on overseas and with our own economy in a recession, isn't there something more important that we could be spending our tax dollars on?

I support ending the class action lawsuits against Microsoft and urge you and the Department of Justice to do the same.

Sincerely,
Jess Cervantes
(800) 390–3233 o (209) 948–6232—Fax (209) 466–9260

MTC–00030845

Wyman Design Graphics
2830 Audubon Circle
Davis, California 95616
Renata Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington. DC 20530

Dear MS. Hesse,

The Microsoft lawsuit and the money and time pouted into it have served their purpose. The government sought to protect the consumer from unfair business practices by Microsoft. The settlement reached by the federal government, nine of the states and Microsoft is an acceptable compromise to all parties. It's time now to turn our attention to more pressing priorities. The recession, the war, problems with our education system (especially in California) call for both immediate and focused efforts.

Please support the settlement between the government and Microsoft. Thank you for your time on this important matter.

Cordially,

MTC–00030846 01/04/2002 18:56 6053328722 DAKOTA NETWORKS PAGE 01

Patsy Henry Butler, M.Ed., NCC
School Counselor, Patrick Henry Middle School
316 E, 32nd Street, Sioux Falls, SD 57105
January 2, 2002
Trial Attorney Renata Hesse
Antitrust Division
U.S. Department of Justice
Washington, DC 20530

Dear Ms. Hesse:

I have served as a counselor for many years at Patrick Henry Middle School in Sioux Falls, South Dakota, where the neighborhood is financially well-to-do and where internet access at home is fairly common. As an educator and counselor, I am concerned with students in other parts of Sioux Falls and in South Dakota where incomes are low and children are disadvantaged when it comes to internet access, particularly outside of the school systems. For that reason, I am very pleased with the provisions in the Microsoft antitrust settlement which will target these kids and their schools for software and hardware support and enable them to compete with school systems all over the nation.

Microsoft Corporation has been a helpful partner in the development of information technologies in South Dakota's public schools. The state a few years ago began a program to make the state the ''most wired state'' per capita than any other state in the nation. Governor Janklow's ''wiring the schools'' program linked schools of all sizes and income types to the internet. Microsoft pitched in with a large grant to help the education portion of the comprehensive project. As a result, the settlement will be an additional advancement for the students whose schools have been wired for high-speed access.

My knowledge of the antitrust case is from the news media. What I have learned about the issues involved in the case seem to have been resolved in the settlement agreement, What is most important, I believe, is the fact that the issue of consumer harm was never established in this case, which makes me wonder why an antitrust issue was pursued so vigorously and for so long. It seems appropriate after all of this time and the taxes spent on this case that it has reached a settlement. I hope that the settlement is allowed to go through, and that schools and students will soon appreciate the benefits.

Thank you very much for your attention.

Sincerely,
Patsy Henry Butler

MTC–00030847

TO:
FROM : DAKOTA NETWORKS
FAX: 6053328722
TEL: 6053316937
COMMENT :

MTC–00030848 01/04/02 17:28 FAX 7854840194 THE SOURCE 01

Post Office Box 626
Topeka, Kansas 66601–0626
(785) 484–0195
(785) 484–0194 fax
hq@ks-ra.org
WWW.ks-ra.org
January 4, 2001
Judge Kollar Kotelly
Antitrust Division
U.S. Department of Justice
601 D Street NW Ste 1200
Washington, DC 20530

Dear Judge Kollar Kotelly:

I understand that you are currently considering the merit of the United States Department of Justice's proposed settlement of its antitrust case against Microsoft. I am aware chat federal law allows for a period of public comment before you make your final ruling and appreciate the opportunity to share my thoughts on this important issue. I recently wrote an opinion editorial in my home state of Kansas in which I outlined several reasons why I am opposed to the

continuation of this case by either state or federal entities. I clearly state in this editorial my disappointment that Kansas Attorney General Stovall has nor chosen to settle this case.

I have no doubt that this settlement is in the best interest of all involved. Even Microsoft opponents have to admit that this agreement finds remedies for the complaints of the lawsuit. For example, Microsoft will be required to share technical information and requires absolute flexibility of all new Microsoft operating systems. This settlement even creates an enforcement mechanism that Microsoft must answer to if a complaint is filed stating that the company is not following the provisions of the settlement.

There appears to be no reason that this settlement should not be approved particularly in light of our current economic condition. With the current state of our national economy we do not need the threat of more unreasonable government regulations and litigation hanging over the high tech sector which, as you know, has become such an important part of our economy.

Please carefully consider my comments when you are making your decision about this important settlement.

Sincerely,

James W. Mullins, President

Kansas Republican Assembly

MTC–00030849

Jim & Joan Harvey

PO Box 461 Isle of Palms, SC 29451

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Back to Message

P.O. Box 461

Isle of Palms, SC 29451 ''

January 5, 2002

Attorney General John Ashcroft, Department of Justice

950 Pennsylvania Avenue NW

Washington, DC 20530–0001

Dear Mr. Ashcroft:

I wanted to drop a quick letter to you congratulating you on the settlement that was reached between Microsoft and the Department of Justice. It was more than fair, and I do not want or need to see any more action against Microsoft at the federal level. Please move forward with the terms that have been agreed to in the settlement. The agreement calls for Microsoft to document for its competitors various interoperability protocols inherent in the Windows'' operating system. That incredible amount of disclosure alone should revitalize the competitive energies of many companies, since it could theoretically make all products work equally well on any computer with Windows. America is in the middle of a recession, and hampering Microsoft's abilities, as well as other firms'' abilities, to bring innovative products to the marketplace is not the way to save our economy.

This whole mess started when the suit was brought against Microsoft three years ago, and now we have passed the point of return. Allowing Microsoft to get back to business as usual, while abiding by the terms of the settlement, is the best way to rescue America's economy. The legal actions by the government have affected more people than was anticipated, and it is time to right that wrong. Thank you for your time and consideration, and please allow the terms of the settlement that was reached between Microsoft and the DOJ to fall in to place. It will prove wise in the long run.

FROM : RV CONSULTING INC

1 W\IU! IV\Ul

FAX NO. :

Jan. 06 2002 05:52PM P2

James Harvey

cc: Senator Strom Thurmond

MTC–00030850

01/(06/02 SUN 19:03 FAX 5323785 Perry L. Staley 001

Perry L. Staley

411 Orchard Street

Ironton, OH 45638

January 5, 2002

Attorney General John Ashcroft

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington DC 20530

Dear Mr. Ashcroft,

It is unfortunate that there had to be this lawsuit between our government and Microsoft. I am sure that Microsoft had been aggressive in their business practices, but I am not so sure that the line was crossed so as to have made them a target of a suit like the antitrust case. In any case, after plenty of wrangling and even more posturing there is finally a settlement that will end this case. I am writing to ask that you keep sustaining your support for settlement.

The suit will profoundly restrict Microsoft's business practices. Microsoft cannot demand exclusivity of Microsoft products from computer manufacturers installing software before shipping the computers to dealers or customers. They cannot seek retribution from software companies that develop software designed to compete with Microsoft, which should be a cornerstone of a successful business.

Enough damage to our economy has been accomplished by all this court action and time-consuming legal work. After an ample amount of expense and worrying, both sides are finally ready. I hope you will see that the settlement reached in early November 2001 is brought to completion by your office. I sincerely thank you for your time and effort in seeing this through to its end.

Respectfully yours,

Perry Staley

MTC–00030851

@A

From: ROLAND OLAF PEIERSON

To: John Ashcroft

Date: 2002/01/06 Time:

6:57:30 PM PAGE 1 of 1

22 Ravenswood Road

Waltham, Massachusetts 02453

2002 January 6

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Attorney General Ashcroft: I am writing you today to express my feelings on the absurdity of continuing the war against certain drugs. A free America will never be a drug-free America, as any reasonably intelligent person knows. America is becoming a terrorist nation because of the property forfeiture laws and other laws associated with the drug war. I know you know this. The time is ripe for a change of policy.

Sincerely,

Roland Peterson

MTC–00030852

01/06/02 sun 18:50 FAX 5323782 Perry L. Staley 001

January 6, 2002

Attorney General John Ashcroft

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft

It is unfortunate that the Enron melt down took place at this time, when the news of 911 obscures the facts .

I feel that you should put this on the front burner of all your investigations. For a few insiders to take as much money as they did is criminal and to not investigate at once is in my opinion an abuse of your powers, I am writing to ask that you use the power of your office to see that justice is done in a swift and final manner.

I sincerely thank you for your time and effort in seeing this through to its— end.

Respectfully yours,

Perry L. Staley

411 Orchard Street

Ironton, Ohio 45638- 1166

MTC–00030853

Jan-07–02 10:37A Tatum Bros Lumber Co 904 782–1448 P.01

Tatum Bros. Lumber Co., Inc.

P.O. Drawer A Lawtey, Florida 32058–0701

(904) 782–3690 Fax (904) 782–1448

January 7, 2002

Attorney General John Ashcroft, Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530–0001

Dear Mr. Ashcroft:

The lawsuit that was filed against Microsoft was, quite frankly, crazy. It never should have happened in the first place, and I am so glad that it was finally resolved just last November. The Justice Department does not need to waste time and resources, which the taxpayers have to foot the bill for, any further on this pursuit. There is a resolution and it is a resolution that addresses all of the key issues and even ones not mentioned in the original lawsuit.

This agreement stipulates that Microsoft cannot retaliate against any computer company that promotes or distributes non-Microsoft software, which helps to increase competition. It also provies a uniform pricing list for companies that would enter into licensing contracts with Microsoft, which provides economic protection from smaller computer manufacturers. The Microsoft settlement even goes so far as to require Microsoft to provide interface data to its competitors, which is a first in antitrust settlements. This is a settlement that addresses all of the issues at stake here and more.

Therefore, it is time that the litigation is stopped. As I said, this entire lawsuit was crazy to start with. Well, it's time the craziness ended. I urge you to make no further changes. Microsoft has been penalized. I hope you will do what is good for the economy. The buck stops with you.

Sincerely,

Linda Tatum

MTC–00030854

Stanley Kneppar
8IO9 Hibiscus Circle
Tamarac, FL 33321
January 7, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

This letter is to express my support for the settlement in the Microsoft case.

This is a balanced agreement, painstakingly negotiated with a court appointed mediator. Microsoft will have to make some critical concessions, while being allowed to use the technology that has made it the gold standard for computer innovation.

I am convinced that Microsoft's success comes from the simplicity and superiority of its product, I briefly used the Netscape Navigator before switching to the Microsoft Internet Explorer, and I found the latter to be very preferable. The company does not deserve to be punished with litigation just for being a success. I anticipate that as Microsoft is forced to open up its codes for Windows to improve interoperability, we will see the competition and Microsoft improve such soft ware as browsers and media players. In turn, that is good for consumers.

I sincerely hope the District Court Judge deems the settlement to be in the public's best interest.

Sincerely,

Stanley Kneppar

cc: Representative Robert Wexler

MTC–00030855

P. 0. Box 23093
Anchorage, KY 40223
January 5, 2OO2
Attorney General John Ashcroft
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

In accordance with the Tunney Act, I am writing in regards to the DOJ settlement with Microsoft. I am sorry that there was a case to begin, with but I'm happy that there's finally a settlement in this whole matter. It's a good settlement ''tough but fair'' nature. The penalties for not abiding by the terms are strong; contempt of court is a very serious charge, and there are many different ways that the suit might be broken. Every facet of Microsoft's operation, from licensing to marketing to software design is affected by the settlement in some way.

I am happy to see that Microsoft will finally be able to get back ho business and help out our economy in this recess ion.— They are an example of a good American company and have unfortunately been persecuted for outdoinq their competitors with a better product.

I hope that you consider my opinion as well as those of other people who write in to you supporting Microsoft and please pass on our opinions as well as the terms of your settlement to the nine states and the DC government, who still refuse to settle their case against Microsoft.

Sincerely,

Stanley Kimmel

MTC–00030857

SENT BY: 1–5–02; 9:32 PM. JERRY MARTIN ASSOC. 202 353 8856; # 1
21 Edgewater Alley
Isle of Palms, South Carolina 29451
January 5 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing to voice my opinion concerning the Microsoft antitrust case that was recently settled with a strong and binding settlement I urge you to please stop any further Federal government intervention beyond this settlement There have already been settlements reached between various states and Microsoft, all of which involved mediators and a great deal of negotiation. The settlement forces Microsoft 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. Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

I am retired, but have previously been involved in ''big business.'' I see the hardships Microsoft is facing on the side of a businessman and an everyday computer user. It seems to me that this drawn-out lawsuit has become a victim of politics and money lust Microsoft has contributed much to this country, creating jobs, bringing technology and donating a great deal of products to schools and other charities.

Don't allow our economy to drift further into recession. Please allow Microsoft to get back on their feet again.

Sincerely,

Jerry Martin

MTC–00030858

JAN–06–2002 08:20 PM BERT MCLACHLAN 800 213 4181 P.01 Bert McLachlan
3524 West 97th Place
Leawood, Kansas 66206
1–800–213–4181 bertmclachlan@msn.com
January 7, 2002
Department of Justice
Re: Microsoft Settlement
Fax: 1–202–307–1454 (Four pages total)

Beyond a doubt, it is time to settle the Microsoft case and get it over with, not letting it be dragged on and on just because of a few obstinate state attorneys general. Don't let the tail (the state AGs) wag ''the dog'' (this case). As one lawyer said, ''the issues in this case have been beaten to death by people who are worn out.'' There is no case, so be done with it.

This was a political case from the beginning: Senator Orrin Hatch and his buddy, Joel Klein, helping Novell and other software companies (from Hatch's state) try to accomplish through the courts what they couldn't accomplish in the marketplace with their products. It is a case against one of the most customer-beneficial business successes ever. The case would never have been brought by a Bush Administration, and the Bush Administration does not want it pursued. Neither does the worldwide public, which is the very happy beneficiary of everything that Microsoft has done for our lives and our economies. Judge Jackson made the case a ridiculous circus. It has cost people billions already. Settle this misguided suit. Get it over with. Move on to something relevant. The two accompanying fax pages, (1) a Wall Street Journal editorial of March 1, 2001, ''The Microsoft Appeal'', and (2) a September 7, 2001 article, ''Justice Bows to Reason'', both express my views on this. Particularly in the latter, please note that ''the (DC Circuit's) opinion includes important admonitory language about the grave problems of pursuing antitrust claims in quickly evolving industries, such as software and other high-tech industries, which neither the prosecutors nor the courts know much about.''

JAN–06–2002 08:20 PM BERT MCLACHLAN 800 213 4181
The market takes care of these things. Learn a little something from the federal government's decade or more of earlier similar misguided efforts with IBM.
A Consumer,
Bert McLachlan
JAN–06–2002 08:21 PM BERT MCLACHLAN 800 213 4181 P.02
THE WALL STREET JOURNAL THURSDAY, MARCH 1, 2001
The Microsoft Appeal

For a while you couldn't sit down with a Japanese or German or British CEO without them wanting to shake their heads over the spectacle of the U.S. government seeking to destroy one of America's most successful and important companies. The further you got from American political culture. The weirder the Microsoft lawsuit seemed.

Most Of the local Washington press bought it, thought, because Joel Kleln was a shrewd judge of the reach of his Permission slip in beat up the world's richest man. His hireling David Bojes has gone on to represent Napster; Mr. Klein has joined Bertelsmann, the German media and music giant that struck a deal with Napster. And their Mi. crosoft case this week basically collapsed.

Lawyers for both sides left the appeals Court knowing there would be no breakup, andl probably not much of a case once the appeals bench gets done throwing out everything that was unproved. counterfactual or lacking in coherence. The telling remark was Chief Judge Harry Edwards's comment about ''sleights of hand'' over whether Microsoft was accused of trying to create a browser monopoly (for a product it was giving away free? Or seeking to protect its Windows monopoly (how does making a better browser and distributing it free protect Windows?).

Let us confess some sympathy for Judge Jackson. Who was knocked around by the appeals panel for his apparent bias as trial

judge. With every action since the start he seemed to betray reservation about whether the matter really belonged in court. Why this came to be projected into resentment of Microsoft and Bill Gates is a question for his memoirs. He called Mr. Gates ''Napoleonic.'' which might be accurate if he meant someone who had achieved a great deal at a young age. And what a group of DC drug peddlers. The Newton Street Crew, did to merit comparison to Microsoft we'll never know. But Microsoft's real offense was clear: It declined to cop a plea so everyone could go home and brag about the big trophy for the rest of their lives. Instead, the company kept insisting it had done nothing wrong. By the time he got around to offering the most drastic remedy imaginable for Microsoft's alleged wrongs, dismemberment of the company, Judge Jackson was hilariously agnostic on whether the end result would he good or bad, saying the question wasn't even worth taking testimony on: I'm outta here. Then he blabbed to the press. Surely these actions served their purpose: Whatever the appeals bench decides. U.S. v. Microsoft most likely won't be coming back to Judge Jackson's courtroom.

The puck now has been slapped to a new Administration. NYU economist Lawrence J. White, a former chief economist of Justice's antitrust division, proposed in a New York Times oped that the Bushies ''save face'' by letting Microsoft go with a $10 billlion fine. Huh? Mr. Bush has no need to save face. He didn't bring this misguided lawsuit. This was Clintonera handiwork, a vestige of a weird time when the White House and senior Justice officials had unhealthy stakes in each other. Mr. Klein had been Mr. Cliton's deputy White House counsel. His boss. Janet Reno, didn't have much to look forward to beyond her job as attorney General. Mr. Clinton was keen not to be investigated for campaign finance scandals. They found a modus vivendi, and Microsoft was collateral damage.

Events this week seal the case for withdrawing whatever is left or the original lawsuit when the appeals court gets done with it. The best way for the government to ''save face'' is to pronounce this sorry adventure a mistake to begin with.

JAN–06–2002 08:21 PM BERT MCLACHLAN 800 213 4181 P.04

THE WALL STREET JOURNAL FRODAY SEPTEMBER 7, 2001 JUSTICE BOWS to REASON

By George L. Priest

The Justice Department has decided to drop its further prosecution of Microsoft and this will come as no surprise to those who examined with care the opinion of the U.S. Court of Appeals in June. After all, thr DC Circuit's unanimous ruling provided a virtual road map to thw lower court to find that Microsoft's tying of its browser to Windows was unobjectionable, and that a breakup of the company could not be justified.

So, put bluntly, the Justice Department yesterday dropped the tying claim, as well as the breakup remedy, because it faced a zero chance of success. Thus, what has been widley dubbed as the greatest antitrust case of the last 50 years ends with a whimper.

Antitrust Jurisprudence Quoting the Supreme Court, the DC Circuit had stated that ''it is far too late in the history of our antitrust jurisprudence to question the proposition that certain tying arrangements pose an unacceptable risk of shifting competition.'' But in the next sentence, the appeals court added, ''But there are strong reasons to doubt that the integration of additional software functionality into an OS [operating system] falls among those arrangements.'' Still later, the court instructed that ''because of the prevasively innovative character of platform software markets, tying in such markets may produce efficiencies that courts have not previously encountered.''

The D.C. Circuit was equally clear about the inappropriateness of the breakup remedy. It cautioned the lower court that a break up was generally an effective remedy only for monopolies that had been created by the merger of former competitors, and not for the unitary companies like Microsoft. In addition, the court severely questioned whether there was any casual connection between Microsoft's exclusionary conduct and its monopoly market share, adding that ''If the casual connection between Microsoft's exclusionary conduct and the company's position in the OS market, it may well conclude that divestiture is not an appropriate remedy.''

Where does this leave the case? In its press release yesterday, announcing that it was dropping the tying anf breakup charges, the Justice Department stated that it would seek an order ''modeled after the interim conductrelated provisions'' of U.S. District Court Judge Thomas Penfield Jackson's Final Judgement. Some of these rememdies, through less damaging than a breakup, were nonetheless draconian. Among other remedies, Judge Jackson would have required Microsoft to disclose portions of its source code, to provide price discounts to Original Equipment Manufacturers (or OEMs) according to how many of Windows'' features they deleted, and to generally treat all vendors and customers equally, regardless of their actions.

But there is no basis in the Court of Appeal's opinion for conduct remedies of this nature, and the lower court is not likely to approve them. According to the Court of Appeals, the only justifiable conduct remedies are an injunction prohibiting Microsoft from entering various exclusive dealing contracts and compelling it to redesign Windows to allow a customer to delete the browser if there are any customers who would want such a thing. Remedies of this nature will not affect Microsoft's operations in any significant way, and, indeed, were largely accepted by Microsoft prior to trial.

The Justice Department also hinted that it wanted discovery to determine whether there are any violations associated with the forthcoming introduction of Windows XP. The statement was only a hint, but it may prove troublesome if either the Justice Department or any of the state attorneys general still in the case choose to take the matter seriously. According to the DC Circuit's analysis of tying, the full integration in Windows XP of features such as Media Player or Instant Messaging should be perfedctly permissable. The court's opinion, however, contains one cryptic conclusion regarding ''code commingling'' that may make the outcome unclear. Though it may take some time, if the lower court carefully works through the DC Circuit's basic analysis, there are unlikely to be any serious obstacles to Windows XP.

Does this mean that the entire Microsoft prosecution was a waste? Surely, it has caused substantial harm. Many have pointed out that the collapse of the dotcom industry dated almost exactly from the release of Judge Jackson's, ''Findings of Fact,'' most have which have been vacated. Microsoft's decline, in market capitalization was accelerated by Jude Jackson's ''Conclusions of Law,'' among all of which have been vacated. There have been millions of hours of hours of academic analysis, with a cast volume of litigation still in the wings. The claim of waste is hard to reject.

Important Analysis But some rays of light have resulted. The DC Circuit's opinion, through unsupported and weakly defended on exclusive dealing, contains an important analysis of tying arrangements and bundling that substantially advances the laew beyond the current jurispreudence of the Supreme Court. In addition, the opinion includes important admonitary language about the grave problems of pursing antitrust claims in quickly evolving industries, such as software and other hightech industries, which neither the prosecuters not the courts know much about. The Justice Department's action yesterday acknowledges the truth and significance of these warnings.

Finally, the Court of Appeals opinion and the Justice Department's retreat should serve as a cautionary guide to actions against Microsoft threatened by the European Commission ____ to may ____ who may ____ stubborn on ____ These are small benefits and are hardly worth the accumulated social cost ———— as wasteful ____ been, if ____ still can be ____ if prosecutors learn ____ not to bring such ____ in the future.

Mr. Priest teaches law and economics at Yale Law School and has served as a consultant for Microsoft.

MTC–00030859

January 7, 2002

United States Department of Justice

Re: Microsoft Settlement

Isn't it about time Washington caught up with the rest of America? Perhaps those within the Beltway haven't heard President Bush. We are at War. Accordingly, let's put to bed this case against Microsoft. All have had their opportunity to spend their ''day in court.'' As we see it, no one won. Politics being what it is, those who have never worked to meet a payroll, would like this ease to drag out for the benefit of their own private agendas. If the green envious competitors of Microsoft have better to offer, let us hear form them. The silence has been deafening.

It appears that some attorneys at the State level think they will benefit from delaying closure on this matter. You know what Shakespeare said about the legal profession!

Henry and Eleanor Langworthy

CC: Microsoft

01/07/2002 12:40 718–667–7135 Langworthy Investor PAGE 01

MTC–00030860

01/06/2002 00:25 5152431028 DDR PAGE 01/ 01
MARK ALAN HAVLICEK
1513 Sixty Sixth Street + Windsor Heights, lowa 5031I United States of America
Phone 515–243–3622; Fax 515–243–l282 + Home Phone 515–274–3582 + Email ScanMan@ddrinfo.com
Hon. Judge Ko1ar Kottely
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530
Attention: Renata Hesse

Dear Hon. Judge Kolar Kottely:

I am the President of Digital Data Resources in Des Moines, Iowa. I have been involved in the technology industry for several years, and it is my hope that the Microsoft case, will be settled. The fiscal outlook for 2002 is grim. From coast to coast, revenue growth has slowed, spending is exceeding budgeted Ievels, and many states are looking at large budget cuts. After September 11, we saw a plunge in the technology sector. Instead of being tied up in court, technology entrepreneurs should at work developing products and charting new territory with never before imagined products and services.

Giants like Apple, IBM, and Microsoft provide the stable atmosphere for the myriad small firms to create, develop, and release new cutting-edge technologies. The small companies work in concert, and competition at times, with these giants. This mutually dependent relationship is the lifeblood of the industry.

Over the past 20 years, we have seen computers go from the size of a refrigerator to the size of a deck of cards. And in tandem with those leaps forward, we have seen declining prices, better and faster technology, and increasingly more efficient methods of delivery to consumers. It takes a competitive spirit to survive in this exceptionally aggressive industry of ours, especially in the case of small or emerging businesses. We spend our days watching competitors, finding markets, and keeping a watchful eye on the economy. And it seemed the storm has passed, both figuratively and in the eyes of the stock market, when a settlement was announced last year.

But the states which remain involved have argued for tougher enforcement provisions, including a court-appointed ''specia1 master'' to oversee Microsoft's compliance. And we have found through experience that there is no remedy discrete to Microsoft when it's the nucleus of a tech sector that operates as its own economy.

The states, including my own state of Iowa, are not right to push ahead for further prosecution of Microsoft. The proposed settlement goes the distance in addressing the concerns of business people like me who are in the technology industry. The time to take a hard line is over. The hold-our states are holding out to the detriment of their state economies and out national economy at a time when actions like this are not at all useful. It is a frightening prospect to see another dollar of precious development resources diverted to paying attorneys'' fees instead of rippling through our industry. Money that could have launched a new product or created new opportunities for a small business on the brink in has disappeared into the abyss of this lawsuit. The settlement is a positive step in putting it all behind us and opening a new chapter in the life of the technology industry.

I applaud Assistant Attorney General Charles James for his role in bringing the case this far. The settlement agreement is a strong one. It will have an enormous impact on the future of the entire software industry.

Sincerely,
Mark Havlicek
President
DIGITAL DATA RESOURCES, INC.
Des Moines, Iowa

MTC–00030861

Jan–07–2002 12:50pm From: HMH PHARMACY + 2707061768 T–299 P OOl/OOl
F–719
HMH
Hardin Memorial Hospital
A Regional HealthCare Center
January 7,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to comment on the settlement with Microsoft. While I am sorry that any suit was brought against Microsoft in the first place, I am happy that this situation is resolved.

I hope that the rest of the states will fall in line and get behind your settlement. It's fair and reasonable and should solve everyone's problems with Microsoft. Microsoft will share information regarding the internal workings of Windows, and computer makers will be able to use this information to more easily install their own software on Windows based operating systems. I hope that they really are in it not just to make money off of Microsoft's hard work.

Thank you for taking the time to listen to me concerning this matter. I appreciate your settling this matter and for hearing the public's opinion on this case, especially considering the huge impact Microsoft has on the average American.

Sincerely,
John Sandusky
913 N. Dixie Avenue o Elizabethtown, KY 42701–2599 o Phone: 502–737–1212

MTC–00030862

7–22–1995 3:56 AM FROM P. 1
To: The Department of Justice January 7, 2002
From James D. Murphy
7725 La Cosa Dr.
Dallas TX 75248
ofc 972 774 1603
fax 972 774 9975
email texmur01@interserv.com
Regarding Microsoft Settlement
Summation of My View

The settlement should be left as is and not changed as being sought by 9 states.

Comments

I have been a stockholder of IBM, Oracle, Computer Associates and Microsoft over the past 15 to 20 years. I invested in this area of technology because I believed that U.S. industry could compete in software, but would find it almost impossible in hardware due to countries like Japan and China and Korea having significant advantages in the hardware arena. (I have done well, and as it turns out, I may also have done well in U.S. hardware, but software was my plan, and I stayed with it.) My view of the software baffle is that IBM lost, my view I repeat is Microsoft did not win. IBM lost—

The reasons IBM lost were of IBM'S doing . . . can you believe a monster monopolist manufacturer who bought LOTUS in order to defeat Microsoft—and they lost, and then figured out the only way to get back in was the Government. In my view those involved in the software wars of that past time period continue to view IBM's mistakes as unbelievable and those mistakes resulted in Microsoft becoming, I guess, what the court has decided is a monopoly. But not a monopoly created illegally, and in my view not a monopoly created by Microsoft.

Nobody liked Microsoft then anymore then than they do today, but it turned out that we valued IBM's product even less,

Does anybody remember who IBM put in charge of LOTUS.

As we proceed on from those past days to the more current events surrounding the vast worldwide communications arena, I am at a complete loss as to how Microsoft can be judged to be acting illegally because it is a monopoly but that it would not be so judged if it were not a monopoly. What other country in the world, past or present, would view such a performing asset as a monopoly, if it were their own, and try to inhibit its growth and aggressiveness.

And I suggest that the court somehow make all aware that just making a finding yesterday that Microsoft was a monopoly last year does not make it so this year or even yesterday. And so in that legal tangle, I suggest that if one can become a ''monopoly'' without prior legal notice then the opposite must also be true and, so since in my view today Microsoft is not a monopoly, it should now conduct it's business in that manner, no, it must conduct it's business in that manner.

In the overall world of business, my charts show Microsoft ranks 125th in Revenue, and in it's competitive world it is not even a third of IBM, and less than half of AT&T. It is not a fourth of GE. It seems to mush around the likes of Brit Telecom, Dell Computer, Compaq, France Telecom, Telecom Italia, Telefonica, and is a third of Siemens, Verizon, and half of SBC, and maybe some 70% of Nokia and AOL.

Is there some belief that these corporations are not competitive—it seems to me Microsoft is the little guy in the schoolyard being punished because he does his homework, Aha, someone says, the gauge should not be Revenue, it should be EBITDA. Well I suggest the court make all aware of the gang ahead of Microsoft in that category. Number one is NTT, proud owner of

DoCoMo, some five times Msoft size and good old GE three times, and even struggling IBM a third larger. All larger and with competitive WEB intent are VERIZON, ATT, SBC and close by are BELL SOUTH, TELEFONICA, and the French and Italians.

I believe these bigger guys are trying to push Microsoft on down the communications pile and intend to hold themselves on top, and since it is unlikely that the prior court decision will be reversed let us end it now, and let little old Microsoft continue to compete in the world marketplace.

Repectfully

James D. Murphy

MTC–00030863

File No. 869 01/07 ''02 14:19 ID: FAX: PAGE 1
Date: 1–7 02
To: John Ashcroft Fax: 1–202–307–1454
Company:
From: Diana Kilgure Phone:
Re: Microsoft Settlement
Total Pages (including cover page): 2 O Urgent O For Review O Please Reply
Comments:
File No.869 01/07/02 14:19 ID: FAX: PAGE 2
MAIL BOXES ETC.
19885 Detroit Road, Rocky River, OH 44116
PH: 440.333.4810 FX: 440.333.4812
21011 Maplewood Avenue
Rocky River, OH 44116
January 3,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my support for the settlement that was reached in the Microsoft antitrust case, which I consider to be very reasonable. Microsoft must now make significant changes in its business model, such as uniform prices for hardware dealers, and provide more information to competitors. Further litigation at this point is a waste of money and serves only to hobble a company that some consider too successful.

As part of the settlement, Microsoft will have to share information making it easier for competitors to use non-Microsoft software with the Windows program. This includes disclosure of various interfaces internal to the Windows operating system. The settlement will result in more options for consumers as well as more access for competitors.

I hope you will see tit to approve the settlement and allow everyone involved to get back to the computer business.

Sincerely,

Diana Kilgore

MTC–00030864

Jan 07 02 12:25p Gary Pearce 9197878031 P. 1
8282522437 McGuire Wood 875 P02 JAN 02 ''02 12:10
McGUIRE, WOOD & BISSETTE, P.A.
ATTORNEYS AND COUNSELLORS AT LAW
DRUMOR BUILDING
48 PATTON AVENUE 20001
RICHARD A. WOOD, JR. POST OFFICE BOX 2180 RICHARD A.
W. LOUIS BISSETTE, JR. ASHEVILLE, NORTH CAROLINA 28802–3180, FREDERICK S. HARBOUR, DOUGLAS O THIGDEN, JOHN N. FLEMING & GAI JOSEPH P. McGUIRE INC & GAI HARBOUR, DORIS PHILLIPS LOOMIS, TELEPHONE: (828) 284–8800, SARAH SPARBOE THORNBURG &
M. CHARLES CLONINGER, FACSIMILE. (828) 252–2438, HEATHER WHITAKER GOLDSTEIN
THOMAS C., e-mail, DOUGLAS JAMES TATE, T. DOUGLAS WILSON, JR INC & CAI WEB SITE WWW.MWBAVI.COM, MARY E. FULER INC & ALI
JANUARY 2, 2002
Via Facsimile—(202) 616–9937
Ms. Renata Hesse
Trial Attorney, Antitrust Division
Departrncnt of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
microsoftatr@usdoc.gov

Dear Ms. Hesse:

As an attorney and a former three-term member of the Asheville City Council, I have had an invaluable opportunity to see both the good and the bad that can result from government action. As a result, I have been concerned for some time about the impact of the antitrust suit that the federal government and a number of states were pursuing against Microsoft I am glad to see now that a settlement has been tentatively reached. I was also heartened by the decision of North Carolina's Attorney General, Roy Cooper, to remove our state from the suit. He looked long and hard at the issue, and he obviously concluded that the settlement deals adequately with Microsoft's misdeeds and provides sufficient remedies to prevent future misdeeds.

According to reports I have seen on the proposed settlement agreement, Microsoft could not penalize computer manufacturers that distribute competing software. and the manufacturers would be free to install or promote non-Microsoft products and services. This seems to me to protect against anti-competitive behavior and make the settlement extremely fair and reasonable. At a time when our nation is at was with terrorism and our economy is in recession, it would be wise to reach a settlement in this matter. Both the public and private sectors must get about the business of rebuilding a vital. growing economy. I sincerely hope that the federal courts will approve this settlement and put this matter behind us
Jan 07 02 12:25p Gary Pearce 9197878031 P.2
82522437 MCGUIRE WOOD 875 P03 JAN 02 '02 12:l0
MCGUIRE WOOD & BISSETTE, P.A.
Ms. Renata Hesse
January 2, 2002
Page 2
Thank you for your attention.
Sincerely,
M. Charles Cloninger
MCC:es

MTC–00030865

P.O. Box 670, 6881 COURT STREET ROAD
SYRACUSE, NY 13206
TEL: 315–463–0062 FAX: 315–463–3352
www.countrybest.com
January 7,2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department f Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

As the Plant Manager for County Best, located in Syracuse, NY, I am writing to YOU in regards to U.S. vs. Microsoft, I'd like to take a moment of your time to tell you why I am in favor of the settlement of this case. Currently, the technical operation of Country Best depends on the latest technology, much of which has been deve!oped by Microsoft. We depend on the software we useb to handle the critical coordination of produce shipments from all areas of the nation, in and out of our facility. Not only are Microsoft's products vital to our business, but the continued innovation of these products is essential to our company, as well.

I encourage Judge Kollar Kotelly to consider the national economic climate of the United States and the negative impact that allowing further litigation against Microsoft will have. The settlement of this case will by far be in the best interest of all businesses throughout New York State.

Thank you for your time,

Sincerely,

James Giuffre

Plant Manager

Country Best

JAN–07–2002 12:03 PM COUNTRY BEST 315 463 4432 P.01

MTC–00030866

FROM: FAX NO.: Jan. 07 2002 11: 16AM P1
KEHOE-FRANCE
SCHOOL-CAMP-CHILDREN CENTER
DEO-PATRIAE-DISCIPLINE
720 ELISE AVENUEoMETAIRIE, LA 70003 (504) 733–0472oFAX (504) 783–3446
January 7, 2002
Renata Heese
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530
FAX: 202–616–9937
RE: U.S. v. Microsoft

It is my understanding that Judge Kelly will be reviewing comments on the proposed Microsoft settlement. Please know that my feeling is that this settlement is in the best interest of the economy and consumers. The technology sector needs a boost and so does our economy. This case has gone on long enough and plenty of our dollars have been spent on it. We need to encourage competition but we don't need the courts so involved in an industry that it discourages growth and innovation.

Let's settle this and encourage more companies to get out there and compete. It is Microsoft's rivals that want to see this go on and on. As for consumers we like our choices.

Sincerely,

KYLE M. FRANCE

KMF:rl

''Now in our second generation.''

MTC–00030867

01/06/2002 00:24 5152431028 DDR PAGE 01/01
Mark Alan Havlicek
1513 Sixty Sixth Street +Windsor Heights. Iowa 50311 + United States of America
Phone 515–243–3822 + Fax 5l5–243–1262 + Home Phone 515+274–3582 + Email scanMan@ddrinfo.com
Hon. Judge Kolar Kottely
Antitrust Division
U.S. Department of Justice
601 D Street, NW., Suite 1200
Washington, DC. 20530
Attention: Renata Hesse

Dear Hon. Judge Kolar Kottely:

I am the Pesident of Digital Data Resources in Des Moines, Iowa. I have been involved, in the technology industry for several years, and it is my hope that the Microsoft case will be settled. The fiscal outlook for 2002 is grim. From coast to coast, revenue growth has slowed, spending is exceeding budgeted levels, and many states are looking at large budget cuts. After September 11, we saw a plunge in the technology sector. Instead of being tied up in court, technology entrepreneurs should at work developing products and charting new territory with never before imagined products and services.

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Over the past 20 years, we have seen computers go from the size of a refrigerator to the size of a deck of cards. And in tandem with those leaps forward, we have seen declining prices, better and faster technology. and increasingly more efficient methods of delivery to consumers. It takes a competitive spirit to survive in this exceptionally aggressive industry of ours, especially in the case of small or emerging businesses. We spend our days watching competitors, finding markets, and keeping a watchful eye on the economy. And it seemed the storm has passed both figuratively and in the eyes of the stock market, when a settlement was announced last year. But the states which remain involved have argued for tougher enforcement provisions, including a court-appointed ''special master'' to oversee Microsoft's compliance. And we have found through experience that there is no remedy discrete to Microsoft when it's the nucleus of a tech sector that operates as its own economy.

The states, including my own state of Iowa, are not right to push ahead for further prosecution of Microsoft. The proposed settlement goes the distance in addressing the concerns of business people like me who are in the technology industry.

The time to take a hard line is over. The hold-out states are holding out to the detriment of their state economies and our national economy at a time when actions like this are not at all useful. It is a frightening prospect to see another dollar of precious development resources diverted to paying attorneys'' fees instead of rippling through our industry. Money that could have launched a new product or created new opportunities for a small business on the brink instead has disappeared into the abyss of this lawsuit. The settlement is a positive step in putting it all behind us and opening a new chapter in the life of the technology industry.

I applaud Assistant Attorney General Charles James for his role in bringing the case this far. The settlement agreement is a strong one. It will have an enormous impact on the future of the entire software industry.

Sincerely,
Mark Havlicek
President
DIGITAL DATA RESOURCES, INC.
Des Moines, Iowa

MTC–00030869

Jan 07 02 12:28p Gary Pearce 9197878031 p.1
12/27/2001 13:48 919–676–1536 BRACHMAN ASSOCIATES PAGE 01
BRACHMAN ASSOCIATES
8605 Devishire Drive
Raleigh NC 27615
(919) 870–1982 (919) 676–7536 fax
December 27, 2001
Renata Hesse
Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Suite 1200 Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov
Subject: Support for Microsoft Settlement

Dear Ms. Hesse:

For the last 30 years as a senior management consultant to such companies as IBM, Kodak, Xerox, Burger King, Glaxo,

Federal Express and others I have had the opportunity to work side by side with our corporate leaders to build a stronger US economy. In the last 10 years, I have seen that economic base erode due to our government's priority focusing on international trade, free enterprise, and deregulation. The result has been a significant decline or near collapse in the US in our transportation industry, our steel industry, our textile industry, our utilities industry, and others. The most successful and greatest era of growth in the last 10 years has been in the information and communications industry that has provided the foundation for increased productivity, consumer and business knowledge, military intelligence and millions of new jobs in almost every industry from finance to healthcare. The one company that has contributed the most to the US leadership in the world through its establishment of technology standards and integration of functionality has been Microsoft Corporation.

Now our Government leaders at both the Federal and State leaders are ready to undermine the one company who has provided this country that global leadership position through lawsuits and constraints that will undoubtedly allow foreign companies once again to gain a competitive advantage in our own country. I see Asian-based companies building a foundation that will dominate the hardware sector of our information industry. I see European companies doing the same in telecommunications. Microsoft Corporation's continuing expansion of its integrated technologies and application platforms allow companies of all sizes from the smallest to the largest to benefit from that leadership role and strategy. I know because those companies are my clients in the pharmaceutical, biotechnology, and other sectors of our business economy.

Please reflect on what our government has done in the past 10 years and do what you can to make the next decade one in which our government leaders support those companies like Microsoft Corporation who is doing its best to maintain a global leadership position for the good of our nation and its people. Do not let the lobbyists, the politically motivated, and the Microsoft competitors drive our government legislators and attorney generals to prosecute and persecute the one company that is still the brightest star in our economic arsenal fighting to maintain our economic survival in the ever growing world of foreign-based terrorism and protectionism.

The proposed settlement agreement that is now before the federal courts will provide adequate protections to all involved in this industry—Microsoft itself, its competitors, computer manufacturers, information technology providers and, most important of all, the consumer and end-user. It is time to accept this agreement, as the State of North Carolina has wisely done, and move forward.

Fred Brachman
President, Brachman Associates, Inc.

MTC–00030870

Jan 07 02 12:29p Gary Pearce 9197878031 p.1
12/20/01 FRI 14:40 FAX 704347408080 AON CONSULTING 002
AON CONSULTING
EMPLOYEE BENEFITS
CONSULTING GROUP
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–61 6–9937
microsoft.atr@usdoc gov

Dear Ms. Hesse:

One of the fantastic things about being an American is the ability to take a venture you started in your garage, a creation you built in your backyard or an idea you formalized your apartment and transform it into the largest, most profitable business in the world. It is this promise of fortune that led most of our ancestors to this great country in the first place. This reward of innovation has inspired and driven our most successful entrepreneurs to craft inventions that have revolutionized our world and make our lives better.

This very ideal of freedom and innovation has been under attack in the federal government's lawsuit against Microsoft. At one point, Microsoft was the whimsical dream of an ordinary American. But through keen strategy, tireless effort and enormous risk, it blossomed into the most successful software company in history. As we see with our financial markets daily, with risk comes reward, and Microsoft reaped the benefits. But the federal government has been trying

to step in and limit that growth. This intervention not only has been needless, but also a waste of taxpayers'' money. Aren't there more important issues to address, such as combating global terrorism, providing quality education to our children and taking care of our senior citizens?

I am writing to urge you our government to end its lawsuit and its efforts to regulate Microsoft's software products. Neither the already weakend economy nor the innovative spirit of America needs to be stifled by a continuation of this litigation. I have seen an analysis of the proposed consent decree, an analysis prepared by the Association for Competitive Technology. It appears that the settlement guarantees flexibility for computer manufacturers, guarantees to information technology providers access to technical specifications, guarantees flexibility to users and guarantees everyone involved the chance to get out of the courtroom and back to work It is time to do JUSt that.

Sincerely,
Brook Seaford
AON CONSULTING, INC.
101 South Tryon Street Suite 2550
Charlotte, North Carolina 28280 tel (704) 347–4080 fax (704) 347–2375

MTC–00030871

Jan 07 02 01:59p Gary Pearce 9197878031 p.1
Lisa Pace
319 Yadkin Drive
Raleigh, NC 27609
December 31, 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–6 16–993 7
microsoft.atr@usdoc.gov

Dear Ms. Hesse:

For many months, I have carefully followed the progress of the U.S. government's lawsuit against Microsoft Corporation. As a business consultant and active community volunteer, I work with a broad range of businesses and organizations that depend heavily on computer hardware and software, I have seen first-hand the importance of affordable and usable technology.

Microsoft, clearly has been an aggressive competitor in the marketplace. But Microsoft's products and services have made an invaluable contribution to the growth and success of many small businesses and organizations. It appears that the proposed consent decree in this matter strikes the proper balance between punishing Microsoft and providing remedies for computer manufacturers, Microsoft's competitors, IT providers and—most important of all—business and residential end-users.

It does not help Microsoft, its customers or our economy to continue this costly and time-consuming legislation. Our nation faces a security crisis and an economic crisis, and it is time to put all of our efforts to meeting these two challenges. A settlement in this matter now would be a blessing to all concerned. I am pleased that North Carolina's Attorney General, Roy Cooper, saw fit to agree to the settlement that had been negotiated. He is a leader of rare intelligence and integrity, and I have great confidence in his judgment, I hope that the presiding judge in this matter will bring it to a quick close. Thank you for your consideration.

Sincerely,
Lisa Pace

MTC–00030872

Jan 07 02 02:03p Gary Pearce 9197878031 p. 1
FROM : FAX NO. : Dec. 26 2001 01:01PM P2
Jane Lentz
344 Tyler Lane
Boone, NC 28607
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse:

I am writing in support of the proposed settlement agreement in U.S. v. Microsoft. The proposal presents a good compromise between Microsoft and its competitors. While it does not provide remedies that are completely satisfactory, it does allow flexibility and some middle ground for each side.

Microsoft's competitors will be allowed access to have technical information so that software developers, service providers and hardware vendors are not penalized In developing or selling products that. compete with the Windows operating system.

The other remedies provided in the suit will allow the technology industry to focus on developing innovative products thus getting the economy back on track. Consumers will benefit from the renewed competition.

Sincerely,
Jane Lentz

MTC–00030873

Jan 07 02 02:2lp Gary Pearce 9197878031 p.1
Sent by: CORPOHATE MEDIA SVC 7043772905 12/17/01 12:43 Job 726 Page 1/ 1
CMS
December 17 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse

I am writing to comment on the settlement of the Microsoft case. As a small business owner I believe the settlement will start rebuilding our economy and at the same time allow a significant investment in educating children. Microsoft has benefited consumers and business owners by providing an integrated software system that is easy to use. Our economy depends on competition and ongoing innovation that is not discouraged by litigation and regulation. A settlement will allow Microsoft and other companies to again focus their efforts on developing technology that will provide new opportunities for consumers and the technology industry. The settlement will also provide much needed training and software for our schools.

Sincerely,
Bob Summers
President
Corporate Media Services
632 West Summit Avenue,
Charlotte, NC 28203
Phone (704) 377–1601 FAX (704) 377–2905, email info@corporatemedia.com
Visit our website at www.corporatemedia.com

MTC–00030874

1–07–2002 3:09PM FROM 000000000000 P.1 :98486007 #2/2
Norma J. Smith
9367 Brighter Tower Court, #1304
Glen Allen, Virginia 23060
January 3, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite
1200 Washington, DC 20530

Dear Ms. Hesse:

Whenever there is a settlement agreement to a court case, the question arises how the terms of the agreement will be enforced. With the Microsoft case there should be no doubt on this question. An independent Technical Committee is being created that has the power to hire unlimited staff. They will be on-site at Microsoft Corporation their expenses will be paid for by Microsoft. The agreement specifies the U.S. Justice Department as the sole enforcement authority, In short, the settlement agreement provides resources, access, and authority to quickly respond to complaints about Microsoft's compliance. This is an enforcement mechanism with teeth. It should put to rest any doubts about compliance.

I am glad that this case looks like it is well on the road to being settled, Our economy is now in a recession and the high-tech industry can hopefully lead us on the road to recovery.

Sincerely yours,
Norma J. Smith

MTC–00030875

JAN-07–2002 13:40 BIXBY TELEPHONE CO. 918 366 6610 P.01/01
ED GUSTAFSON
P.O. Box 98
BIXBY, OK 74008
January 3, 2002
Attorney General John Ashcroft
The Department of Justice,
950 Pennsylvania Av, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I am writing this letter in accordance to the Tunney Act to express my opinion in support of the settlement reached between Microsoft and Department of Justice regarding the antitrust suit. This settlement will finally bring a close to the more than three years of dubious court actions. It pleases me to see the Justice Department settle this case, and I hope the settlement is enacted promptly after the comment period.

This settlement was arrived at after extensive negotiations with a court-appointed mediator present. Microsoft is not getting the sweet-deal settlement that its competitors say it is getting. It is being

scrutinized at all times by an independent committee to guarantee adherence to the settlement, and any time a competitor believes that Microsoft has overstepped its bounds, they can sue.

Even though I have reservations about the settlement's anti-entrepreneur bias, it is far preferable to breaking the company up. The decision to finalize the settlement and put this suit behind us is agreeable to me. Microsoft needs to be allowed to return to innovation.

Sincerely,
Ed Gust&on
cc: Senator Don Nickles
TOTAL P.01

MTC–00030876

January 4. 2002
Ms. Renata Hesse
Trail Attorney
Department of Justice
Antitrust Division
601 D Street N W, Suite 1200
Washingron, DC 20530
Dear Ms. Hesse:

As a business executive who represents 103 small business owners in the Dallas, Texas area, I'm writing this letter to illustrate my support of the proposed Microsoft settlement. I could write a letter with all the ''fancy words and phrases'' that would describe how unfortunate this entire situation with Microsoft and its competitors has come about and precisely why US government should end its pursuit of Microsoft However, I chose to simply state what I believe is reality in this case:

I believe our government...and Microsoft's competitors who apparently can't compete for whatever reason..have forgotten about the ''rights of American business'' to pursue and operate their business in the spirit of a free enterprise system. That's the bottom-line on this whole affair,.. Let's end this pursuit of Microsoft Ms. Hesse. Our government has spent more than enough of the taxpayer's dollar in its quest to satisfy competitors who lack the knowledge to understand customer needs in the marketplace, Rule 1 in Marketing 101.

Thank you.
Sincerely,
W.J. Thomas

MTC–00030877

The Rockford Group
718 Brentwood Lane Richardson TX 75080
Phone: 214–478–1028 Fax: 972–669–1017
December 27, 2OOl
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

Over the course of the next 30 days, you will receive comments from both aides of the Microsoft settlement issue. Many will ask that you continue efforts to dismantle or seriously disrupt Microsoft Corporation's advantage in the marketplace, I think that would be a mistake. I have read an analysis of the settlement and find that it seems to answer most if not all of the questions raised by the lawsuit. Though the settlement does not completely satisfy Microsoft's competitors, it does appear to be crafted in a way that will let the market continue to produce innovative products with minimal government regulation. And, perhaps most important of all, the consumer will benefit the most. As a concerned citizen and consumer of high tech products, I ask that you accept the terms of this settlement and put an end to lengthy and wasteful, pursuit of Microsoft Corporation.

Sincerely,
Tom Parris

MTC–00030878

ABC Coin
8524 Fifth St,
Frisco, TX 75034
800–752–7277 972–377–7100 FAX 972–335–3960
WWW.ABCCOIN.COM
ABCCOIN@AlRMAIL.NET
December 27, 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

With the announcement by the United States Department of Justice that it will not continue to pursue antitrust litigation against Microsoft, it is time for government lawyers and state attorneys general to put this entire episode behind us. A recent poll by Americans for Technology leadership shows that the overwhelming majority of the American people want this case to come to an end Nearly 75% believe the case should be resolved quickly.

I am writing because I believe that a settlement is the most efficient remedy for this case. Further litigation or regulation would result in fewer choices and higher prices. Small and minority business would be unable to afford new innovative products thus leaving them at a great disadvantage in the market place. individuals and home pc users would shift their already declining resources elsewhere, American industry would no longer be the preeminent leader in globe1 technology. This is not the vision I have of America's technology future. I. am disturbed by the misguided attempt to interfere with the advancement of American technology. That is why I am writing in support of the settlement negotiated between Microsoft and the Department of Justice. I think that the voices of American consumers should be heeded.

Sincerely,
Sharon Fox

MTC–00030879

Jan-04–02 03:31P cc I Ik-cc I Jk 972 503 2545 P.01
CCLIK-Computer Certification Learning Institute of Knowledge
972–934–2545 FAX
972–503–2545 www.ccik.com
3961 Beltline Road Addison, Texas 75001–4306 OPPORTUNITY DOESN'T KNOCK IT CCLIK'S A+, MCSE, CNE, CCNA
December 27, 2001
Renanta Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D street NW, Suite 1200
Washington DC 20530
Dear Ms. Hesse:

I applaud the recent decision by the Department of Justice to drop the monopoly and tying lawsuit against Microsoft. Now, it is time to settle the remaining issues and move on. The harm done to the technology industry by ever expanding litigation and that threat of government regulation will soon be felt by every consumer or high-tech products. Microsoft has invested tremendous resources to develop products like the new XP operating system. It is unfortunate that some competitors think it is more valuable to lobby the government in an attempt to gain market advantage rather than focus on developing innovations, such as xp.

For the sake of the American consumer and our preeminence in the global marketplace. I am writing in support of the settlement negotiated by the Department of Justice. It is time to settle all remaining issues and let healthy competition return to the high-tech industry.

Sincerely,
H.N. Symonds
CEO

MTC–00030880

COMPLETE TECHNICAL REPRESENTATION, Inc.
CTR INC.
January 4, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse.

I have been an executive in the aerospace business for the past 37 years and I do not see that a continuation of the Microsoft lawsuit will do any more than spend many additional dollars of the taxpayer's money. The settlement, as it now stands, may not completely satisfy, all parties involved, but it appears that the most logical and certainly the most cost savings to the taxpayer would be accomplished if the present settlement were accepted. There comes a time when the continuation of a lawsuit destroys the foundation of the United States business approach in that it does away with compensation to the innovative individual or company that designs, produces and markets their product. I propose that you accept the terms of the Microsoft settlement thus saving future unnecessary taxpayer's dollars.

Sincerely,
H. N. Symonds
CEO
8304 Esters Blvd., Suite 880 o Irving, TX 75063 o Metro (972) 621–1111 . Fax (972) 621-1616
o E-mail: ssymo 12312@aol.com

MTC–00030881

Pintail Technologies, Inc.
January 7, 2002
Renata Hesse

Trail Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

The case against Microsoft has gone on too long, cost taxpayers too much money and inflicted too much harm on the economy It is time for this entire case to come to an end accepting the recently negotiated settlement.

The last thing country needs is government run high-tech. I am. writing to ask that the Department of Justice and the courts let the market continue to produce low-cost, high quality innovative produces. No one is forced to buy a contain brand. there are plenty of choices. Let the consumer be the best judge of high-tech products—not the government

Sincerely,
Jeff Bibbee
CEO—President
3700 GRANITE PKWY—SUITE 320
PLANO, TX 75024 EMAIL:
INFO@PINTAILTECHNOLOGIES.COM
EMAIL:
SALES@PINTAILTECHNOLOGIES.COM
PHONE: (972) 464–5830 FAX: (972)-464–5835

MTC–00030882

14645 Woodland Road
Athens, AL 35613
To: Mr. John Ashcroft Fax: l-202–307–1454
From: Mrs. Adair McCook
Date: 01/03/02
Re: Microsoft Settlement Page: 1 plus cover
cc:
Urgent For Review Please Comment Please Reply Please Recycle
Confidential
FROM: FAX NO.: 2562337505 Jan.07 2002 04:10 PM P1
14645 Woodland Road
Athens, Alabama 35613
January 2, 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 show my support for the settlement that was reached between Microsoft and the Department of Justice in November. The agreement has teeth, It requires Microsoft to design future versions of Windows to make it easier to install non-Microsoft software and to disclose information about certain internal interfaces in Windows. It also requires significant changes in the way Microsoft develops licenses and markets its software, as well as new ways of working with independent software vendors. This agreement changes the software industry permanently. The government's settlement is more than fair. A technical oversight will monitor Microsoft to ensure that it adheres to the settlement's terms. For these reasons, I support the settlement.

Sincerely,
Adair McCook
FROM: FAX NO.: 2562337505 Jan. 07 2002 04:10 PM P2

MTC–00030883

JAN-07–2002 04:36 IVS COMPUTER TECHNOLOGY 6618358619 P.01
3839 Stockdale Highway
Phone (661) 831–3900
Fax: (661) 835–8819
IVS COMPUTER TECHNOLOGY
To: Attorney General John Ashcroft
From: Pamela Quattlebaum
Fax: l-202–307–1454 or Pages: 2
Phone.
Date: 0l/07/2002
Re: Proposed Microsoft Settlement cc:
Urgent For Review Please Comment Please Reply Please Recycle
o Comments
JAN-07–2002 04:36 I IVS COMPUTER TECHNOLOGY
6618358619 P.02
3839 Stockdale Highway
Bakersfield, California 93309
(661) 588–2904 Fax: (661) 835–8639
IVS Computer Technology
Partnerships That Provide Solutions
January 7, 2002
Attorney General John Ashcroft
U.S. Justice Department
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

One of my greatest concerns over this Microsoft lawsuit is that we—and all Microsoft customers and partners—will lose a degree of technical support if this antitrust case is pursued. In our business, support is very important. We serve the educational community and deal with people who invariably do not have the computer proficiency that any number of software engineers would have. In our 10 years in the industry we have realized the value of strong companies that over time have a successful track record in innovative products and services.

It is therefore important for me—and my clients—to rely on the expertise of technical support among all our software solutions providers. I am hoping that the recently negotiated settlement will be sufficient and will be supported throughout this review process. After all, the settlement is realistic, and will benefit the software companies that we work with. They will be able to develop more effective programs, since Microsoft has agreed to redesign Windows, and disclose its internal interfaces, which will help software companies come up with creative programs that offer more options and function better on the Windows OS.

I am appreciative of having this opportunity to voice my support of this settlement, and further hope that no further federal action will be required. Thank you.

Sincerely,
Pamela Quattlebaum
Vice President Marketing and Business
TOTAL P. 02

MTC–00030884

Sent By: ccc; 408 776 3451 Jan-7–02 5:47 PM; PAGE 1/2
Coyote Creek
Consulting
50 Airport Parkway. San Jose CA 95110
Office:408–451–8410 Fax 408–351–9525
To: John Ashcroft
From: Michael R. Faster
Fax 202–307–1454 Pages: 2 including cover sheet
Phone: Date 1/7/2002
Re: Microsoft cc:
Urgent For Review Please Comment Please Reply Please Recycle
Comments:

Dear Mr. Ashcroft,

Please see the attached letter regarding the Microsoft Settlement.

Thanks,
Michael R. Faster
President
Sent By: ccc; 408 776 3451; Jan-7–02 5:47PM; Page 2/2
Coyote Creek
Consulting
January 7, 2002
Attorney General John Ashcroft, U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washlngton, DC 20530–0001

Dear Mr. Ashcroft,

It is a better alternative to have this Microsoft lawsuit settled than having it drag on in the federal courts. Ultimately, I believe that any anticipated break-up of Microsoft anticipated by the federal prosecutors would have had serious repercussions on the Information Technology business at large. At the very least, most would have to retool the way they had done business with Microsoft. This would have distracted businesses from concentrating on servicing their client bases and expanding their businesses. In the IT business, this distraction can have serious consequences.

Ultimately, I am no sure what benefit the terms of the settlement will have on most IT businesses. The hardware manufacturers and the software publishers may benefit by virtue of the fact that the terms of the settlement are centered around either freeing up more of the Windows code. or creating greater flexibility among the various OEMs as to pre-installing the Microsoft OS.

In start the settlement is basically a good thing and hopefully will be sustained throughout this review process. Thank you.

Sincerely,
Michael Faster
President
CC: Representative Zoe Lofgren
50 Airport Parkway San Jose, CA 95110
Voice (408) 451–8410 Fax (408) 351–9525
Microsoft
GOLD CERTIFIED
Partner

MTC–00030885

From: Robert Elmore
To: Attorney General John Ashcroft
Date: 1/7/2002 Time: 10:21:12 PM
FACSIMILE COVER PAGE
To: Attorney General John Ashcroft
From: Robert Elmore
Sent: l/7/2002 at 10:21:10 PM Pages: 2 (including Cover)
Subject: Microsoft Settlement
From: Robert Elmore
To: Attorney General John Ashcroft
Date: 1/7/2002 Time: 1O:21:12 PM
5604 West Pages Lane
Louisville, Kentucky 40258
January 7, 2002
Attorney General John Ashcroft
US Department of Justice

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I write to you in support of your settlement with Microsoft in the ongoing antitrust case. I am happy to see that you have all agreed on a resolution after three long years and I hope that the other states can be brought into line as soon as possible.

Microsoft has done a lot for our economy and for the IT industry as a whole. I hope now that it will be able to continue to do the same after this settlement and I wish Microsoft well. The settlement thankfully did not require it to break up, but it will, I think, be enough to convince Microsoft's competitors that it did not get off easy.

Thank you for hearing me out and taking my opinion into consideration. I support the settlement and hope to see it finalized soon.

Sincerely,

Robert Elmore

MTC–00030886

JAN 08 2002 08:51 FR ENGINEERING/OSB 321 867 2167 TO 82026169937 P. 01/01
January 7, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

In November, the long-fought battle between Microsoft and the Justice Department finally saw a resolution. It was a resolution that was long overdue. Vast time and resources were spent to reach this resolution, and I see no need to continue further litigation.

The provisions in the resolution were extensive and included items that were not even a factor in the original lawsuit. The settlement also has some terms that are unprecedented for this type of lawsuit. For example, the Microsoft settlement requires Microsoft to provide to its competitors interface information about its own software. To enhance market competition, there are terms in this settlement that restrict Microsoft from entering into any agreements with computer manufacturers that would stifle competition. This will mean that hardware makers can install other products, keeping Microsoft responsive to the market for more efficient products.

The November settlement is plenty good enough, and I see no need to spend more taxpayer money further litigating this suit. I urge you to leave the suit as is. The economy would benefit the most if this issue was finally resolved. I thank you for your time and am sure that you will do what is best for all parties involved.

Sincerely,

Michael Payne
3402 Caraway Street
Cocoa, FL 32926

MTC–00030887

l-07–2002 7:36PM FROM 000000000000 P. 1
DIANE DODD-McCUE, D.B.A.
January 2, 2OOl
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing you about the Microsoft settlement.

I find that the Microsoft settlement goes beyond the issues upheld on appeal, which may result in questionable future outcomes to individual users, companies, and industry. I find it hard to comprehend having a committee and the Court supervise the future of software design. The software industry, like many in our nation's long history of business successes, has-soared because of the free market system, entrepreneurial spirit, and innovation, ''Supervised'' development could likely hinder this spirit and innovation in the future. Consumers have not been harmed by Microsoft's actions. To the contrary, innovations by Microsoft have given us better products and lower prices.

With 2002 comes reason for optimism as a nation, after the horrors of September, and optimism for the economy. The Microsoft settlement, while limited by the previously mentioned factors, still may serve as an impetus to move forward as opposed to remain bogged down in lengthy court actions. We all need to get back to work.

Yours truly,

Diane Dodd-McCue

8107 University Drive Richmond, VA 23229 (804) 673–9723 E-Mail HADDODD@hsc.vcu.edu

MTC–00030889

Jan-08–02 04:20A U. S. Postal Service—P1 706 562 1786 P.01 4521 Hedingham Lane Columbus, GA 31907
January 8, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft,

I am disappointed at the delays arising from more talk and less action about the Microsoft settlement. I cannot understand how a few special interest can manage to clog up the process indefinitely. To me, the settlement is demonstratively fair, and if anything, it is unfairly casligatory is Microsoft.

Microsoft is already abiding by the terms, and has been since November 16th, so I'm sure that we'll get to see the influence of the settlement soon. This means that the even though the settlement hasn't been enacted, even while Microsoft's competitors benefit from such measures as interest services and licensing changes, they can still actively work to destroy Microsoft altogether in fits of jealousy.

It is (illegible) that this charade has gone on long enough. The government must stop action at the federal level. Now what the proverbial cat is out of the bag, and Microsoft is directly giving up its intellectual property, the company should be allowed to return to business.

Sincerely,

Jeffrey Gittings

MTC–00030890

01/08/2002 01:12 2158226040 WETHERBEE PAGE 01
Charles D. Wetherbee
19 Farber Drive
Chalfont, PA 18914–1472
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a concerned American citizen, I am writing to voice my displeasure regarding the antitrust case between the Justice Department and Microsoft Corporation. I believe that Microsoft should not have had to endure three years of litigation for alleged antitrust violations. I support the products that Microsoft has developed and will continue to develop.

Their products are of high quality and are user friendly. It is in the best interests of the Justice Department to settle with Microsoft, and not continue with litigation against them. This case has been ongoing for there years. It is time for all parties to move onto other matters.

Furthermore, the settlement is both fair and reasonable to all parties. Microsoft will be making specific changes in response to the settlement. These changes include the following: computer makers can replace access to Windows Media Player, Windows Messenger, and Internet Explorer with access to non- Microsoft software.

Sincerely,

Charles D. Wetherbee

cc: Senator Rick Santorum
Senator Arlen Specter
Rep. James Greenwood

MTC–00030891

Jan 07 02 08:04p Larry Goldrstein 215 4894046 p.1
Goldstein Educational Technologies
Mathematics and Technology in Higher Education
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a father of a Microsoft employee and an avid supporter of Microsoft products and services, I am writing to express my support of the recent settlement in the antitrust case between Microsoft and the US Department of Justice. I had disagreed with the government's interference and am glad that it will finally be over. From my knowledge of the concessions Microsoft has agreed to make, I see that they will be disclosing Interfaces to competitors, licensing its windows operating system products, increasing computer maker flexibility, and easing retaliations against computer makers.

These actions reflect a more than adequate compromise and should be seen by Microsoft's opponents as indications of Microsoft's desire to do whatever is necessary to facilitate technology growth and aid a faltering American economy and injured technology sector.

I look forward to Microsoft's growth in the future and feel confident its presence will remain a powerful force for our economy and a positive example for others to follow.

Sincerely,
Dr. Larry Joel Goldstein
President
Goldstein Educational Technologies
cc: Senator Rick Santorum
4 Bittersweet Dr. Doylestown, PA 18901
Phone (215)-489–4045
FAX (215)-489–4046 e-mail
lgolt@erols.com

MTC–00030892

Jan 07 02 06:07p JW 3602634403 p.1
31103 NW 18th Avenue
Ridgefield, Washington 98642
January 3, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

The settlement pending in the Microsoft antitrust case currently represents the best available solution to this case. It is time to stop wasting resources on a battle that has already been resolved.

Under the settlement, Microsoft has agreed to be watched closely by an oversight committee that will make sure it complies with all of the terms of the agreement. Some of these terms include Microsoft designing future versions of Windows to provide a mechanism to make it easy for computer makers and software developers to promote non-Microsoft software within Windows, disclosing information about how Windows works, and not retaliating against its competitors'' lawsuit. This will provide more choices for consumers, and stronger competition within the industry. The result will be beneficial to the IT industry.

I support this settlement and hope it is finalized in the very near future.

Sincerely,
Joseph Walker

MTC–00030893

From Edward S. Barba to l-202–307–1454 at l/7/2002 6:07 PM Pg 00l/0
304 Franklin Avenue
Phoenixville, Pennsylvania 19460
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing to support the antitrust settlement between Microsoft and the US Department of Justice. The settlement was reached after many long hours of negotiation, and represents the best viable solution to the antitrust dispute. I think it is a waste of resources and time for any states to oppose such a settlement and hope that Microsoft is allowed to focus on making a positive contribution to the technology sector as soon as possible without being harassed further by politicians and lawmakers.

Some may say that the settlement goes too easy on Microsoft. This is simply not the case. Microsoft will have to share information about internal interfaces within Windows, allowing the companies to tinker with Windows and install their own software on the operating system. Additionally, Microsoft will be prevented from retaliating against companies that distribute or promote products made by Microsoft's competitors. It is for all these reasons and more that I support the settlement and hope to see it implemented soon.

Sincerely,
Edward S. Barba
cc: Senator Rick Santorum

MTC–00030894

FROM : STARCOM FAX NO. :214 821–7137 Jan 05 2002 04:24PM P4
Dallas
LNESC
National Educational
Service Centers, Inc.
1527 W. Colorado Blvd. Dallas, TX 78208
fax: (214)821–7137
Renat Hcsse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

The U.S. Department of Justice and nine state attorneys general decided to settle the Microsoft antitrust case. A recent survey done by Americans for Technology Leadership, a broad-based coalition of technol- ogy professionals, found that 70 percent of American consumers agreed with that decision. Yet the pursuit of Microsoft continues. It seems that a handful of Microsoft's competitors have pre- vailed upon the remaining nine state attorneys general to reject any settlement—be it reasonable or not—and continue to chip away at Microsoft. Their eventual goal seems to be leveling the playing field by bringing Microsoft down to their level.

If Microsoft's competitors think this will result in consumers rushing to buy their products. maybe they should examine some additional results from this survey. Of the 1001 individuals contacted in early November, 82 percent said that Microsofts competitors should compete by creating new products rather than lobbying for the government to stop Microsoft's new products. American leads the world in technological innovation thanks in large part to Microsoft. Let's not lose that advantage because we're afraid to let one corporation get too far ahead in the market place. I say, settle this case quickly and let's get back to what made America great—competition.

Sincerely,
Renato De Los Santos Director

MTC–00030895

l-07–2002 5:49PM FROM 000000000000 P.1
JAN-02–2002 09:25 NANCY MILES MAUPIN 804 353 4496 P.01
NANCY MILES MAUPIN
1514 PARK AVENUE
RICHMOND, VIRGINIA 23220
December 31, 2001
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

It is my understanding that the public is allowed to comment on the Microsoft settlement. What follows are my comments on this proposed agreement.

I understand that the agreement specifies that Microsoft would have to promptly disclose technical information that enables any Windows operating system to communicate with Microsoft servers and with all Microsoft middleware products. To encourage more non-Microsoft middleware, the settlement forces Microsoft to license any intellectual property rights that others might need to compete with Microsoft. And as with computer manufacturers, Microsoft could not penalize any software developer, service provider, or hardware vender that develops or sells products that compete with Windows and Microsoft middleware. The net result is that all information technology providers, including Microsoft's competitors, are guaranteed access to technical specifications.

I would add that the antitrust laws were meant to protect consumers, not for certain powerful companies to protect themselves from market competition. ProComp, AOL Time Warner, Sun and Oracle should stop encouraging the government to fight their battles for them in court and tight in the marketplace, where this battle belongs.

Yours truly,
Nancy M. Maupin
TOTAL P.O1

MTC–00030896

FROM : STARCOM
FAX NO: :214 821–7137
Jan. 05 2002 03:44PM P2
Starcom Consultants, Inc.
Communications—Marketing—Government Relations
January 4, 2002
Renata Hesse Trail Attorney
Antitrust Division
Department of Justice
601 D. Street NW, Suite 1200
Dear Ms. Hesse,

Despite all the hoopla over the announcement that the Microsoft case had been settled, it is my understanding that it still has to be approved by a judge. I am writing as an avid user of Microsoft products and a supporter of the settlement. I oppose the efforts of the nine state attorneys general who want no part of the settlement preferring instead the complete dismantling of Microsoft. To his credit, Texas Attorney General John Cronyn wisely'' declined to drag our state into this technological boondoggle. In hindsight, Cornyn's decision could benefit Texas.

A quick look at the proposed settlement should make Texans anxious to move forward. The settlement avoids long g costly litigation. It will restore healthy competition to the technology industry which is growing rapidly in Texas. Terms of the settlement will allow computer manufacturers flexibility with desktop configurations, an unprecedented concession on proprietary materials. But perhaps most important of all, the consumer will have access to Microsoft's innovative products with the option to switch easily to other products.

What more can you possibly ask for? This settlement appears to be in everyone's best interest. It is time to accept it and move on.

Sincerely,

Jake Fuller
President
4314 North Central Expwy—Dallas, TX 75206
(214) 821–7002—fax (214) 821–7137—email: starcomc@swhell.net

MTC–00030897

FROM : STARCOM FAX NO. : 214 821–7137 Jan. 05 2002 04:23PM P2
LEAGUE OF UNITED LATIN AMERICAN CITIZEN Councilivo . Dallas, Texas
January 4, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

Four years ago, the U.S. Department of Justice and 18 state Attorneys General brought suit against Microsoft claiming their preeminence in the software market created an unfair advan tage over their competitors. Now, after millions of wasted taxpayer dollars and countless attempts to halt the technological advances of Microsoft, the Department of Justice and 9 attorneys general have agreed to settle the case. So whats the hold up?

Could it be that Microsoft ''s competitors are shaking in their corporate boots because they have not kept up with the rapidly moving technology market and are doing everything they can to bring Microsoft down to their level by thwarting a settlement? It is ironic that Microsoft's competitors are leveling charges of unfair market practices when it is they who are practicing the worst kind of anti-competitive tactics. Instead of using their money to create new innovative products for the American consumer, they are throwing millions of dollars into lobbying efforts to bring innovation to a halt until they have time to ''catch-up''.

As a high-tech consumer, I find it disgusting that corporations who regularly oppose any type of government regulation by hiding behind the ''free market'' banner are suddenly calling for more government intervention I have a simple solution. Stop your whining. Get back to work producing new and innovative products that consumers want to purchase. That's what Microsoft has done. It seems to work for them.

Sincerely,
Joe R. Campos
President
4314 N. Central Expressway—Dallas, TX 75206—fax(214) 821–7137—email: lulacl00@yahoo.com.com
Members
Joe Alcantaz
Patricia Asip
Michelle Bahadillo
Adelfa Callejo
Bill Callejo
Joe Campos
Roseanna Costillo
Gil Chavez
Frank Cortes
Del Cruz
Mary Devile
Ken Fleischer
Steve Fleischer
Hector Flores
Jake Fuller
Alex Garcia
Guillermo Golindo
Gilbert May
Gil Herrera
Alex Jimenez
Tom Lazo
Lena Lavario
Rene Martinez
Michael Manoya
Brenda Reyes
Dr. Jim Rodriguez
Jim Salinas
Richard Saminano
Gloria Torres

MTC–00030898

JAN-08–2002 10:09 P. 01/01
1101 East First Street
Sanford, Florida 32771
January 5, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I want to take a moment to write that I support the settlement that was reached between Microsoft and the Justice Department. I believe ending this litigation is in the best interest of consumers and the consumer industry. Although I did not support commencing this litigation in the first place, it is time to move forward. The agreement incorporates many of the changes Microsoft's competitors desired. This includes granting computer makers broad new rights to configure Windows so as to promote non-Microsoft software that compete with programs included within Windows.

I have been in the computer industry for forty years and understand the importance of Microsoft and their products. The industry would still be extremely inefficient if not for the leadership of Microsoft. Freeing Microsoft to concentrate on bringing the latest technology to the market will continue making the computer industry a powerful engine to our economy.

Hopefully this settlement will be one of the last steps in bringing this entire affair to a conclusion. Thank you for the opportunity to have my voice heard.

Sincerely,
Bill Allen
IT Administrator
Seminole County Tax Collector
TOTAL P. 01

MTC–00030899

Jan-08–02 09:02A
Lewis Larsen 312–861–0831 p.01
Lewis G. Larsen
I75 North Harbor Drive, Suite #3205
Chicago, IL 60601–7346
Tel: (312) 861–0115 Fax: (312) 861–0831
E-mail: lewisglarsen@cs.com
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Via Facsimile to 202–307–1454
Dear Mr. Ashcroft:

After years of litigation, I was pleased to hear that the government has made the wise decision to settle with Microsoft in regards to the antitrust lawsuit. I hope that no further litigation will be pursued in the future. I feel that this settlement is fair and reasonable, considering it was arrived at after extensive negotiations with a court appointed mediator. While new government regulation will be imposed on the IT sector, this settlement will provide greater certainty about the new rules and thereby ensure that our industry can continue delivering advanced technology to the marketplace. Microsoft will, for example, be required to share information about the internal workings of Windows with its competitors so they can more easily place their own software on Windows-based systems.

With other pressing national priorities, it does not make any sense to spend scarce DOJ resources and taxpayer dollars on further litigation with Microsoft. As a participant in the software industry, I am well aware of Microsoft's hyper-competitive, hard-nosed business tactics. If anything, Microsoft has been guilty of being a super-competitor; its market dominance is a direct result of strong management talent, incredibly focused business tenacity, and an enormous willingness to keep pouring money into its products until it ''gets them right'' for its customers. By contrast, a predatory super-monopolist attempts to minimize capital spending and uses its market dominance to maintain or raise the prices of its products.

Microsoft's behavior has never met the definition of a monopolist —- adjusted for inflation and major increases in useful features that are embedded in Windows, the price of Microsoft operating system software has never been lower than it is right now! Furthermore, Microsoft's software has made immeasurable contributions to the growth of the U.S. economy over the past 15 years and made our country the undisputed world leader in computer technology. Punish Microsoft for that? You have to be kidding me. It makes no sense. Thanks to you and your DOJ team for making the choice to settle—-in doing that you are truly protecting the interests of our country's consumers and citizens.

Sincerely,
Lewis G. Larsen

MTC–00030900

01/08/2002 09:55 18173550882 GATTEN PAGE 01
1108 El Camino Real Apt. 233
Euless, Texas 76040
January 7,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

Last November finally saw the resolution of the three-year long antitrust lawsuit filed against Microsoft. Much time and many resources were spent to get to this final resolution, and I believe that no more needs to be spent. The resolution that was reached in November is just fine the way it is. It includes provisions to protect the smaller software companies trying to compete with the much larger Microsoft. It has provisions within it to keep the competition strong and

healthy in the information technology market. Some of these beneficial provisions are as follows. Microsoft will now issue unified pricing lists so that companies entering into licensing contracts with Microsoft will all receive the same treatment. Microsoft has agreed to not include in any new contractual restrictions that would limit competitors'' ability to promote software. This settlement even has a provision that would require Microsoft to disclose any interface information to a software company that would require such interfaces to work with Windows. These extensive provisions are quite enough.

As I said, enough time has already been spent resolving this issue. Therefore, I urge you to leave the current settlement in place with no substantial changes. I thank you for your time.

Sincerely,

Jerry Gatten

MTC–00030901

LEKTRONIK DEVICES CO.
1712 Poinciana Ln.
Plano, Tx 75075
972–423–2028
Fax: 972–423–6088
January 8, 2002
Renata Hesse
Trial Attorney
Antitrust Division
department of Justice
601 D Street NW, suite 1200
Washington, DC 205030

Dear Ms. Hesse:

Please do all that you can to get the responsible court to accept the Microsoft agreement to settle the lawsuit brought by the Department of Justice. Our high-tech industry has suffered greatly, partly due to the millions of dollars spent on legal wrangling over this suit that, in my opinion should not have occurred. The suit was brought in part by HP and Sun Microsystems who had developed systems using software that was not user friendly; even engineers found it difficult to use. The simplicity of the Microsoft software propelled their products to the top of the market.

The proposed settlement, as I understand it, would require Microsoft to disclose technical information to its competitors, guarantee flexibility to computer manufacturers for desktop configuration, and make it easier for consumers to switch to non -Microsoft software. This seems to me to be more than fair for any competitor who believes success lies in the power of his/her ideas rather than through litigation.

Let's bring this wasteful pursuit of Microsoft to an end, so that the money can be spent on innovation rather than litigation. Innovation helps our nation; litigation helps only a few trial lawyers to the detriment of our nation. END IT NOW!

Yours truly,

Bruce Leake

MTC–00030902

JAN-07 02 15:28 FROM:MAREK R MOLDAWSY 4198910315
TO: 202 353 8856
PAGE: 01
662 Centerfield Drive
Maumee, OH 43537
January 8, 2002
Attorney General John Ashcroft
The Justice Department
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing in support of the settlement reached with Microsoft two months ago. This settlement is fair and reasonable. I am relieved that this three- year- long dispute is resolved.

I am an instructor at a community college, and am very familiar with Microsoft products. Microsoft has provided simplicity and standardization to America's computer industry, and the company is the primary reason that we set the standard in this field. The settlement will allow for even more standardization. It will obligate Microsoft to disclose interoperability protocols to their competitors, so that non- Microsoft software will be more effective on a Windows platform, and hardware makers can install non-Microsoft programs onto their computers before shipping them to dealers and customers without fear of retaliation from Microsoft.

This settlement will strengthen our economy by allowing Microsoft to devote its resources to creating its innovative software. Thank you for settling with Microsoft; keep up the good work as Attorney General.

Sincerely,

Marek Moldawsky

MTC–00030903

Jan 08 02 04:25p AMS-JWS/NAPLES 941–593–1646
JACK W. SUMLIN
2289 Arbour Walk Circle, Apt. 322
Naples, FL 34109
January 8, 2002
US DOJ, Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to show my support for ending the litigation, and enacting the Microsoft antitrust settlement, Having been a very avid supporter of AT&T in the past, I strongly oppose further interference from the government in this case. Like AT&T, Microsoft was an excellent company with an even more impressive product. In AT&T's case, Americans paid dearly for it, so it is important that we don't allow Microsoft and its customers to end up the same way. The government has interfered in the software industry long enough, and it is time for Microsoft to be done with this settlement so that they can move forward with developing new products.

Given the terms of the settlement, I am positive that these constraints and commitments will be sufficient to foster the software market back to fair competition. Microsoft has included in this agreement grants to makers to configure Windows as to promote non-Microsoft software programs that compete with programs included within Windows. Microsoft has also agreed to share protocols native to the Windows'' operating system in order to promote compatibility.

In addition, I hope the government and any disagreeing parties will be comforted by the agreement to establish the Three-Person Technical Committee that will monitor Microsoft's compliance with the settlement and will be expected to lodge a complaint should any part of the agreement be violated. Microsoft has clearly been checked in all facets of this lawsuit, and thus further litigation would be a waste of time and money. The only beneficial solution for the public is the end of this settlement.

Thank you for your time and consideration on this lengthy matter.

Sincerely,

Jack Sumlin

MTC–00030904

01–08–2002 03:51PM FROM SAEED FALLAH 203–431–3413 TO12023071454 P.01
32 Banks Hill Place
Ridgefield, Connecticut 06877
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Under the Tunney Act, the DOJ is required to accept comments on antitrust settlements for a period of 60 days, and I am submitting my opinion. I support the settlement that was reached last November between Microsoft and the Department of Justice.

The federal government should have never gotten involved with Microsoft in the first place, and I am glad to see that the issue is coming to an end. Microsoft actually had to concede more than they would have liked, but with the best interests of the economy in mind, they settled as soon as possible. Now the company will share information about the internal workings of Windows, and will let its competitors install their own software on Windows-based system. Let's not forget that the whole economic downturn began when the antitrust suit against Microsoft was launched.

I appreciate your time, and again, am going on record that I support the Microsoft antitrust settlement.

Sincerely,

Saeed Fallah

TOTAL P.01

MTC–00030905

01/08/2002 14:34 513332655529 CINCINNATI PAGE 01/02
ICX CORPORATION
11260 Chester Road Suite 305
Chester Road
Cincinnati, OH 45246
513.326.5520—Voice
513.326.5529—Fax
Fax
To: Atty Gen. John Ashcroft From: Gary Gross
Fax: 20/307–1454
Phone:
Re:
Pages: 2
Date:
Cc:

Urgent For Review
Please Comment
Please Reply
Please Recycle

See attached letter.
01/08/2002 14:34 513332655529
CINCINNATI
PAGE 02/02 8290
Farwick Court
Cincinnati, OH 45249
January 3, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

As the stipulations of the Tunney Act mandate, I am writing to express my unwavering backing for the antitrust settlement against Microsoft. The settlement is eminently fair, and there should not be any reason as to why the government should pursue any further action against Microsoft. I am therefore going on record as supporting the settlement.

The proposed agreement requires significant changes in the way Microsoft develops and licenses its software. The settlement requires the uniform allocation of licensing agreements to the top twenty computer manufacturers, and is charged with redesigning Microsoft Windows XP to be more accommodating to non-Microsoft products. While new government regulation will be imposed on the IT sector, this settlement will provide certainty about the new rules and thereby ensure that our industry can continue delivering advanced technology to the marketplace.

I fully support the settlement that was reached between Microsoft and the Department of Justice. Thank you for your time, and I appreciate this comment opportunity.

Sincerely,
Gary Gross

MTC–00030906

an 08 02 12:58p (817□ 927 1605 p.1
David B. McReynolds, M.D.
1500 S. Main Street, Fort Worth, Texas 76104
(817) 927–1171
Fax
TO: Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
FAX: (202) 616–9937
FROM: David B. McReynolds, M.D.
PHONE: (817) 927–1171
an 08 02 12:58p (817) 927 1605 p.2
David B. McReynolds, M.D.
1500 S. Main Street, Fort Worth, Texas 76104
(817) 927–1171
December 27,200l
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

I am writing to express my concern that the government is trying to take too big a role in the technology industry. For the past several years, the Department of Justice and some state Attorneys General have tried to prove that Microsoft was a monopoly. In the process, they have cast a pall over the entire industry with the specter of government regulation.

It would appear to me that the best approach is to settle all remaining issues and quickly remove the government from interfering with the market. If this is not done expeditiously, I fear the consumer will soon pay the price for higher cost software, less efficient operating systems and increased incompatibility among competitors. True competition in the market will allow continued innovation which in turn will mean increased efficiency and lower costs. After reviewing terms of the Microsoft settlement, I have come to the position that it is in the best interest of our nation's technology industry and consumer s to accept the negotiated terms and get on with business of real competition.

Sincerely,
David B. McReynolds, M.D.

MTC–00030907

Jan 08 02 12:53p 00000000 p.1
AMISTAD TEXAS LLC
Fax
To: Renata Hesse
From: Reinaldo Rosas
Fax: (202)616–9937 Pages: 2
Re: Microsoft Settlement Cc:
204 W. Central Av. o Fort Worth TX 76106
o 817.705.1018 o
rrosas@amistadtexas.com
Jan 08 02 12:53p 00000000 p.2
AMISTAD TEXAS LLC
January 4, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse: Microsoft just released its new XP operating system. If some competitors had their way, this new innovative product would have been tied up in federal court and never released. It is really unfortunate that the United States government, and one or two envious competitors, are plotting to stifle innovation within the high-tech industry. When new products are placed on the market, consumers will be the ultimate beneficiaries as they gain greater access to new and emerging technology. Consumers always win when they are given innovative products that give them more choices and more control of their computing experience. Settling the Microsoft case will force technology companies to get back to work and create new and innovative products that will compete for a share of the market. If the negotiated terms of the settlement are not accepted, the result will be millions of industry and taxpayer dollars being directed toward litigation instead of innovation. This will only serve to diminish the superior quality of American technology.

It is time to settle all remaining issues before any more harm is done to the industry.

Sincerely,
Reinaldo Rosas,
President 204 W. Central Av. * Fort Worth TX 76106 * 817.706.1018 * rrosas@amistadtexas.com

MTC–00030908

01/08/2002 TUE 13:59 FAX 3217295605
SYSTEMS 001
INTERSIL
intersil
KARL McCALLEY
Vice President
Phone:(321)729–5709
Fax: (321)729–5605
(321)729–1104
Date: January 7,2002
To: Attorney General John Ashcroft
Fax: (202)307–1454
From: Karl McCalley
Phone: (321)724–7386
Number of pages to be sent including cover page Two (2) Comments:
01/08/2002 TUE 14:00 FAX 3217295605
SYSTEMS 002
intersil Karl McCalley
Vice President, IT
2401 Palm Bay Road
MS-53–225
Palm Bay, FL 32905
January 5,2002
Attorney General, John Ashcroft
US Department of Justice 950
Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr, Ashcroft:

Like most consumers of technology products, I was happy to learn that Microsoft and the Department of Justice have finally come to a settlement agreement that can forever end the antitrust lawsuit at the federal level. The premise that Microsoft exercised monopoly power was flawed from the start. In a monopoly environment, the consumer is hurt. In the IT industry, the consumer only benefited from Microsoft's size and large market share. Microsoft's competitors, not their consumers, were hurt. In any other industry, what Microsoft did would be called savvy business practices, not a monopoly.

In the end, the government's involvement in the affairs of Microsoft will hurt consumers of technology products. Microsoft has already been hurt enough by having to share information about the internal interfaces in Windows and not being able to react when a company promotes non-Microsoft products. I support the settlement that is currently on the table. The IT industry and the American people deserve an end to this lawsuit.

Sincerely,
Karl McCalley
Vice President
lntersil Corp.

MTC–00030909

From: Richard Rubin
To: Renata B. Hesse Date: 18/2002 Time: 10:03:50 AM Page 1/2
FACSIMILE COVER PAGE
To: Renata B. Hesse
Sent: 1/8/2002 at 10:03:48 AM
From : Richard Rubin
Pages : 2 (including Cover)
Subject : Microsoft penalty: one users experiences
From: Richard Rubin To: Renata B. Hesse Date: 1/8/2002 Time: 10:03:50 AM Page 2 of 2

One captive users comments re:Microsoft (Sent to Microsoft)

ONCE AGAIN I must purchase the OVERPRICED Full Install of a Microsoft

Windows product (XP) because my previous OEM install of Windows (Me, with ''free upgrade to Xp'' offered by Compaq, but never received) has DEGRADED, despite my cautious grooming and care, to become a WORLD OF MALFUNCTIONS and CRASHES.

To ''Upgrade'', even ''for free'' would be to import your broken soft-machinery from the past. And the corporate claim is, once again that Xp is more stable than YOUR OWN OLD PRODUCT, which therefore, I infer, had a stability problem? And you have strong-armed your Compaq OEM contract to provide no relief on your DEFECTIVE PRODUCT. Little-Me will let my thoughts be known to appropriate ears in the penalty decisions pending for your creative, but overaggressive and undergenerous corporation.

Richard Rubin
10407 McClemont Ave
Tujunga, CA 91042
818–951–0255
ri.rubin@verizon.net

MTC–00030910

The Computer Department, Inc.
510 East Allen Street Phone: (217) 788–8234
Springfield, IL 62703 Fax: (227) 788–8121
tcdinfo@computer-dept .com
http://www.computer-dept.com
fax
facsimile
To: 'Mr. John Ashcroft'
Company:
Fax Number: +1 (202) 616–9937
Business Phone:
From: Ed Russell
Fax Number: +1 (217) 788–8121
Business Phone:
Home Phone:
Pages: 2
Date/Time: 1/8/02 11:23:34 AM
Subject:
CONFIDENTIALITY NOTICE

The documents accompanying this telecopy transmission contain CONFIDENTIAL information belonging to the sender. This information is intended only for the use of the individual or entity named below. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of action in reliance upon the documents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for the return of the original documents to us.

The Computer Department, Inc.
Programming Networks Systems Consulting Internet Help
January 7,2002
John Ashcroft, Attorney General, U.S. Department of Justice
950 Pennsylvania Avenue NW, Washington, DC 20530–0001

Dear Mr. Ashcroft:

There is no real, clear consensus among those in the IT industry as to what impact would there have been had this lawsuit against Microsoft proceeded to the end. It would have taken years for the full effect of the lawsuit ''remedies'' to have been felt, but this much is immediately clear: As soon as any breakup of Microsoft would have taken effect, there would most certainly have been wide-ranging disruption in both services and support. Additionally, even before any breakup, there would have been a serious depression in software and services sold as most people would have adopted a ''wait-and-see'' attitude.

All this, however, is both speculative and unnecessary, now that this settlement has been reached. The settlement will benefit consumers with its many provisions concerning Microsoft's relinquishing of intellectual property to competitors and the government. It will mean that hardware makers will be able to install non-Microsoft software more conveniently on computers with a Windows OS, and furthemore, they can do so with impunity, knowing that Microsoft is forbidden to coerce them to do otherwise.

I am hoping that this settlement prevails through the review process. As it is now, the entire IT business, along with the rest of the country's economy, is experiencing slower growth. I would expect that, at least insofar as the IT industry is concerned, once this settlement is affirmed, these doubts will be banished and hopefully the IT business community will recover to once again lead our country's economy out of this recession.

I am appreciative of this opportunity to express my opinion in this way. Thank you.

Sincerely,
Ed Russell
President
610 East Allen—Springfield, IL 67763—P# 217–788-TCDI (8234)—Fx 217–788–8121—www.computer-dept.com

MTC–00030911

Sent By: DICOM Financial, 972 562 9931 Jan-8–02 10:08AM; Page 1/1

DiCom
Providing Solutions Since 1969
Renata Hesse, Trial Attorney Antitrust Div
Deparment of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: Microsoft Settlement

Ms.Hesse

Our company uses Microsoft software products on all of our computing systems. These systems allow our small business to serve our customers with the same high quality and efficiency offered by much larger competitors in our marketplace. Microsoft products enable our employees to do their tasks with inexpensive and highly reliable tools, once only available at tremendous costs through specialized programming experts.

I wholeheartedly believe In the old saying ''build a better mousetrap and the world will beat a path to your door''. (Microsoft has done just, that and should not be penalized by the government, but judged In the free narktplace where they will succeed or fail on their merit and practices—supported or not by their customers. Antitrust laws are designed to protect consumers, yet at no time has the government shown that any consumer were hurt by Microsoft's size or marketing. It is time to put an end to this costly and competitor-driven lawsuit. I cannot imagine what the effect on American technology would be if the federal government micromanages this market, but I can envision having my high-tech needs serviced by the same attitude that serves me at the driver license bureau! Please consider the small businessperson's position as you go forward. Our survival hinges on our ability to serve our customers effectively. Micorsoft has pionerred the products and tools that allow us to provide the highest quality service today and I believe in the future.

Sincerely,
Paul K. Haubrich
President
PKHl/ict
DiCom Financial Corporation .
2204 St. Andrews Court.
McKinney, Texas 75070
Phone: 972 578 0118.
Fax 972 562 9931.
E-mail: DiComFinancial.com

MTC–00030912

Toon & Associates
1727 Carllsie
Irving, TX 75052
January 7, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Madam:

I am writing this letter in support of the Microsoft settlement. It is my opinion that to continue the vast resources of Microsoft will benefit no one except a handful of envious competitors. Ending the case will benefit the American consumer. Doesn't it make more sense to put the vast resources of Microsoft to productive use rather than mete out punishment that will at best force the company to offer rebates to software purchasers?

I for one would rather see Texas high tech industry continue to have access to innovative products produced by corporations like Microsoft than to have innovation quashed by greedy competitors and taxpayer funded lawsuits. They act like we have limited resources in this country. I implore you to convince the Court to accept the terms of the settlement and let Microsoft begin implementing the full terms of this historic agreement.

Sincerely,
David Douglas Toon, Esquire

MTC–00030913

Jan 07 02 (illegible) Sterling Commerce BSD 972 716 3201 P.01
William W. Hymes
President
January 7, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Let's finalize the Microsoft settlement as proposed. I am opposed to the government ''pursuing extensive remedies'' after finally agreeing to a settlement. The government should find other things to do besides trying to destroy Microsoft.

Sincerely,
William W. Hymes
President, Banking Systems Division
Sterling Commerce (Northern America), Inc.
15301 Dallas Parkway, Suite 400, Addison, Texas 75001–4687

MTC–00030914

JAN–08–02 TUE 12:05 P–01
8024 SE Double Tree Drive
Hobe Sound, Florida 33455
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing you today to voice my opinion in regards to the settlement that was reached in November between Microsoft and the federal government. I feel this settlement is fair and reasonable, and I am relieved that this issue has been resolved.

Microsoft has contributed an enormous amount to the technology sector and the economy. At the present time when our economy is struggling, it would be in the best interest of the public to end this case permanently and stop restricting Microsoft. The settlement punishes Microsoft enough, requiring the company to share key information about how Windows works and forcing it to agree to non-retaliation clauses against companies that promote non-Microsoft products. These restrictions are more than enough.

This settlement will benefit the economy and consumers. This settlement needs to be finalized. I wholeheartedly support it.

Sincerely,
Samuel H. Hochman

MTC–00030915

January 4, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

I have just become aware of the terms of the proposed Microsoft settlement. It is clear to me that most, if not all, competitor complaints have been addressed and resolved. Microsoft is willing to give up proprietary information on their operating system, allow computer manufactures discretion over desktop configuration, and make it easier for consumers to remove or switch Microsoft products for competitor software. These are tremendous concessions to their competitors and valuable offers to the general consumer! Why would anyone balk at this sort of proposal from one of our nation's premier high-tech companies?

A recent news story cited a plantiffs'' attorney as saying that if the settlement is rejected and the lawsuit if pushed forward, the most anyone will benefit from the judgment would be $10. Who in their right mind would trade these unprecedented offers for ten bucks? Doesn't it make more sense to make Microsoft's money work for us rather than offer a token rebate to the estimated 65 million Microsoft software purchasers? I ask the Court to dismiss the remaining lawsuits and clear the way for the full acceptance of the proposed settlement. It is time to move on.

Sincerely,
Personnel
Decisions
International
Ann Johnston
Client Relations Representative
Suite 1700, LB 142
600 East Las Celinas Boulevard
Irving, Texas 73639
Direct 972 407 8130
Phone 972 407 3190
Fax 972 407 3193
www.personnelvisions.com

MTC–00030916

01/08/2002 02:46 8647180602 KATHLEEN KOJIS PAGE 01
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

While I am not happy that the federal government took three years to sue Microsoft in court, I am happy to see that the Attorney General has put an end to the case with a strong and binding agreement. I wholeheartedly applaud this decision.

Since a settlement was finally reached after three years of protracted and extremely costly court battles, it should be accepted and finalized as soon as possible. The agreement requires Microsoft to make its protocols and access mechanisms available to competitors; these are the protocols used in Windows' operating system products, and the mechanisms are used to encourage non-Microsoft products. The company also agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

Microsoft's tremendous contribution to the United States' economy, and that of the entire world for that matter, goes without saying and requires no elaboration. Not only will the settlement help our economy escape from its current slump, but it will also give Microsoft's competition a hand up. This is why the federal government should not pursue any litigation beyond this agreement. The company should now be left alone once and for all.

Sincerely,
Fred Kojis
35 Lighthouse Way
Salem, SC 29676
cc: Senator Strom Thurmond
Representative Lindsey Graham

MTC–00030917

January 8, 2002
10:55 PM
From: Bill Schoenherr
Fax #: (330) 425–9223 Page 1 of 1
January 8, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I am writing you to explain my defene of the Microsoft settlement. It is more than adequate, and I wish to be on record as believing such. Years of litigation and millions of dollars in court-related costs have sufficiently chastised the corporation and the proposed settlement agreement will more than adequately right the supposed wrongs of Mr. Gates and company. The settlement will force Microsoft to open itself and its systems up to access by its competiton. It establish, as you know, an oversight committee to assure the company does not foreswear its obligations It will no doubt open up the industry to more marketplace competition to the benefit of consumer and the entire industry. Why then would anybody not support it?

With a declining economy, thousands of industry jobs lost and more in jeopardy, the country does not need to further constrain a vital corporation like Microsoft. I fully support the settlement. Thank you for you time and hard work on this isuue.

Sincerely,
Bill Schoenherr

MTC–00030919

FROM : GPR FLORIDA PHONE NO. : 305 936 1401 Jan. 08 2002 1l:l5AM P1
Gerald Rosenberg
3530 Mystic Pointe Drive, # 2115
Aventura, FL 33180–4541
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing you to voice my opinion in regards to the Microsoft settlement issue. I support the settlement that was reached on November 6th. I feel that this settlement is fair and reasonable, and I am relieved that this issue is resolved.

Due to this settlement, Microsoft has pledged to share more information with other information tech companies, Microsoft will follow procedures to make it easier to install non-Microsoft software and will disclose information about software codes in order to do this, and a Technical Committee (TC) will enforce the provisions at Microsoft's expense.

This settlement will make it easier to compete with Microsoft. I have been a user of Windows since the inception. From a personal standpoint, I want to say that no supplier of software to the computer gives better support to their customers. If you read the on line responses from users around the country you would see that the vast majority of negative comment about Microsoft only comes from their competition. Any one that offers a better program will capture the market. Let me enjoy my computer in peace and let Microsoft be there for me and others..

Sincerely,

MTC–00030920

JAN–08–02 11:29 PM Waters Office 610 469 0699 P.01
Alice H. Waters and S. Collar Waters
1320 Warwick Furnace Road
Pottstown, PA 19465
January 5, 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 dismay over the government's crackdown on Microsoft and state my relief in the settlement that was reached in November.

At a time when a substantial amount of commerce and industry has been lost lo overseas venues, Microsoft is a hugely successful US company in which the country should take pride, not attempt to crush it.

In particular, it occurs to me that Microsoft has achleved this success in a competitive, but honorable manner. Unlike certain other highly profitable US firms, Microsoft has not made its profit on the backs of underpaid and marginally legal labor nor has it poisoned the environment or gouged the sick and elderly to make its profit.

Isn't it about time that we, as a county, reward this US success story instead of those who would manipulate the legal system to generate windfall profits for themselves and state governments.

The US should be proud of Microsoft and support its growth, I look forward to the continued success of Microsoft both as a user and fan of US technological growth.

Very truly yours,
Alice Waters
CC: Senator Rick Santorum

MTC–00030921

2100 Indian Creek Blvd East, Apt. A–119
Vero Beach, Florida 32966
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

We are now in a new year, one that, I know, all of us wish to be one of peace and forward progress. We are progressing in our quest to end terrorism but now, I think, we need to re-establish our economic footing. Microsoft and the Department of Justice recently ended the three-year long antitrust case brought by the Department of Justice. My sentiments on the correctness of this suit are not relevant; suffice it to say, I am glad it is over. I believe the settlement, while not easy for Microsoft, was fair. Microsoft acquiesced to demands that were not even at issue in the suit. It is time to move on.

Which is why I am writing to you now. I am urging you, as an American anxious to get this country going again, to let stand the settlement reached by Microsoft and the Department of Justice. To nitpick every little thing in this settlement is very counter-productive. There has already been established a ''Technical Committee'' that will monitor Microsoft's compliance. Additionally, any third party may lodge a complaint with an Internal Compliance Officer at Microsoft, or the Department of Justice, if they believe Microsoft is not complying with any provision of the settlement.

What more can be asked? Are to cave in to every demand by those whose only desire is to cripple Microsoft, not by any innate desire for justice? Bill Gates has carried the technological explosion on his shoulders for far too long. Those questioning this decision wish only to drag him and Microsoft down. Do not give in to such pettiness. I urge you to finalize this settlement.

Sincerely,
Gertrude Gross

MTC–00030922

Jan 08 02 1l:l5a Computer Zone 712–362–5532 p.1
COMPUTER ZONE
January 7, 2002
Attorney Gerneral John Ashcroft
The U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

It is my opinion that it is monumentally absurd for our government to try itsits dead level best to shut down one of our country's most successfuI companies. Everyone seems to have an opinion as to whether they think that Microsoft is too big, or too bureaucratic, or too unresponsive. But these are all complaints that would have probably ironed thcmselves out as Microsoft. found that its marketlplace was becoming more competitive. What this really boils down to is that a handful of Microsoft's fiercest competitors convinced an unsympathetic government to punish Microsoft for its successes, utilizing arcane laws and overzealous government lawyers to attempt what amounts to a government takeover of an independent, private business. Thankfully, this folly has been ended by a proposed settlement, which appears more than fair for Microsoft's competitors. They should take it and be grateful. The settlement gives computer makers and vendors the opportunity to preinstall non-microsoft software on Windows without fear of reprisal from Microsoft, and the company will redesign Windows so that non-microsoft products can be installed easier well. I am hoping that this settlement marks the end of hostilities between our government and the American business community.

Sincerely,
Tom Lynch
President/owner
622 Central Avenue—
Estherville, Iowa 613342241
712–362–7808 o 888–527–1106.
FAX: 712–362–5532
1609 18th Street—
Spirit Lake, Iowa 51360–1023
712–336–3030 o 888–891–3359 o
FAX: 712–336–3131

MTC–00030923

01/08/2002 14:28 FAX
001 4177 Eastway Road, Cleveland, OH 44121
January 8, 2002
John Ashcroft, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I am extremely disturbed when I see all of the time and money that has been spent in gratuitous pursuits like the Microsoft antitrust lawsuit. This suit has been injurious to both the American economy and the technology industry. The settlement that has been reached in this case must be upheld, and I am writing to go on record as supporting the settlement.

Frankly, this case is mind-boggling; I do not understand the rationale behind this suit. In my option, Microsoft has never done anything to harm its consumers. Microsoft's competitors have brought this case, not consumers. Indeed, all of the consumers that I have spoken with love what Microsoft stands for, it is honorable in its business endeavors, and has an incredible outreach program in the community. This company is being penalized for being successful, and this suit flies in the face of everything that we believe as Americans. The settlement will give the government oversight of Microsoft's business dealings, and ensure that Microsoft avoids unfair retaliatory measures against companies that engage in competition against Microsoft.

I think that the government should be spending the taxpayers'' money helping Americans rather than wasting it in the unwarranted pursuit of this case. I support this settlement.

Sincerely,
Victor Bendersky

MTC–00030924

Jan 08 02 12:56p 0107020 p.1
Fernando Garcia, M.D., P.A.
December 27, 200l
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Sent via fax to (202) 616–9937

Dear Ms. Hesse:

Please accept this letter as my comment in support of the proposed Microsoft settlement. The government recently came out and said that they plan to pursue extensive remedies against Microsoft for its illegal ''monopoly maintenance'' activities. In my opinion, this could only mean that the consumer will be asked to pay higher prices, accept poorer quality and be deprived of innovations.

It is time to drop the government's quest to destroy Microsoft. The Department of Justice recently said they could find no harm done to the consumer by Microsoft's practices. Now, there is talk of pursuing ''extensive remedies'' which could only mean more government regulation of the high-tech sector.

Consumers are hungry for new technology. The last thing we need to do is bring more action against companies that are developing cutting-edge products. This whole thing smacks of competitor envy. These industry complainers need to begin determining what the consumer wants, not preventing the consumer from getting what they need.

Sincerely,
Fernando Garcia. M.D., PA P.O.
Box 2373 Fort Worth, TX 76133 (817) 927 0003

MTC–00030925

FROM :
FAX NO. :

Jan. 08 2002 01:10PM Pl
24 Cambridge Road
Freehold, New Jersey 07728
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing this letter today so that I may be able to go on record and give my support to the settlement that was reached between Microsoft and the Department of Justice. It had been a long time coming, but both sides finally agreed to terms, which would end the three-year antitrust lawsuit. I can remember the days before Microsoft came out with the Windows operating system, and computing was a debacle. Now, computers all over the globe can communicate with one another, and Microsoft is responsible. If it hadn't been for Microsoft, there is a great chance that I would not be able to send this letter out as easily as I have.

I fully support the settlement between Microsoft and the Department of Justice, and hope to see it finalized and implemented soon.

Sincerely,
Cosmo Lamacchia

MTC–00030926

HP
To: U.S. Department of Justice
Fax: 202.616.9937
Attention: Attorney General John ashcroft
From: Michael Levy
Date: January 8, 2002
Re: Microsoft Settlement
Pages: 2
fax memo
Michael Levy
Vice President
Healer Products, Inc.
120 South Columbus Avenue
Mt. Vernon, NY 10553
Phone: 800.223.5795
Fax: 888.289.5162
E-Mail: mievy@healerprod.com
January 8, 2002
HP
Healer Products, Inc.
120 South Columbus Avenue
Mount Vernon, NY 10553
Voice:
800.2235765
Fax:
888.289.5162
Email:
custserv@healerprod.com
Internet:
http://www.healerprod.com
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Dear Attorney General Ashcroft,

As a concerned businessman, I am writing to express my opinion towards the recent Microsoft settlement. I have supported this settlement in the past, and it concerns me to see that its execution is being further delayed.

As I have followed the progress of this settlement, it seems that all parties involve benefit from its terms. Because Microsoft has agreed to disclose information about certain internal interfaces in Windows, and to design future versions of Windows for easier installation of non-Microsoft software, this settlement ensures that the technology Industry—including other software companies—can move forward.

During this time of recession, we cannot afford any delays in economic advancement. At the same time, we cannot allow our scarce resources to be spent on delaying a case that has already been settled, It is time to let things move forward and let the years of extensive negotiations speak for themselves. This country's technology industry has been delayed long enough and is ready to advance as a team. I strongly urge that we do not allow for any more delays.

Sincerely,
Michael Levy
Vice President

MTC–00030927

JAN-08–02
TUE 05:29 PM
R0LAC C0NTRACTING INC
FAX NO. 7018396581 P. 01/01
Ronald R. LaCount
P.O. Box 1872
Minot, North Dakota 587O2
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to go on record to express my satisfaction with the settlement that ends the antitrust lawsuit between the Department of Justice and the Microsoft Corporation. I feel that the settlement goes a little further in placing restrictions on Microsoft than it should have, but all in all, I am happy with the results.

Microsoft did not get off easy. The settlement was arrived at after extensive negotiations with a court-appointed mediator. Microsoft agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, sharing software information and accepting government oversight, for example. This was done just to get all or the litigation over with, and now allows Micorsoft to divert all of their resources to producing innovative products and improving the economy.

The settlement is good for all parties involved. Thank you.

Sincerely
Ronald Lacount
cc: Senator Byron Dorgan

MTC–00030928

01/08/2002 15:53 9416246954
AMERICAN EXPRESS PAGE 01
Heather M. Forte
812 Tamiami Trail #3
Port Charlotte, Florida 33953
January 8, 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 of the recent settlement between the federal government and Microsoft. I genuinely hope that no further action is being considered at the federal level. Taking into account the terms of the agreement, Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to Windows'' operating system products. This is a first in an antitrust settlement. Microsoft has also agreed to make available to its competitors, on reasonable and non-discriminatory terms, any protocols used by Windows'' operating system products when they interact with programs of non-Microsoft origin. With the many terms of the agreement, I feel that pursuing any further litigation would be a waste of time and money.

Sincerely,
Heather M. Forte

MTC–00030929

01/08/2002 28:18 7176567794 JP PAGE 01
To: Department of Justice
Reference: Tunney Act Comments—
Microsoft Settlement
January 8, 2002

With respect to the Microsoft antitrust settlement, I believe that the idea that the consumer has suffered is a false premise. I consider myself a consumer having used a computer at work and at home.

I purchased my first IBM computer at home and used the IBM computers at work. My initial computer had two floppies drives with limited data storage, no memory manager, no graphics, no modem and poor software uniformity.

I used several software programs at work such as MultiMate, Display Writer, Word Perfect and Lotus 1 2 3. Each of our company plants had their own favorite software and communication and exchange of data and reports were difficult.

Our company was purchased by a foreign company and the new owner had a policy of using Microsoft software programs within the company. The hodgepodge of software programs and poor communications ended.

Standardization made our company more efficient and more profitable. For this improvement the DOJ must punish Microsoft for making our company successful.

I have retired and I find that my pension plan is under attack by the DOJ and several states seeking additional punishment of Microsoft. The decline of the value of Microsoft stock and the computer related industries can be traced to the DOJ finding that Microsoft is a monopoly. To this date my pension plan has not recovered because of the continuing legal cloud over Microsoft and the threat of the government controls over the computer industry.

In the meantime there are many monopolies in the United States that are more harmful to consumers when compared to Microsoft.

The postal service, ground transportation at airports, teacher unions and civil servant are harmful to consumers because of poor service end costs. These monopolies do not promote efficiency, reduce costs or compete globally.

Microsoft made standardization efficient, profitable and created the Internet.

I read in the paper that the DOJ cost for pursuing the Microsoft litigation is over 30 million dollars. I have no idea how much money was used by the states. All the dollars used were from taxpayers. Are not the taxpayers in the real world consumers?

Please reach a settlement that will allow our computer industries do their work without interference from Silicon Valley lobbyists, Congress and ambitious state politicians for the good of our nation.

Joseph J. Piascinski
305 Pleasant Valley Drive
Leola, PA 17540

MTC–00030930

Hiteq
Computer Systems
Jan-08–02 04:46P M.K. ''GAZ'' GAZIANI
January 7, 2002.
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 2053

Dear Ms. Hesse:

As the owner of small technology business, I am writing to express my concern about the government's ongoing pursuit of Microsoft. In my opinion, the case should be settled as soon as possible. I am encouraged by the recent announcement that the monopoly and tying aspects of the lawsuit have been dropped and proposed settlement has been worked out between Microsoft and the U.S. Department of Justice. Now it is time to bring this episode to an end and ratify a11 the terms of the settlement.

A settlement would be in the best interest of all concerned-not just small businesses but the individual consumer as well. Let's also not regulate ourselves out of the competitive edge we now have in the global market.

Please add my voice to those who want to continue the innovative advances made by the companies like 'Microsoft over the past decade.

Sincerely,
M.R., ''GAZ'' GAZIANI
Vice President, Sales & Marketing
Hiteq Computer Systems
13440 T.I. Blvd.,
Suite 4
Dallas, Texas 75243–1500*Ph
972.437.0637F
AX 972.437.3836

MTC–00030931

January 8, 2002
Renata Hesse
Trial Attorney
Department of Justice Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530–0001

Dear Ms Hesse:

This letter is to urge settlement of the Microsoft case as soon as possible.

I am the president and sole stockholder of this company; I founded this business 24 years go and have been somewhat successful. However, the; Microsoft/DOJ battle battle has hurt my business. I'm not taking sides but I can assure you that prompt settlement will allow that portion of our business to Improve. The event of Sept 11 has further deteriorated business; I am convinced that putting the Microsoft case behind us will allow full attention to be devoted to the business at hand.

My business has prospered under technical leadership and unification of standards provided by Microsoft. Let us get on with business by settling now.

Sincerely,
Charlott A. Ladd, President
Clone Computer Corporation
14839 Inwood Road
Addison, Texas.75001–3721
Sales: 972–934–2200
TollFree: 800–388–6636
Service: 972–934–2219
Fax: 972–991–2003
e-mail: ccc@clonecomputer.com

MTC–00030932 Page 1 of 2

From: Morriss Davis To: John Ashcroft
Date: l/8/O2 Time: 10:28:40 PM
DCS Davis Computer Services
P.O. Box 527
Iola, Texas 77861
936–394–6102 Fax 936–394–1738
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Like most people in Texas who follow the IT industry, I was pleased to hear that a settlement has been reached between the Department of Justice and Microsoft. I believe that the PC as we know it can be largely attributed to Microsoft and its products. The great success experienced by Microsoft is well deserved and has become the envy of the IT industry. Because of Microsoft's unprecedented success, it has been an easy target for their many competitors and the federal government.

The settlement shows that Microsoft has been unfairly treated as a business. The federal government should never be party to punishing an American business for being successful, yet, that has been the case from the start in this lawsuit.

I support Microsoft's position in the suit and hope that the proposed settlement becomes a reality as soon as is legally possible. The Department of Justice owes Microsoft and the American people a quick resolution to this lawsuit, and that resolution can come by formalizing the settlement agreement.

Sincerely,
Morris Davis
President

MTC–00030933

01/08/02 23:36
BUSINESS DEVELOPEMENT 2025149082
NO.301 P001
15508 Fairfield
Livonia, MI 48154
Ph: 248–624–5200 x 1971 (day)
Fax: 248–669;5018

To: Renata Hesse
From: David P. Hudyma Jr.
Fax: 202–307–1454
Pages: 2
Phone:
Date: 01/08/02
Re: Microsoft Settlement Comment CC:
Urgent For Review Please Comment Please
Reply Please Recycle . Comments:

The attached letter expresses my opposition to the currently proposed DOJ settlement in the Microsoft anti-trust case.

01/08/02 23:36
BUSINESS DEVELOPEMENT 2025149082
NO. 301 P002
David P. Hudyma Jr.
15508 Fairfield
Livonia, MI 48154
dhudyma@williams-int.com
January 8, 2002
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530

I am writing to comment on the proposed settlement in the U.S. vs. Microsoft anti-trust case.

After reading the proposal and the opinions of those with a more complete understanding of the legal issues involved, I can do nothing but oppose the settlement. It amounts to a token punishment without any real enforcement and worse it may serve as tools for Microsoft expand their monopolies through creative interpretation of the clauses as they did with the original DoJ agreement.

Any remedy to Microsoft's anti-competitive behavior must disable the ability to leverage their monopolies in desktop operating systems and office software. The most attention needs to be given to the areas of application programming interfaces (API's), communications protocols and file formats. In addition, the chosen remedies must be strictly enforced and include full public disclosure. First, Microsoft must publicly disclose all Windows and related API's; Changes to the API's need to be released six months before the software and should be administered by an independent standards body. This will prevent Microsoft from disabling competing software through careful manipulation and changes to the Windows API's; It is critical that all of this information be released publicly to ensure that anyone; from corporations to individuals, can write fully compatible Windows software.

Second, the use of proprietary communications protocols by Microsoft must be prevented. This is something they have done often in the past. They are doing it again by creating proprietary XML, and Kerberos formats in support of their .NET initiative. This potentially puts control of the flow of information online into the hands of a single corporation already convicted of illegal practices. Therefore, Microsoft should only be allowed to use industry standard communications and authentication protocols as established by an independent standards body.

Finally, due to the nearly universal adoption of MS Office products by home and business users these products have resulted in their own standard communications format embodied by the .doc, .xIs and .ppt files generated by the applications. To communicate effectively by computer in business and even at home one is required

to own the latest copy of Office. Therefore, the details of the file format used by Word, Excel and PowerPoint must be released to the public domain and be monitored by an independent standards body. This allows the development of competing, 100% compatible office products and offers the best chance of restoring competition to a market stifled by Microsoft.

Sincerely,
David P. Hudyma Jr.
15508 Fairfield
Livonia, Ml 48154
dhudyma@williams-int.com

MTC–00030934

JAN–9–02
WED 7:56 AM
TZANGAS, PLAKAS &
MANNOS FAX NO. 330 455 2108 P.1
3914 Willowdell Drive, NE
Canton, OH 44714
January 8, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

As a supporter of Microsoft, I write you regarding the recent settlement. I feel that the settlement between Microsoft and the Department of Justice is the best thing that could have happened under the circumstances.

The terms of this agreement are not only fair, but truly benefit all parties involved. By agreeing to these terms, stipulating such orders as avoiding its alleged practice of retaliation against hardware firms that wanted to include non-Microsoft programs on a Windows platform, Microsoft is helping to open up the competitive market. This practice helps our technology industry to continue to grow. It is time to let these terms speak for themselves, and allow the IT sector to move forward and help our economy grow.

The settlement has obviously been well thought out, and can only benefit consumers, the IT sector and our country's economy as a whole I support this settlement.

Sincerely,
Chung Lee

MTC–00030935

JAN–9–02 WED 7:57 AM
TZANGAS, PLAKAS & MANNOS FAX NO> 3304552108
Tzangas,Plakas,
Mannos&Recupero
Attorneys and Counselors at Law
George I. Tzangas January 7, 2002
Lee. L. Makas
James G. Mannons
James R. Recupeto
Elizabeth A. Rajes
James M. McHugh
Gary A. Conolo
David L. Dungwell
Christopher M. Huryn
DeNise K. Houston
Cheryl S. Lee
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

Canton Office
454 Stark Country Building
110 Central Plaza South
Canton, Ohio 44702
350–455–5466
Akron Office
2500 First National Tower
106 South Main Street
330–784–5466
Akron, Ohio 44306
FAX 330–455–2108
www.lawlion.com
e-mail lawlion@rage.com

As an attorney and a supporter of Microsoft, I write to you to give my support to the recent Microsoft settlement. Using both Professional XP, and Home XP, I can only praise the work that Microsoft has done to make the technology industry so accessible. Not only has Microsoft been beneficial to both consumers and the IT sector alike, but it has also been beneficial to our economy as a whole. I would truly welcome any support towards the recent agreement, in hopes that we can allow our technology industry to move on.

After three long years of court battles, it seems that It is time to let this well thought out settlement move forward. The terms of the agreement are fair and benefit all parties involved. Since Microsoft and the Department of Justice have agreed upon terms that will open up the competitive market, I think it is time to let the terms, information sharing, non-retaliation agreements, government oversight, etc, speak for themselves.

I fully support the settlement between Microsoft and the Department of Justice, and hope to see it implemented soon. Thank you.

Sincerely,
Cheryl S Lee

MTC–00030936

01/08/2002 19:52 2038748093 COMPASS PAGE 01
167 Cherry Street # 404
Milford, CT 06460
January 8, 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 opinion that the US Government should never have gotten involved with taking legal action against Microsoft.Nevertheless, I am happy to see that the settlement in the antitrust case has occurred and I hope that the concessions Microsoft will be making will turn out to be in the best interest of the American public.Microsoft has been the leading innovator of technology for over a decade now and has set the standards for product and service development in the industry. They should not be penalized, but rather praised for their efforts and vision.

I sincerely hope that no further litigation comes against them and that Microsoft is able to focus on business, and not forced to spend time on legal strategy.

Sincerely,
Wally Hauck

MTC–00030937

Sent By:;
801 76O 8753;
Jan-9–02 12:30AM;
Page l/l
Michael J. Nelson
11861 Abercorn Court
Reston, Virginia 20191
mtnelson95@a01.com
January 8, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue. NW
Washington, DC 20530

Dear General Ashcroft:

I write to express my opinion in regards to the settlement that was reached between Microsoft and the United States. This case has gone on long enough, anti embrace this long overdue settlement.

This agreement not only allows Microsoft to remain together and continue designing innovative software, but it also will benefit other companies andentrepreneuurs that yearn to compete. Microsoft must disclose never-before-seen technical information other companies and must be monitored by a government committee for compliance. It also must change its licensing methods vis-&-visother companies.

Microsoft should not be penalized for doing its job well and bring successful. Thank you.

Sincerely,
Michael S. Nelson

MTC–00030939

01/08/2002 21:28 9413833574
PATRICK
PAGE 01
350 Gulf of Mexico Drive, Apt. 223
Longboat Key, Florida 34228
January 8, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

It has recently come to my attention that the Department of Justice and Microsoft have reached a settlement in the antitrust case. Microsoft is making a good faith effort to reach an end to this suit, and the terms of the settlement are more than just a slap on the wrist.

Under this settlement Microsoft has agreed to disclose internal interfaces, which were formerly top secret for Microsoft. By doing this, Microsoft will allow competitors to create better software and more openness in the IT industry. An IT company has never agreed to such a drastic disclosure. Sadly, opposition to the settlement exists, and they believe that this new openness by Microsoft is not enough. The opposition to the settlement consists mainly of those with an anti-Microsoft bias. But more than three years in court have damaged Microsoft touch already, it is time for this antitrust case to end.

Thank you for taking the time to consider my views on these matters. Once again,I support this settlement, and look forward to seeing it implemented soon.

Sincerely,
Stephanie Patrick

MTC–00030940

JAN 9, 2002 9:04AM CHESTNUTT,

CLEMMONS & THOMAS PA
NO. 7574 p.1
FACSMILE TRANSMISSION
TO: US Dept. of Justice/Antitrust Div.
ATTN: Ms. Renata B. Hesse
FAX: 202–307–1454
DATE: 1–9–02 TIME: 9:14
FROM: Senator Scott Thomas
CLIENT: N/A
RE: Microsoft Settlement
NO. PAGES, INCLUDING COVER SHEET: 2
MESSAGE:
ORIGINAL TO FOLLOW? X YES NOin mail today

This facsimile is intended ONLY for the person whose name appears above. If you have received this transmission in error, please contact us at the phone number below immediately.

CHESTNUTT, CLEMMONS & THOMAS, P.A.
P.O. BOX 12530
225–C BROAD STREET
NEW BERN, N.C. 28561
TELEPHONE: 919–633–6868
FAX: 919–637–2460
JAN. 9.2002 9:04AM CHESTNUTT, CLEMONS & THOMAS PA NO. 7574 P. 2

North Carolina General Assembly
Senate Chamber
SENATOR SCOTT E. THOMAS
3RD DISTRICT
RALEIGH: 622 LEGISLATIVE OFFICE BUILDING
RALEIGH, NC 27601–2808
(919) 733–6275
(919) 838–0209 FAX
E-MAIL: SCOTTT@NCLEG.NET
DISTRICT: PO BOX 12530
NEW BERN. NC 28961
(252) 633–6868
≤(252) 637–2450 FAX

COMMITTEES:
JUDICIARY II (VICE CHAIR)
APPROPRIATIONS
JUSTICE & PUBLIC SAFETY SUBCOMMITTEE
AGRICULTURE ENVIRONMENTAL/ NATURAL RESOURCES
EDUCATION/HIGHER EDUCATION
INSURANCE & CONSUMER PROTECTION
REDISTRICTING
RURAL DEVELOPMENT
TRANSPORTATION

January 9, 2002
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530–0001
Via facsimile: (202) 307–l454
Re: Support for Microsoft Settlement

Dear Ms. Hesse:

I am writing to express my support for the settlement that the Department of Justice and several states, including north Carolina, have reached with Microsoft.

I will be pleased to see this matter resolved because it will be a boost for the technology sector, a larger force in the North Carolina economy. I believe that the certainty of the settlement will promote new investment in technology and will enhance competition in all aspects of the technology industry which will benefit consumers.

With this litigation settled, the technology industry can continue its recovery and growth.The settlement represents a reasonable compromise that has earned bipartisan support. I urge the department of justice and the court to approve this settlement.

Sincerely,
Senator Scott Thomas
ST/cbj

MTC–00030941

01/09/2002 18:20 7033231582 FOREMAN AND ASSOC PAGE 01
Rhythm & Cheer Studios
8350 Alban Road, Suite 500 Springfield, Virginia 22150 703.866.2318
Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington DC 20530

Dear Ms. Hesse

I am a strong supporter of the Microsoft and Government settlement.

Like many, I have followed the case the federal government has pursued against Microsoft for quite some time. For years now, the government and the state attorney generals have filed legal action after legal action to penalize this high tech leader and their efforts have caused great harm to the high tech industry.

Instead the state attorney generals have only succeeded in ushering in a downturn in our economy, which is heavily reliant lately on a strong technology sector. It's time to bring an end to this case and this sort of litigation.

Sincerely
Sheryl Olecheck

MTC–00030942

JAN–9–02 WED 18:53 P.01
7426 Granny Valley Road
Gloucester, VA 23061
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you to express my opinion on the Microsoft settlement issue. I feel that this settlement is long overdue. This settlement is both fair and reasonable, and keeping Microsoft together will serve in the best public interest.

Under this agreement, Microsoft must share more information with other companies and give consumers more choices. Microsoft must disclose information about certain internal interfaces in Windows, as well as software books and codes. Microsoft must also design future versions of Windows to make it easier to install non- Microsoft software. This will make it easier for companies to compete.

Most importantly, I feel this settlement is beneficial, because it ends three years of litigation. Microsoft's precious resources should go towards more fruitful activities. Thank you for settling with Microsoft.

Sincerely,
Harvey Herring

MTC–00030943

Jan-09–2002 07:28am From-NCR +8584852032
T–549 P. 001/001 F–700
Teradata A division of NCR
Teradata Test Engineering
17095 Via del Campo
San Diego, CA 92127–1711
January 8, 2002
Attorney General John Ashcroft, The Justice Department
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

There has been much discussion and controversy generated over this Microsoft lawsuit. What I find amazing is that the idea that Microsoft's success has so offended a few of its competitors in the IT community that these competitors actually successfully prevailed upon our government to file this suit to begin with. It is a good thing that this settlement has been reached. Our legal system and our country will be spared the inevitable embarrassment of picking apart one of our country's most successful companies.

I am writing to voice my support for this settlement. Whatever might bethought of Microsoft's attitude, it cannot be said that their products are being forced upon anyone who does not want them. What's more, the settlement ensures that there is no way for Microsoft use its Windows OS to unfairly get an advantage for its programs. It is important for us as a country to refocus our priorities upon more important issues than this.Let's put an end to this lawsuit by accepting the settlement. Let's move on.

Sincerely,
Steven L Smith
Software Engineer

MTC–00030944

01/09/2002 11:18 2033342610 JOE MANCINI PAGE 01
487 Stratfield Road
Fairfield, CT 06432
January 8,2002
Attorney General John Ashcroft
Department of Justice
950 Pennsylvania Ave.
Washington, DC 20530

Dear Mr. Ashcroft,

When I heard that I had the opportunity to express my opinion about the Microsoft antitrust case resolution, I was quite excited. The resolution that was reached was a fair and equitable one that I think is beneficial to all parties involved, and I would like to that resolution become the final result of the three year long litigation.

Many things within this settlement make it beneficial. First, it provides equal terms, conditions, and prices to all hardware companies dealing with Microsoft. It Also prevents Microsoft from taking retaliatory measures against any company that promotes software other than Microsoft software. This settlement even requires that Microsoft provide interface information to companies in order that the technology playing field may be more level. No more guidelines could possibly be levied without becoming unhealthy.

Therefore, I urge you to leave the resolution as is, change it no further. The Current settlement will provide all the

protection needed to the smaller companies while still preserving competition to the utmost.

Sincerely,

Joseph Mancini

MTC–00030945

JAN 09 02 11:34AM UMD ASTRONOMY P.1/5
University of Maryland at College Park
Department of Astronomy
Fax Transmission from 301–314–9067
To: Renata B. Hesse
Fax No: 1–202–307–1454
Date: 9 January 2002
From: Nicholas L. Chapman

Number of Pages (including cover sheet): 5

Message/Note: Public Comment on the proposed settlement of the Antitrust Lawsuit against Microsoft Corporation.

JAN 09—02 11:34AM UMD ASTRONOMY P. 2/5
4508 Fordham Lane, APT 6
College Park, MD 20740
January 9, 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 deeply disappointed by the proposed settlement of the antitrust lawsuit against Microsoft Corporation. It has been proven and upheld on appeal that Microsoft holds a monopoly in operating systems and that it has illegally maintained that monopoly in flagrant violation of the Sherman Antitrust Act. Despite this, the proposed settlement with Microsoft is a farce. It is weak, ineffectual, and does not address the best interests of consumers.Any settlement that would be truly just and beneficial to consumers should accomplish two things:

1. Microsoft should be denied the benefits of their lawbreaking.

2. Competition in the marketplace must be restored for the present and for the future.

The current settlement does nothing to punish Microsoft for its actions. This is not about revenge, merely common sense. Without punishment, Microsoft has no incentive to obey the law in the future. If Microsoft actually benefits from its lawlessness, what is to prevent them, or other corporations, from doing the same thing again?

The settlement needs to address this problem by: 1) requiring an admission of guilt from Microsoft, 2) imposing monetary fines on Microsoft, and 3) im-posing other non-monetary punishments. Without these sorts of sanctions,Microsoft will surely continue is lawless behavior. Massachusetts Attorney

JAN 09 02 11:35AM UMD ASTRONOMY P. 3/5

General Thomas F. Reilly commented on this settlement saying, ''Five minutes after any agreement is signed with Microsoft, they'll be thinking of how to violate the agreement. They're predators. They crush their competition.They crush new ideas. They stifle innovation. That's what they do≥l. I have no doubt in my mind this is exactly what Microsoft will do if they are not punished.

For years, Microsoft has used its monopoly to block or inhibit middle ware products that could potentially threaten the Windows monopoly. The cur-rent settlement agreement is an attempt to curtail many of these abusive tactics. However, the proposed remedies are full of loopholes meaning little,if any, real change will occur. Senator Patrick Leahy voiced his concern for the proposed settlement: ''I find that many of the terms of the settlement are either confusingly vague, subject to manipulation or both. Second, I am concerned that the enforcement mechanism described in the proposed decree lacks the power and timeliness necessary to inspire confidence in its effectiveness'' 2. Some of the dubious remedies that concern me are:

The settlement attempts to give OEM's3 control of the middleware included on the computers they sell. However, several loopholes prevent real competition from resulting.

—Microsoft is prohibited from non-monetary retaliation against OEM's who include non-Microsoft middle ware. Monetary rewards for using Microsoft middleware, however, are allowed. With Microsoft's huge cash reserves, they could easily outspend their competitors,preventing them from gaining a significant hold on the desktop market.

—The settlement only protects middle ware made by third parties that competes with an existing Microsoft product. If you create a new product before Microsoft does, they can still exclude you from the desktop since Microsoft does not yet compete with you.

—Additionally, middleware is only protected if the company distributed one million copies in the last year. This means that small, independent software developers (who are most in need of protection) do not get any.

1 Speech given by Matthew Szulik before the U. S. Senate, 12 December 2001

2 The New York Times, 12 December 2001

3 0riginal Equipment Manufacturer of personal computers

Jan 09 ''02 11:35am UMD Astronomy P.4/5

—Under the settlement, OEM'S may change the default middleware application launched when a Microsoft alternative would normally run. However, if a particular requirement is not met by the alternative, the Microsoft middleware will still be launched. I can imagine Microsoft adding new features that require Microsoft's middleware to run properly. Sounds farfetched? Recently, Microsoft blocked many browsers made by third parties from accessing msn.com claiming these browsers could not provide the fulluser experience.

—Under the settlement Microsoft must disclose its API's4 to developers-provided developers have a reasonable need for them. Who gets to determine what is reasonable need? Microsoft. Even worse, if a developer actually uses Microsoft's API's, they must submit the program for approval by Microsoft. In effect, Microsoft gets free reign to use any innovation created by a third party developer.

—Microsoft does not have to release its own API's until the last beta stage on a product is reached. This gives Microsoft's developers a hugehead start over third party developers, resulting in significant time-to-market advantages.

—Microsoft chooses, in part, the Technical Committee set up by the settlement. to police Microsoft. As a result, the overall effectiveness of this committee is doubtful.

Competition is the cornerstone of the free market system. This competition drives innovation and productivity, while reducing costs to consumers.The goal of any settlement should be to restore competition in the software industry. The proposed settlement does not meet this goal. In 1994, the justice Department entered into an agreement with Microsoft. It was the violation of this agreement that lead to the current antitrust litigation in1998. History tells us that Microsoft will violate this new decree, leading to future litigation. Senator Leahy worries about the same thing. '''The serious questions that have been raised about the scope, enforceability and effectiveness of this proposed settlement leave me concerned that, if approved in its4 Application Programming Interfarescurrent form, it may simply be an invitation for the next chapter of litigation'' 5. The government won the case. Microsoft used its monopoly power to crush competition and harm consumers. The government should press for a true settlement, not this ineffectual decree.

Sincerely,

Nicholas L. Chapman

5 The New York Times, 12 December 2001

JAN 09 02 11:36AM UMD ASTRONOMYP.5/5

MTC–00030946

01/09/02 WED 10:38 FAX 806 371 5370 001 AMARILLO COLLEGE ADMIN
67l3 Admiral Ct.
Amarillo, Texas 79124
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to you in support of Microsoft and the settlement you have reached. I think that the settlement is reasonable to both parties and answers many of the problems that Microsoft's competitors had with outputting too much of a strain on Microsoft. Microsoft will, for example, not adhere to a uniform price list when licensing Windows out to the 20 largest computer makers in the United States.

I'm glad to see this since Microsoft is such an important part of our economy and most American's daily lives. Many people and small businesses depend on their products for various aspects of their lives and it's nice to see that they can continue to do so.

I would like to thank you for taking the time to hear my option on this matter and I hope that you will take it into account, along with others who feel the same, regarding the settlement.

Sincerely,

Brant Hatler

MTC–00030947

Anna M. Hudock
540 N Franklin Street
Wilkes Barre, Pennsylvania 18702
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to you today to express my strong opinions in regards to the Microsoft antitrust issue. I support Microsoft in this dispute, and I also am in favor of the settlement that was reached on November 6, 2001. This settlement ends a dispute that I feel has drawn on for long enough.

This settlement contains provisions that not only will allow Microsoft to get back to the business of innovative software design, but it will also make it easier for competing companies to conduct business. Microsoft must design future versions of Windows to make it easier to install non-Microsoft software and must disclose more information about certain internal interfaces in Windows.

This settlement comes at a time when we are having economic difficulties. We must do all we can to boost our lagging economy. I support the Microsoft settlement and hope to se it finalized soon.

Sincerely,
Anna M. Hudock
cc: Senator Rick Santorum

MTC–00030948

Jan 08 02 05:37P Strategic Software Technologies Inc. p.1
1414 E. Young
Temple, TX 76501
254/791–5191
FAX 254/791–5192
January 8, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Dept. of Justice
601 D St.NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

I am writing in regards to the Microsoft settlement. I know I am only one voice out of many but I do have an opinion that I wish to express. Being a software developer, Microsoft products are part of my arsenal of tools, as are IBM products, that I must use and rely on everyday when trying to develop business solutions for my clients. Although I am sure that Microsoft leveraged its strength in every way possible and probably exceeded some ethical boundaries, I do not believe the punishment should be a breakup of the company or even a disruption of business. You may not remember in the late 80's and early 90's how terribly convoluted the software industry was. Nothing worked together and many vendors were involved when trying to create a suite of tools to work with. I applaud Microsoft for FINALLY getting most of that behind us. And as a developer, I know that in order to accomplish it successfully, many of those pieces had to be closely tied to the operating system. I also know that if you want to install another product in place of a Microsoft product you can. Anyway, to be brief, I would recommend acceptance of the-negotiated settlement, and let things get rolling again.

Sincerely,
Bill Lewis
President

MTC–00030949

TEXAS EAGLE FORUM
January 9, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D. Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

The government should cease its open-ended pursuit of the high-tech industry.

The previous administration was misguided in its attempt to break up Microsoft Corporation. Even though the lawsuit was dropped, an even more ominous threat would be for the government to regulate the entire industry.

This attempt is misguided because Microsoft was and still is competitor driven. No consumer or end user of Microsoft products is a party to this attempt to quash innovation and interfere with market-driven competition.

It is past time to settle all remaining issues between Microsoft and the government and let the technology industry get back to the business of providing high quality products to the American consumer in a FREE MARKET, SMALL GOVERNMENT way.

Thank you for considering my request.

Sincerely,
Cathie Adams, President
P.O. Box 795354
Dallas, TX 75379
Phone 972–250–0734
Fax 972–380–2853
email
TORCH@texaseagle.org
web page
texaseagle.org

MTC–00030950

01/09/2002 12:00 5024951409 FRANK ARKFELD PAGE 01
Frank Arkfeld
2612 Carterton Way
Flower Mound, TX 75022
972–355–7283 (Voice)
972–355–2683 (Fax)
To: Attorney General Ashcroft Fax: 1–202–616–9937
From: Frank Arkfeld
Date: 1/9/2001
Re: Microsoft Settlement
Pages: 2
CC:
Richard Armey
Fax: 202–226–2028
01/09/2002 12:00 5024951409
FRANK ARKFELD
PAGE 02
Voice: (972) 355–7283
2612 Carterton Way
Fax: (972) 355–2683
Flower Mound, TX 75022 (972)
E-mail: farkfeld@attbi.com
January 9, 2002
Attorney General John Ashcroft
The DOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

It has recently come to my attention that there has been a settlement reached in the case against Microsoft by the Justice Department. I agree with this settlement wholeheartedly, and I ask you to finalize it at the end of the comment period.

This case has been ongoing for the past three years. The Justice Department should end its persecution of Microsoft based on its worldwide success. It serves no useful purpose to continue on with the case, since doing so would waste a vast amount of time, tax dollars, and human resources, all of which can be better spent on the current needs of the country. The settlement is fair, and changes many of Microsoft's business practices, especially those found unsavory by competitors and consumers alike, such as retribution against companies that tack non-Microsoft software onto Windows before shipping a computer to the customer. I ask that the government resolve to put an end to this lawsuit by deciding to take no further action against Microsoft.

Sincerely,
Frank Arkfeld
cc: Representative Richard Armey

MTC–00030951

Jan 09 02 01:06p Irlando
(817) 535 6656 p.1
GIANINA M. IRLANDO
4218 Kenwood Court
Fort Worth, TX 76103
817.535.4593 Fax 817.535.6656
To: RenataHesse
From: Gianina Irlando
Fax: (202) 616–9937
Pages: 2
Phone:
Date:
1/9/2002
Re: Microsoft Settlement
CC:
Jan 09 02 01:06p Irlando
(817) 535 6656
P.2
GIANINA M. IRLANDO
4218 Kenwood Court
Fort Worth, TX 76103
817.535.4593 Fax 817.535.6656
January 8, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

It is my understanding that the federal antitrust settlement agreed upon between Microsoft Corporation and the US Department of Justice is currently under review by the U.S. Court of Appeals. I am writing this in order to register my support for the settlement and ask the Court to rule accordingly.

For three years, this case has been disputed without any reasonable legal remedies. The proposed settlement effectively eliminates the need for further litigation-which would be at tremendous expense to taxpayers-and offers a fair and reasonable compromise.

Microsoft is a leading innovator of high tech products. Their products have made business computing simple, effective and productive. It is because of their continued pursuit of excellence in the market and ongoing quest for consumer satisfaction, that they have become such a giant in the industry. It would be a shame to sanction them for their cutting-edge innovations.

My quick review of the settlement terms persuaded me to write. Microsoft has shown good faith in this agreement. In fact, I would say they have gone beyond what should be required of any business operating in our so-called ''free market''. It is time to accept the settlement and move on.

Sincerely,
Gianina lrlando

MTC–00030952

JAN–09–2002 17:38 TRIBUTE INC
3306563464 P. 01/01
Tribute Software for Successful Distributors
January 9, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing to express my support for the Microsoft the settlement. I feel strongly that any American business ought to have the right to release to its competitors as much or as little of its proprietary trade secrets as it feels appropriate, rather than to have our government dictate disclosure through the courts.

I certainly feel that Microsoft should have done a better job with both industry and government relations regarding such disclosures. Indeed, failure to release ''source code'' appropriately would be a strategic mistake for Microsoft. Our industry has grown on cooperation and sharing of innovations. However, our industry's health also depends on the safeguarding of intellectual property. As such, the final decision regarding release of ''source code'' to competitors should have Microsoft's, and not that of a federal judge.

I realize that this is only one of many issues in this case, but this issue is the one that has me most concerned because of the potential impact on the efficacy of intellectual property rights. I am therefore pleased that this settlement has been reached, and that Microsoft was not forced into any involuntary disclosure.

Sincerely,
Timothy Reynolds
President
TOTAL P.01

MTC–00030953

FROM: Parts & Fasteners FAX No.: Jan. 09 2002 03:48PM P1
3956 La Hacienda Drive
San Bernardino, CA 92404–2041
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington DC 20530

For more than three years now Microsoft and the Department of Justice have engaged in an expensive, time consuming, and drawn out antitrust case. Thankfully a settlement has been reached. I am writing to state my support for the settlement and opposition to any continuation of this case.

The Government and Microsoft have spent millions of dollars and thousands of hours on this case. The settlement that has been reached will allow both entities to get back to important matters that this case has distracted them from. This settlement places some rather severe restrictions on Microsoft, but nevertheless Microsoft supports the settlement because it would like to return to get back to business.

Your support of the settlement in the Microsoft antitrust case is greatly appreciated. Allow our technology industry to once again have as its main concern technological development and not expensive court conflict.

Sincerely,
Mary Lou Hays

MTC–00030954

6545 Lansdowne Avenue
Philadelphia. PA 19151–3317
Phone 215.477.0384 Fax 215.477.3246
E-mail latesta@gis.net
www.iaestaimports.com
Iatesta Imports
January 7, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC. 20530–0001
Dear Mr. Ashcroft:

As a concerned United States citizen, I would like to voice my thoughts on the settlement between the Justice Department and Microsoft Corp. I believe that Microsoft was treated unfairly by having to defend itself in court for alleged antitrust violations, when it was simply putting out a good product. However, I,do believe that the settlement is in the best interests of all parties involved, including the American public. This case has been in litigation for three, years now. It should be brought to a close so everyone involved can attend to the more'immediate needs that are affecting our great nation currently. The terms of this settlement are reasonable, and require a number of specific changes from Microsoft. For example, computer makers will have the option to remove the means by which the consumer can have access to features of Windows such as Internet Explorer, Windows Media Player, and Windows Messenger. They will then be able to replace them with access to products like Netscape's browser, or AOL IM. Furthermore, a ''Technical Committee'' will monitor Microsoft's compliance with the settlement. These changes should be sufficient to end any future litigation from the federal government and individual states.

Sincerely,
Anthony Iatesta
CC: Senator Rick Santorum

MTC–00030955

01/09/2002 14:28 FAX 7023621675
RICHARD C HANSEEN 001
C H RICHARD C. HANSEEN, CPA
Management & Financial Solutions
Businesses & Individuals
January 9, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

As a Microsoft user and shareholder, I am writing to express my opinion of the recent antitrust case settlement between Microsoft and the U.S. Department of Justice. I have felt all along that the government should keep out of this matter and let free enterprise take its course.

Microsoft has been instrumental in creating a powerful business that has been innovative and vision-oriented. Microsoft's work has set standards for the industry and has proved that the tech sector is a formidable force that is here to stay. Unfortunately, Microsoft has been hindered in the past three years by litigation, which in many cases is unjustified. The settlement corrects the alleged wrongs from the alleged lawsuit, and enables companies to sue Microsoft if they feel that it is taking liberties with the settlement. Moreover, the government-run Technical Committee will also help to ensure that Microsoft refrains from retaliatory or predatory actions that would undermine the settlement.

I hope that no further litigation is brought to suit and that the best interests of the American public are served by the government's future action against Microsoft.

Sincerely,
Richard C. Hanseen, CPA, PFS
cc: Senator Harry Reid
2820 W. Charleston Blvd., Ste. 28 o Las Vegas, Nevada 89102 o 702.362.3123 o Fax 702.362.1675
rch@hanseen-cpa.com www.hanseen-cpa.com

MTC–00030956

01/09/2002 13:04 9496614830 JUNE PLACE PAGE01
33751 Windlass Drive
Monarch Beach, CA 92629
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

It is nice see that the trust and loyalty I have placed in this government for many years have been merited. Thank you for coming to a formal agreement with Microsoft. It does not make sense to revisit this issue.

It is necessary for us to work more efficiently during a very difficult period in the country. It is wise to allocate our funds to improve morale and boost the private and public sector. We only need to turn on the nightly news to see that the unemployment rate is at an all time high. There is no need to drag this issue out any further. Microsoft is willing to compromise to reach a good settlement.

I support the settlement, and look forward to seeing it in place soon.

Sincerely,
June Place

MTC–00030957

1–9–02; 3:45PM; Raw Materials ;6106942063 #1/1
1721 Millard Street

Bethlehem, Pennsylvania 18017
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I believe the government has no business interfering with Microsoft in its pursuit of success. The concessions Microsoft is making are too harsh and unjustified.

Microsoft worked hard to create new technology and ideas. They have brought new products and services to market that outshone all their competitors. They should not be penalized for their superior performance, but instead praised. Instead, Microsoft is forced to share information about critical interfaces with Windows with its competitors, crippling its ability to compete, and will be made subject to a government oversight committee, putting the company's every action under intense scrutiny.

I hope that no further litigation is brought against Microsoft and I look forward to the IT sector making a comeback which can only happen if Microsoft is allowed to pursue business interests, not politics.

Sincerely,
Patricia Felix
cc: Senator Rick Santorum

MTC–00030958

Doherty
TEL:1–215–736–8959 Jan 09'' 02 15:26 No. 001 P.01
707 Ardsley Court
Yardley, PA 19067
January 9, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing this letter to you today so that my opinion may become public record.

I am very happy that a settlement was finally reached in regards to the Microsoft antitrust lawsuit. Three long years of litigation have finally produced a settlement that I believe is going to be very advantageous to all parties, 2002 involved. For the smaller computer manufacturing companies there are guarantees that Microsoft will not take any kind of retaliatory measures against them for promoting software from Microsoft's competitors. There is also a provision that restricts Microsoft from entering into any kind of contractual agreement that would retard the development of competitors'' software or the competitors'' ability to compete with Microsoft. There is even a provision in this settlement that requires Microsoft to disclose Windows interface information to other software developers if requested. This provision is a first for a settlement of its kind. Truly, this settlement is uniquely tailored to this situation.

No further changes to the settlement need be made. If Microsoft and the Justice Department are both happy with this settlement, and it is my understanding that they are, then we should leave it as is. I support the settlement, and hope to see it finalized soon.

Sincerely,
Leonard Doherty
cc: Senator Rick Santorum

MTC–00030959

Minority Educational Resource Center Inc. (M.E.R.C.L)
Telephone/FAX (972) 874–3996 E-mail: ehudspith@yahoo.com
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

I am writing this letter to express my support for the recently negotiated settlement of the Microsoft case. For the past several months, I have watched as the Department of Justice and several state Attorneys General have relentlessly pursued a frivolous antitrust lawsuit against Microsoft. As a user of Microsoft products, I think it is time to bring this issue to a conclusion.

The threat of government regulation has caused tremendous harm to the industry, consumers and the entire economy, At a time when the economy is heading into difficult times, the last thing the technology industry needs is more litigation and government regulalion.

Further litigation will not improve quality or increase innovation. On the contrary, attempts to place limits on any part of the tech sector-not just Microsoft—will inhibit innovation, increase costs, and place America's technology at a disadvantage in the global market.

I think it is time to settle this matter and let the industry, and Microsoft, continue to develop affordable, innovative products.

Sincerely,
J. Edwin Hudspith

MTC–00030960

JAN–09–2002 WED 03:52 PM
FAX NO.
P.01
Robert D. Corsaro
Home (301) 705–7586
5921 Walleye Court,
Office (202) 767–3537
Waldorf, MD 20603
Rcorsaro@RADIX.net
Corsaro@NRL.Navy.mil
January 9, 2OO2
Renata Hesse, Trial Attorney,
Suite 1200, Antitrust Division,
Department of Justice,
601 D Street NW, Washington, DC 20530;
(facsimile) 202–616–9937.

As a personal computer user for over 30 years, both at home and work, I have witnessed or experienced adverse effects of Microsoft's antitrust violations. In my opinion the settlement that is proposed will nether remedy nor discourage future antitrust violations of the type for which Microsoft has been found culpable.

The company has repeatedly and blatantly operated as a monopoly using unfair practices to eliminate competitors. It has already been found in violation. Yet I am dismayed to find that the ''penalty'' proposed actually enables Microsoft to advance its operating system monopoly. I am particularly concerned with the level of intrusion and personal data-gathering afforded by the close coupling of Microsoft's operating system and its Web dominance. If appropriate action is not taken at this time, I am convinced that the public interest and privacy will suffer for many years to come. The most appropriate remedy is to fully separate the ''system'' and ''software'' operations into separate and independent companies, where networking software is assigned to the latter. Even then, rigorous oversight would be required to ensure that there is no collusion. While this would be severe. I feel that Microsoft has not earned the very basic level of public trust that any other solution would require.

Sincerely

MTC–00030961

01/09/2002 01:56 9722220013 GLORIANA JOHNSON PAGE 01
Gloriana Johnson
Shannon Road
Mesquite, Texas 75181
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing you today to inform you of my opinion in regards to the Microsoft settlement that was reached on November 6. I feel this settlement is fair and reasonable, and I am a strong Microsoft supporter.

I believe Microsoft has accomplished a great deal in the last decade. Microsoft offers quality products to consumers at reasonable prices. Microsoft will now allow itself to be monitored by a technical oversight committee created by the settlement in order to ensure that Microsoft doesn't engage in any anti-competitive behavior. The technological boom we have experience is due to Microsoft for the most part. This company should not be punished for being successful at what they do.

I support the settlement and hope to see it in place soon. Thank you for your time and consideration.

Sincerely,
Gloriana Johnson

MTC–00030962

Jan. 09 2002 2:46PM Foundation for Economic E 9896879088 P.1
James E. Kostrzewa
2698 North Peterson Drive
Sanford, Michigan 48657
(989) 687–9555
FAX Cover Sheet
To: United States Department of Justice
Fax number: 202–307–1454
Pages to follow: 0
Date: January 9, 2002
Subject: Settlement of Microsoft Case
Dear Department of Justice,

Please settle the Microsoft case! Every day I hear jokes about the fact that the U.S. Government is spending exponentially more on useless programs like trying to control American businesses than it spends on real threats like terrorism. But it is no joke—you are! Please stop.

Please listen to our founding fathers like Thomas Jefferson who said, ''The government

that governs least governs best.'' I, like our founding fathers, am a ''Classical Liberal.'' I believe in self-reliance, limited government, respect for private property and individual liberty, and the rule of law. I urge you to take a lesson from the state of Michigan from 1851 when the Michigan state legislators amended the state constitution to ''get out of the business of business.'' This public policy change is what lead to businesses flocking to the cold climate of Michigan to make it one of the manufacturing Mecca's of the world, Please leave business to the free market and we will all be infinitely more prosperous—including you.

Respectfully,

MTC–00030963

01/09/02 WED 15:1? Fax 1 954 771 2223 HORNER EQUIPMENT ADMIN. 001
Tandy Garay—IT Director
Horner Equipment of Florida, Inc.
5755 Powerline Road
Fort Lauderdale, Florida 33309
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my feelings on the Microsoft settlement that was reached in November. I believe this agreement will have long-term beneficial effects on our lagging economy. For this reason, I feel this agreement will be in the best interest of the public.

This agreement contains provisions that will foster competition.

Microsoft has pledged to share more information with other companies about Microsoft software codes and books. Microsoft must also make it easier to install non-Microsoft software. These steps will give third party vendors more opportunity for growth and allow consumers a greater choice in applications. This is a win-win situation all around.

These provisions and many others will have a positive impact on the technology industry and is a great victory for consumers as well. Thank you for settling this suit with Microsoft.

Sincerely,
Tandy Garay

MTC–00030964

P–01
Jose Navarro
1814 Brookside Avenue
Oxnard, CA 93035–3319
2 January 2002
Attorney General John Ashcroft
U.S. Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I appreciate the opportunity granted by the Tunney Act to express my opinion about the recent Microsoft settlement. I am fully in support of the settlement. It is realistic and reasonable, and it allows increased monitoring to ensure fair competition.

In this current state of economic downturn, it is absolutely critical that the government stops litigation against Microsoft. Microsoft adds productivity and innovation to the economy and should be allowed to participate in a free market. Stopping litigation against Microsoft is best for the economy and consumers.

Thank you for orchestrating this settlement; it is truly the best thing for the America of today, and the America of tomorrow.

incerely,
Jose Navarro
cc: Representative Elton Gallegly

MTC–00030965

Jan 09 02 01:00p
YesterTec Design Company 610–838–1937 p.1
David W. Beer
1490 Spring Valley Road
Bethlehem, Pennsylvania 18015
January 9,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I have been following litigation for the last three years against Microsoft and am happy to see that the matter was settled in November in the antitrust case. I am happy to see that Microsoft is not being broken up, and that true innovation can continue. This business simply cannot be regulated in any way that discourages innovation, especially since the business models change so frequently.

Microsoft has been a huge asset to my business and particularly to our country through product and service development, employment, education, and philanthropy. It is our opinion that Microsoft has done much more good for our nation's economy than bad.

Because of their contributions they should be rewarded, and they have been monetarily rewarded in the past, but I hope the penalties address only the practice of business and not the practice of innovation. In this context, penalties should be enforced for malicious law breakers, and not for aggressive but law abiding business practices.

I am particularly annoyed with Sun Microsystems. We all have competitors, and they have, in the long run, benefited from the competition. I hope the nine states in opposition to settlement will end their quarrels and let private enterprises return to focusing on business, innovation, and not politics.

Sincerely,
David Beer

MTC–00030966

Jan–09–02 11:47A Dick Ross 16102507809 P.01
Richard Ross
1607A Briarwood Lane
Bethlehem, Pa. 18017
January 9,2002
Attorney General John Ashcroft, U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC, 20530

Dear Mr. Ashcroft:

After three years of litigation in federal court, a settlement agreement that can end the Department of Justice's lawsuit against Microsoft is more than welcome. After three years, all the issues surrounding the case have been considered and all the involved parties have been able to express their points of view on the matter. After three years, the settlement is more than fair to the Microsoft's competitors and to the federal government. It gives the red-carpet treatment to software developers that wish to create software that works in a Windows operating system.

Considering all the points of the settlement, such as allowing hardware makers to reconfigure parts of Windows, it is obvious that Microsoft will lose some of its market share when the settlement is formalized. The issue at stake now is whether the consumer will benefit from the proposed settlement or not.

The enormous cost that the suit has been on Microsoft and on the entire IT industry will inevitably be absorbed by the consumer in the form of artificially higher prices for years to come. If the suit is not settled now, the cost to the IT industry and Microsoft can only increase, which means that the cost to consumers in the end can only increase. This is most certainly not in the public interest.

Now is the time to end the suit and allow the IT industry and Microsoft to return to their functions as innovators and service providers to the millions consumers of technology products. For the good of all involved parties, I urge you to see that the proposed settlement become formal as soon as possible. Sincerely,

MTC–00030967

01/09/02 12:28 404 952 1558 MICROSOFT CORP. 01
Eric Cobaugh
6909 Rainwater Road
Raleigh, NC 27615
January 3, 2002
Attorney General John Ashcroft
The U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I respcct the leadership in this country. Especially now, when challenges our facing this nation as never before, those in national leadership should set an example of cooperation and high-minded action.

I believe the recently reached settlement between Microsoft and the Department of Justice embodies this ideal of high-minded cooperation. The settlement is fair, and it would be tragic to allow the government to continue its ill-advised campaign to fragment and effectively render irrelevant one of our nation's greatest and most productive companies.

The settlement affects the health of the entire information technology industry. Manufacturers and designers of hardware and software must be able to rely on Microsoft and it's competitors to incorporate technology innovations into their products as rapidly as commercially viable. This is best accomplished through unfettered competition NOT by government committees choosing winners and losers.

I am hopeful that the Department of Justice will endorse the terms of the settlement to the other branches of government and will stem any further pursuance of this matter.

Sincerely,
Erie Cobaugh

MTC–00030968

1–09–2002 3:12PM
FROM 000000000000 P.1
10:24 GARDNER GROUP
804 741 3344 P.01/01
THE GARDNER GROUP
January 9, 2001
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms Hesse:

As a small businesswoman and a Microsoft investor, I was most pleased to learn, that a proposed settlement is under consideration. I have been advocate for an end to this litigation for a number of months, so I was pleased to hear that the end may be near and all concerned can expend their energies elsewhere.

I have absolutely no doubts that this suit has negatively impacted my investment in the Company. From the news reports I have read on this issue, the case seemed to be driven by some of Microsoft's competitors. The economy has been backsliding for months now, and the September 11 and subsequent events have weakened it furhter. We need to take every action possible to spur the economy, not the opposite. As President Bush has said, we all need to spend money and travel. When it comes to the technology sector, people will spend money on new and innovative products. Costly lawsuits, take up a company's time and energy—time and energy that could be spent on more productive endeavors. The proposed settlement should put concerns of competitors to rest. I understand that future versions of Windows will have a simple way for computer and software makers to promote non-Microsoft software within Windows. I don't know how much more fair you can get.

Thank you for the opportunity to bring my views to your attention. Sincerely yours,

Kay Gardner

Meeting Management form Concept to Conclusion

152 W. Square Place, Richmond , Virginia 29233

(804) 784–5111

MTC–00030969

JAN–09–02 02:13 PM P.01
Rebecca G. Waugh
P.O.BOX 402
New Ipswich, NH 03071
FLOWERSANTIQUES
(603)878–4279
January 8,2002
Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washlngton DC, 20530

Dear Attorney Hesse,

I would like to contribute my opinion during the public comment period for the draft settlement in the Microsoft antitrust case. I support the settlement as a much-needed end to this drawn out court case. Microsoft has hurt neither its competitors nor the consumers with its actions, In fact their products, which continually Improve at affordable prices, are a great benefit to small businesses such as my own.

The Justice Department must have more important things to do in this day and age, and I'm sure the millions spent on prosecution can be better spent elsewhere. There is a recession going on in this country, and we need companies like Microsoft to be focused on creating jobs and wealth in order to bounce back.

I hope the Judge sees the wisdom in the settlement offer, and that this opportunity to get things back on the right track is not missed.

Thank you for entertaining my opinion on this case.

Very truly yours,

Rebecca Waugh

MTC–00030970

Jan 09 02 01:09p
817 428 6599 p.1
MAIEVE GALLUP
5792 FALL CREEK DRIVE, FORT WORTH, TX 76137 (817) 428–6590
January 9,2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Sent via fax to (202) 616–9937

Dear Ms. Hesse:

Last November, Microsoft Corporation and the Department of Justice reached an historic settlement of what has been a protracted and expensive lawsuit. It is now time for the Court to dismiss all remaining complaints against Microsoft and let the consumer be the final judge as to whether Microsoft has harmed them.

The choice seems to be clear. Either the Court accepts the settlement and competitors continue to innovate, or the Court orders the continuation of the lawsuits and competitors continue to litigate. If the latter course is taken, Microsoft will not be the big loser-it will be the consumer. What is the motivation to continue the lawsuit? Is it driven by competitors who haven't been as innovative as Microsoft and are afraid of losing their share of the market? Shouldn't the legal eye of the Court and the remaining 9 state attorneys general be trained at the market tactics of Microsoft's competitors? Surely, you will find some unsavory market practices in their portfolios, if nothing else, they most certainly appear guilty of ''obstructing'' the advancement of technology in America's marketplace.

I encourage the Court to stop this costly charade by Microsoft's competitors and let them all get back to true competition where it counts most-in the marketplace.

Sincerely,

Maieve Gallup

MTC–00030971

JAN–09–2002 WED 14:01 ID:KINKOS TEL: 972 964 0412 P:01
Fax Cover Sheet kinko's
2301 Preston Rd., Ste. B
Plano, Texas 75093
Tel: (972) 964–0801
Fax: (972) 964–0412
Comments:
Date: 9 Jan 02
To: Attorney Gernal Ascroft
Company: Gox
Fax: 202 307 1454
From: Ed O'Donnell
Company:
Tel: 972 407–1076
Number of pages including this one:
Jan–09–2002 WED 14:01 ID:KlNKOS
TEL:972 964 0412 P:02
1413 Mockingbird Drive
Plano, Texas 75093
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express to you my support of the settlement that was agreed upon between Microsoft and the federal government. I sincerely hope that this is the end of any more litigation on the federal level.

Taking into account the terms of the agreement, Microsoft certainly did not get off with just a warning. In fact, Microsoft is now left to make several significant changes in the way that they handle their business. For example, Microsoft has agreed to make available to its competitors any protocols implemented in Windows'' operating system products that are used to interoperate natively with any Microsoft server operating system. Microsoft has also agreed to disclose and document for use by its competitors various interfaces that are internal to Windows'' operating system products. That alone is a first in an antitrust settlement.

With the many terms of the agreement, there should be no reason for the government to consider pursing further litigation on any level.

Sincerely,

Ed O'Donnell

MTC–00030972

01/10/2002 09:43 5703562366 ABRACZINSKAS NURSERY PAGE 01
Susan
ABRACZINSKAS
346 NUMID IA DRIVE,
CATAWISSA PA 17820
HONE(570)356–2323
FAX(570)356–2366
TO: Attorney General FROM:
COMPANY
DATE:
FAX NUMBER:
TOTAL NO. OF PAGES INCLUDING COVER:
RE:
URGENT
FOR REVIEW
PLEASE COMMENT PLEASE REPLY
PLEASE RECYCLE
01/10/2002 09:43 5703562366 ABRACZINSKAS NURSERY
PAGE 02
Susan Taddeo Abraczinskas
739 Mifflinville Mainville Road
Nescopeck, PA 18635
January 9,2002

Attorney General John Ashcroft, USDOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

My father died last July. He came from Italy when he was young; he worked hard every day all his years to make a better life for himself and his family. His was the quintessential American success story. To make sure his grandchildren had a base for their lives, he invested in Microsoft. My children lost thousands of dollars that would have been used for their education. I put the blame for this at the feet of former President Clinton. He evidently believes that anyone who works hard and makes a success of his life should be punished. Government should not exist to stifle success.

The lawsuit against Microsoft was unfathomably groundless. It should be over. Microsoft has made numerous concessions to computer manufacturers, such as changing the ways Microsoft licenses its software and its software's configurations. There is even a technical committee that will oversee Microsoft's adherence to the settlement. I wonder if the other firms would do as much. But they are not as successfu1 as Microsoft and hence, immune from such demands.

What I ask of you is to leave the decision reached between Microsoft and the Department of Justice stand. Are we to cater to everyone and anyone who does not like a particular judicial decision? We need to concentrate on our economy now, and letting Microsoft get back to business is one way to do this.

Thank you.

Sincerely,

Susan Taddeo Abraczinskas

Cc: Sen. Rick Santorum

MTC–00030973

1–10–2002 9:19AM
FROM 000000000000
ARTHRITIS FOUNDATION
PAGE 01
January 9, 2001
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

With regards to the Microsoft proposed settlement: The technology industry is extremely competitive. Some of the very best minds in the country are involved in the technology sector. Some of those minds work for Microsoft. I believe that the ability that allowed this company to become a leader in its industry will also help them comply with the terms of this agreement. They will have to be more flexible and more open to the needs of other firms. But moving beyond this lawsuit will allow the company to continue to provide innovative products like they have in the past. The settlement seems to be very equitable. For example, the provision that the 20 largest computer makers will be able to obtain Windows under the same terms conditions and price is a very fair provision. The time has come to settle this case. I look forward to hearing that good news in the near future.

Yours truly,

Lydia E. Grammer
3131 Hanover Ave. #12
Richmond, VA 23221

MTC–00030974

JAN.10.2002 8:50AM
GUY CARPENTER OF PA. 215 864 3798 NO. 243 P. 1/1
≤GUY CARPENTER
Guy Carpenter & Company of Pennsylvania
Two Logan square Telephone (215) 864–3600
Philadelphia, Pennsylvania 19103 Facsimile (215) 636–9929
January 10,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing concerning the settlement negotiated between Microsoft and the Justice Department.

After three long years of litigation, this settlement represents an opportunity to move forward.

The entire IT sector is ready to move on and get back to business, but it seems that there are those who still want to hold up the process.

This settlement is very strong and requires Microsoft to make many changes. For example,

Microsoft will be required to disclose information concerning certain internal interfaces in Windows.Microsoft's competitors will also be free to sue Microsoft if they feel the company is not complying with the agreement. Beyond that, Microsoft has agreed to be monitored throughout the entire process to ensure that they are following proper procedure.

The concessions that Microsoft has made speak volumes to the fact that they want to help the IT sector get back to business. Let us help support the agreement by letting the terms speak for themselves.

Let us help not only our technology industry, but all industries which utilize technology such as insurance and finance, move forward and help get our economy back on track.

Sincerely,

Kenneth Sherman, CPCU, ARe
Senior Vice President
cc: Senator Rick Santorum

MTC–00030975

01/09/2002 21:48 HOUSE SPEAKER- JIM BLACK 82023071454 NO.210 01
NORTH CAROLINA GENERAL ASSEMBLY
SPEAKER OF THE HOUSE
JAMES B. BLACK
RALEIGH 27601–1096
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Via facsimile: (202) 307–1454
Re: Support for Microsoft Settlement

Dear Ms. Hesse,

I am writing to express my support for the settlement that the Department of Justice and several states, including North Carolina, have reached with Microsoft. The settlement is reasonable and has bipartisan support. I believe that Microsoft has agreed to make many significant changes in their business practices and that the company is committed to becoming a more responsible industry leader.

The technology industry is a vital force in our North Carolina economy. Settling this lawsuit will allow the industry to continue to rebound and expand. I urge the Department of Justice and the court to approve this settlement.

Sincerely,

James B. Black, Speaker
North Carolina House of Representatives
JBB/jg
0086360.01
LIB:
STATE LEGISLATIVE BUILDING o RALEIGH, NORTH CAROLINA .27601–1096 o TEL
(919) 733–3451 o FAX (919) 715–0772

MTC–00030977

JAN 10 ''02 02:14 D.L. CURTIS CO.
17023232885
TO:
202 353 8856 PO1
Dennis Curtis
185 Brooktrail Drive
Reno, NV 89509–2180
January 7,2002
Attorney General John Ashcroft, USDOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to articulate my support in regards to the antitrust settlement between Microsoft and the US Department of Justice. As a conservative Republican, I know free enterprise should be given more freedom to operate and innovate, instead of being pulled under the reign of the federal government, as has happened with the antitrust case. At any rate, I am happy to see that the issue is being settled and I really hope that no further action is brought against Microsoft, particularly as the settlement opens the door for increased competition. The settlement will make non-Microsoft software more efficient on a Windows platform as programmers become more familiar with the aspects of the Windows operating system that were a secret up until now.

I also look forward to future product growth and development from Microsoft as well as its competitors. I believe this settlement will facilitate that end. Thank you for your time, and the work you have done to bring this about. This administration is like a breath of fresh air and I believe you are doing a great job. Thanks!

Sincerely,

Dennis L. Curtis
cc: Senator John Ensign
cc: Senator Larry Reid

MTC–00030978

FROM :
FAX NO. :
Jan. 09 2002 10:43PM P1
105 Zernich Drive
Aliquippa, Pennsylvania 15001
January 9,2002
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 feelings in regard to the recent settlement between Microsoft and the Department of Justice. I am a staunch supporter of Microsoft, and I feel this settlement is fair and reasonable. After three years of court battles, I would truly like to see this dispute resolved.

This settlement contains provisions that are beneficial to the entire technology industry. Under this agreement, Microsoft must design future versions of Windows to make it easier to install non- Microsoft software.Microsoft must also disclose information about certain internal inter faces in Windows. With all of this, Microsoft has even agreed to be monitored during this entire process to make sure that they are following procedure.In my opinion, Microsoft and Bill Gates have contributed positively to our economy and country. During these difficult times, one of our highest priorities should be to improve our lagging economy. Allowing Microsoft to devote its resources to innovation, rather than litigation, will help our economy a great deal. Thank you for your support.

Sincerely,

MTC–00030979

JAN-9–2002 10:35P FROM:E J ALPIN CO 215 943 2336
TO:12023071454
P:l/l
E.J. ALPIN & ASSOCIATES
January 9,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing this letter to take advantage of the Tunney Act, and have my opinion go on record. I was not in favor of any litigation against the Microsoft Corporation in the first place, but since a settlement has finally been reached, we need to move on. The settlement is as fair as it could be, and I wish to see no further legal action taken against Microsoft.

There are still nine states that are continuing with litigation against the Microsoft Corporation, and they are just wasting their budgets and angering their citizens. I was relieved to see that the Department of Justice and Microsoft could agree to terms, but wish it never had to come to that in the first place. The settlement was actually reached after extensive negotiations with a court-appointed mediator, and Microsoft agreed to terms that extend way beyond what was at issue in the lawsuit.

A settlement has been reached and it is time to put this behind us.

Sincerely,
Gene Alpin
cc: Senator Rick Santorum
16 Limewood Road, Levittown, PA 19056
215/547–5678 FAX: 215/943–2336

MTC–00030980

01/09/2002 19:05 480–513–4638 GORSKI PAGE 01/01
16420 N. Thompson Peak Parkway Unit 2141
Scottsdale, Arizona 85260
January 9,2002
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 the recent settlement between Microsoft, the Department of Justice and nine of the participating states. While I did not agree with the original litigation against Microsoft, deeming it frivolous and an unnecessary persecution of a successful company, this settlement has the interest of competition and fair business practices at heart. The terms of the settlement are broad, and go beyond the scope of what the original grievances filed by the government.

This settlement contains a series of provisions that do nothing but increase the sharing of information with the expected result of increasing knowledge, innovation and industry advancement. One of these terms require Microsoft to license intellectual property instead of vigorously protecting it, doing this in order to ensure that Microsoft does not monopolize key technology. Additionally, Microsoft has now agreed to a uniform pricing standard for computer manufactures, and to allow software distributors to enhance, change or remove Microsoft products from the software without the threat of retaliatory business practices. Perhaps most importantly is Microsoft's willingness to submit to a government appointed technical oversight committee that will work to ensure that the company is complying with all of the above terms of the settlement.

For these reasons, I support the settlement and hope to see it implemented soon.

Sincerely,
Mike Gorski

MTC–00030981

JAN–10–2002 14:06508 799 1015 P.O1
Facsimile Cover Sheet
To: Renata Hesse
Company Department of Justice
Phone
Fax: 202–616–9937
From: Andrea Glass
Office of the City Council
City:Hall-Room 112
455 Main Street
Worcester, MA 01608
Phone: 508–799–l049
Fax: 508–799–1015
Date: 1/3/02
Pages including this cover page: 2
Letter from Councillor-at-Large Dennis Irish.

The Information contained in this facsimile message is privileged or confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination,distribution or copying of this communication is neither a11owed nor intended. If you have received this communication in error, please immediately notify us by telephone at the above number, and return the original message to us at the above address via the U.S.Postal Service or Federal Express, at our cost. Thank You**
JAN–10–2002 14:06 508 799 1015 P.02
CITY OF Worcester
MASSACHUSETTS
DENNIS L. IRISH
COUNCILLOR-AT-LARGE
36 Server Street
Worcester, MA 01609
Telephone
Home: (508) 798–5729
Office: (508) 799–1049
Fax: (508) 799–1015
E-mail:council@ci.worcester.ma.us
January 10,2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSIMILE 202–616–9937

Dear Attorney Hesse:

I would like to comment regarding the proposed settlement in the Microsoft lawsuit.As a City Council, I represent an older city, which is the second largest city in Massachusetts.I would like to add my voice to the proposed settlement in the Microsoft lawsuit. I fully support the Agreement's approach of directing part of the settlement towards public schools. Scores of children attend schools with scant resources, which undermine the educational process.

We have all heard about the digital divide that exists along socio-economic lines. This divide has an adverse effect on public education. Recent research claims that 82% of classrooms in higher income communities have Internet access while classrooms in poorer communities have a 60% connection rate.

I support the aims of the Settlement Agreement that has been proposed, for these reasons.This agreement will provide some of our poorer students with access to technology. The Jagreement, which calls for Microsoft to provide 200,000 computers to eligible schools at almost no cost, will be a great resource to older school districts.

I urge the Court to approve the proposed Agreement.

Sincerely yours,
Dennis L. Irish
Councillor-at-Large
DLI/alg TOTAL P 02

MTC–00030982

Sent By: Town of Littleton;
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC, 20530
978 952 2718; Jan-10–02 13:59;
OFFICE OF THE
BOARD OF SELECTMEN
January 8.2002
Page 1

Dear Attorney Hesse,

I would like to take this opportunity under the federal Tunney Act review provisions to voice my opinion regarding the pending Microsoft antitrust case. It is my

understanding that Judge Colleen Kollar Kotelly is presently considering the merits of a settlement agreement to end the case that has been reached between Microsoft and the government lawyers. It is also my understanding that this settlement is opposed by Microsoft's industry competitors. Let me state my support for the proposed agreement,and my hope that it is adopted.

My perspective is twofold in that I work in the finance department of a small software company, and I also serve on the Finance Committee of my hometown, a community whose economy is very much effected by the information technology sector.From both these vantage points, I am able to see the negative impact of the case, or more importantly the potential positive impact of its conclusion. The industry at present is tentative in many ways, high tech companies having suffered disproportionately the effects of the current recession. The promise of an even greater government presence in the market does not help, even if it is Microsoft who is being targeted.

The prospect of a settlement however could have a very positive impact on the psyche of the high-tech world: not only would Microsoft, and her competitors be free to get back to business, but the threat of more regulation would be abated, encouraging more entrepreneurship. I believe the outcome would be profoundly beneficial to the industry and to the economy as a whole.

It is for these reasons that I ask that the Justice Department recommit itself to settling the case.

Sincerely,

William Ingham

MTC–00030983

Sent By: Town of Littleton;
978 952 2718;
Jan–10–02 13:57;
Page 1/1
John S. Adams
31 Snow Drive
Littleton, Massachusetts
01460
Trial Attorney Renata Hesse
Dept. of Justice / Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

I am a senior citizen, and an investor who is upset with the actions of our government in the Microsoft case. I know what antitrust law is there for, and I don't believe harassing one of our most important companies at the behest of their competitors is the reason.

I hope that judge Colleen Kollar Kotelly sees the wisdom in ending the case. The proposed agreement is a great chance to stop this errant mission, and give the economy a chance to recover. I support the settlement, and I ask those of you in the decision-making process to consider the needs of retirees such as myself who have invested in America, and are depending on pensions and stocks to get by.

I am grateful for the opportunity to have my opinion heard in this debate.

Regards,

John Adams

MTC–00030984

Sent By: Town of Littleton;
978 952 2718;
Jan–10–02 13:56;
Page 1¹FP-2≤J & P CONSTRUCTION COMPANY
JOEL PRUITT, President P.O. BOX 293, SUDBURY, MA 01776
TELEPHONE: (508) 443–0260, (617) 243–7530
January l0,2002
Attorney Renata Hesse
Antitrust Division
Department of Justice
610 D Street NW, Suite 1200
Washington DC 20530
Re: Microsoft antitrust case

Dear Attorney Hesse,

It is my understanding that the Justice Department is now taking publiccomments regarding the Microsoft antitrust case, and the settlement agreement that has been worked out. Let me say that I am in full support of the settlement agreement, and am opposed to continuing the case any further.

My small business like many others uses products made by Microsoft and other companies, I have always found that the industry is competitive and innovative. There is never any shortage of options or new ideas, and the competition is evident in the increased efficiency that has come along with attractive prices. It doesn't seem clear where the monopoly is; I think it looks like a lot of other companies trying to get the government to do their bidding.

What this country needs is not a bigger role for the government in picking sides in the software industry. What it needs is for Microsoft and everyone else to get back to making products, and growing the economy. Believe it or not, it really effects small construction outfits like mine.

I hope the Justice Department will stick to their proposal, and urge the judge to accept the deal to end the court battle.

Sincerely,

Joel Pruitt

MTC–00030985

JAN–10–02 12:33 PM DAMICO 5087999819 P. 01—
Gerard D'Amico
358 Salisbury Street
Worcester, MA 01609
January 10,2002
Renate Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSlMlLE 202–616–9937

Dear Attorney Hesse:

I would like to add my comments to the record regarding the impending settlement in the Microsoft lawsuit.

As a Former State Senator, who was chairman of the Senate Education Committee and Director of the Massachusetts Literacy Campaign, I saw the effects of the digital divide first hand. Scores of children attend schools with scant resources, which undermine the educational process. Unfortunately, the digital divide also effects working class parents as well.

I would like to ad my voice to the proposed settlement in the Microsoft lawsuit. I fully support the Agreement's approach of directing part of the settlement towards public schools. We have all heard about the digital divide that exists along socio-economic lines. This divide has an adverse effect on public education. Research States that 82% of classrooms in higher income communities have Internet access while only 60% of classrooms in poorer communities are connected.

This inequity is creating two classes of people, those with computer skills and those without. In this day and age we cannot afford to have students or workers whose computer skills are lacking.For this reason, I support the aims of the Settlement Agreement that has been proposed. This agreement will provide students with access to technology. The agreement calls for Microsoft to provide200,000computers to eligible schools at almost no cost.

I urge the Court to approve the proposed Agreement.Sincerely yours,Gerard D'Amico

MTC–00030986

FROM : HILL TAX
PHONE NO.: 715 834 7383
Jan. 09 2002 01:10PM P1
January 10. 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my feelings in regards to the Microsoft settlement issue. I feel that this settlement is fair and reasonable, and I am anxious to see this dispute resolved. I believe it will be in the public interest to stop litigation against Microsoft.

As an IRS Enrolled Agent, I have been using Microsoft products since the early 80's. Have been very satisfied with the quality of Microsoft software. Interference from the government on this issue will result in lesser benefits to myself as a consumer. This settlement will allow Microsoft to devote its precious resources to designing innovative software, rather than paying court fees. Microsoft has offered to grant its competitors access to information on Windows, and it will not retaliate if other independent companies promote their software within Windows. There will be an oversight committee that will ensure Microsoft complies with all of the agreed upon terms of the current settlement. This will benefit the economy, the technology industry, and consumers.

I support this settlement and hope the federal government will discontinue litigation against Microsoft at the federal level. Please do your part to look out for consumers,Thank you for your support.

Sincerely

MTC–00030988

9206 Tiverton Way
Louisville, Kentucky 40242
January 7,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want you to know that I support Microsoft and think that it's high time that you all leave that company alone. I hope that the Justice Department sticks to their settlement and can do whatever it can to get the rest of the states to agree to it as well. Microsoft will help its competitors use Windows with non-Microsoft software, and will be subject to the review of a governmental oversight committee, and that's enough for any company.It's good that Microsoft can use its time and resources on more important matters, like improving their current products. And since they have such a direct impact on our economy, it will be nice to have them back to help in this recession.

Thank you for taking time to hear the public's opinion in this matter. I think that more people should hear what the average person has to say about issues like this and not just their legislators.

Sincerely,

Jon Borie

01/10/2002 13:34 FAX 502 933 7490 P&P SOUTHWEST 001

MTC–00030989

Joshua Virkler
1431 Bullis Rd.
Elma, NY 14059–6956
January l0,2002
Attorney General
John Ashcroft
950 Pennsylvania Ave NW
Washington, DC 20530

Attorney General Ashcroft:

I am writing to let you know that I support the settlement being considered in the MicrosoftAntitrust case.It is my understanding that you are taking comments from consumers on how this will affectthem, since this case is theoretically being brought on behalf of us. I have been opposed to the case against Microsoft from beginning, and now I feel strongly that it is in the best interest of everyone to make this whole thing go away as soon as possible.

Consumers have been harmed far more by the prosecution of this antitrust case than anything]Microsoft could have done to harm them. The only true monopoly in this country is the Federal Government. It is the only entity that can enforce it's will with force. Every business in this nation must provide a product or service that people want, at abetter price than anyone else,in order to have any influence upon anything. The same cannot be said about government.

Thank you for your time and consideration. Also, thank you very much for the way you have conducted yourself in office so far. You have been a model of integrity, and have very closely mirrored my views on issues that you have faced. Keep up the good work!

Sincerely,

Joshua Virkler

MTC–00030990

JAN–10–2002 01:03PM PATRICIA A ARNOLD
212 862 1306
P. 01
P.O. Box 8064
New York, NY 10116–8064
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General Ashcroft:

Your stellar decision to finally end the Clinton Administration's antitrust lawsuit against Microsoft is much appreciated. In my opinion, no more action should be taken at the federal level.

The settlement makes quite a difference. Under the agreement,computer manufacturers are granted new rights to configure systems with access to various Windows features. Also, Microsoft is required to design future versions of Windows to make it easier to install non-Microsoft software and to disclose information about certain internal interfaces in Windows.

Your leadership is exemplary. Your decision is correct, After all,competitors can also sue Microsoft if they don't think the company is complying with the agreement. Taxpayers'' money should be spent for better causes.

Sincerely yours,

MTC–00030991

Jan 10 02 10:50a BUSY BEE PRINTERS 5206251022
p.1
Bob & Vi Greene
108 E. El Viento
Green Valley AZ 85614
(520)393–0635
bobnvi@aol.com
January 10,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am happy to hear that a settlement has been reached between Microsoft and the Department of Justice. This settlement was reached after three years of litigation and with the assistance of a court appointed mediator and should be allowed to pass through public review.Microsoft, in my view, has agreed to more than enough, and has compromised more than any other company has ever been asked to. Microsoft has agreed to share even more information about their software design. In addition,Microsoft has agreed to be under the constant monitoring of a government created technology committee, which will review Microsoft's software codes and books. This committee will ensure that Microsoft abides by the agreement.Our federal government and Microsoft have been in battle for three years.Allowing Microsoft to create and innovate, not litigate, would be a huge step in that direction. Beyond the good of Microsoft, this settlement is in the public interest, allows the fostering of competition across the entire industry and sets a positive benchmark for future similar issues.

Sincerely,

Robert Greene

MTC–00030992

01/10/2002 13:27 5704769235 GEORGE ANDREWS
PAGE 01
*P.O. Box 8A*East Stroudsburg*Pennsylvania*18301*
January 9,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I have been asked so submit my opinion regarding the Microsoft litigation.I thoroughly believe that litigation against Microsoft in the antitrust case was unjustified and not in the best interest of the American public. I am happy to see that Microsoft will not be broken up which could have lead to another Ma Belldebacle. However, it still makes concessions to its opponents to bring an end to the suit.

Microsoft should have not to document and disclose various interfaces that arc internal to its Windows'' operating system with out receiving a fee from the prospect wanting to run on Microsoft's platform. Microsoft worked long and hard to create this technology and owns the rights to it. Microsoft should not be aloud to prevent manufactures from promoting competitive products nor should Microsoft be bared from negotiating agreements that are exclusive to them. It is not the government's place to force a business to not take part in promotions that will compete for market share. This would be to tie the hands of a companies sales and marketing efforts.

These are concessions that seem to go against many of the principles on which the free enterprise system was founded. As restrictive as the concessions may be if Microsoft supports the settlement, then I guess I can too. However I believe it sets a bad precedent

Sincerely,

George Andrews

cc: Senator Rick Santorum

MTC–00030993

01/10/2002 12:22 7327872166 GWSCLACEY
PAGE 01
91 Beacon Boulevard
Keansburg, NJ 07734
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to go on record as being a supporter of the settlement that was reached last November between Microsoft and the Justice Department, which brought an end to the antitrust lawsuit.

For three long years the Department of Justice and Microsoft engaged in costly litigation, and finally a settlement was reached. Although the restrictions that have been placed on Microsoft are harsh and undeserving, I am just glad to see this come to an end. I hope that the settlement will encourage the states that have yet to settle to change their minds.

I appreciate your time, and again, I support the settlement between Microsoft and the Justice Department.

Sincerely,

Suzanne Lacey

MTC–00030994

FROM : Panasonic FAX SYSTEM
PHONE NO. : 650 588 9176
Jan. 10 2002 10:45AM P1
150 Minorca Way
Millbrae, California 94030
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a supporter of Microsoft, I write to you with appreciation of the settlement that has been reached in the antitrust battle between this company, and the Department of Justice. After three years of negotiating, it seems that all voices have been heard, and the agreement is beneficial to all involved.

During this time of strained economy, it is evident that we need to support our industry, and let business get back to business. The stage has been set for the competitive process to take hold, and it is time to let the IT sector get back to work. Our Technology Industry needs our support so that it may continue to hold its position in the world marketplace. By further reviewing the terms of the agreement we delay the process even longer.

Why should we use our precious resources on an issue that is been over-discussed? Thank you for letting us support our technology industry, and our economy as a whole, by making sure that no more legal action is taken against Microsoft.

Sincerely,
Russell Beardsley

MTC–00030995

FROM : Panasonic FAX SYSTEM
PHONE NO. : 650 588 9176 Jan. 10 2002 10:46AM P2
150 Minorca Way
Millbrae, California 94030
January 8, 2002
Dear Mr. Ashcroft:
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW Washington, DC 20530

I wanted to write to thank you for the work that you have done in the Microsoft antitrust dispute, and for the role that you played in reaching the long overdue settlement that finally came to fruition.

Since the anti-trust suite has been settled in the interest of all parties I hope there will be no further legal action taken against Microsoft. After all, the terms of the settlement Were well thought-out and are very reasonable, including increased government- oversight of Microsoft's business practices and uniform rules for licensing Windows to computer makers.

Our economy has suffered a great deal, and it is time to support it by letting our technology industry get back to business. This agreement will benefit both consumers as well as the IT sector as a whole. I support this settlement, and hope to see it implemented soon.

Sincerely,
Helen Beardsley

MTC–00030996

TO JAN-10–2002 12:54
FROM WAYTEK INC
Waytek, Inc.
January 10, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington. DC 20530–0001

Dear Mr. Ashcroft,

It must be agreed by all that Microsoft has always maintained an attitude of arrogance with respect to its OEMs and to software developers. but this attitude should never, in my opinion, have facilitated an actual lawsuit against them by our government. Certainly, as the IT community matures, there will be enough competitive pressure brought to Microsoft to have forced them into a position of greater cooperation.

It is my belief that these kinds of issues do not fall under the purview of our government.

This lawsuit has created a tremendous amount of anxiety and uncertainty within the IT community that it has been responsible, in part, for the recession that is with us even today.

This settlement, however. signals the end of the government's hostility towards Microsoft and will aid the entire IT community by dispelling the uncertainty. It will improve licensing and contractual agreements, so that they cannot be used as leverage against other companies.

Moreover, the settlement will be enforced by a Special Technical Committee, whose sole purpose is to watch Microsoft. I am hopeful that this review process will vindicate the settlement.

Sinerely,
Daniel Safeer
P.O. Box 10,
West Berlin, NJ 08091
(856) 346–9310
Fax (856) 346–0557

MTC–00030997

MASTECK
Corporate Office
1340 Reynolds Avenue
Suite 105
Irvine, CA 92614.5502
949.851.2279
800.248.6279
Fax 949.851.1779
www.MastechInc.com
Houston Branch
12602 Pine Bough Ln
Cypress,TX 77429–2241
281.373.5759
Fax281.373.9501
January 9,2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

Much has been said about this lawsuit between the Department of Justice and Microsoft. Now that it has reached a settlement stage, it is my hope that we can put this entire unfortunate episode behind us.

There is a public perception that Microsoft may we11 have been a bit too protective of both its software and its use by its OEM customers. This may be true, but the terms of the settlement adequately address this. OEMs are well-protected by this settlement, since the settlement requires Microsoft to design Windows so that OEMs can easily reconfigure Windows to add access features to non-Microsoft software. They are also protected by the new licensing arrangement.

It is time to turn our attentions to more relevant and important issues facing us today. It's time to put this behind us.

Sincerely,
Greg Marone
IT Director
Jan. 10. 2002 12:25PM
MASTECH9498511779 No.2341 P. 1

MTC–00030998

FORM : Panasonic FAX SYSTEM
PHONE N0. : 7042589930
Jan. 10 2002 03:55PM P1
556 Crowfields Lane
Asheville, North Carolina 28803
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you to thank you for allowing Microsoft to get back to work.

The settlement plan for Microsoft's antitrust case is more than an adequate remedy to the complaints of Microsoft's competitors and critics. Microsoft will share information with its competitors about Windows, and this will allow them to more easily install their own software on the operating system. Ultimately this will benefit all of the technology industry.

At a time of a weakening economy I think it is only sensible to end this controversy. Further sanctions for or restrictions on Microsoft will prove to be counterproductive. This country needs this company to continue to thrive and to lead the Information Technology Industry into this new and dangerous century.

I thank you for supporting this company and for reaching a fair and just settlement.

Sincerely,
Gerd Smith

MTC–00030999

FROM : HILL TAX
PHONE NO. : 715 834 7383
Jan. 10 2002 08:59AM P1
Randal J Hill
811 Garden St
Eau Claire WI. 54703
715 834 7379
January 10, 2002

I am writing you today to express my feelings in regards to the Microsoft settlement issue. I feel that this settlement is fair and reasonable, and I am anxious to see this dispute resolved. I believe it will be in the public interest to stop litigation against Microsoft.

As an IRS Enrolled Agent, I have been using Microsoft products since the early 80's. I have been very satisfied with the quality of Microsoft software. Interference from the government on this issue will result in lesser benefits to myself as a consumer. This

settlement will allow Microsoft to devote its precious resources to designing innovative software, rather than paying court fees. Microsoft has offered to grant its competitors access to information on Windows, and it will not retaliate if other independent companies promote their software within Windows. There will be an oversight committee that will ensure Microsoft complies with all of the agreed upon terms of the current settlement. This will benefit the economy, the technology industry, and consumers.

I support this settlement and hope the federal government will discontinue litigation against Microsoft at the federal level. Please do your part to look out for consumers.

Thank you for your support.

Sincerely,

Randall Hill

MTC–00031001

JAN-11–2002 09:13 AM
REP. VINCENT A. PEDONE
508 791 7400 P.01
VINCENT A. PEDONE
STATE REPRESENTATIVE
ROOM 540
TEL: (617)722–2080
The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133–1020
Committees:
Ways and Means
Energy
Housing and Urban Development
January 11, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSlMILE

Dear Attorney Hesse:

I would like to add my comments to the record and add my voice to those in support of the proposed settlement in the ongoing Microsoft lawsuit.

As a State Representative from Worcester, Massachusetts who represents an older urban district, including some of the poorest areas of the city, I felt it is important for me to offer some thoughts regarding the proposed settlement.

The Commonwealth of Massachusetts has made educating our children the top priority. Over the past seven years, the Massachusetts legislature has redoubled its efforts relative to funding of the public education system in the state.

This was in response to a commitment by the legislature to bring the Massachusetts Public School System into the 21st'' century.

With this in mind, we have also made available capital funds and grants to upgrade our schools computer systems and school technology. However, because of new and innovative advances in computer systems software and internet connections, systems that were purchased just five years ago are obsolete. Staying ahead of the technology curve is attainable, but very costly.

Although I am not familiar with the intricacies of the agreement, I do know that there is one component of the agreement that will help scores of school children in the city of Worcester: Microsoft will provide 200,000 computers to eligible schools at almost no cost. I applaud the Agreement's approach of directing part of the settlement towards public schools.

We have all heard about the digital divide that exists along socio-economic lines. This divide has an adverse effect on public education. Research states that 82% of classrooms in higher income communities have Internet access while only 60% of classrooms in poorer communities are connected.

For this reason, I support the aims of the Settlement Agreement that has been proposed. This agreement will provide students in my district, as well as throughout the Commonwealth, with access to technology that has been to costly for communities to purchase.

Thank you for your time and consideration on this manner.

Sincerely yours,

Vincent Pedone

State Representative

MTC–00031003

Jan.1O. 2002 11:13AM 7144450201 EMS No.3169 P. l/l
7026 Via Ostiones
Carlsbad, CA 92009–6614
January 11, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft

The antitrust lawsuit leveled against Microsoft by the Federal Government was completely unfounded and totally unjustified. However, since a settlement was reached between the parties, it should be accepted and finalized by the courts as soon as the public comment period ends. I personally feel the main tenets of the settlement go too far, are not fair to Microsoft and hurt the ideals of free enterprise and capitalism. Microsoft could easily go on fighting this thing out in the courts for years. However, Microsoft has very nobly agreed to accept and abide by the terms of the settlement instead of wasting millions of taxpayer dollars in round after round of court battle with the Federal Government.

For all intents and purposes the Federal Government won this case and should be very pleased with the outcome. The fact that Microsoft will now be forced to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included in Windows is proof that the Federal Government has met its objective. Additionally, Microsoft will be forced to document and disclose its various interfaces that are internal to Windows'' operating system products—a first in an antitrust settlement. Furthermore, Microsoft must make available to its competitors any protocols implemented in Windows'' operating system products that are used to interoperate natively with any Microsoft server operating system. Finally, Microsoft has agreed to a three-person Technical Committee that will monitor Microsoft's compliance with the settlement and assist with dispute resolution. The government did the same thing to Bell Telephone Company back in the late 1970's. The results were tragic and I fear that the government did not take into account the future impact and this too will have a tragic effect on technology and the entire world. It appears that the Federal Government, at taxpayer's expense, won't stand for progress and will do everything it can to penalize or destroy the guy ''out front,'' such is the case with Microsoft. Microsoft has transformed the face of the planet for the better and should be left alone once and for all. Please finalize this settlement as soon as possible. Thank you.

Sincerely,

Steven Golden

MTC–00031004

Jan 11 02 10:08a p.1
FAX COVER SHEET
LINDA AND JERRY LEADS
722 POMELO DRIVE
VISTA, CA 92083
(760) 724–3433
fax (760) 724–7749
SEND TO
Company name ATTORNEY GENERAL
From
JERRY LEADS
Attention
MR. JOHN ASHCROFT
Date
1/11/02
Office location
WASHINGTON DC
Office location
VISTA, CALIFORNIA
Fax number
1202–3071454
Phone number
760 724–3433
Urgent Reply ASAP Please comment X Please review For your information
Total pages, including cover: 2
COMMENTS

I strongly URGE you to cease all Federal action against Microsoft now that a settlement has been reached. Thank you for your help in this matter

Sincerely

Jerry Leads

Jan 11 02 10:09a
P.2
LEADS
Linda and Jerry Leads
722 Pomelo Drive
Vista, California 92083
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 10, 2002

Dear Mr. Ashcroft;

As a user of Microsoft's software and component product, and as a supporter of their mission and phi-losophy, I strongly urge you to oppose any additional federal action against Microsoft now that a settlement has been reached. After three+ years of dealing with frivolous litigation, Microsoft and the department of Jus- tice have come to an agreement that is fair, judicious, and reasonable, and should be

allowed to stand on its own merits. I passionately disagree with any attempt by any government official to delay the implementation of this settlement agreement or to enter into any further litigation with Microsoft. While Microsoft continues to innovate the premier operating system and office productivity software in the industry, this settlement an- swer many, if not all, of the government's concerns with Microsoft's business practices. the agreement pro- vides for a government technical oversight committee, which will be responsible for monitoring the company's business, marketing and licensing practices.

Additionally, the settlement's terms require Microsoft to allow computer manufacturers to configure their systems individually and forces Microsoft to design future software versions so that non-Microsoft soft- ware can be easily added to the computers. Perhaps most importantly, this settlement allows Microsoft's competitors, including Apple, SUN Microsystems and IBM to sue Microsoft if they believe that the company is not abiding by the terms of the settlement.

This antitrust settlement provides the ability for Microsoft to continue to innovate and to lead the in- dustry, while at the same time correcting some of the perceived wrongs committed in the past.

During this time of shaky economies, and an unstable international environment, I am glad that you and your colleagues will now be concentrating on greater national priorities besides the legal dealings of a successful corporation.

Thank you for not supporting any federal intervention into this settlement.

Sincerely
Jerry Leads
Phone: (760) 724–3433
Fax:(760)724–7749

MTC–00031005

01/11/11/2002 13:03 7274460170 DATA MANAGEMENT
PAGE 01/01
DATA MANAGEMENT
SYSTEMS INC.
Solutions You Can Depend Upon
1051 Cephas Drive o Clearwater, FL 33765
Tel. 727.443.4700 o Fax. 727.446.0170
www.dmsus.com
e-mail: lnfo @dmsus.com
January 10, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I believe that Microsoft has done much to advance and yet simplify the information age, not for just this country, but worldwide. It is a shame to see the government interfere with Microsoft's freedom to innovate and Microsoft's ability to continue to improve its products Moreover, The Justice Department is causing harm to the entire Information Technology industry by trying to break up a ''world class'' company that has done so much to make this country the dominant technological leader of the world. Fortunately, Microsoft has reached a settlement with the Department of Justice regarding the antitrust suit.

This settlement will tackle the issues involved in the original suit as well as others that arose over the past three years. The settlement states that Microsoft must not enter any contracts that may prevent software developers from developing or promoting software that competes with Microsoft, For hardware makers, Microsoft has agreed to provide rights to its Windows operating system to the 20 largest at equal terms and conditions, including the price.

It is necessary that those who are involved, in the suit put aside their differences and work to resolve this issue swiftly. The government has intervened in this case for too long; it is time to stop all action at the federal level and get back to the business of innovation.

Sincerely,
Gerald Riddle Ph.D.
Vice President

MTC–00031006

From Michael H. Ohl 610.837–3157 To John Ashcroft
Date l/11/02—Time 10:49:56AM
Page 1 of 1
Vectors & Layers
Tel. (610) 837–7409
Fax (610) 837–7409
508 HILLDALE DRIVE, BATH, PA 18014–9143
January 10,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing in response to the outcome of the antitrust suit between Microsoft and the Department of Justice. As both a home and workplace user of Microsoft products I am anxious to see a final resolution to the antitrust case. I understand that although a settlement has been reached it is still up for debate as to whether or not it will be permanent. I am in agreement with the current settlement, and do not wish to see any further action taken against Microsoft.

As a user of both Microsoft and their competitors'' products I have on the whole been greatly satisfied with the quality and flexibility of Microsoft products over others. In fact, my business is having problems with other companies Windows peripherals, such as Netscape Communicator not being able to read HTML content sent through Outlook Express.

Legal action against Microsoft affects a lot of people outside Microsoft itself. Right now more than ever we need a strong economic backbone in the IT industry. That is why I fully support the current antitrust settlement.

Sincerely,
Michael H. Ohl
Owner, Vectors & Layers
cc: Senator Rick Santorum
508 HILLDALE DRIVE o BATH, PA o 18014–9143
PHONE: (610) 837–7409 o FAX: (610) 837–3157

MTC–00031007

Jan 11 02 10:43a
John M. Gorman
732 922 0636
p. 1
John M. Gorman
14 Red Fox Court
Tinton Falls, New Jersey 07753
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I was recently informed that there might be even further action against the Microsoft settlement. Three years of well thought out negotiations should prove themselves. Microsoft has bent over backwards to accommodate other software companies, and is still being dragged through the mud. It is time to let the system move forward. Let the terms of the agreement speak for themselves.

During this time of economic strain, we must work together to focus on our economy. Companies have to work together to keep our place in the global market. Let's not tear our IT sector apart, by encouraging war between these companies. Let us support our technology industry in its time of need. Please help support this settlement and encourage our technology industry to work together. We need to make sure that no further action is taken against this agreement. I am counting on your support.

Sincerely,
John Gorman

MTC–00031008

01/11/02 FRI 11:34 FAX 440 895 1568 NEITZEL LUKE ASSOC. 001
MARK NEITZEL
3790 E Surrey Court
Rocky River, OH 44116
January l0, 2002
Attorney General John Ashcroft, U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

I feel very strongly that the government has unduly and unfairly prosecuted Microsoft for supposed antitrust violations. This ordeal has gone on long enough and I am writing to give my support and endorsement to the settlement that was proposed between Microsoft and the Justice Department.

The states that do not support the federal settlement should not be allowed to undermine it, nor should Microsoft's business adversaries. The settlement is fair and reasonable, even making Microsoft give up trade secrets concerning its interfaces and protocols to the competition, and forcing Microsoft to be straitjacketed into a stringent licensing agreement. If the competitors have problems, they can file more lawsuits, which I understand they intend to do. Therefore, the states that settled should be allowed to move forward with it. It is their right to do so and should not be hindered by politics.

It goes without saying that settlement is preferable to litigation and that this lawsuit has had a very negative impact on the country's economy as well as the technology sector. This is a fact. It is also very ironic because the government's presumed objective of breaking up Microsoft in order to help the ''little guy'' who couldn't compete successfully against Microsoft has had the

opposite effect, and everyone is now suffering.

I support the settlement that was reached. It is good for the economy, the IT industry, and consumers.

Sincerely,
Mark Neitzel

MTC–00031009

FROM : eHIRE
FAX NO. : 2126790704
Jan. 11 2002 10:38AM P1
eHire
40 Fulton Street 19th Floor
New York, NY 10038
Tel. 212.513.7160
Fax: 212.513.7001
January l0, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, N. W.
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to comment briefly on the settlement that was reached between the Justice Department and Microsoft in the antitrust case. It is in America's best economic interest, and the public interest to execute this settlement and move on. This case has kept Microsoft tied up with litigation for three years. It does not make economic sense to do this to someone who is guilty only of offering the best, most innovative product in the marketplace. The settlement has been carefully negotiated by court appointed moderator, and goes beyond addressing the concerns of competitors and the government who felt unfairly shut out of the market.

It is time for everyone in the computer industry to stop spending their resources on litigation, to accept this settlement as nine good states have, and get back to the business of innovation for American leadership.

Sincerely,
Joe Sabrin

MTC–00031010

01/11/2002 11:23 6144519599 LORMS AND BELFRAGE PAGE 01/01
Morris
Real Estate Service
1900 Crown Park Court
Columbus, Ohio 43235 P 614.536.2628 F 614.451.9599 E
info@morriscompany.com
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing this letter to express my satisfaction of the fact that the Justice Department finally settled the antitrust suit with Microsoft. The dispute lasted much too long, and in that time, the economy went from thriving to stagnant and stuck in a recession. I would like to go on record as supporting this long overdue settlement.

I have worked in the Real Estate business for 35 years, and run my own commercial agency. Microsoft has been invaluable to my employees and me by simplifying and standardizing computing. Windows is an outstanding operating system offered at a very reasonable price that any small business can easily afford. If Microsoft's competitors are not capable of or unwilling to produce a comparable system that is competitively priced why should consumers like me be penalized? It seems to me this is why they have spent more money and time on lobbying legislators than on research and development. This has obviously worked since one of the terms in the settlement is that Microsoft is going to have to turn over source code and information about the design of Windows.

I appreciate the fact that my opinion can go on record, and again, I fully support the Microsoft settlement.

Sincerely,
Tom Morris

MTC–00031011

01/11/2002 11:23 7046678312 G
PAGE 01
002
Dee Ann Henderson
21 Fairfield Drive
Candler, North Carolina 28715
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I was pleased to hear that the Department of Justice had settled its antitrust case against Microsoft. The case had gone on for far too long, and the nation had suffered for it. There is no need to waste taxpayer dollars on this topic anymore, especially when there are many other important issuer at hand. I fully support the settlement that has been reached.

Some of Microsoft's critics may say the settlement isn't hard enough on Microsoft, but they would be incorrect. Under the settlement, Microsoft will share information with its competitors, which will allow them to more easily place their own software on Microsoft's operating system. This measure alone would greatly immense competition in the technology market, but Microsoft has agreed to even more. Microsoft will also agree to adhere to a uniform pricing list when licensing Windows out to the twenty largest computer manufacturers in the country, forgoing standard market pricing mechanisms. Additionally, Microsoft will be monitored full time by a technical review committee to ensure that it follows the dictates of the settlement.

For these reasons, I am in full support of the settlement, and I look forward to seeing an end to this lawsuit.

Sincerely,
Dee Ann Henderson

MTC–00031012

95 Ordale Boulevard
Pittsburgh, PA 15228–1523
412) 343–1572 e-mail dzubay2@adelphia.com
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 8, 2002

Dear Mr. Ashcroft:

I am writing you today to express my feelings about the recent antitrust settlement between Microsoft and the US Department of Justice. I feel that this settlement is fair and is in the best interest of the public. I strongly support the end of this litigation.

Under this agreement, Microsoft must share more information with other companies to make it easier to compete. Microsoft must also be monitored closely for compliance to this agreement. This settlement also allows Microsoft to devote its resources and time to designing innovative software, rather than litigation which will benefit all of us.

During these difficult times, one of our highest priorities should be improving our slowing economy. Restricting Microsoft will not achieve this but also waste valuable time and resources. Thank you for settling with Microsoft. cc: Senator Rick Santorum

Sincerely,
Egon Dezubay Sc. D., P.E.

MTC–00031013

01/11/2002 13:59 7245377806
CLAUDE G MYERS
PAGE 01/01
Horace Mann
Insuring America's Educational Community
Retirement Annulzies and
Life, Auto, Homeowners and Group Insurance
The Horace Mann Companies
721 Spring St.
Latrobe, PA 15650–2023
Bus./Fax (724) 637–7806
Claude G. Myers, Representative
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my feelings in regards to the settlement that was reached on November 6, 2001, between Microsoft and the Department of Justice. I believe this settlement is fair and reasonable, and I am anxious to see this dispute resolved. I sincerely hope that there will be no further action against Microsoft at the Federal level.

This settlement contains provisions that foster competition and are beneficial for the 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 internal interfaces in Windows.

During these difficult times, one of our highest priorities should be boosting our lagging economy. Restricting Microsoft will not achieve this end. Please do not punish Microsoft for pursuing the American dream. Thank you for your support.

Sincerely,
Claude Myers
Representative
cc: Senator Rick Santorum
www.horacemann.com

MTC–00031014

JAN 11 2002 (FRI) 02:31

EXEC OFFICE 724 656 4171 PAGE l/l
Robert Wushinske
Rural Route 2
New Wilmington, Pennsylvania 16142
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

The purpose of this is to address the Department of Justice and Microsoft settlement. This was settled after a long, litigious battle costing both parties time and money. I do not believe Microsoft was culpable of any antitrust practices. The lawsuit is more a product of envious competitors than actual misdeeds. Microsoft did acquiesce to demands by the Department of Justice, opening up their source codes to computer manufacturers and competitors, giving more flexibility to computer makers to install non-Microsoft programs, expanding Windows'' operating system products, and even allowing a technical committee to monitor Microsoft adherence to the settlement. This is far more than any other firm would have done.

But the history behind the case is no longer relevant. A decision has been reached and I do not want to second-guess decisions reached by both parties. Microsoft had very good counsel; an equitable agreement was reached. It is now time to move on. We should not get into the habit of criticizing judicial decisions simply because they do not please everybody. It sets a bad precedent and undermines any future decisions.

Sincerely,
Robert Wushinske
cc: Senator Rick Santorum

MTC–00031015

FROM : CHUCK PHONE No. : 12086228700
Jan. 11 2002 10:17Am P1
P.O. Box 212
Sun Valley, Idaho 83353
January 11, 2002
Attorney General John Ashcroft
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

This letter is to add my support to the Department of Justice and Microsoft settlement. I applaud the ending of what, to me, was a great injustice done to Mr. Gates. Mr. Gates is a very successful man, who created a very successful company. He has made a great deal of money, but he has given a great deal of money away. Mr. Gates is someone who this country should be very proud of; unfortunately, the petty jealousy of his competitors have accomplished what they could not do on their own—that of damaging both his company and him in an antitrust suit. The suit was settled, with Microsoft giving away far too much. What company would allow computer makers to configure their product to promote another product? This is what Microsoft has done, allowing computer makers to promote non-Microsoft software programs within Windows and even agreeing to design future software programs in a way as to make it easier for computer makers and programmers to promote non-Microsoft software. I wonder if any other firm in another industry would so willingly give away its secrets. Yet, Microsoft agreed to this in order to end the lawsuit, wanting to get on with business. I admire Microsoft for dealing with a very bad situation and trying to go forward, putting this case behind them. Which is why I am writing to ask that you do also.

Microsoft is but one of the thousands of companies that have made this country. He has merely succeeded too well. But I wonder what effect this lawsuit will have on future entrepreneurs, people who have a dream or vision of their own, but are afraid to pursue for fear of having the government breathing down their necks if they become too successful. It would be such a shame if we clip our children's wings even before they are given a chance to fly.

Support the agreement reached between the Department of Justice and Microsoft. Thank you.

Sincerely,
Karen Bohlke
Charles R. Bohlke
cc: Senator Larry Craig

MTC–00031016

Jan. 11. 2002 11:12AM No. 7089 P. l/l
January 11, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FAX
Dear Attorney Hesse:

I would like to add my comments, regarding the proposed settlement in the Microsoft lawsuit.

Presently, it appears that our economy is either in a recession or quickly heading in that direction. Consumer spending and consumer confidence is down. The one thing we should not be doing right now is putting roadblocks in the way of American industry. Microsoft and America's Hi-tech industry have been able to prosper and create much-needed jobs, because they are innovative and competitive. What they don't need right now is government interference, over-regulation and being forced to spend money on lawsuits. That money could be better spent creating new products.

These new products would benefit American consumers in a couple of ways. First, they would make our jobs easier and improve productivity. Secondly, they would create new jobs in the technology sector of our economy.

Let's put a quick end to the lawsuits. Let's get America back to work. Yours truly,

Bernard Whitmore
Worcester, Massachusetts

MTC–00031017

JAN-11–2882 10:46 PM P.01
Linda Tomlinson
December 20, 2001
Renata Hesse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Subject: United States v. Microsoft Corporation
Dear Attorney Hesse:

According to the American Electronics Association, New Hampshire has the highest concentration of high-tech workers in the nation. We also have a tradition of placing the uppermost priority on limited government involvement in the market place. Also, Money Magazine cites many of our cities as the ''best places to live'' in the nation.

It is for these reasons that I feel passionately about the Microsoft case and believe that acceptance of the proposed settlement is in everyone's best interest. My state is a shining example of how limited government, combined with high technology, can create an extraordinary environment for consumers to live, work and raise a family.

High technology is forever changing and evolving. For the federal government to attempt to analyze its operations and punish the company because of its success is just not reality. Unfortunately, the federal government gave too much credence in the first place to Microsoft's competitors -who prefer to use lobbyists and bureaucrat intervention to make up for their inability to compete in the marketplace.

Over $30 million in taxpayer funds have already been used on this case alone! It's time to settle and remove the federal government from the equation. It is only then that the marketplace can thrive and adequately fulfill consumer needs.

Sincerely,
Linda Tomlinson
209 Lower Straw Road Hopkinton New Hampshire 03229

MTC–00031018

From 336–922–1214 to 1/11/2002 10:15 AM 001/001
Russell L. Smith, Jr.
4216 Thorn Ridge Road
Winston Salem,North Carolina 27106
336–922–1214 jdrsmith@aol.com
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing to express to you my views regarding the antitrust lawsuit against Microsoft. After years of legal battles, I'm happy to see a settlement was finally agreed upon. Spending any more time and effort on this issue is not only a waste of taxpayers money, but a waste of time that should be spent moving forward in the future of technology.

Prior to my retirement, I worked in the IT sector of the manufacturing industry and saw the advances that Microsoft has been able to create with its innovative technology. It is unfortunate that Microsoft was punished for its capabilities.

The settlements terms, sharing code, changing licensing practices, allowing oversight, etc., are definitely fair and reasonable. I support your decision to settle, as well as the agreed upon terms and sincerely hope that no further action will be taken at any level against Microsoft related to this lawsuit.

Sincerely,
Russell Smith

MTC–00031019

JAN-11–2002 08:53 PM P.01
Andrew M. Hoffman, DVM
74 Mount Vernon St.
Boston, MA
01208
December 28, 200l
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

It has come to my attention that the government is now accepting public comment in the case of U.S. v Microsoft. I'm writing to express my support for this settlement. Millions of dollars have now been spent to arrive at this settlement. Although it was beneficial to the American people to investigate the business practices of such a large company, no harm to consumers was elucidated. It is now time to stop spending taxpayers'' money and let the decision be final.

Over the past several months Americans have suffered great losses. These losses have been both emotional and financial. Although the government cannot help us with much of what has been lost, it can help us to get the economy back on track. Punishing Microsoft for contributing to the American economy and tying up the courts'' time is not the way to accomplish this.

Allowing Microsoft to continue to be a leader in innovative technological products will help immensely in getting this country back on it's feet. Recession is a difficult time for all of us. Microsoft's contribution to the economy should not be seen as antagonistic to each of our financial goals but rather as complementary and beneficial.

Sincerely,
Andrew M. Hoffman

MTC–00031020

JAN–11–2002 08:50 PM P.02
Elizabeth T. Marcucci
December 27, 200l
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

I support the settlement proposed in the case of U.S. v. Microsoft. As a consumer, I feel it is time for the government to stand back and allow the Microsoft settlement to stand as is. Much time, effort and money has been spent reaching this settlement. Further money and time can be better spent elsewhere, especially in these difficult times. It is now necessary for the government to allow Microsoft to expend its energies producing first quality and innovative products. Microsoft's business is technology, not harming consumers. Microsoft should not be continually subject to antitrust legislation. With the current economic situation in mind, the government should support American business.

It should work towards helping the American people and economy become strong once again. This necessitates supporting large companies such as Microsoft and allowing them to help consumers and contribute substantially to the economy.

Sincerely,
Elizabeth T. Marcucci
One Winthrop Street Hamilton, Massachusetts 01982–1325

MTC–00031021

JAN–11–2002 08:50 PM P.01
December 28, 200l
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSIMILE

Dear Attorney Hesse,

I am writing in support of the Microsoft settlement. At this time the country needs to support large and small businesses alike. Penalizing Microsoft and spending more time and money in the court system is not helping the economy or individual consumers. Microsoft's contribution to the economy and technology is enormous and should not be thwarted because of a perceived harm to the American people. This is not the purpose of antitrust laws, As an American consumer of Microsoft and other computer products, I appreciate Microsoft's contribution to the computer and technology industries. Microsoft has supplied us with excellent products and service. It is not logical to use inferior technology at higher prices merely for the sake of compliance with well-meaning but misguided legislation.

Please stop spending American dollars needlessly and allow the Microsoft settlement to stand. Our tax dollars are too valuable to be spent in this manner especially considering the events of the last few months.

Sincerely,
Seth Ross
30 Spruce St.
Acton, MA 01720

MTC–00031022

JAN–11–2002 8:07AM RAID INC NO.146 P.l/l
RAID
INCORPORATED
January 2, 2002
Renate Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530

Dear Attorny Hesse:

I would like to take this opportunity under the public comment period of the Tunney Act provisions to offer my support for the settlement of the Microsoft anti-trust case presently before the court.

This case should never have been pursued in the first place, as the basic conditions of anti-trust violation were never met. The information technology industry that Microsoft supposedly monopolized continues to thrive, with new companies and technologies emerging nearly every day. And the consumer, on whose behalf the case was theoretically brought, has benefited enormously from Microsoft and only stands to lose if the company is regulated to death.

I am a small businessman who understands the great advances Microsoft has brought not only to the national economy, but also to the abilities of thousands of small businesses to prosper independently. I am not sure that those who seek Microsoft's demise appreciate the harm it would do to small businesses like mine. We depend on the affordable, universally-integrated, and innovative products that Microsoft delivers. I have little sympathy for her complaining competitors, who are every bit as aggressive in the marketplace, and less successul.

Please use this time period to reiterate the Justice Departments call for settlement, and urge Judge Kollar Kotelly to accept the agreement reached in November. I thank you for the opportunity to voice my opinion in this matter.

Very truly yours,
/mjd/
Marc DiZoglio

MTC–00031023

1681 NE 10th Avenue
Oak Harbor, WA 98277–4805
January 10, 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 feelings in regards to the settlement that was reached early last November between Microsoft and the Department of Justice. I feel this settlement is fair and reasonable, and I would like to go on record as supporting the settlement.

Under this agreement, Microsoft has agreed to share more information with other companies, create more opportunities for them, and give consumers more choices. Microsoft must disclose information about certain internal interfaces in Microsoft and must share software codes and books with a technical oversight committee created by the government for review.

During these difficult times, one of our highest priorities should be to boost our lagging economy. Restricting Microsoft will not achieve this. I fully support the settlement between Microsoft and the Department of Justice.

Sincerely,
Bill Meche
From: NORTHWEST BOARD PHONE No.: 360 675 3753 Jan.10 2002 10:46PM P01

MTC–00031024

JAN–10–02 THU 08:30 PM DALOIA 913 437 3723 P.01
Trackside
John D'Aloia, Jr.
311 West Alma Street o St. Marys, KS 66536 o Phone/Fax 785–437–3723
January 10,2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice

601 D Street NW, Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse:

Settling the Microsoft anti-trust case is of great importance to our economy and the principles of justice. The Clinton Administration decided to sue Microsoft for anti-trust violations.

I always assumed that a necessary element for such a suit is evidence of consumer harm. So far, there has been no evidence that Microsoft's business practices have caused consumer harm, rather, the case has become an example of excessive government interference in the market place.

I suspect that this is one of the reasons the Department of Justice settled with Microsoft, I was very disappointed when Kansas Attorney General Carla Stovall refused to sign on with the proposed settlement. Stovall's unwillingness to agree to this settlement is purely political, a tax-payer funded publicity play to keep her name in the press while she runs for governor. She and the others who are continuing to pursue this case are apparently more interested in making headlines at the expense of the taxpayer then doing what is right for their constituents and for the vitality of the economy. I have written Attorney General Stovall to let her know that I was adamantly opposed to her wasting taxpayer dollars while gaining for Kansas an anti-business reputation.

It would appear that the business climate is getting better and the economy shows signs of shaking off the recession. I urge the Department of Justice to accept the settlement and so recommend to Judge C. Kollar-Kotelly.

Sincerely,

MTC–00031025

01/11/2002 08:34 8647180602 KATHLEEN KOJIS PAGE 01
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

While I am not happy that the federal government took three years to sue Microsoft in court, I am happy to see that the Attorney General has put an end to the case with a strong and binding agreement. I wholeheartedly applaud this decision.

Since a settlement was finally reached after three years of protracted and extremely costly court battles, it should be accepted and finalized as soon as possible. The agreement requires Microsoft to make its protocols and access mechanisms available to competitors; these are the protocols used in Windows'' operating system products, and the mechanisms are used to encourage non-Microsoft products. The company also agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

Microsoft's tremendous contribution to the United States'' economy, and that of the entire world for that matter, goes without saying and requires no elaboration. Not only will the settlement help our economy escape from its current slump, but it will also give Microsoft's competition a hand up. This is why the federal government should not pursue any litigation beyond this agreement. The company should now be left alone once and for all.

Sincerely,
Kathleen Kojis
35 Lighthouse Way
Salem, SC 29676
cc: Senator Strom Thurmond
Representative Lindsey Graham

MTC–00031026

01/11/2002 10:13 616–659–8824 RGB NETWORK SERVICES PAGE 01/01
RGB
Network Services, Inc.
903 North Clay, Suite E
Sturgis, MI 49091
Phone: 616.651.9037
Fax: 616.659.8824
January 10, 2002
Attorney General John Ashcroft, Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

It is a shame that the government has attacked Bill Gates for following his vision and the American Dream. If you recall, he basically started Microsoft in a garage on nothing more than a wish and a promise. And because he worked very hard to develop, produce and market an outstanding operating system his company grew to become the standard and leading technology innovator in the world.

I am totally opposed to the governments'' actions against Microsoft, for they were unjust, misguided and politically motivated. However, the fact that a settlement was ultimately reached is a very positive development because settlement is preferable to years of continued litigation, especially in this matter.

One aspect of the settlement that strikes me as profound is Microsoft's agreement to disclose for use by its competitors various interfaces that are internal to Windows'' operating system products. I understand this is unprecedented in an antitrust settlement.

This alone should end all claims that Microsoft monopolizes the industry. If that weren't enough, Microsoft has also agreed to make available to its competitors, additional codes implemented in Windows. Anyone who thinks Microsoft escaped any serious measure of punitive retribution is remiss.

Continued litigation will only serve to further distract the technology industry from innovating. Please finalize this settlement as soon as possible.

If you want to go after an industry that is corrupt than investigate the large oil companies.

Sincerely,
Gary Black Owner, President

MTC–00031027

FROM: UPT Consulting PHONE NO.: 281 480 2414 P01
Richard and Beverly Stroud
14515 Wisteria Hollow Lane
Houston, TX 77062
January 9, 2002
Attorney General John Ashcroft
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

It is high time we wrap up this lawsuit between Microsoft and the Justice Department. It has dragged on for three years now and it is time that we saw its resolution. A settlement is now on the table and only needs to be agreed upon by all parties. I see no reason that this settlement should be changed.

There are several very good provisions within this settlement. One of the most beneficial provisions included within the settlement is one that prevents Microsoft from taking any kind of retaliatory measures against a company that would promote software not developed by Microsoft. This greatly enhances competition in the market and also helps the smaller software companies compete. Furthermore, there are provisions that prevent Microsoft from entering into any contracts that would restrict or hinder competition in the market by forcing a computer manufacturer from only promoting Microsoft software with their product. These are provisions that will benefit the information technology market.

I worry that any more restrictions will begin to hinder the market and the ability of companies to operate freely. In addition, the next step in restrictions could very well be the break up of the Microsoft Corporation, which is no way a good thing. Therefore, I urge you to leave the settlement in its current form. There is no reason to alter it. It does what needs to be done and nothing more. I thank you for your time and I am sure you will do what is best for this country.

Sincerely,
Richard and Beverly Stroud

MTC–00031028

01/11/02 FRI 08:08 FAX 215 822 0813 GIS Environmental 001
35 Douglass Road
Lansdale, Pennsylvania 19446
January 9, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

After three long years of legal battles, Microsoft and the Department of Justice have come to a settlement regarding the antitrust suit. I believe this settlement will be beneficial to both the IT industry and our economy as a whole. The only thing this suit has done is cause the misuse of American tax-dollars, and it has severely affected Microsoft stockholders and brought down the value of the stock market itself.

Microsoft's products are by far more innovative than any competitors—comparing Windows to Linux is like comparing the 21st century to the dark ages—there is no comparison for the average consumer or small businesses. The various suits have been distracting to consumers and Microsoft alike. As shareholders (small and large) we have been punished enough. The continuation of these suits is not good for business, consumers or Microsoft.

This settlement is fair and reasonable, and was reached after extensive negotiations with a court-appointed mediator. Even though the agreement goes further than what Microsoft would have liked, it believes that settling the case now would be the right thing to do to help the industry and economy move forward. By delaying the practice of this settlement, we only harm our place in the global market.

All action that is being taken at the federal level needs to stop. It is about time Microsoft went back to innovating rather than litigating.

Sincerely,
Ron Graves
cc: Senator Rick Santorum

MTC–00031029

Jan–11–02 08:llam From- T–266 P.Ol/Ol F–187
Michele Meyers
6090 Shepherd Hills Avenue
Allentown, Pennsylvania 18106
January l0, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Subject: Microsoft Settlement

Dear Mr. Ashcroft:

I was happy to learn that the Justice Department has decided to settle its antitrust case against Microsoft. The legal battle has drained the country's resources for more than three years now, and it is time to get our national focus back on more important issues.

The settlement is eminently fair, and should address the concerns of all involved parties. Any criticism of the settlement coming from Microsoft's competitors stems purely from their own self-interest. Microsoft has given more than what was asked by the Department of Justice. First, Microsoft has agreed to increase competition in the marketplace by granting their competitors access to information about the internal workings of Windows. With this information, the competitors will be able to install their own programs on the Windows operating system, enabling them to compete with Microsoft on Microsoft's ''own turf.'' Additionally, Microsoft will agree not to take any action against any company that sells, uses, or promotes products made by non-Microsoft companies. I wonder if any of Microsoft's competitors would be as generous.

This settlement gives us a viable opportunity to get past this messy legal conflict and move on to more pressing issues. I support it, and hope it is implemented soon.

Sincerely,
Michele Meyers
cc: Senator Rick Santorum

MTC–00031030

01/10/2002 22:23
TO:
FROM : PHILIP W ICE
FAX: 8085236089
TEL: 8085236089
COMMENT :
01/10/2002 22:23 8085236689 PHILIP W ICE PAGE 01
Philip Ice
1325 Wilder Avenue, #13 Makai
Honolulu, HI 96822
January 10, 2002
Attorney General John Ashcroft
c/o The U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Mr. Ashcroft:

From the beginning of US vs. Microsoft three years ago, I have thought the suit against Microsoft has been an embarrassment to American business. Punishing Microsoft for alleged monopoly power was a rediculous, unfair, and unequal act. In the United States, there are other companies and industries that have practiced for years, truly predatory pricing and market power. The airlines are a classic and glaring example. For years it has been common knowledge, that they have actively lowered prices in areas where smaller airlines are operating to crush competition, then raise their own prices after their competition is eliminated. By ignoring these and other examples, it is quite evident to me that the Department of Justice chose to pick on Microsoft for reasons other than actions that could be be construed as predatory, or because of restraint of trade. I can see no equality of treatment or justice for all in this action.

The proposed settlement is a way for the IT industry and Microsoft to recover from three years of unnecessary government attack. For starters, it will prevent Microsoft retaliation if a computer manufacturer decides to install a competing company's software before shipment, and will allow the computer companies to configure the Windows operating system to promote non-Microsoft software products.

I hope that the Department of Justice sees the damage it has done to the IT industry and the economy by pursuing Microsoft. If the Department of Justice is honest with itself and its actions, it will see that a speedy end to the lawsuit is needed. I urge the Department of Justice to formalize the settlement and move onto more pressing matters.

Sincerely,
Philip Ice

MTC–00031031

FILE No.553 01/10 '02 21:23
ID: FUHER AND ASSOCIATES FAX:
PAGE 1
Powering the (Insurance) Industry
XDimensional Technologies, Inc.
January 10,2002
Attorney General John Ashcroft
USDOJ, 950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am the CEO of a firm that works with Microsoft to develop software that is used in the insurance industry. I believe that continuing litigation because of the antitrust suit against Microsoft may be detrimental not only to my firm but also to several companies across the nation. The settlement reached between Microsoft and the Department of Justice is a well-designed accord that will be beneficial to both the IT industry of which we are a part, and consumers alike.

The past three years spent in court battles have encouraged the government to reach into taxpayers'' pockets. The suit has harmed an already staggering economy, and rendered an entire industry dormant. The settlement obligates Microsoft to make all future versions of Windows to be able to easily have computer makers, and consumers integrate non-Microsoft software into Windows. Microsoft has also agreed not to return fire on software and hardware developers that may ship products that compete with the Windows operating system.

I suggest that you work to conclude this settlement, so that our business and the IT industry can begin to rebound and create jobs to help revive the economy. Microsoft has made the technological progress for our country possible and has been a key to our success as a small business for the past seven years. It is time to get back to business as usual; no more time and money should be wasted.

Sincerely,
Craig W. Fuher
Chairman & CEO
XDimensional Technologies, Inc.
145 S State College Blvd. Suite 160 Brea, CA 92821 (800) 789–2567 Fax (714) 672–8908
www.xdti.com

MTC–00031032

Jan–10–02 05:42p Benard Riechers 724–941–1196 p.1
130 Scenery Circle
Canonsburg, PA 15317
January 8, 2002
Attorney General John Ashcroft
U.S. Justice Department
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As an avid supporter of Microsoft products and services and a proponent of free market enterprise, Microsoft should be exonerated of all wrongdoing. I am happy to see that Microsoft will not be broken up, but I do believe the concessions they are making are too harsh. It is unfair that Microsoft is obligated to disclose intellectual property, such as interfaces and protocols to just to serve another software company. However, if Microsoft can tolerate the settlement, I support them.

Over the last decade, Microsoft has been the leading innovator in technology products and services. They have forced their own people and competitors to grow at unprecedented rates. Even in a faltering American economy, Microsoft has proven that it can maintain its vision.

I look forward to no further litigation against Microsoft and hope that the IT sector will be allowed to focus on business, which is in the best interest of the American public.

Sincerely,
Bernard Riechers
Cc: Senator Rick Santorum

MTC–00031033

Jan 10 02 05:25p p.1
FRONTIERS OF FREEDOM INSTITUTE
12011 LEE JACKSON MEM. HWY. 3rd FLOOR
FAIRFAX, VIRGINIA 22033

Phone(703)246–0110 * (888)8–RIGHTS
Fax(703)246–0129 * www.ff.org
US. Senator Malcolm Wallop (ret.)
Chairman
January 10, 2002

To whom it may concern:

There is real and credible evidence that the Congress and our representative democracy are under attack—not from anthrax or some other terrorist plot. This is a different kind of enemy—one that is aimed at destroying our cherished democratic institutions. This plot is not carried out by terrorists or bombs, but by greedy and power hungry lawyers who seek to essentially over throw our representative democracy and the rule of law and install in their place a system governance by litigation—with lawyers and unelected judges as our rulers. Under their plan, litigation is used to effectively enact legislation, promulgate regulations, and impose new taxes. This has been the trend since the tobacco litigation. Now we see the same modus operandi in the Microsoft litigation. The nine states and the District of Columbia who insist that the Justice Departments settlement with Microsoft isn't tough enough, continue to base all of their expectations and all of their arguments on the trial judge's rulings, which were resoundingly overturned on appeal.

The fact is the settlement is like virtually every other settlement. Each party got something it wanted and each party had to give-in to things that it did not want. So why do they continue to claim they cannot support the settlement? Why do they continue to misstate the law and the facts? Why do they continue to pretend to be protecting consumers? Its all about money. Justice has nothing to do with it.

Americans are already taxed to the hilt so new taxes are not popular. Thus when politicians go on pork spending sprees, they are often afraid to raise taxes any higher to pay for their excesses. Therefore, free spending states often opt for an alternative revenue source—shaking down deep-pocketed industries or companies through litigation. Hence, taxation through litigation.

Taxation through litigation is a favorite way for states to cover large budget deficits. It is no coincidence that the states that persist in suing Microsoft all have large projected budget deficits—totaling more than $11 billion. Despite the fact that the vast majority of states either settled their claims along with the federal government or opted not to get involved in the first place, a few states spend taxpayer money pursuing continued litigation in hopes that Microsoft, like the tobacco industry, will become their next cash cow. Its all about money! We are slowly surrendering our constitutional representative democracy to a cancerous system of lawyer-run governance. Our forefathers pledged their lives, fortunes, and sacred honor to obtain freedom and throw off the shackles and unjust burdens of an unelected, life-tenured king. Did General Washington and his army make those sacrifices merely to have trial lawyers and unelected, life tenured judges take the king's place, sack the rule of law, and turn our representative democracy into governance by litigation? I think not.

Sincerely,
George C. Landrith,
President,
Frontiers of Freedom Institute

MTC–00031034

From: Thomas Klinect
To: Attorney General John Ashcroft
Date: 1/10/2002 Time: 2:05:48 PM Page 1 of 2
TPI Inc.
2650 Jamacha Rd. #147–13
El Cajon, CA. 92019
Tel: 619–303–3292
Fax: 619–670–6157
FACSIMILE COVER PAGE
To: Attorney General John Ashcroft
From: Thomas Klinect
Fax#: 1–202–307–1454
Fax #: 619–670–6157
Tel #: 619–303–3292
Company: United States
Subject: Microsoft Settlement
sent: 1/10/2002 at 2:05:46 PM
Pages: 2 (including cover)
MESSAGE:

Sir,

The following letter discusses TPI's views, in general, on the remidies for the Microsoft settelment. Please take some time to review and take a small business mans point of view into your final decision on this matter. v/r

Thomas J. Klinect
TPI Inc.
619–303–3292
tklinect@tpi-inc.com

This fax is strictly confidential and intended solely for the addressee. It may contain information which is covered by legal, professional, or other privilege. If you are not the intended addressee you must not use, disclose, or copy this transmission.

From: Thomas Klinect
To: Attorney General John Ashcroft
Date: 1/10/2002
Time: 2:05:48 PM Page 2 of 2
TPI, Incorporated
2650 Jamacha Road #147, PMB 13
EL Cajon, CA 92019
FAX: 619–670–6157
January 7, 2002
Attorney Gerneral John Ashcroft, US Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530
Dear Mr. Ashcroft,

I am writing to express my concerns regarding the Justice Department lawsuit against Microsoft. If this lawsuit had succeeded to the extent envisioned by government lawyers, Microsoft's competitors, and some on the federal bench, the real penalty would have devolved to the entire IT industry, and thus to the American economy and people. Just because Microsoft's competitors have been unable to develop products that are comparable with Microsoft's products in value to the consumer, it does not follow that the government should step in and, in effect, ''dumb down'' Microsoft in an effort to make those less innovative companies more competitive with Microsoft. We have seen this principle tried with regard to our national educational policies, and it simply does not work.

It is good for a company like Microsoft to stand on a principle of unapologetic excellence. If its products and innovations are better than anyone else's then that is its reward for it's work ethic, perserverance, and technical excellence. No laws are violated when a company develops superior products. Similarly, if Microsoft's products and innovations slip into second, or third place, then that is where Microsoft deserves to be. That is the essence of the competitive marketplace. To have the government attempt to subvert the role of these competitive forces can serve only to upset the natural dynamic of the marketplace.

The settlement now in place, one in which Microsoft has agreed to an equal pricing stucture for licensing preinstalled software to hardware makers, provides a reasonable basis for closure of this matter, and I urge the Department of Justice to seek acceptance by all parties. I believe that this will best serve the interests of the American people.

Sincerely,
Thomas Klinect
Chief Executive Officer
PMB 13 2650 Jamacha Rd. #147 El Cajon, CA 92019–4319
phone 619.303.3292 fax 619.670.6157
www.tpi-inc.com

MTC–00031035

01/10/2002 17:24 9089640304 STEPHEN J. LA MONT PAGE 01
O1/10/02 THU 16:38 FAX 800 641 2255
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–000l

I must say that I am not surprised to learn that the settlement between Microsoft and the Department of Justice is being delayed even further. Not only was the suit ridiculous to begin with, but now that a settlement has been reached, there are those who still want to hold up the process. I think it is time we let things move forward, and let the agreement speak for itself.

During these times of economic strain, it seems foolish to waste valuable resources on fighting another court battle, particularly one that has been settled. Microsoft has not only agreed to rework licensing and marketing agreements, but has agreed to design future versions of Windows for even easier installation of non-Microsoft software. At this point, Microsoft has made many concessions to open up the competitive market, but the process is being delayed. Let us help get the technology industry back on track, by having this agreement move forward.

I urge you to support this settlement as it is, and help stop any further action against it. Let us help the IT sector get back to business, by letting the terms of this agreement speak for themselves.

Sincerely,
Stephen Lamont
Stephen Lamont
988 Stuyvesant Avenue
Union, NJ 07083–6906

MTC–00031036

1–10–2002 4:07PM
FROM EHD 717 291 1154 P.1

TO: Attorney General John Ashcroft
TOTAL # OF PAGES INCLUDING COVER 2
FROM: Engle Hambright & Davies Realtors
2122 Marietta Avenue, Lancaster, PA 17603
Phone: 717–291–1041
Fax No: 717–291–1154
As you requested
X For your information
Please complete
Please return
Please handle
J. Scott Ulrich
Name
1/10/02
Date
COMMENTS:
1–10–2002 4:07PM FROM EHD 717 291 1154 P. 2
J. Scott Ulrich
2122 Marietta Avenue
Lancaster, Pennsylvania 17603
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a concerned citizen of this great nation, I would like to inform you about my thoughts regarding the settlement between the Justice Department and Microsoft. I support the settlement that has been reached by all of the parties involved.

From what I have read in the newspapers, the settlement seems to be both reasonable and fair. It should be able to bring the three-year case against Microsoft to a close this year. Microsoft's critics would try and lead you to believe that Microsoft is getting off easy with this settlement. I do not believe this to be the case. Microsoft will be making changes in their business practices and its product development.

For example, Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to Windows operating system products. Also, a three person technical committee will be established to monitor Microsoft‘s compliance with the settlement. I urge that no more legal action take place by the federal government against Microsoft.

Thank you for your consideration in this matter.

Sincerely,
J. Scott Ulrich
cc: Senator Rick Santorum

MTC–00031037

Jan 11 02 02: 59p (502) 243–9035 p.1
K
January 10, 2002
Attorney General John Ashcroft
The Justice Department
950 Pennsylvania Avenue
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I have always had a great deal of respect for those who have undertaken the heavy burdens of serving in public office, particularly at the federal level. Naturally, there are times when those so situated in government make decisions with which I simply do not agree. Our government's decision to bring this shortsighted lawsuit against Microsoft was one of those times.

It is true that the larger and more successful that Microsoft got, the less responsive and consumer-oriented they became. While this attitude may have been regrettable, it certainly did not warrant action—especially by our government. The Justice Department never let market forces get even half a chance to act.

There seems to be a happy ending here. The recently negotiated settlement is fair and reasonable. It is my hope that it will survive the public comment part of the lawsuit, and that no further federal action will be brought against Microsoft. I think that they have learned their lesson. After all, the settlement already forces Microsoft to be more accountable to the government and the competition by virtue of a new ''Technical Committee'' designed to make sure that Microsoft maintains its licensing agreements with hardware makers, and, more importantly, its design obligations. These obligations open up Windows codes for the competition so that competitors'' products will run faster and more efficiently on the Windows platform.

Thank you for your continuing defense of the settlement.

Sincerely,
Kevin Landgrave
Chairman/Chief Executive Officer
KOINONIA COMPUTING
10001 Linn Station Road, Suite 205 o LouisvilIe, KY 40223
Phone: (502) 243–9227 o FAX: (502) 243–9035
www.koincompute.com o e-mail: solutions@koincompute.com
Microsoft
CERTIFIED
Partner
CITRIX
GREAT PLAINS PARTNER

MTC–00031038

01–10 02 15:53 DIETRICH T:6102967217 P:01
David Dietrich
2070 Saint Andrews Dr.
Berwyn, PA 19312–1972
David Dietrich
2070 Saint Andrews Dr.
Berwyn PA 19312–1972
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

It pleased me to hear last November that a settlement was reached between Microsoft and the Department of Justice in its antitrust case. I am writing you today to express my sincere opinion that this settlement be implemented, any further litigation dropped, and most importantly, that this whole matter be resolved quickly and without further delay.

It seems to me that, although Microsoft certainly did not get off easy, it is fair and reasonable, and seems more than adequate to accomplish the stated goals of the antitrust case: namely to increase competition within the IT Industry. The broad series of restrictions and obligations that Microsoft has agreed to under the settlement will definitely reduce anti-competitive behavior and allow its competitors to more easily market software that competes with Windows operating systems. All this will be verified and by a technical committee.

Therefore it seems to me that this settlement is sufficient, and any further litigation will counter-productive. In today's slowing economy, progress and innovation within the IT industry will be vital. I believe that we should allow Microsoft to get back to work, and that the whole issue be resolved forgotten. Please approve the November settlement and do not waste America's time and money with unnecessary federal action.

Sincerely,
David Dietrich
cc: Senator Rick Santorum

MTC–00031039

01/10/2002 15: 45 319–435–2157 HARVEY W FASCHER PAGE 01/01
1/10/2002 1:43 PM
FROM: fax TO: 13194352157,,,,,131.
PAGE: 003 OF 003
5680 N Highway 13
Coggon, Iowa 52218
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft anti-trust issue. I believe the settlement that was reached on November 2, 2001, is fair and reasonable. I support Microsoft and am pleased to see this dispute resolved. In the past months our economy has taken quite a hit, and I think that this settlement will really jump-start the technology industry, which would in turn help the entire economy. The concessions that Microsoft has made, information sharing, non-retaliation agreements and the like, are certainly sufficient for a settlement, and I hope that this case has really come to an end.

Continuing on with this case is a waste of the government's momey and Microsoft's money, and I think funds would be better spent on other issues. Thank you for ending this three-year-long dispute

Sincerely,
Bonnie Fascher

MTC–00031040

Jan 10 02 03:OOp Gary Pearce 9197878031 p.2
Mary L. Kurek
Personal Coach
P.O. Box 1962
Atlantic Beach, NC. 28512
252–726–7648
January 2, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov

Dear Ms. Hesse:

I write to support the proposed settlement of the Microsoft antitrust case and to urge the

judge in this matter to approve it. The agreement not only provides guarantees for computer manufacturers and information technology providers who want to use products that compete with Microsoft, but also establishes an unprecedented enforcement mechanism to deal with any complaints that Microsoft is engaging in anticompetitive behavior. I doubt any corporation in our nation's history has been subject to such strict competitive constraints.

Over $30 million in taxpayers'' money has been spent on this case, and no harm to the consumer has ever been proven. It is clear that the lawsuit was filed at the instigation of Microsoft's competitors, and I believe it has been not only a waste of money, but also a dangerous distraction to our nation and a hindrance to our economy, Given all that is happening in the world and in our nation in this time of crisis and recession today, it is vitally important that our government focus on building for the future, not settling scores for business competitors. I am certain that AOL Time Warner, Sun, Oracle and the other companies that have lobbied so hard to continue this litigation will make themselves heard, but I hope that our government will listen just as closely to the taxpayers and consumers who believe it is time to end this proceeding and get on with business.

Thank you for your consideration.

Sincerely,

MTC–00031041

Jan 10 02 03:OOp Gary Pearce 9197878031 p.1
FROM: FAX NO.: Dec. 14 2001 04:17PM P2
Coaching Perspective, Inc.
7913 Fairlake Drive
Wake Forest, NC 27587
December 14, 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse:

I am writing to comment on the settlement of the Microsoft case. As a small business owner I believe the settlement will start rebuilding our economy and at the same time allow a significant investment in educating children. Microsoft has benefited consumers and business owners by providing an integrated software system that is easy to use. Our economy depends on competition and ongoing innovation that is not discouraged by litigation and regulation.

A settlement will allow Microsoft and other companies to again focus their efforts on developing technology that will provide new opportunities for consumers and the technology industry.

Sincerely,

JoAnn Feligno

MTC–00031042

FROM : FAX NO. : 7537804 Jan. 10 2002 11:54AM P1
Joseph M. Capone
592 Franklin Street
Worcester, Massachusetts 01604
January 10, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FAX

Dear Attorney Hesse

It is my understanding that the Justice Department is seeking input, regarding the proposed settlement in the Microsoft lawsuit.

As a small businessman, I understand competition. Competition is healthy for the American economy. I use Microsoft products in my business and they have been a great help to me. They have allowed me to better serve our clients and to manage our business.

I believe that the settlement in this case is in everyone's best interest. It would certainly help consumers. But, it is also my understanding, that Microsoft is being generous in the settlement and will make computers available to public school students throughout the country. Our business is in an older industrial city. This donation will be a great benefit to our inner city schools.

I urge a quick settlement in this case.

Sincerely yours,

Joseph M. Capone

MTC–00031043

01/10/2002 10:45 FAX 804 7866310 VA HOUSE OF DELEGATES 001
Virginia House of Delegates
VIRGINIA HOUSE OF DELEGATES
FAX COVER SHEET
To: Ms. Reneta Hesse
Organization: Department of Justice
FAX Number: (202) 616–9937 Phone Number: ( )
Local
Long Distance
Number of Pages including this cover sheet: 2
From: Delegate Albo
Room Number: 527 Telephone Number: (804) 698 1042
Comments:
If you have any problems with this transmission, please call the House Fax Center at: (804) 698–1558
Our Fax Number is (804) 786–6310
01/10/2002 10:45 FAX 804 7866310 VA HOUSE OF DELEGATES 002
Reneta Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

I am strongly supportive of the settlement the federal government and Microsoft reached and I feel it was a step in the right direction for continuing growth and prosperity in the high technology sector of the United States. Consumers will benefit greatly from the provisions in the settlement that allows only Microsoft and not the government to decide which products and features to provide to the public and how to price them. It would be unjust for the government to interfere with Microsoft's business because of their success over other competitors. The high tech industry will receive a boost from the release of the Windows XP operating system, which should increase computer sales in the next year. In addition to providing a boost in the technology sector, there will be a felt improvement in the economy.

I strongly feel that the Microsoft Antitrust case was unnecessary. It is not Microsoft's fault that they make a bettor product than other smaller business and have prospered and grown because of the products. It is just easier to use the Microsoft applications than other applications. As a user of the programs, I hope that the various states cease their suits against Microsoft so they can better serve the public. I appreciate you for the opportunity to present my views on this case.

Delegate Dave Albo

MTC–00031044

01/10/2002 11:06 5084863455 GLAVEY AND GLAVEY PAGE 04
FAX NO. P. 02
GOODMAN INDUSTRIAL EQUITIES MANAGEMENT GROUP, L.L.C.
Real Estate Management & Development
January 9, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530

Dear Attorney Hesse,

I would like to add my voice to those who have called for an end to the federal government's case against Microsoft. The case has gone too far and too long. I support the settlement agreement reached as a means to end this regrettable action as soon as possible.

Many small business people such as myself feel that Microsoft and its products have brought great benefit to individual businesses and to the economy as a whole. And as one who must outperform competitors daily, I have little sympathy for the ''aggrieved'' competition. They have every opportunity to succeed if they sell quality products.

Although I am no expert in antirust law, I can't believe it was written to allow government regulatory agencies to pick one company over another in a competitive market, or to stymie the forces of freedom.

Let's get businesses back to business, and settle the case. We will all be better for it.

Sincerely,

Steve Goodman

133 Pearl Street Suite 400 Boston MA 02110 (617) 292 0101 tel (617) 202 0130 fax

MTC–00031045

01/10/2002 11:06 5084863455 GLAVEY AND GLAVEY PAGE 03
Liz Chase Marino
109 Savin Street
Malden, MA 02148
January 2, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 29530

Dear Attorney Hesse,

I am respectfully submitting my opinions regarding the Microsoft antitrust case in

accordance with the Tunney Act public comment period. I support the settlement agreement that has been reached between Microsoft and the government, and urge the Judge in the case to accept the Justice Department recommendation. As both a consumer and a businesspeson, I can attest to the great efficiencies and freedoms that Microsoft and its products have created. I for one do not see the great injustice that supposedly has been visited upon the consuming public. All I see are falling prices new products, a variety of vendors, and a heathy competition. Perhaps a reconsideration of how the antitrust statutes are prosecuted is in order. In any event I trust the American public will use this opportunity to speal out and let the court know what it feels. My feelings are strong and unambiguous: the nation would be best served if the settlement is accepted and the case is ended.

I truly appreciate this chance to express my opinion on this matter.

Very truly yours,

Liz Chase Marino

MTC–00031046

01/10/2002 11:06 5084863455 GLAVEY AND GLAVEY PAGE 01
Marie P. Sweeney
51 Fiske Street
Tewksbury MA 01876
January 2, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

I would like to offer my opinion during the public comment period for the Microsoft antitrust case. I wholeheartedly support the settlement agreement that has been negotiated between the Justice Department and Microsoft and encourage Judge Kollar Kotelly to accept the proposal. I have been an active citizen, both in the private sector and in public life. I fully support the use of antitrust statutes by the DOJ to protect public interests I also recognize that industries which rely on innovation need the freedom to act more or less unhindered. Microsoft must play by the rules of commerce the same as any other company, but they shouldn't be subjected to conditions set by their rivals. The agreement reached works in this spirit; the more stringent terms sought by the competitors does not.

I'm sure I am like a lot of Americans when I say that I think enough is enough. The case has gone on too long, and cost too much. Now we need to put it behind us, and move forward. The economy and the country in general both need to have the case settled, so that everyone involved can get back to business, I appreciate your consideration of my thoughts on the issue.

Respectfully,

Marie P. Sweeney

MTC–00031047

JAN.–10 ''02 (THU) 11:O1 LEGG MASON—LANC. TEL: 717 560 0100 P.001
206 Granite Run Drive, Suite 150
Lancaster, PA 17601–6805
Ph # 717–560–6800 or 1–800–873–0990
Fax # 717–560–0100
LEGG MASON
FAX
To: Attorney General John Ashcroft
From: Doug Trower
Fax: 202–307–1454 Pages: 2
Phone:
Date: Re: CC:

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

JAN.–10'02(THU) 11:01 LEGG MASON—LANC. TEL:717 560 0100 P.002
1934 Northbrook Drive
Lancaster, Pennsylvania 17601
January 8, 2000
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want you to know that I back Microsoft's position in the antitrust matter. Why they are being persecuted for being successful, I really don't know, but I hope that this case will finally be ended with this settlement. I would ask you to stress the terms of the settlement to the states who still haven't settled their cases yet and get them to join in, I feel that they are in it simply trying to get a buck out of Microsoft, which I don't agree with at all. Since most people depend on Microsoft, they would agree with the decision you have reached. The compromises made by Microsoft in the settlement, information sharing regarding Windows and uniform price listing when licensing software, are more than enough for me to lend my support to this settlement.

Sincerely,

Douglas Trower

cc: Senator Rick Santorum

MTC–00031048

JAN–10–2002 10:55 FROM: IMPERIUM SOLUTIONS 2032211330 TO:202 353 8856 P.001
IMPERIUM
January 10, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
VIA FACSIMILE

Dear Mr. Ashcroft;

It is in the best interest of the country, the economy and the IT sector generally for the settlement between Microsoft and the government to be accepted and finalized by the court as soon as possible. Continued litigation will only serve to further harm all of the aforementioned.

Settlement is a far better alternative to continued litigation and the goal of some who are pushing very hard to have Microsoft broken up by the government. The settlement should make even Microsoft's biggest adversaries concur because it includes many things that go well beyond the scope of the original lawsuit. On a more basic level it systematically addresses and resolves all of the major grievances of Microsoft's adversaries. For example the settlement insures that Microsoft will grant computer makers extensive new rights to reconfigure Windows so as to promote non-Microsoft software programs. This should make Microsoft's competitors ecstatic. I will refrain from going through each section of the settlement, as I am confident you are aware of its terms. However, please know that most people believe it is fair and equitable.

The sooner the settlement is finalized, the sooner technological innovation can get back on track and the U.S. economy can begin to recover. Thank you

Sincerely,

Marshall C. Harrison

Chairman, CEO

164 Kings Highay North Westport,CT 06880 Tel 203.221.1500 Fax 203.221.1330

MTC–00031049

FROM : KOHN PIRRI JR
PHONE NO. : 864 379 2454
JAN. 10 2002 10:35AM Pl
Dr. John Pirri, Jr.
1204 Greenville Church Road—Donalds, South Carolina 29638
Tel/Fax 864–379–2454
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue. NW
Washington, DC 20539

Dear Mr. Ashcroft:

The Department of Justice has already worked out an antitrust lawsuit agreement with Microsoft. The company is still trying to work out an acceptable agreement with many of the states. I think it's high time that the federal government allows this agreement to fall into place and let Microsoft get back to business.

Microsoft is being punished for pursuing the American Dream. Bill Gates has worked hard and deserves what he has. Microsoft has a direct impact on many small businesses that make up a large part of this country's economy. By continuing to distract Microsoft, you are only driving this country deeper into recession.

The settlement has enough stipulations to remedy any qualms by competitors and is fair to both the government and Microsoft. It requires Microsoft not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. It also forces Microsoft to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. Additionally, the company had to make numerous other compromises.

As a good loyal Republican please work to finalize the Department of Justice's settlement and let Microsoft get back to business.

Sincerely,

Dr. and Mrs. John Pirri, Jr.

cc: Senator Strom Thurmond

Congressman Lindsay Graham

MTC–00031050

Danny Young/FLO/NA/ESAB@ESAB
12/17/00 10:07 PM
To: Danny Young/FLONAESAB@ESAB
cc:
Subject: Data posted to form 1 of http://www.esab.com/html/drequest.html

Full Name: Steve sandstrom
Company: sandstrom services inc.
Street: 90 lexington st
City: bristol
State: ct
Zip:
Phone: 860 584 9920
Fax: 860 589 3218
Reply To: smsandstrom@snet.net
Country:
Date: 12/17/00
Time: 10:07:43 PM
Remote Name: 64.252.5.219
Remote User:
HTTP User Agent: Mozilla/4.75 [en] (Win98; U)
FROM: TIMMONSVILLE POST OFFICE 29161 FAX NO.: 8433467581 Jan. 10 2002
09:21AM P1
Letter illegible
FROM: TIMMONSVILLE POST OFFICE 29161 FAX NO. : 8433467581 Jan. 10 2002
09:21AM P2

MTC–00031051

TBA
ENTERTAINMENT CORPORATION
NASHVILLE/LONDON/LOS ANGELES/NEW YORK/DALLAS
CHICAGO/PHOENIX/SAN DIEGO/SALT LAKE CITY/ATLANTA
INDIANAPOLIS/OMAHA/SEATTLE
a business unit of TBA Entertainment Corporation (AMEX: TBA)
1100 JORIE BLVD., STE. 300/OAK BROOK, IL 60523
TEL (630) 890–2500/FAX (630) 990–0594
TO
COMPANY Attorney General John Ashcroft
PHONE #
FAX# 202–307–1454
SENT BY Robert Sheridan
EMAIL rsheridan@tbaent.com
TIME 3:17 PM
DATE January 11, 2002
NUMBER OF PAGES INCLUDING COVER SHEET 2
01/11/2002 16:15 6309900457
TBA CHICAGO PAGE 01/02
Robert M. Sheridan
3909 Rugen Road
Glenview, IL 60025
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to you today to voice my opinion in regards to the Microsoft settlement case. I feel the settlement that was reached in November is a complete and thorough agreement. After three years of litigation, it is time we move on and face other pressing issues.

This settlement not only allows Microsoft to remain together, but it also contains provisions that will foster competitive activity. Microsoft has pledged to carry out all provisions of this agreement, including: sharing more information with other companies and being monitored by a technical oversight committee. Microsoft has in good faith agreed to terms that go beyond the original issues of the lawsuit, for the sake of resolution.

Again I support this settlement and sincerely hope this issue will be permanently resolved. Thank you for your support.

Sincerely,
Robert M. Sheridan
01/11/2002 16:15 6309900457
TBA CHICAGO PAGE 02/02

MTC–00031052

01/11/02 FRI 15:14 FAX 801 227 9016
GENEVA FINANCE 001
GENEVA STEEL
P.O. BOX 25OO, PROVO, UTAH 84603
PH. (801) 227–9166
FAX.(801)227–9016
To: ATTORNEY GENERAL JOHN ASHCROFT
DATE: 1/11/O2
FAX: (202) 307–1454
RE:
SENDER: JOSEPH A. CANNON
GENEVA STEEL COMPANY
YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL LORI PETERS @ (801) 227–9054
PLEASE DELIVER IMMEDIATELY
Confidentiality and Privilege Notice. This facsimile (including attachments) (1) contains confidential informaiton, (2) may be protected by the attorney-client privilege or other privileges, and (3) constitutes non-public information intended to be conveyed only to the designated recipient(s).

If you are not an intended recipient, please delete this facsimile, including attachments, and notify me by return mail, facsimile or by phone (801) 227–9054. The unauthorized use, dissemination, distribution or reproduction of this facsimile, including attachments, is prohibited and may be unlawful.

Geneva Steel Company
10 South Geneva Road
Vineyard, UT 84058
Telephone: (801) 227–9054
Facsimile (801) 227–9016
Email: lpeters@geneva.com
01/11/02 FRI 15:15 FAX 801 227 9016
GENEVA FINANCE 002
GENEVA STEEL
P.O. BOX 2500
TELEPHONE: (801) 227–9000
PROVO, UTAH 84603
FAX: [801] 227–9090
January 10, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

Congratulations on successfully completing the negotiations between your department and the Microsoft Corporation. Finding the balance and fairness for both the Microsoft Company and their competitors was difficult and technical. It seems that if Microsoft can accept the parameters your have given them, the industry will be ready to move ahead with innovations and new products.

Everyone knows that the future is information, and information needs aggressive technology. Our economy and businesses rely on technology for communication and data management systems to manage their products. It is good timing to settle the issue and define the acceptable marketing practices for not only Microsoft but also other potential leaders in the technology industries.

Again, I support your department and their efforts to settle this lawsuit. Thank you for bringing the issue to closure.

Sincerely,
Joseph A. Cannon
Chairman
Geneva Steel Company
JC:lp
\Faxgate \ Users \LPeters \USER \Managers\General John Ashcroft Ltr-Joe Cannon.doc
EQUAL OPPORTUNITY—AFFIRMATIVE ACTION EMPLOYER

MTC–00031053

JAN.–11'02 (FRI) 16:39
LEGG MASON
TEL:412 833 9106 P.001
2589 Washington Road
Suite 420
Pittsburgh, PA 15241–2566
January 10, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I want to use this short letter to express my support for the settlement reached between Microsoft and the Department of Justice. I believe the settlement is a good decision and will be a good development for consumers.

The agreement requires significant changes in the way Microsoft conducts its business. The changes include agreeing that if a third party's exercise of any options provided for by the settlement would infringe any Microsoft intellectual property right, Microsoft will provide the third party with a license to the necessary intellectual property on reasonable and non-discriminatory terms. Like many of the other terms in this agreement, this is a significant concession. The government should view this as a good agreement for Americans.

The settlement will also be good for the American economy. It will provide some certainty to the computer industry and give consumers more freedom in choosing the products they desire. So I believe this agreement is good for the public and should have continued support at the federal level.

Sincerely,
Dean Mack in
cc: Senator Rick Santorum

MTC–00031054

01/11/2002 16:44 502–561–5154
TARC IT DEPT PAGE 01/01
1918 Palatka Road
Louisville, KY 40214
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a computer programmer and Microsoft user, I am writing to express my opinion of

the recent antitrust case settlement between Microsoft and the US Department of Justice. Although I am happy to see that Microsoft will not be broken up, I do think the settlement as it stands is too harsh.

Microsoft has been the leading innovator of technology in the tech industry over the last decade, They have created and refined systems that have benefited the whole industry. While I do think that Microsoft should maintain better relations with computer makers and software developers, they should not have to disclose the secrets of their technology.

I am happy to know that this matter is being settled and I hope that no further litigation will be brought against Microsoft.

Sincerely,

Wanda Doherty

MTC–00031055

Jan 11 02 03:09p Don Read
610–970–5567 p.1
Evergreen Consignment Company, Inc
810 Spruce Street
Pottstown, PA 19464–4218
610–970–9925
January 11, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

It is in the best interest of the American public for the Department of Justice to finalize settlement with Microsoft in the antitrust case and for your office to urge the none states in opposition to settle as soon as possible.

A number of the concessions violate Microsoft's rights in a free market. For instance, to restrict Microsoft from entering into third party agreements for exclusive or fixed percentage distribution inhibits their ability to compete. Service companies such as Pepsi and Coca-Cola rely on these third party agreements to gain market share.

I also believe that Microsoft should be rewarded for its innovation in the tech sector. Much time and money has been spent on redeveloping Microsoft's superior products and services and to have to disclose that information violates their intellectual property rights. Microsoft is also one of the few companies who constantly updates and improves it software. I have a whole shelf of software from other companies that they are either impossible to get a hold of or was just interested in selling you the initial program. I know my Microsoft products are going to be usable and upgradeable for a while.

Our nation's government should be focusing on ways to ensure security for our people and help us lift out of recession. Hindering our industrial powerhouses will only hurt our economic recovery. I urge your office to do the right thing and suppress opposition and finalize the settlement.

I also want to thank you for your services to this Country during these unprecedented times and Americans fully support your efforts.

Sincerely,

Don Read President

cc: Senator Rick Santorum

MTC–00031056

Jan 11 02 01:14p Richard Woodrow 970–945 7114 p.1
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Fax 1–202–307–1454

Dear Mr Attorney General:

It seems like only yesterday you were in the United States Senate and we both lived on Justice Court across from the Hart Senate Building. I was a staffer then for Senator Stevens of Alaska. Unable to chat going and coming from work now, I am writing this letter instead.

I am one of the many Americans who believe that the antitrust case against Microsoft should have never been initiated or brought to trial. However, now that Microsoft has accepted the settlement in this case, I trust you will continue to support the settlement and end this case.

In my view the settlement creates more openness and competition in the IT industry by giving competitors greater access to Microsoft designs and codes. Microsoft's disclosures to competitors under this settlement are unprecedented. Nevertheless, anti-Microsoft forces may try to derail the settlement and have the base brought back to trial. Considering the expense and unfairness of this case from beginning, I hope you won't allow this to happen and will see the settlement completed.

Again, I ask that you do your best to end the federal case against Microsoft.

With best wishes and congratulations for the fine job you are doing with the President.

Shirley Woodrow
401 W Yale Circle
Glenwood Springs, Co
81601–2851

MTC–00031057

01/11/2002 13:23 6304430047
NOVIX NET SPEC INC PAGE 01
NOVIX
NETWORK SPECIALISTS INC.
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to voice my opinion in regards to the Microsoft settlement issue. I am happy to see your office reach a settlement after such little time given the preceding administrations actions.

Microsoft has generated standards where there were none. The United States would not be the dominant player that it is in this arena without the de facto standards created by Microsoft.

Although the remedies in the settlement may not be perfect, breaking this company up would is the wrong answer. Uniform pricing requirements (please!) and non-retaliation agreements beat dissolution any day. I believe we should let this company move forward and focus on business. Let the cry babies work instead of relying on an inherently inefficient system to help them compete.

I feel it will serve in the best public interest to end litigation against Microsoft. Thank you for your support.

Sincerely,

Erich Schoen

cc: Representative J. Dennis Hastert

P. 0. Row 149. Geneva, IL 60134 Phone (630) 443–0036

FAX: (630) 443–0047

MTC–00031058

01/11/02 FRI 11:21
FAX 801 994 7991
UPP 001/001
Rob Bishop
January 10, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

This letter comes to you in support of the settlement proposal for the Microsoft anti-trust lawsuit. Good Republican principles allow businesses to seek their own markets and compete fairly. The settlement appears to address concerns from AOL, Sun Microsystems, Oracle, IBM, and Apple. These companies should be pleased with the work you have done.

Your office is doing a great job in behalf of America's citizens.

Thank you,

Rob Bishop
Former Utah Republican Party Chair
74 North 300 East
Brigham City, Utah 84302

MTC–00031059

01/11/02 FRI 15:02
FAX 801 994 7991
COMMUNICATIONS 001/001 W
January 10, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I want to take this opportunity during the open public comment period to forward my support for the settlement the department negotiated with the Microsoft company on the anti-trust lawsuit. Intervention by the federal government into the information technology industry has slowed the American economy and unfortunately caused financial losses to major investors. Bringing the case to closure will be greatly appreciated in the financial community. The points of agreement have given fairness to the industry and have defined how information technology companies can market their products. We live in an information age and transferring and using this information is reliant on the superior computer technology products we enjoy.

Ending this lawsuit will allow product developers and marketers to move into the future with a new understanding of the laws that govern their industry.

Again, I urge your support for the settlement.

Sincerely,

Jeff Wright
President
W Communications

MTC–00031060

Sent by: Ron and Dee Stephens
757–523–7003
1/11/2002 5:04 PM
Page 1 of 1
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

In regards to the settlement that was reached in November between Microsoft and the government, I feel this settlement is fair and reasonable, and I believe it is time to finally end this dispute. It will benefit the technology industry and consumers.

Microsoft is a company that has impacted our society and lives in the last fifteen years. Thanks to innovative design and persistence, Microsoft has gone from a fledgling company to a giant enterprise. Microsoft should not be penalized for this. To end this litigation, Microsoft has agreed to provisions that go way beyond the original issues of the lawsuit.

It is time to allow Microsoft to focus its energies on more productive activities than litigation. Please do your part to ensure there will be no further action against Microsoft at the federal level.

Sincerely,
Ron Stephens
641 E Fox Grove Court
Virginia Beach, VA 23464

MTC–00031061

JAN–11–2002 02:45 P.01
BLANKENSHIP CONSTRUCTION, INC.
POST OFFICE BOX 460—BUTTE, MONTANA 59703
Telephone (406) 494–3450 Fax (406) 494–3960
January 11, 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 voice my opinion in regards to the settlement that was reached with Microsoft on November 2, 2001. I believe this settlement is fair and complete, and I am happy to see this dispute come to an end.

I do not feel that Microsoft got off easy on this settlement. In fact, Microsoft 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 this suit and being allowed to get back to business as usual.

This settlement will benefit the technology industry, the economy, and consumers. After three long years of litigation, it will be refreshing to see Microsoft's resources and time go to innovation, rather than litigation. Thank you for your support.

Sincerely,
Bernice Blankenship
P.O. Box 460
Butte, MT 59703
TOTAL P.01

MTC–00031062

Jan 11 02 04:35 p
TIMS INC 4404605424 p.1
T. I. M. S.
digITal business works
301 Alpha Park
Highland Hts. OH 44143
phone: 440–461–8467
fax: 440–460–5424
www.timsol.com
January 11, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing because I am concerned about the status of the settlement reached between Microsoft and the federal government. I understand nine states and DC were party to the lawsuit, but refuse to join the settlement, and that they and Microsoft's business adversaries are trying to scuttle it in order to continue suing Microsoft. To allow this to happen would be a miscarriage of justice as well as cause a potentially devastating impact on the technology industry.

The government went too far -when it filed charges against Microsoft and the lawsuit should have never taken place. However, the settlement is a much better alternative to continued, protracted, and costly litigation at the taxpayers' expense. Settling this matter will also allow Microsoft to re-focus its attention.

Interestingly enough, the issues at hand are out of date because Microsoft had already taken steps to improve its relationships with its vendors and OEM's. In spite of this, Microsoft's adversaries proceeded with the lawsuit. Their intentions were not pure and consequently led to a three-year-long court battle that negatively impacted the technology industry with respect to innovation.

The settlement is totally fair and should be accepted by all of the parties involved. It addresses and resolves all of the complaints against Microsoft. In fact, it goes above and beyond the scope of the original complaints. I urge you, as a member of the IT Industry, to move forward with finalizing the settlement.

Sincerely,
Jeffrey Kirk
Project Manager
100 OUTSTANDING GROWTH COMPANY
North Coast ORACLE Resource Service
Microsoft CERTIFIED Partner Cleveland Chicago

MTC–00031063

01/14/2002 19:32
9133419697
WARSHAWSKY PAGE 01
Susan M. Warshawsky
8101 Nail Avenue
Prairie Village, KS 66208 4946
January 14, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am concerned that the antitrust settlement reached between Microsoft and the Department of Justice is not yet concrete. Nine states now, including Kansas, are actively seeking to overturn the terms of agreement and bring further litigation against the Microsoft Corporation. Our American IT industry has come to a standstill while this decision has been drawn out.

Sir, as you are well aware, Microsoft and the Department of Justice came to this agreement after a long process of negotiation overseen by a court-appointed mediator. The terms of this settlement are equitable, both from the standpoint of Microsoft and its competitors. Microsoft has agreed to a broad range of terms, including, but not limited to, the disclosure of various integral line code, protocols, and interfaces within the Windows operating system, as well as reasonable, non-discriminatory licensing of applicable intellectual property rights.

I do not believe it is necessary to keep the case open any longer. I am satisfied that justice has been done. For the good of the American economy and the American IT industry, I urge you to let the settlement be approved.

Sincerely,
Susan Warshawsky

MTC–00031064

01/11/2002 17:53 2152421475
FORDE G AND J PAGE 01
George S. Forde, Jr.
[215] 242–1475 (facsimile)
[215] 242–8332 (voice)
georgeforde@home.com
PA Atty. ID # 02820
Fax
To: Department of Justice
Office of the Attorney General
Fax: 202–307–1454 Pages 3 (including cover sheet)
Phone
Date: Friday, 11 January, 2002
Re: Microsoft Settlement
cc: Hon. Rick Santorum
MS Freedom to Innovate Network
—Urgent—for Review
—Please Comment
—Please Reply
—Please Recycle
Comments:
See Attached
01/11/2002 17:53 2152421475
FORDE G AND J PAGE 02
8401 Seminole Street PHILADELPHIA, PA 19118–3725
[215] 242–8332 (voice)
[215] 242–1475 (facsimile)
[215] 284–1739 (cellular)
georgeforde@HOME.COM
PA Atty. ID # 02820
FACSIMILIE & E-Mail 1
Friday, 11 January, 2002
Honorable John Ashcroft
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear General Ashcroft,

Public opinion regarding the settlement of the antitrust case between Microsoft and the US Department of Justice has been solicited. I offer this opinion as one who has been an interested user of computers for personal and business purposes since 1978 (before there was a Microsoft). This has made me a bit of a student of industry and, eventually, an investor in technology. So, I must admit to

significant [for me] holding in MSFT—as well as in companies that might be considered to be its antagonists in this matter. Still, I am not an apologist for Microsoft and believe that, on balance, I must agree with the presentation of this settlement made to the Judiciary Committee by Mr. James of your office on 12 December,

Microsoft is a monopoly. Paradoxically, I believe it got there, in part, with the help of competitors like Apple, 2 IBM 3 and others who just failed to properly market sometimes superior product. Contrary to its claims, 4 the company is not particularly innovative, and its first offerings of its [E.g., MultiPlan, DOS, Windows, Excel, Explorer, and so on] have been acquired and, at first, poorly implemented compared to others [Such as VisiCalc, Lotus, or Resolve; CP/M and MacOS; Netscape...].

However, Microsoft rather than being anti-competitive is hyper-competitive. It learns from its mistakes and is increasingly better at execution of the ideas, whatever the source, and it continually improves on them. It delivers what the consumer demands [eventually] at a [hopefully] reasonable cost. For it own good, Microsoft cannot afford to have the rivals all go away, though many have. Neither the Department nor the defendant got all the marbles at end of

* Note: Due to the Excite@Home bankruptcy, this address will be inoperative after 2/28/02, from 3/l/02 forward (possibly earlier), please use georgeforde@Comcast.NET.

1 Signed original available on request

2 Which bundled the MS spreadsheet ''MultiPlan'' with the first Macs.

3 Which opened the PCJr to DOS

4 But do really like Mr. Gates, based on a couple of brief encounters at a local users' group and more distant observation over the years. He and Microsoft have done a great deal for all computer users.

01/11/2002 17:53 2152421475

FORDE G And J PAGE 03 this case. That's the nature of a legal settlement. What has been crafted seems, to me, to serve the best interests of the public and the industry.

One thing to remember is that, while the focus of the case has been the ''Wintel World,'' and allegations of maintenance of the OS monopoly; however, the market is much larger than that. For example, while I use both Widows and MacOS, I very much prefer the latter, but I use the same Microsoft applications [I.E. and Office] on both platforms.

I am concerned, therefore, that a separate settlement by the non-joining states—if it follows the path offered to them by Microsoft—would actually weaken the effect of this settlement by making those states accomplices in plan to cannibalize the Apple [and other] share of the education market. No need to spell out the obvious here, but, if the states want compensation, it should be paid outright or in the form of grants to technological projects and spending not defined by the defendant. If possible, those states should not be allowed to make a separate peace that would undermine this one.

Sincerely,

George S. Forde, Jr.

cc: Senator Rick Santorum (facsimile only)
Microsoft's Freedom to Innovate Network (facsimile only)

MTC–00031065

1/11/2002 2:48 PM FROM: Fax TO: +1 (202) 307–1454 PAGE: 001 OF 001
JRE CONSULTING, INC.
Computer & Software Sales—Small Business Specialists
216 N. Tillamook St., Portland, OR 97227
(503) 28I-3291
FAX (503) 288–3087
Email jre@jre.com
WomanBusiness Enterprise, SBA Hubzone
January 11, 2002
John Ashcroft, Attorney General
US Justice Department
Washington, DC 20530

Dear Mr. Ashcroft,

I understand how many could assume that Microsoft has been a bit overprotective regarding its software, and this may have led to the perception that Microsoft was trying to monopolize the market. However, much that has been said regarding their so-called ''monopolistic'' tendencies is simply rhetoric. What Microsoft has done to protect its proprietary products is both prudent and reasonable.

I therefore believe that the origins of this lawsuit are more because of Microsoft's competitors' efforts at using our legal system to force Microsoft to give up part of its own product code, rather than from any actual unfair monopoly. This is but one area that the recent settlement addresses.

While I have not had the time nor the motivation to pore over every detail of this settlement, at first blush it appears to cover all the points of the lawsuit—and then some. If anything, the settlement may have gone too far, but since both parties have agreed to it, then it is better to get on with it. I am therefore writing this letter to urge its final acceptance.

Sincerely,

Joseph Engel—President

MTC–00031066

From Charles W Harris to 1–202–307–1454 at 01/11/2002 6:26 PM Pg 002/002
2303 Chatam Avenue Southwest
Decatur, AL 35603–1815
January 11, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I write you regarding the recent Microsoft settlement. Just when I thought that it was settled, I find out that the settlement is being further investigated. It seems that after three years of court battles, that the fairness of this settlement is still being questioned. This seems to simply be delaying the process.

Since the settlement requires Microsoft to disclose information about Windows interfaces, as well as restructure both licensing and marketing campaigns, it seems that it can only be beneficial to all involved. By allowing this settlement to stand, as is, our technology industry can continue to grow, and help get our economy back to normal.

It seems foolish to spend scarce resources on delaying the enactment of this, well thought out, settlement. As we continue to delay the competitive process, we continue to delay the growth of our IT sector. Let us support the technological growth of our country by allowing the market to move on. Let us make sure that no more action be taken against the settlement so that we can allow our technology industry to focus on business today. Thank you.

Sincerely,

Charles Harris

MTC–00031067

GREGORY BEDNAR TEL NO. 330–493–4843 Jan 11.02 20:15 P.01
3728 Edgehill Circle NW
Canton, Ohio 44709–2232 U.S.A.
Voice/Fax 330–493–4843
E-mail: gbednar@neo.rr.com
January 11, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue. NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I support the settlement of the antitrust litigation against Microsoft. Continuation of this suit does not serve the best interests of consumers or the economy. I would appreciate your consideration of the following items.

I am a retired police lieutenant. As I am retired, I spend a great deal of time on the computer, and on the internet. I have used Microsoft software since the early days of DOS. Microsoft has continually produced quality, user-friendly products. As a result of Microsoft's innovations, consumers have had available to them the very best technology. Over the years, other companies, such as IBM and Linux, have produced software, which simply cannot compete with Microsoft's products. Microsoft's success has resulted in the government's needless meddling in our free market. The problem is not that Microsoft has engaged in predatory business practices. Rather, this suit was brought as a result of the failure of other companies to compete at the same level as Microsoft.

The antitrust case should not have been brought against Microsoft in the first place, I believe political factors, more than merit, played an integral role in the initial decision to file this suit. During this time of economic recession and the threat of terrorism, the government's resources should be allocated to pursuits other than needless litigation. Similarly, Microsoft's should be free to engage in what it does best—innovation of new and better products for its consumers. When this happens, the economy will surely benefit.

Thank you for considering these comments.

Sincerely,

Gregory Bednar

MTC–00031068

01–11–02 18:22 From—FINANCIAL PACIFIC 9166303889 T–300 P.O1/O1 F–914
FINANCIAL PACIFIC
Direct Dial Direct Facsimile
(916) 386–3833 (916) 386–3889

January 8, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

Even though the effects of this Microsoft lawsuit would not have had any immediate effect upon my company, eventually public confidence in the entire computer industry could have eroded to the point where most software developers would have been distracted from their core business of new software development and forced to concentrate on marketing and sales concerns.

As such, the settlement is an important decision. I ask you to continue to support it through the comment period, and preserve the spirit of free enterprise and the pragmatism of consumer confidence. The settlement clarifies what constitutes unfair behavior in the marketplace, and Microsoft has agreed to end its retaliatory actions toward software companies that write programs that compete with Microsoft's, and toward hardware companies that load non-Microsoft software onto their computers before shipping.

The IT industry has led our national economy through one of the longest running periods of economic expansion in our country. I am looking forward to the settlement as a signal that once again, our economy can recover with the IT industry leading the way. I support this settlement, and I hope that no further federal action will be contemplated against Microsoft.

Sincerely,
Timothy N. Blaede
Vice President, Information Services
FINANCIAL PACIFIC INSURANCE COMPANY
P.O. Box 292220
Sacramento, California 95829–2220

MTC–00031069

JAN 11, 2002 5:48 PM SUMC
STRUCTURAL BIO NO. 8502 P.1
STANFORD
SCHOOL OF MEDICINE
Stanford University Medical Center
DEPARTMENT OF STRUCTURAL BIOLOGY
10 January 2002

To whom it may concern:

The following is a comment on the proposed settlement in the United States vs. Microsoft case.

The intent of our statement is to bolster the comments of the alternative software camps, such as the Open Source Movement, the Free Software Foundation, Linux, the Samba group, et. al. We wish to support the issues and suggestions that these groups will present to this court.

We are scientists who use computers to investigate fundamental questions of molecular biology. In our work we use a wide range of computers and operating systems. However, the overwhelming majority of our experiments are done on UNIX operating systems, such as Linux, IBM's AIX, Compaq's Tru64 and SGI's Irix. Linux clusters are the workhorses of our research. Using Microsoft products to crunch genetic codes would not be a question of cost, it would simply be impossible. Microsoft and Microsoft products severely restrict the users' ability to access low-level system functions necessary to develop large-scale scientific applications. These restrictions are completely understandable from a business perspective, and we are not expecting the situation to change, Microsoft Windows and Microsoft products are targeted to businesses and consumers, and not to a relatively narrow but important community of scientists who crunch numbers and run molecular and genetic simulations. Our needs are met very well by the proprietary Unix variants, as well as by a vast collection of programs copyrighted under the Gnu Public License and its related variants.

We are worried, however, that in its quest for dominance in new and emerging markets, Microsoft will severely endanger the very survival of the solutions mentioned in the preceding paragraph. If our tools are forced out of existence through increasing isolation and propriatorization of standards. We will have no replacement, and science will be greatly harmed as a result. Our case quite different from, say, Microsoft Word displacing Word Perfect as the dominant word processor with help of superior programming or better business marketing. The issue that Open Source software should be protected by the First Amendment (although an important one) is not entirely on point to this litigation. In this comment we would like to point out that some of Microsoft's business practices can and will degrade the ability of alternate software solutions to communicate with each other and with the vast majority of the worlds computers running Microsoft Windows. We are especially concerned with the continuing ability for different computer systems to coexist and share resources, such as file systems, Internet protocols, printing, programming languages, data formats.

Sherman French Building
Stanford CA 94895–5128
659 723 6791
800 723 9124
http://structuralbiology/stanford.edu

JAN 11, 2002 5:48 PM SUMC
STRUCTURAL BIO NO. 8502 P.2
STANFORD SCHOOL OF MEDICINE
Stanford University Medical Center
DEPARTMENT OF STRUCTURAL BIOLOGY

We do not know which of the possible outcomes of this lawsuit will serve the scientific community best. We simply want to remind the court to consider our interests in any remedy that it shall prescribe.

This statement is not intended to list the exact technical issues that would threaten the software solutions that are important to our research. Rather, we request that the court listen to suggestions from the following groups on the settlement:

Free Software Foundation http://www.fsf.orq Samba Group http://www.samba.org.

IBM Corporation http://www.ibm.com SGI (Silicon Graphics) http://www.sgi.com Red Hat Corp. http://www.redhat.com

SuSE http://www.suse.com

Sincerely,
Boris Fain PhD bfain@stanford.edu
Michael Levitt michael.levitt@stanford.edu
David Saunders dsslaw@earthlink.net
Patrice Koehl PhD koehl@lcsb.stanford.edu
Chris Summa csumma@stanford.edu
Nizar Batada nbatada@Stanford.edu
Computational Structural Biology group, Stanford University http://csb.stanford.edu
Sherman French Building Stanford CA 94895–5128
659 723 6791 800 723 9124 http://structuralbiology/stanford.edu

MTC–00031070

01/15/1995 19:31 216400 CAROL WHITE
Page 01
1–11–02

Justice department should leave Microsoft alone. A good settlement for this company is in the best interest for America. This Company provides good jobs & is run by good people. It's time to do the right & good things for our country.

Carol L. White
Everett, Wa. 98203

MTC–00031071

Friday, January 11, 2002 8.24 PM John O'Flaherty 360 825 0302 p.01
FAX
ATTN. Mr. John Ashcroft
Fax Number 12023071454
Phone Number
FROM John O'Flaherty
Fax Number 360 825 0302
Phone Number 360 825 2977
Number of Pages 2
Date 1/11/2002
MESSAGE:
Friday, January 11, 2002 8.24 PM John O'Flaherty 360 825 0302 p.02
DOROTHY O'FLAHERTY
42822 257th PLACE SE
ENUMCLAW, WA 98022
January 11, 2002
Attorney General John Ashcroft
United States Justice Department
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing to you today to express my support of the settlement reached last November. Three years have past in which Microsoft has been subjected to legal harassment at both the state and federal level. I believe that the settlement is beneficiary in that it will allow Microsoft to focus on business.

The lifting of contractual restrictions under the terms of this settlement will have a major impact on the technology industry. Microsoft has agreed not to enter into any contracts with vendors or manufacturers that would favor Windows technology exclusively or at a fixed percentage. In addition, Microsoft will not enter into contracts that would obligate software developers to develop only Microsoft software.

These agreements should appease Microsoft competitors. I am just happy to see an end to this nonsense.

Sincerely,
Dorothy O'Flaherty

MTC–00031072

From PETER HOLDEN to 1–202–307–1454 at 1/11/02 10:45 PM Pg 001/001
19312 East Eldorado Drive
Aurora, Colorado 80013

January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Microsoft and the Justice Department have come to an agreement in the antitrust case. This agreement has led to a settlement that could finally put this case to rest. It is my hope that you will strongly support the settlement and ensure it is put into put into place so this case can end at the federal level.

I have worked in the software industry since the early 1980's and saw the popularity of Microsoft products raise not because of monopolistic practices but because of their ease of use. Because of Microsoft millions of average persons are able to use computers, and not just hobbyists and professionals. The settlement is on the table will help to alleviate any concerns about competitiveness in the IT industry. What is most beneficial about the settlement is that it will end this case and allow the IT industry to start focusing on software and not court cases.

I support this settlement, and look forward to seeing the case resolved.

Sincerely,
Peter Holden

MTC–00031073

JAN–1–12–02 12:00 AM 728 32746 510 429 0968 P. 02
FAX MESSAGE
To To ATTNY General John Ashcroft From From Pat Faria
Tel. 510–429–0968
Fax. 510–489–3214

Number of pages (including coversheet 2
Date Jan. 11, 2002 Time 10:30 Am

Message box

Attached is letter re: Microsoft
Please read

This fax was generated and transmitted by computer using software from Trio Information Systems

MTC–00031074

FROM: the Parks FAX NO.: +1–650–369–3291 Jan. 11 2002 11:34PM P1
3149 Page Street
Redwood City, California 94063
10 January 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 home and office computer user, I'm writing to express several concerns with the proposed settlement. The ''PLAINTIFF LITIGATING STATES'' RE-MEDIAL PROPOSALS'' dated December 7, 2001, are excellent; I would focus on a few points.

My first concern is in article III (Prohibited Conduct) section B, paragraph 3: ''market development agreements''. Did not such market development agreements provide the means by which Microsoft illegally leveraged its operating systems monopoly into other areas?

A second concern is in III,J,l, where Microsoft is excused from disclosing anything that might compromise ''security''. This is far too broad an exemption! You may be aware that Microsoft altered the Kerberos security protocol in undocumented ways. Does not this clause allow them to keep those modifications hidden in the name of security? In fact, this exemption would allow them to continue excluding non-Microsoft servers.

Indeed, as CNET News analyst John Borland says, Despite those restrictions, the agreement would not force Microsoft to change its own software-a critical omission that critics say makes the deal relatively toothless. The provision would allow the new XP operating system to remain as is, and it would allow Microsoft to continue to add new features that compete with independent companies'' products, such as audio and video players, instant messaging, or voice telephony features. That means Microsoft would retain its platform for putting virtually any software function only a mouse-click away from consumers.

Finally, having read through Judge Jackson's Findings of Fact, and the order from the Court of Appeals, I find it offensive in the extreme that ''this Final Judgment does not constitute any admission by any party regarding any issue of fact or law'' (preamble of Proposed Final Judgment). The Appellate court upheld Judge Jackson's findings of fact, and they also agreed unanimously that Microsoft illegally leveraged their monopoly power in Operating Systems into other areas.

Thank you for your attention.

Very truly yours
Collin Park
Reply fax
360–351–0021

MTC–00031075

JAN-12–02 12:00 AM 728 32746 510 429 0968 P. 01
372 Tropicana Way
Union City, CA 94587–4122
January 10, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW.,
Washington, DC 20530–000l

Dear Mr. Ashcroft:

After three long years of court battles, Microsoft and the government have settled an antitrust lawsuit that has profound implications for all software publishers, the rest of the Information Technology industry and consumers. The settlement they came up with is more than fair and reasonable, and was arrived at after extensive negotiations with a court-appointed mediator.

Under the agreement, computer manufacturers were granted new rights to configure system with access to various Windows features. Microsoft must design future versions of Windows to make it easier to install non- Microsoft software and to disclose information about certain internal interfaces in Windows. The government created an onqoing technical oversight committee to review Microsoft software codes and books, and to test Microsoft compliance to ensure that Microsoft abides by the agreement.

Microsoft made many more compromises that will significantly benefit its rivals. Further federal litigation against Microsoft would be considered by many as nothing more than harassment. It's time for the government to let the settlement fall into place.

Sincerely,
Pat Farin

MTC–00031076

01/12/02 10:16 516 360 2176 ROGER TEURFS P. 01
Roger Teurfs
7 Partridge Lane
P.O. Box 477
Saint James, New York 11780
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft settlement that was reached in November. I feel this settlement is adequate to address the issues of this anti-trust dispute. It is time to let drop this issue and move on to more pressing concerns facing us today.

The settlement was reached after extensive negotiations and is complete. Microsoft has agreed to carry out all provisions in this document, including: disclosing more information to competing companies, being closely monitored for compliance with the terms of the settlement, using uniform pricing when licensing Windows, and non-retaliation agreements with vendors.

This settlement will benefit the economy and do a lot of good. I sincerely hope there will be no further action against Microsoft at the federal level. Thank you for your attention to this matter.

Sincerely,
Roger Teurfs

MTC–00031077

01/12/2002 09:31 217–536–5250 JAMES R BOND PAGE 01
P.O. Box 954
Effingham, Illinois 62401
January 10, 2002
Attorney General John Ashcroft
US Department of Justlce
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Attorney General Ashcroft:

I wanted to let you Know what I thought of the case against Microsoft, This case was totally unnecessary, and I am writing you today to express my opinion on the Microsoft settlement issue. I feel the settlement that was reached on November 2. 2001, is fair and reasonable. I am glad this three-year-long dispute is finally resolved.

Microsoft is a company that has done much for our economy and has made many contributions to the technology industry This company should not be punished for being successful and creating quality products. Microsoft should be able to devote its time and resources to creating and marketing its innovative software, rather than litigation.

I am very pleased with your decision to settle with Microsoft This decision is a step in the right direction towards an improved economy Thank you for your support

Sincerely,
James Bond

MTC–00031078

FROM : Fred Marklund FAX NO. : 0000000000 Jan. 12 2002 07:18 AM P1
Fred Marklund
263 North Shore Rd
Lake Oswego, OR 97034–3807
January 12, 2002
RENATA B. HESSE
ANTITRUST DIVISION
US DEPT. OF JUSTICE
601 D STREET, NW., #1200
WASHINGTON DC 20530
Re: Microsoft

To Whom It May Concern:

The federal government won the case and then just ''pissed'' it away in the last couple of months.

Microsoft is a true monopoly. The company is a reflection of its corporate officers. There ore no morals, ethics, integrity, or sense of fair play. Those boys and girls reflect the motto, ''He who dies with the most toys wins.''

Windows'' source code needs to be in the public arena. Microsoft is entitled to payment for the source code each time it is used, but their products cannot have secret ''hooks'' into Windows that no other company has. It needs to run Java, too.

Management of Microsoft has nothing but contempt for the rule of law. They have abused the first court case a number of years ago. You can be darn certain they will abuse this decision.

I think Windows, NT, and Internet Explorer need to be broken off into a separate entity with a strong master overseeing every move they make. Again the leadership of Microsoft is totally and irrefutably unscrupulous. They are the Mafia of the software industry. Would you trust the Mafia?

Sincerely,
Fred Marklund
CC: Bob Williams at EFF

MTC–00031079

01/12/02 SAT 11:17 FAX 800 641 2255 001
To: Renata B. Heese
202–307–1454
Microsoft Antitrust Settlement
0l/l2/02 SAT 11:17 FAX 800 641 2255 002
3705 Purks Court
Alexandria, Virginia 22309
January 11, 2002
Attorney General John A&croft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing this letter so that I may go on record as supporting the settlement that was reached between Microsoft and the Department of Justice. Although I am not happy with all of the details in the settlement, I am glad to see that the antitrust suit has been terminated. Microsoft should have never have had to go to court and defend itself against ridiculous charges of antitrust violations. Apparently three years back, the Department of Justice had nothing better to do than to chase after Bill Gates and his successful corporation. Microsoft has been extremely beneficial to America. They helped give us the most successful economy in history, only to have it derailed by the DOJ. Remember, the economy started to slide when the lawsuit was announced, and now we are in a recession. Now that there is a new administration, please correct the wrongs that were committed against us by the Clinton years and approve the settlement as soon as possible.

Microsoft has been incredibly beneficial to America, and this settlement will help them get back to where they used to be. A healthy Microsoft equals a healthy economy, which equals a healthy America.

Sincerely,
Adrian Sobie

MTC–00031080

Douglas P. Fields
100 Midwood Road
Greenwich, CT 06830
TEL: (203)661–2978
FAX: (203)661–2996
DPFEagle@msn.com
By Fax: 1 202 307 1454 or 1 202 616 9937
By Email: microsoft.atr@usdoj.gov
January 12, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I believe that the antitrust case against Microsoft was inappropriate from its very inception and that the government should not have interfered with one of our country's most successful and innovative private businesses on the basis represented by the antitrust suit. I am pleased that the Justice Department has finally decided to reach a settlement in this case. It has been three long years.

Microsoft has given up a lot in this settlement. It has agreed to make future versions of Windows easier to use non-Microsoft software, and it has agreed to disclose a lot of information on the internal operating system, which is a first as far as I know.

I am certainly happy that government has decided to limit its involvement in Microsoft's business affairs, at least for now. I hope that continues to be so. Thank you for taking the time to read my opinion on this matter.

Sincerely,
Douglas P. Fields
JAN–12–2002 11:14 PSC/TDA
GREENWICH OFFICE 2036612996 P.01/01

MTC–00031081

The McClure Company, Inc.
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft settlement reached in November. This settlement is fair and reasonable, and I for one am tired of this on-going debate. It is time to end this litigation and deal with more pressing concerns.

I am a believer in free enterprise, and I do not believe Microsoft should be punished for doing its job successfully. This settlement was reached after extensive negotiations. Microsoft has agreed to all terms of the agreement; terms that extend well beyond the issues of the original lawsuit, all for the sake of moving on from this continued litigation. Microsoft will, for example, share information with its competitors regarding the nature of Windows, which will all them to place their own programs on the operating system.

We are facing economic difficulties at the present time, and it would not be productive to waste our time on this issue. We must do all we can to boost our economy. Restricting Microsoft will not accomplish this. This fight should have never been started. But now that it has, let's end it and go forward.

Thank you,
George McClure
P.O. Box 1231
Woodstock, GA 30188
(770) 591–1808
FAX (770) 924–6246

MTC–00031082

Jan 12 02 11:07a James M Cox 516–399–8166 p.1
James M Cox
44 Carlin Drive
Mastic, NY 11950
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Attorney General Ashcroft:

I am writing to express my sentiments regarding the Microsoft settlement. I feel that your office has reached a fair and reasonable agreement that will provide certainty about the new rules imposed on the IT sector. I do not see any benefit in pursuing further litigation at the Federal level, and am happy to see that your office will be free to pursue more urgent matters affecting our nation.

The settlement will benefit all software publishers, the IT industry as a whole, and consumers. The resumption of competition will stimulate our economy, while giving the consumers more choices. As far as the competition is concerned.

Microsoft will change the way it develops, licenses, and markets its software in order to accommodate independent vendors. Furthermore, Microsoft is required to make available its technology to a competitor, should that competitor infringe on its intellectual property.

We don't need more federal litigation to keep Microsoft in check. Under your settlement, competitors can sue Microsoft if they don't think the company is complying with the terms of the agreement. I think that the complaints that brought about the lawsuit have been addressed, and that your office has set up protocol on how to handle future problems. Your office has done its job, and now it is time to let businesses compete. I want to let you know that I approve of your settlement agreement, and I appreciate your taking the time to hear my opinions on the matter.

Sincerely,

James Cox

MTC–00031083

Jan 12 02 12:09p milt ackerman 954–763–1244 p.1
Richard Ackerman
140 Elm Drive, Roslyn, New York 11576
January l0, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Mr. Ashcroft:

As a business owner, I am quite familiar with how nonproductive expenses can hurt your business and, in turn, your customers. The amount of money that has been wasted on the Microsoft vs. US suit escapes reason. Both the federal government and Microsoft have spent millions of dollars on the suit; money that could have been better spent, in the case of the Department of Justice pursuing true criminals and in Microsoft's case, creating better technology products for the consumer. The problem that the federal government has created in the economy and in the IT industry with this lawsuit will take years to repair.

Like many residents of New York, I am relieved that the lawsuit may have finally found a resolution at the federal level. The end to this entire matter cannot come soon enough. The suit has become a burdensome ordeal for all the involved parties. For Microsoft, the task of having to defend itself as a business before the federal government for working in the same way any other business might is an embarrassment to the American way of doing business. It is time that the Department of Justice ends this suit once and for all. The terms of this settlement allow for the public interest to be represented. Please move on and end this judicial debacle.

Sincerely,
Richard Ackerman

MTC–00031085

1/10/02 THU 15.44 FAX 800 641 2255 002
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington. DC 20530

Dear Mr. Ashcroft:

I was very glad to see that after three long years of legal battles, Microsoft and the Department of Justice came to a settlement on the anti- trust suit. The current agreement requires Microsoft to compromise on many issues while still allowing for a competitive market. While Microsoft may be giving up a great deal, it believes that to settle the suit now would be beneficial to the IT industry.

Those that continue to seek further litigation are only spending tax dollars on a battle that has already been won. This settlement is fair and reasonable to Microsoft competitors and consumers alike. Microsoft will allow its competitors access to sensitive coding and software information. This access will make it easier for computer manufacturers to remove Microsoft programs from Windows and replace them with other companies'' products. The settlement will create an oversight board that will ensure Microsoft complies with the settlement.

It is apparent that Microsoft isn't gettlng off easy with this settlement. I support the agreement, and hope it is implemented as quickly as possible so that Microsoft can reclaim its leadership role in the information technology sector.

Sincerely,
John Harland
6850 Old US Highway 45 S
Paducah, KY 42003

MTC–00031086

Jan 12 02 03:19p Carl Associates 860–763–2110 p.1
Harry R. Plander II
24 Still Meadow Lane
Somers, CT 06071
January 8, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I am extremely happy to see that there has finally been a settlement between the U.S. Department of Justice and Microsoft in regards to the antitrust case. The government had no right to file suit in first place, and I only hope that the concessions Microsoft will be making will ultimately turn out to be in the best interest of the public.

The settlement certainly forces Microsoft to make ample concessions. Microsoft will need to redesign XP—and other versions of Windows—to be more accommodating to non-Microsoft products. Even end users will find it easier to configure and reconfigure their desktops, as their circumstances change. Microsoft will also have to make concessions to hardware manufacturers; regardless of what programs are put on the Windows platform, there will only be one regulated price for licensing for all hardware manufacturers.

I support Microsoft in many ways and believe that their products and services have greatly influenced al of our lives in positive ways. I sincerely hope no further legislation is brought against Microsoft and that they are allowed to focus on business—instead of politics—in the near future.

Sincerely,
Harry Plander
''Let's Roll America''

MTC–00031087

JAN-12–02 TUE 02:37 PM MARK COLLINS 504 277 0221 P. 01
3220 Corinne Drive
Chalmette, LA 70043–3841
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to you today to express my support of the settlement reached between Microsoft and the Department of Justice. As a Microsoft supporter, I have followed the litigation process closely. I believe that Microsoft has made many concessions during this process. I am glad to finally see the end, so that Microsoft can return to focusing on what it does best-information technology.

Again, Microsoft has made several concessions under this settlement. Most striking of which is Microsoft's agreement to have a technical oversight committee regulate their compliance with settlement policies. This inclusion of a third party watchdog agency assures Microsoft's commitment to the settlement.

Microsoft has done more for the American economy than any other corporation in our nation's history to date It is time we allow Microsoft to return to business.

Sincerely,
Mark Collins

MTC–00031088

JAN-12–2002 12:49 PM DIGITAL INTELLIGENCE 520 579 3448 P.01
8301 N. Westcliff Drive
Tucson, AZ 85743
January 12, 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 strong approval of the recent settlement in the three-year antitrust dispute between Microsoft and the federal government. After three long years of litigation and three intensive months of negotiation with a court appointed moderator, this settlement offers the country the chance to end this messy affair.

The terms of the settlement were fair and reasonable. The new government regulations being imposed will hinder Microsoft, but the settlement will allow Microsoft to get back to innovation and the development of technology for the future. These new regulations include forcing Microsoft to submit to a three person, government appointed technical oversight committee, whose role it is to ensure Microsoft's compliance with this settlement agreement. Furthermore, the agreement requires Microsoft to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows. This provision will allow consumers to have the freedom to choose to change their software configuration at any time.

As a computer professional with 22 years of experience in the computer field, and with Bachelor's and Master's degrees in computer science, I am very aware of the technical and business issues involved in the case and the settlement. I firmly believe that continuing to protract this case will have an adverse effect on the PC industry and other segments that depend on it. I also feel it would be a waste of time and taxpayer money to do anything at this point other than to implement the terms of the settlement and move forward.

With the current state of our economy, we don't need to be hamstringing one of the strongest companies in the nation. This settlement will allow Microsoft to focus on business, rather than legal strategy, and for that reason, I support it.

Sincerely,
Kenneth S. Gregg

MTC–00031089

01/12/2002 15:35 3014241545 ALPHA SIDING INC PAGE 01

11501 Alcinda Lane
North Potomac, MD 20878–2400
January 12, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

This letter is to address the issue of the settlement between the Department of Justice and Microsoft. I want to give my support to this agreement.

I also understand that Microsoft has not gotten off very easy. I do not believe the initial lawsuit was justified, but Microsoft has conceded to the Department of Justice's demands, agreeing to, among other things, to design future versions of Windows to make it easier for computer makers, computer programmers and others to promote non-Microsoft software within Windows. Further, Microsoft has agreed to disclose—for use by their competitors—various source codes that are internal to Windows'' operating system products. This could be a first in antitrust settlements. Microsoft has gone far beyond what was demanded in the initial suit.

I urge you to approve this settlement and allow us go forward.

Thank you.

Sincerely,

Clio Koutzoumis

MTC–00031090

64209 E Greenbelt Lane
Tucson, AZ 85739–1205
January l0, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW.,
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I write you in reference to the recent Microsoft settlement, and to express my concern with its delay. This is a settlement that is the result of three months of intense negotiations, mediated by a court appointed moderator. The settlement contains provisions that extend beyond the government's original grievance list. In fact, this settlement agreement forces Microsoft to submit to a government appointed, three-person, technical oversight committee whose responsibility it is to ensure Microsoft's compliance. Additionally, Microsoft is forced to document and disclose the various interfaces of Windows'' operating system to its competitors, a requirement that is a fit in anti-trust litigation. This settlement appeases ail parties.

The settlement that has been reached, speaks to the restoration of a competitive market and continued growth in our technology industry. The IT sector has been ready to move on, while the government has been delaying the process. Not only does our technology Industry benefit from this settlement, but our economy as a whole. Just when our country needs support, we are holding it back from further development.

Let us not waste our resources in further delaying a settlement that has already been agreed on. Help support this settlement and our economy by making sure that no further action is taken.

Sincerely,

Ernie Levy

MTC–00031091

Fred C. Buhler
8095 Fernwood Dr.
Augusta, Michigan 49012
Attorney General John Ashcroft
U.S. Justice Department
Washington, DC

Dear Mr. Ashcroft,

My purpose in writing is to address the antitrust settlement reached between Microsoft and the Justice Department, I am in agreement with the current settlement and I wish to see Microsoft freed of further legal wrangling. Bringing a swift end to the antitrust case is of the utmost importance given our current economic situation. We have already poured a great deal of resources into these proceedings and now is the time to move forward, not continue rehashing a three-year-old issue.

The terms of the settlement with the Department of Justice seem both punitive and reasonable. Microsoft will have to open relevant portions of its Windows code to software suppliers and competitors, permit computer makers to configure Windows with other software and give competitive browsers a more equal footing. I believe that future computer users are being awarded protections from the violations that were raised as issues in this proceeding.

I have been opposed to this proceeding from the start. It troubles me to see companies like Microsoft have their competitive edge dulled by interminable antitrust intrusion. Nevertheless, I now sense that the settlement is a correct course of action. We need to put this unfortunate episode behind us and hope that Microsoft can get back to the challenge of creating new and better products rather than languishing in court.

Sincerely,

Fred C. Buhler

MTC–00031092

01/12/02 SAT 17:54 FAX 800 641 2255 001
FAX COVER SHEET
DATE: 1/12/02
TO: Renata Hesse
FAX: 1–202–307-l454
FROM: Todd Benjamin
PHONE: 703–243–4002
Number of pages including cover sheet: 2
Comments: Microsoft Settlement
1/12/02 SAT 17:54 FAX 800 641 2255 002
Todd Benjamin
844 North Frederick Street
Arlington, Virginia 22205
January 12, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Attorney General Ashcroft:

I support the settlement between Microsoft and the Department of Justice. The antitrust case has gone on for too long, and it has drained significant resources on each side. The settlement offers an opportunity to put this mess behind us, and we need to take that opportunity.

Critics of Microsoft say that the settlement is too weak, but that is not the case. The settlement, unlike many antitrust settlements before it, has real enforcement power. Under the settlement, Microsoft will be forced to share code with its competitors. Armed with the knowledge of how Microsoft operates, other companies will be able to place their programs on the operating system, and compete with Microsoft on its on ''turf.'' Additionally, the tenets of the settlement will be enforced by a technical review committee. This committee will monitor Microsoft full time, making sure that the company's business practices do not stray come anywhere close to being anti-competitive.

The settlement strikes me as being overly big-brotherish, but if Microsoft is willing to accept these terms, then I am as well. I support the settlement, and look forward to the day when this lawsuit is no longer an issue.

Sincerely,

Todd Benjamin

MTC–00031093

FROM : ED AND Z KIRDAR
PHONE NO. : 602 838 1953
Edib Kirdar Associates
EK ASSOCIATES
1725 E. La Jolla Dr.
Tempe, AZ 85282–5780, USA
E-Mail: EKIRDAR97@aol.com
Telephone. (480) 838—l953
Facsimile: (480) 775–2539
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW.,
Washington, DC 20530–0001
January l0, 2002

Dear Mr. Ashcroft:

I am writing this letter in support of the November 2, 200l settlement reached by the US Department of Justice and Microsoft. However, I would like to state that I continue to be opposed to the antitrust case itself. I feel that Microsoft's operations didn't warrant the lawsuit. But, I am very pleased that a settlement has finally been reached.

Microsoft has provided a new vision for the technology industry. In addition, Microsoft has given a new and greater understanding of computers to the public. I can't begin to imagine what the government found wrong with the way Microsoft conducts its business. I feel the government was wrong to target Microsoft and also for trying to break apart this company. Our government should spend its time and resources, which are funded by taxpayers like myself. on matters that directly affect the public. Making Microsoft share its programming information with competitors by disclosing their internal interface codes, and being under the constant eye of the Federal government with a three-person monitoring committee is totally unnecessary.

In our great country, we shouldn't penalize individuals or companies that make strides above the rest. In fact, our government should do the exact opposite, and encourage more growth and innovation from private businesses, This will only strengthen our weakened economy. Microsoft has the ability to provide our country with endless innovation.

Please allow them to do so

cc: Representative Jeff Flake

Sincerely,
Edib Kirdar

MTC–00031094

Beryl Lerner
23 Stone Pine Court
Pikesville, Maryland 21208
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am in support of the settlement reached between Microsoft and the federal government. Microsoft went beyond what was required or initially sought by the government in this settlement.

For example, Microsoft will provide third parties with a license to the necessary intellectual property should said third party want to design a program that will interact with Windows. Its decision not to enter into any agreements obligating any third party to distribute or promote any Windows exclusively and not to retaliate against computer makers who ship software that competes with programs in its Windows operating system show that Microsoft is willing to compromise.

In closing, this settlement provides consumers with additional safeguards, while helping Microsoft's competitors in the process. I hope this is the last chapter in the government's playbook, and that Microsoft can get back to business. I support the settlement, and look forward to the end of this case.

Sincerely,
Beryl Lerner

MTC–00031096

Mary Douglass Brown
641 North Woodlawn, #55
Wichita, Kansas 67208
January 10, 2002
Judge Kollar-Kotelly
c/o Renata Hesse
U.S. Department of Justice
601 ''D'' St., NW
Suite 1200
Washington, DC 20530

Dear Judge Kollar-Kotelly,

Over the last several years I have watched with interest as the federal government and others have sued the Microsoft Corporation for various reasons. I greatly appreciate that your court has opened the door for comment on the proposed settlement of the Microsoft anti-trust case.

In December I wrote a letter to your colleague in Maryland, Judge Motz encouraging him to approve a settlement reached by Microsoft and the Product Pricing Class Action suit. I am encouraging you to accept the settlement of this anti-trust case for many of the same reasons I outlined in my letter to Judge Motz.

This agreement brings to an end an anti-trust case that is already over four years old and if it is not settled soon threatens many more years of unnecessary litigation. This would be a continued drain our already overloaded court system. From what I have read the Bush Department of Justice, the nine states that approved the settlement and Microsoft all consider this settlement to be a fair one. I understand that it addresses those items of the lawsuit which have been upheld other courts.

As one who was surprised by the federal and state government decision to go after Microsoft in the first place and I am further surprised that some are not satisfied with this settlement. If this settlement is approved Microsoft will be required to share its intellectual and technological property. Additionally, a committee will be in charge of making sure that Microsoft is complying with all aspects of this settlement.

The settlement of this case is long overdue and it appears that the agreement on the table is the best for all involved. I urge you to support this settlement.

Sincerely,
Mary Douglass Brown, Former Member
Kansas Sate Board of Education

MTC–00031097

Link Logic Craft 2002–01–13 02:56:18 (GMT), page
5719 Narcissus Avenu
Baltimore, MD 21215–3551
Fax 410–510–1212
January 12, 2002
Attorney General John Ashcroft
United States Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am in favor of the current settlement between Microsoft and the government. There are some rare instances in which the government needs to step in and level the playing field when one of the players of our free market economy both becomes exaggeratedly strong and uses its strength abusively to destroy its competition. Even in cases in which the government needs to level the playing field, the government must be careful not to make companies afraid to come out with the best products and services at the best prices.

My concern is that Microsoft, like IBM and other companies that experienced government intervention will not be as innovative as they can due to fear of being declared monopolistic. When I did some software contract work inside IBM, I saw for myself how law-suit phobic IBM became. Today, IBM never has the best laptop or best desktop computer. Their computers always lag the market late and are a little slower and have slightly less memory, etc., than competing brands. I am sure that IBM does this deliberately. This is a result of their corporate experience with IBM competitors using the government to suppress IBM.

I've read that in the current settlement, Microsoft agrees not to enter into any agreements obligating any third party to distribute or promote any Windows technology exclusively or in a fixed percentage; not to retaliate against computer makers who ship software that competes with anything in its Windows operating system; or against software of hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

Mr. Ashcroft, when I buy Windows and other Microsoft products, no one is holding a gun to my head to force me to buy Microsoft. I keep looking for alternative products. These days, Microsoft simply has the best products.

The government should do only enough to make sure companies compete based on products, services, and price, and that companies do not eliminate competitors by abuse of strength. I think the current settlement is enough. Requiring more would go overboard.

I think your approving this settlement will level the playing field without Microsoft becoming afraid to be the best. I urge you to accept it after the public comment period is concluded.

Sincerely,
Ron Lewis

MTC–00031098

JAN–12–02 07:19 PM COLLETT 714 8320869 P.01
6353 W Hill Lane
Glendale, Arizona 85310
January 9, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to support the current proposed settlement between Microsoft and the Department of Justice, in hopes of expressing the views of the general public. While I have never supported the federal government's attempts to bring litigation against Microsoft, this proposed settlement goes above and beyond what Microsoft needed to do. It provides for increased competition and accountability where none had existed before and should be allowed to be executed at the federal level. As a result of several months of intense court mandated negotiations; the settlement that was reached is fair, judicious and reasonable.

The terms of this settlement include a system of accountablity and competition fostering provIsions that go beyond the scope of the government's original grievances. The key parts of this settlement include: Microsoft's licensing of its intellectual property instead of allowing Microsoft to pursue intellectual property protection Additionally. the settlement requires Microsoft to change its relationships with computer and software manufacturers in order to allow these companies to install non-Microsoft products and change the Windows operating system without Microsoft enacting discriminatory or retaliatory clauses in a contract. Perhaps most importantly, this settlement creates a three-person technical oversight committee to ensure that Microsoft is complying with all parts of the settlement

After several years of litigation and three months of negotiations, this settlement represents the best chance for an end to this judicial debacle This agreement represents the public interest and that no further federal action should be taken.

Sincerely,
Horace Pereira

MTC–00031099

FROM: THE MAC'S FAX NO. : 2636323 Jan. 12 2002 07:43PM P2
131 Popoia Road

Kailua, HI 96734–3166
January 12, 2002
Attorney General John Ashcroft
U.S. Department of Justice
Washington, DC 20530–0001
Dear Attorney General Ashcroft:

From the start of the U.S. vs. Microsoft lawsuit, three long years ago, I have been confused as to why our federal government would choose to pursue and punish one of the most beneficial companies in America today. Microsoft has done more for the world of computing than any other single entity in the world. Without their products, the enormous marketplace for IT products that exists today would simply not be around—not at all

Included in the proposed settlement are many points that are punitive towards Microsoft. One point requires Microsoft to open its proprietary software interfaces to other software manufacturers. This is an amazing affront to Microsoft and its lifetime investment in its own product, and a first in an antitrust lawsuit. Yet, Microsoft is willing to renounce this and many others of its fair business practices to see an end to this unfortunate lawsuit.

For the millions of Microsoft stockholder and consumers of Microsoft products, an end to the suit cannot come soon enough. For many, the government's prolonging the suit has already hurt financially. In the end, I wonder who will benefit from all of this wrangling. The Department of Justice owes all involved parties an end to this suit. Thank you.

Sincerely,
Anne Marie

MTC–00031100

JAN 13 2002 8:12AM HP LASERJET 3200 p.1
Art Blumenthal
11 Stoneybrook Lane
Malvern, PA 19355
January 9, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I am writing to express my opinion in the tentative antitrust case settlement between Microsoft and the U.S. Department of Justice. Although I believe the government has gone a little too far in bringing litigation against Microsoft, I am happy to see that some concessions will be made to keep Microsoft in check.

Microsoft should not be broken up by any means, but its lack of relations with software developers and computer makers does inhibit the industry from growing at a rate that it is capable of. That is why I believe in some of the pressure being put on Microsoft to keep them under check. This is what this settlement intends to and will do by making licensing rates equal and giving guarantees to software companies that Microsoft will not take any drastic action against them for designing products intended to compete with Microsoft products.

At any rate, I think the American Government must look out for the best interests of the public; at this time it is necessary to settle this thing quickly and efficiently and to allow Microsoft and other IT industry leaders to go back to focusing on business instead of political quarrels. Thank you for your time.

Sincerely,
Art Blumenthal
cc: Senator Rick Santorum

MTC–00031101

01/13/2002 23:05 630–548–9497 ROSEMARY ZURAW PAGE 01
1448 Heatherton Drive
Naperville, IL 60563–2251
January 12, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing this letter because I would like to go on record, per the Tunney Act, as being in favor of the Microsoft settlement. Last November, the Justice Department and Microsoft finally agreed to a settlement that would end the three-year antitrust lawsuit. This settlement stands to benefit the technology industry and the economy.

Competition in the IT industry will foster, resulting in an improved economy because of this settlement. Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows. Computer makers will now be free to remove the means by which consumers access various features of Windows. This will encourage competition in the IT industry and bolster the economy. What more could anyone ask for? The settlement that was reached last November between Microsoft and the Department of Justice is fair and reasonable, and I support it 100%.

With sincere regard for justice,
William Zuraw

MTC–00031102

Jan 13 02 12:14p Robert Wentzel 6104390926 p.1
1650 Honeysuckle Lane
Allentown, Pennsylvania 18103
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

This lettcr is to address the recent settlement between Microsoft and the Department of Justice. I applaud this decision. I believe the decision was fair and equitable. Microsoft has broadened its accessibility, allowing computer makers to add or subtract Microsoft software, allowing competing software to be installed, and giving consumers a wide choice of software from which to choose. Microsoft has even agreed to disclose its source code for Windows'' operating system products. Microsoft has more than compensated for any alleged unfair businccss practices.

I hope this settlement stands. We do not need to revisit the decision, nor do we need to split up Microsoft. We split up AT&T and our phone system has been a mess ever since. The consumer is pretty much left to his or her own devices to figure out just what cxactly they want. People today pretty much have to be a mini-expert in every field today. Bill Gates explained computers. He made software easy to understand. You did not have to be a computer programmer to install a Microsoft software package. Which was nice.

Sincerely,
Robert Wentzel
cc: Senator Rick Santorum

MTC–00031103

Dec 14 01 12:55p Mrs. Debra J. Seretean 561–883–2592 p.1
Debra J. Seretean
8724 Via Ancho Rd.
Boca Raton, Fl. 33433
561–852–1650
fax: 561–883–2592
email: seretean@aol.com
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington DC 20530
Dear Mr. Ashcroft:

I was very disappointed when the Justice Department brought Microsoft to court three years ago in the antitrust case. I do not believe that Microsoft is a monopoly; it is simply a company that has made superior products.

Nevertheless I was pleased to hear a settlement has been reached in this case that will finally bring this litigation to an end. I fear that groups that stand against Microsoft may try to interfere with the settlement process. The settlement will create many changes in IT, despite their contentions that the settlement is flawed. This settlement stipulates that Microsoft will disclose its internal interfaces to competitors that is something never been done before. With this disclosure and many other major disclosures, competitors will have the ability to compete with Microsoft on an equal basis. Most importantly this settlement will end this case and get the legal system off Microsoft's back.

Please show definitive backing of this settlement and conclude this case.

Sincerely,
Debra Seretean cc: Representative Robert Wexler

MTC–00031104

01/13/2002 13:42 14073022170 PAGE 01
Jack L. Sperry y
Loretta M. Sperry
1575 Stone Trail
Enterprise, FL 32725
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr Ashcroft:

I have to say that I'm relieved that his whole antitrust case is almost at and end. I can'tunderstand why the government ever felt it was their responsibility to go after Microsoftfor being successful. I just hope that they never try it again with other businesses.Microsoft did not get away easy, as most people think, Though they didn't have to splitup, they still had to open up a

great deal of their products for use by their competitors, inorder to increase the level of Windows compatibility in many programs.

I hope that more people are made aware of the terms of this settlement so they can seejust how much Microsoft gave up. I know that many people will be happy to see the casefinally over.

Sincerely,
Jack & Loretta Sperry
Phone: 407–324–4056
Fax: 407–302–3170
E-mail: jlsperry@worldnet.att.net

MTC–00031105

Sadler's Cove Farm
Jose and Patricia Martin
9160 Quail Run road, Saint Michaels, Maryland 21663
Main house: 410 745 6049 (Voice) 410 745 3799 (Fax)
jvmartin@friendly.net
Property Caretakers: Al & Marjorie Henckle 410 763 8558
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

In reference to the legal actions that have transpired against Microsoft, I am afirm believer that Microsoft should never have gone to Court. Although Microsoft'ssuccess has been accompanied by a notable amount of wealth, I find it necessaryto mention the generous donations to public schools. The Gates foundation hasdone a lot for the education of our children and it is disconcerting that Microsoftshould be punished for its contribution to the community as well as the advancedtechnologies it has introduced to our society.

lt is for these reasons that I support Microsoft's antitrust settlement bedone as soon as possible.

The terms reached in the settlement are more than fair and reasonable asthey encompass a large range of issues both related to the case as well as issuesthat were not found unlawful by the Court. Microsoft has agreed to change anumber of business methods that include making it easier to reconfigure Windowsfor all users. In this way, Microsoft will enable the competitor to be promoted withinthe software program.

Included in the settlement are also terms that address future anticompetitivebehavior. These terms require to a promise not to retaliate against competitors aswell as the establishment of a Technical committee that will make sure thatMicrosoft does not stray from the settlement's terms.

Sincerely,

Jose and Patricia MartinFROM: JOSE FAX NO. :4107453799 Jan. 13 2002 02:04 PM P1

MTC–00031106

Jan-13–02 11:32A DON TRANDUM 206–746–1049 P.01
17413 NE 10th. Street
Bellevue, WA 98008–3811
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to express my opinion that I support for the recentantitrust settlement between Microsoft and the US Department of Justice.Not only has the case dragged on too long, but also, millions of taxpayerdollars have been wasted on these lawsuits.

The terms of the settlement are harsh and so should be more thanenough to satisfy lawmakers and politicians. Microsoft is offering uptechnology on internal interfaces and server interoperability that will allowcompetitors to create products that are compatible with Microsoft. Theyare also forming three-person team to monitor compliance with thesettlement. These terms show Microsoft's willingness to compromise andare more than necessary concessions to an already flawed lawsuit.

Ever since litigation began, the American IT sector and the economystarted turning sour. I am not saying there is a direct correlation, but it isapparent to me that before Microsoft and the IT sector see the growth theydid over 3 years ago, all litigation must end. These lawsuits have sloweddown the industry, so it is in the best interest of the American public andthe economy for the settlement to be finalized.

Sincerely,
Don Trandum

MTC–00031107

Margaret Kuhnemund
P.O. Box 181
Ligonier, PA 15658
January 12, 2002
Attorney General John Ashcroft, U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I believe the litigation against Microsoft should have ended long ago.Microsoft is a victim of political interest groups that have little bearing on oureconomy, and these special interests put their agenda above the public good. I amglad to see under the terms of the settlement that Microsoft will not be broken up, butI do think most of the penalties imposed are extremely unwarranted.

Microsoft spent a huge amount of money and time to develop the technologythey did. They should be rewarded for the innovation they brought to thetechnology industry instead of punished. Bill Gates lived the American Dream andonly worked by the rules our free market economy set for him. The fact thatMicrosoft must disclose internal interfaces to their competitors and create a uniformprice list with computer makers is absurd.

I want to see this settlement, although flawed, become a reality as soon aspossible so that our IT sector and economy can return to normal. Thank you foryour time.

Sincerely,
Margaret Kuhnemund
cc: Senator Rick Santorum

P.S. Bill Gatesrepresents whatAmerica offers tothose with a goodmind. How darewe try to punishhim, his company,and our country for hisbeing bright enough to besuccessful?

From Ed Grenzig
Fax: +1(631)366–5215
To AGO John Ashcroff Fax (202)307–1454
Page 2 of 2 Sunday, January 13, 2002 2.49 PM
15 Michael Place
Nesconset, NY 11767–1039
January 11, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I would like to tell you how I feel about the Microsoft antitrust case. I am veryglad to see that a settlement has finally been reached in this seemingly endless andmoney-wasting lawsuit. However, given that there were court-appointed mediatorsinvolved in the settlements, I don't see how there is even an issue that the settlementdoes not serve the public interest. I think Microsoft has served the public interest fromthe very beginning. 99 percent of America's computer users use Microsoft products andare happy with them. With the settlement, people who are not happy with Microsoftproducts will have more freedom to use other products. If that is not serving the publicinterest, I don't know what is.

Granted, Microsoft did dominate the market, but that happened because theirproducts were better than any others'' available. Under the settlement, competitors willreceive the internal interfaces to Microsoft's Windows operating system, and be able tomodify Windows to promote non-Microsoft products. The way the settlement is now,Microsoft is already handing over too much to their undeserving competitors in order to''serve the public interest''.

I am retired and extensively use computers at home. I use Microsoft software innearly all of my computer activities. However, I am glad to see that the settlement willmake it easier for people to use non-Microsoft products if they so desire. This lawsuithas been going on for too long a time and this settlement is a good end. Pleasemaintain the settlement and allow our economy and the IT industry to move forward.Enough is enough already.

Sincerely,
Edward W. Grenzig

MTC–00031109

Jan 13 02 01:2lp Don/Tina Leahy
777–882–6057 p.1
120 Lotus Circle
Carson City, Nevada 89703
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Microsoft and the DOJ have finally reached a settlement in the three-year oldantitrust case. I am pleased to see that you have accepted the settlement andare prepared to end this costly and time-consuming case.

Regrettably some special interests would like this case to be continued, and theywould like this settlement to be thrown out. Despite the misgivings of specialinterests this is a good settlement. This agreement will require Microsoft todisclose its top-secret internal

interfaces to competitors. Competitors will createbetter software do better in the marketplace with this provision. Also, thesettlement will create a technical oversight committee to make sure thatMicrosoft complies with the terms of the settlement.

Your steadfast support of the settlement is key to ending this case. I thank youfor considering my views on this issue.

cc: Senator Harry Reid

Sincerely,

Don Leahy

MTC–00031110

Jan-13–02 03:42P David Sargent520–544–5616P01
January 2, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Although I opposed the antitrust lawsuit filed by the US Department of Justiceagainst Microsoft, I would like to state that I am in favor of the proposedsettlement and against further litigation against Microsoft. I strongly feel that toomuch time and too much money, from taxpayers, went into this lawsuit. In myopinion Microsoft didn't break any laws and jealous competitors are targeting itfor persecution.

Three years and millions of taxpayers'' dollars have been wasted on this antitrust case against Microsoft. The very last action our struggling economy needs is for more time, money and resources spent on its downfall. Our government needs to listen to the people and take actions that will lead our country to a secure a prosperous future. Hindering one of the largest innovating companies in the U.S. simply will not help this cause.

Reopening an unfair lawsuit that will use more tax dollars just can't be allowed to happen. I urge you to allow Microsoft to get out of the courtroom. I support the settlement and hope it is quickly adopted.

Sincerely,

David Sargent

DAVID F. SARGENT

7501 N. Calle Sin Desengano

TUCSON, AZ 85718

MTC–00031111

RICHARD E DAVIS
105 763 3360
385 Nascar Drive
Lincoln, Alabama 35096
January 13, 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 in light of recent litigation against them. I strongly believe that the Government's interventions have done much to damage the stability of the technology industry and I trust that such interventions will soon cease so that Microsoft may continue to manufacture quality products.

Microsoft's varied initiatives to honor the terms of the agreement have not gone unnoticed. These initiatives have included cooperation with competitors, new software programs that encourage competition, and the formation of a technical committee to handle dispute resolution.

I appreciate the avenue to voice my opinion that the Tunney act has afforded me. I am looking forward to the prompt resolution of this matter.

Sincerely,

Richard Davis

MTC–00031112

JAN 13 2002 16:01 FR MICROSOFT RECEP # 30 425 936 7329 TO 912023071454 p.01/01
605 175th Place NE
Bellevue, WA 98008
(425) 830–3961
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Fax l-202–307–1454 or l-202–616–9937

Dear Mr. Ashcroft:

I am writing to you today to express my support for the settlement reached between Microsoft and the Department of Justice last November. I believe the settlement is in the best interests of consumers, taxpayers, and the IT industry.

The settlement is fair in that it will benefit consumers and contains provisions that will preclude anticompetitive behavior. The settlement includes concessions that are unprecedented in antitrust litigation. Microsoft has agreed to disclose the application programming interfaces that are internal to the Windows'' operating system. This information will now be available to Microsoft competitors.

Throughout this process, Microsoft has gone to great lengths to resolve this situation. I believe it is time that the issue is finally laid to rest.

Sincerely,

George Taniwaki

P.S. As a disclosure, I have been a long-time shareholder of Microsoft. I recently became an employee of the company as well.

MTC–00031113

Jan. 13 2001 03:51PM P2
Donald E. Dennis
32727 30th Avenue Southwest
Federal Way, WA 98023–2763
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I'm writing to express my opinion that the antitrust case against Microsoft has been flawed from the start. Microsoft has not infringed upon any rights of American people and has just operated within the confines by which we set up our free market economy. I have yet to hear complaints from consumers about Microsoft's prices or practices. In fact I feel that their prices permitted me to have a PC at home with software that I could afford and most people I know feel the same way. It seems the only complaints are from their competitors because they can't keep up.

Under the terms of the settlement Microsoft will be forced to not enter into any third party agreements for exclusive distribution rights. That is ridiculous. This is the same as telling Pepsi they cannot sign an exclusive agreement with Wendy's. Also, creating a uniform price list with the 20 largest computer makers is essentially setting up the framework for a monopoly. In fact many of the concessions create situations that do violate antitrust laws instead of appeasing them.

It's in the best interest of the American public to end this litigation now. Microsoft is a leading innovator of technology and we need their growth and leadership to lift the IT sector out of its current state. Microsoft has done what other competitors could not do, but now it's time to let them play it out in a free market, which is what our society, is based upon, not the government intervention that has occurred in this case. I urge your office to make the settlement a reality.

Thank you.

Donald E. Dennis

Home & Fax (253) 838–0155

Ce11(253)569–8979

donaldedennis@attbi.com

MTC–00031114

Jan 13 02 11:42p COURTNEY PHILLIPS [732] 297–3390 p.1
61 Lynn Court
North Brunswick, NJ 08902
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Early in last November, the Department of Justice and the Microsoft Corporation came to an agreement in the three-year-old antitrust lawsuit. I believe that the terms of the settlement are reasonable, and I am therefore lending my support to the agreement that puts an end to this lengthy and extremely costly litigation.

Microsoft did not get just a slap on the wrist, as evidenced by the fact, that the company has been forced to turn over substantial portions of its intellectual property to its competitors. Microsoft will share with its competitors, information about how Windows interacts with other programs and will not retaliate against vendors who sell or use non-Microsoft products. Furthermore, as part of the settlement, Microsoft will be supervised by a technical committee, consisting of three software engineers who will test Microsoft's compliance with certain aspects of the agreement.

I understand also, that other terms were agreed upon that were never even an issue in the antitrust lawsuit. Microsoft, however, accepted those terms based on the view that the United States economy is far more important than pursuing arguments over less significant details.

I completely support the settlement, and would like to go on record as doing so.

Sincerely,

Courtney G. Phillips

MTC–00031115

Jan 14 02 07:24a FORESTLAND P.1
15 Partridge Lane
Burlington, CT 06013–2400
January 13, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I appreciate the Justice Department finally coming to terms on the Microsoft antitrust case. I feel that the settlement, which has taken at least three years to hash out, should pretty much be acceptable to everyone. So hopefully, both Microsoft and the government can move on to more important matters.

Considering that now Microsoft can't retaliate against the companies that don't make Windows software or work on other operating systems, and that they are required to be reviewed by a federal panel to make sure they are complying with the settlement, I feel that along with the other terms of the settlement, most people should be happy with it.

I think that this whole matter should be put behind us and that we should move on. I appreciate you considering my thoughts on this matter and I hope that you take it into account.

I have also communicated my opinions to Attorney General of Connecticut, Richard Blumenthal, as I did several years ago when the original anti-trust action began.

Sincerely,
James Gillespie

MTC–00031116

01/13/O2 19:55 FAX 8472947194 ANI ATCT 001
1970 Birchwood Avenue
Des Plaines, IL 60018
facsimile transmittal
To: Mr. John Ashcroft
Fax: 202–307–1454
From: Sam Wong
Date: 01/14/02
Re: Microsoft Settlement
cc: Henry Hyde

Attached is a letter of my opinion of Microsoft settlememnt. We should finalized the settlement and move forward.

01/13/02 19:55 FAX 8472947194
ANI ATCT 002
Sam Wong
1970 Birchwood Avenue
Des Plaines, Illinois 60018
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 opinion of the recent antitrust settlement between Microsoft and the US Department of Justice. I think the settlement is fair and should be finalized as soon as possible.

A number of terms in the settlement are particularly effective in reducing Microsoft's ability to strong-arm its opponents. First, agreeing to design future Windows versions so that computer makers and software developers can promote their own products is a very fair concession. Also, the fact that Microsoft has agreed to form a three-person team that will monitor accordance with settlement shows Microsoft's willingness to appease all parties. And finally, Microsoft's disclosure of internal interfaces will allow competitors to have the ability to create products compatible with Windows and therefore eliminate Microsoft's ability to keep out the competition.

I think it is in best interest of the states to settle now too as soon as possible especially since our economy is ailing and our IT sector's growth has slowed to turtle's crawl. I urge your office to take a proactive stand on this and let Microsoft be on it way.

Sincerely,
Sam Wong
cc: Representative Henry Hyde

MTC–00031117

01/14/02 04 : 53
ARTBA-> 001
From the Desk of: Christopher J. Akins
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington. DC 20530
Dear Mr. Ashcroft:

I'm writing to voice my strong support for the Microsoft settlement. Microsoft has agreed to terms that are not only unfair to Microsoft, but I feel, could quite possibly have negative consequences for Microsoft, a company that has revolutionized the software industry and provides thousands of jobs. Any further legal action by the states or the federal government is only frivolous and punitive.

In the settlement, Microsoft has already agreed to grant rights to computer-makers so that they may configure Windows to remove Microsoft products so the computer manufacturer can install its own competitive programs or programs from other software makers, such as RealNetworks or AOL's Instant Messenger.

Microsoft has also agreed to make it easier for computer manufacturers, consumers, and software developers to promote non-Microsoft products within Windows. Microsoft has further agreed to not retaliate against any software or hardware developers who develop software that directly competes with Windows or other Microsoft products. In a move that limits its own competitiveness. Microsoft will give the necessary license for its own intellectual property rights to a third party when that third party exercises options within the settlement that infringe on Microsoft intellectual property rights.

For these reasons, I support this flawed settlement in hopes the federal government and many states will not pursue any further punitive and frivolous legal action that will only result in the destruction of intellectual property and the demise of a business that has built the existing computer and software industry.

Sincerely,
Chris Akins
7507 Woodside Lane, Apt. #24
Lorton, VA 22079–2013
Phone/FAX: 703–339–7244
Cell Phone: 202–425–4837
E-mail: akinschristopher@netscape.net

MTC–00031118

3457 Marbella Court
Bonita Springs, Florida 34134
January 13,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I was happy to hear a settlement has been reached in the Microsoft antitrust lawsuit. Bringing this case to a close will benefit consumers and our economy alike.

The terms of the settlement agreement appear to be fair. Mechanisms to ensure Microsoft does not engage in anticompetitive acts will be implemented. If the settlement is approved, Microsoft will no longer enter into agreements obligating computer manufacturers or distributors to promote Windows exclusively. This will promote competition in the industry, and will result in more choices for the consumer. Microsoft has also agreed to make it easier for computer manufacturers to remove features of Windows from their computers so they will be able to use the competitions'' software if they so choose. I believe these concessions are fair and reasonable.

Wrapping up this case has been long overdue. I appreciate your efforts to ensure the rapid resolution of this matter.

Dena Sklaroff

MTC–00031119

FROM: DDSI Phone No.: 724 745–0902 Jan. 14 2002 09:23M P1
209 Roth Street
Houston, PA 15342–1147
January 11, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

The recent antitrust case settlement has been dragged out way too long. I am glad to see that Microsoft will not be broken up, because that would be detrimental to the country's tech sector. I think many of the concessions Microsoft will be making violate other laws.

Prohibiting Microsoft from entering into exclusive third party agreements will inhibit their ability to gain market share. All companies try to force distributors into exclusive agreements whereby they promote one product or another. That is how Pepsi and Coca- Cola operate.

The best interests of the American public will be served when the government stops messing with the private sector and allows Microsoft to focus on innovation of new technology instead of political warfare. I urge your office to take corrective steps in this matter.

Sincerely,
Norman Nardo
cc: Senator Rick Santorum

MTC–00031120

From: Penny Temeles
FAX NO. : l-412–4342
Jan. 14 2002 09:28AM P1

Emporium Group Inc.
Sales Marketing Consulting
100 Oxford Drive #302
Monroewille, Pennsylvania 15146
Ph/Fax: (412)373.4342
email:ptemeles@aol.com
January 9, 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 so that I may go on record as being a supporter of the settlement that was reached between Microsoft and the Department of Justice last November. The two sides had been battling in court for more than three years, and I am glad to see that this issue has finally been put to rest at the federal level.

Microsoft did not get off easy, but I feel that the settlement is fair enough. They have agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows. They have also agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system.

The settlement is fair, and the time has come to move on to much more important issues. I support the settlement, and look forward to the conclusion of this case.

Sincerely,
Penny Temeles
cc: Senator Rick Santorum

MTC–00031121

JAN-14–2002 10:16 MERRILL LYNCH 248 647 2503 P.01/01
24130 Broadview Street
Farmington. Michigan 48336
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am very happy about the recent settlement between the DOJ and Microsoft. Though the opponents of Microsoft have made varied efforts to make it appear as though Microsoft has gotten off easy. I completely disagree. In fact, Microsoft has agreed to honor obligations that extend to products and technologies that were not even at issue in the lawsuits. Though these areas were not initially at issue, Microsoft has agreed to comply to these broad terms in order to bring the case to a conclusion and to allow the Company to move forward with the development of new products.

In addition to Microsoft compliance with the broaden terms of the settlement, they have also agreed to document and disclose various interfaces that are internal to Windows'' operating system products. If I may add, this is a first in an antitrust settlement. This is just a small indication of the strides that Microsoft has taken to satisfy the requirements of this settlement.

The Tunney Act has provided a very solid avenue to voice my opinion on this issue and I am very pleased to know that my opinion on this issue matters to you. I support the settlement and look forward to the conclusion of this case.

Sincerely.
Carol Markey

MTC–00031122

01/14/02 06:46 2087730884
POST FALLS MIDDL
405 East 19th Avenue
Post Falls, Idaho 83854
January l0, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

After three long years the Department of Justice has finally concluded its antitrust suit against Microsoft. A charge, I believe, that was wrong in the first place. I am the computer expert in our family and I use Microsoft, but I didn't always. I started out with AOL, and then switched to Microsoft. I had Windows '95, '98, and now '2000. At no time was I coerced to use Microsoft. I had complete freedom of choice; therefore, I do not understand the charges against Microsoft for monopolizing the market.

I do not know why a suit was brought against a company for providing a good product. Would we be suing Henry Ford for dominating the auto industry, or Macintosh for being the best in computer graphics programs? I think there should be recognition of what Microsoft has accomplished. Microsoft has provided enormous technical expertise to this country, not to mention, income. Bill Gates invented the computer revolution and made the global village possible. Globalization is heralded, yet no one seems to recognize just how and why this happened. Think back before Microsoft.

The settlement between the Department of Justice and Microsoft is now done. It was hard. Even the judge lost patience, ordering round-the-clock negotiations to bring about closure. Perhaps, she knew when enough is enough. Which is what I am saying. It is time to move on, Give your support to this agreement.

Sincerely,
Cheri Mitton cc: Senator Larry Craig

MTC–00031123

01/14/2002 09:31 PIFER OFFICE SUPPLY -> 12023071454 NO.598 0001
Germaine Frame Gallery
UNIQUE FRAMING
120 W. GERMAIN STREET
WINCHESTER, VIRGlNlA 22601
PHONE 682–5846
January 11, 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 voice my opinion in regards to the Microsoft settlement issue. I feel the Microsoft settlement is a complete and thorough agreement that will benefit the technology industry and the economy. This agreement was reached after extensive negotiations. Microsoft has fully agreed to carry out all provisions of this agreement and will be monitored by a technical oversight committee for compliance. Competing companies can sue Microsoft if they feel this company is not complying. I am a believer of free enterprise, and I oppose restrictions placed on Microsoft. Please end this litigation. Thank you for your support.

Sincerely,
Wallace Wiener

MTC–00031124

01/14/2002 11:12 3192329363
SCOTTS ELECTRIC INC. PAGE 02/02
Steve Jordan
581 Sheridan Road
Waterloo, Iowa 50301
January 10, 2002
Judge Kollar-Kotelly
Renata Hesse, Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Judge Kollar-Kotelly:

I am writing to share my support for the proposed settlement reached by Microsoft with the Justice Department.

The great thing about our free market system is that it allows all participants to play on a level playing field at the mercy of consumers. The consumers can choose the products and services they prefer. Like it or not, Microsoft has clearly won this battle. One of the reasons the Microsoft's critics have never been able to demonstrate consumer harm is because American consumer use and like Microsoft products. Plus the successes of Microsoft have resulted in more accessible and cheaper technology for Americans.

Bringing a conclusion to this case is long overdue. The impact this case has had on the technology industry has been devastating. We have found that when the government attacks an industry leader the ripples are felt far and wide. Computer and software sales across the board have been hurt throughout the prosecution of this case. Please approve the settlement reached by the Justice Department and Microsoft.

Sincerely,
Steve Jordan

MTC–00031125

Dixie L. Holtz
ATTORNEY AT LAW
13547 VENTURA BOULEVARD
SHERMAN OAKS. CA 91413
AREA CODE (818)981–1383
January 14,2002
Attorncy General John Ashcroft
US Department of Justice
Washington, DC 20530–0001

Dear Mr. Ashcroft:

In writing to you today I wish to express my concern regarding the Microsoft settlement. The Department of Justice is now reviewing the settlement. I deeply hope that at the end of this review, the decision is made that this settlement is in the best interest of the nation. I believe this settlement is extensive. Microsoft has made many concessions that will inhibit future anticompetitive behavior. Foremost among these concessions is the term that guarantees the creation of a third-party technical review

board. The job of this board is to ensure that Microsoft complies with the terms of this settlement.

As I believe this settlement to be equitable. I ask that the Department of Justice implement the settlement quickly. Thank you.

Sincerely,
Dixie Holtz

MTC–00031126

SENT BY: HEWLETT-PACKARD;
480 315 9239;
JAN-14–02 8:25AM; PAGE l/1
7525 The Greens # 179
Scottsdale, Arizona 85258
January 11, 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 settlement of its antitrust issue with the federal government. Its unfortunate that they had to be put through this process, but this settlement looks more than reasonable.

I am especially thrilled to see Microsoft take the lead and really go above and beyond the products and procedures that were actually at issue in the suit. I understand that they have agreed to not retaliate against computer makers who ship software that competes with anything in its Windows operating system, or against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows, and has agreed not to enter into any agreements obligating any third party to distribute or promote any Windows technology exclusively or in a fixed percentage.

I can only say in closing Mr. Ashcroft that we can agree that no other company Microsoft's size would have been so generous in a settlement. This is a fair and reasonable settlement and should be approved.

Sincerely,
Yvonne Cahill

MTC–00031127

OFFICE OF COMPLIANCE REVIEW
Mary Lou Smith, Director
Jackson County Courthouse
415 E. 12th Street, 2nd Floor
Kansas City, Missouri 64106
COUNTY LEGISLATURE
JACKSON COUNTY, MISSOURI
(816) 881–3302
FAX (816) 881–3340
January 11, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, D. C. 20530–0001
Faxed to 1–202–307–1454

Dear Justice Hesse:

For the last two days I have attended a business seminar in the state of Kansas aimed at getting minorities and women into business and keeping them afloat once they have set up. With the today's economy this is a major task and extremely hard for minorities and women.

I am writing to you today to convey my support for the Microsoft settlement. The United States as well as Kansas is currently going through some hard economic times and it is twice as bad for small business owners that are minorities or women. Numerous businesses and companies are losing money and having to lay-off employees. On today's news it was announced that as many as 1.6 would be unemployed at the end of 2002. An important factor in bringing about a recovery is to allow new and innovative products to stimulate growth.

The Microsoft Corporation is a leading pioneer in technology. Microsoft is currently spending billions on new, inventive technology and is working to stay competitive. These innovations spread economic growth throughout the entire nation. Direct results of technological advances have been market expansion, job creation, and the production of wealth and capital. These are not easy times for our nation; our government should do everything in its power to encourage growth and economic expansion. That is why I am sending you my support for the recent settlement of the Microsoft case, I understand that Microsoft agrees to share its intellectual property and creates new relations with hardware and software developers. It was the right thing to do and Americans from all walks of life will be better off.

Thank you for taking the time to read this letter.

Sincerely, Mary Lou Smith
Director
JACKSON COUNTY LEGIS

MTC–00031128

Ol/l4/2001 10:40 3522719742 PAGE 01
CompTIA CIW Authorized Training Provider
New Horizons Computer Learning Centers
Microsoft Certified Partner Authorized
PROMETRIC Testing Group
January 10,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

The suit against Microsoft has dragged for the last three years. The suit has brought a drop in the stock market, an ambiguity in the industry, and challenged governmental budgets at the state and federal levels. All of this has been paid for by either the consumer on Microsoft's side, or the taxpayer on the government's side. In many cases, people end up paying twice! The suit was brought about to benefit American consumers and give them more choices; in reality, the suit has been a burden.

I support the settlement reached between Microsoft and the Department of Justice. It addresses the issures very clearly. Microsoft has agreed to disclose information regarding the setup of Microsoft products, and the company must change its licensing agreements with individual computer-makers—even if one of them ships software that would compete with the Windows operating system. There have been enough financial resources spent on this case. It is vital that this is prevented and the settlement is finalized. The quicker the settlement is confirmed, the faster the industry can get back to focusing on innovation. Sincerely,

Tim Broom President PO Box 357685
Gainsville, FL 32635 main (352) 376–8007
fax (352) 371–9964
www.nhgainsville.com

MTC–00031129

FROM: NWTILLERS
FAX NO.: 15092483818
Jan. 14 2002 08:41AM PI
Northwest Tillers, Inc.
P.O. Box 10932
Yakima. WA 98909
(509)575–1950
1–800–204–3122
Fax (509) 452–1588
www.nwtillers.com
January 12, 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 in the Microsoft antitrust suit. I would like to see this case concluded as soon as possible. As a small business owner, I am concerned by the fact this case was brought against Microsoft at all. Microsoft has been an innovative, competitive company. Companies, especially those engaged in high-tech endeavors, must remain competitive to remain in business. I do not agree with punishing Microsoft for its ability to remain competitive.

I do, however, believe the case should be settled as rapidly as possible. To achieve this end, Microsoft has made a variety of concessions that go above and beyond the scope of the lawsuit. I do not necessarily agree with the concessions made, as they appear to be overly restrictive. For example, the creation of a technical oversight committee, which will monitor Microsoft's business practices, seems overly intrusive to Microsoft.

Despite my belief that Microsoft is doing more than should be required, I support its decision to make such concessions so this case will settle. I appreciate your review of my comments, and hope to see this case settle as quickly as possible.

Sincerely,
Ted Marquis
President / CEO

MTC–00031130

FROM: MAGNET COM
FAX NO. : Oct. 25 2001 01:12PM P1
Jeffrey R. Hoener
P.O. Box 210334
Montgomery, AL 36121–0334
January 13, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing today to express my support of the Microsoft settlement. The settlement that was reached is equitable. I believe that Microsoft has been more than generous in the interest of resolving this issue.

Microsoft's generosity is evident in the new design of future versions of the Windows system. The new design that will appear in the interim release of Windows XP has a new mechanism. This mechanism will enable users to remove and add different aspects of the system at their discretion. Users will now be able to remove Media Player from their system if they so choose. This is a first for consumers and represents Microsoft's generosity.

The settlement is fair. The Justice Department should enact the settlement as quick as possible. Thank you.

Sincerely,

Jeffrey R. Hoener

MTC–00031131

Jan-14–02 09:22A P.01
Karen and Dave Polen
4460 E. Cortez St.
Phoenix, AZ 85028–2319
January 12, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

I am writing to express my support and encouragement for the recent settlement agreement between Microsoft and the Department of Justice. This was a settlement that was reached after three months of intense negotiation, following three years of what I viewed as an unnecessary lawsuit. These negotiations were mediated by court appointed individual who allowed both sides to come to a reasonable conclusion. This statement should stand on its own merits and I believe has the public interest in mind.

The settlement contains several provisions designed to increase competition in the marketplace as well as to keep Microsoft accountable to the federal government. This agreement contains a provision that requires Microsoft to not retaliate against computer makers who ship software that competes with anything in its Windows operating system. There is a similar provision relating to software developers, where Microsoft may not retaliate against developers who develop or promote software that competes with Windows or that runs on software that competes with Windows. Perhaps most importantly, however, is that Microsoft has agreed that if a third party's exercise of any options provided for by the settlement, would infringe on any Microsoft intellectual property right, Microsoft will provide the third party with a license to the necessary intellectual property on reasonable, and non-discriminatory terms. This is important because it shows that Microsoft is completely willing to increase competition.

This is a settlement that goes beyond the original government interests, and shows Microsoft's commitment to diversity in the industry. I strongly urge your office to move on this settlement and to take no further federal action.

Sincerely,

Karen Polen

MTC–00031132

1/14/2002 3:53 PM FROM: Fax UpdateThis.com
To: l-202–337–1454 PAGE: 002 OF 002
William McCahey
155 W 20th Street Apt. 6K
New York, NY 10011
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington. DC 20530

Dear Mr. Ashcroft:

It is in the best interest of the American Public to end the Microsoft lawsuits as soon as possible. Our economy is in recession and our IT sector has never returned to normal since lawsuits began. We need our government to focus their energy, time, and money elsewhere on issues that they can have positive affect on

The terms of the settlement are more than fair and I do not understand why nine states want to continue litigation. Microsoft has agreed to disclose interfaces, form three-person team to monitor compliance with settlement, improve relations with computer makers and software developers, and design future Windows versions so that competitors can market their products on its operating systems.

In my judgment the settlement will be good for IT sector and the American economy. I urge your office to finalize it as soon as possible and I thank you for your time.

Sincerely,

Bill McCahey

cc: Representative Jerrold Nadler

MTC–00031133 Jan 14 02 03:42p

Daniel & Jackie Hsieh 261 8034 p.1
138—32 68th Drive, Apt. 1C
Flushing, NY 11367
Jan 14, 2002
The Honorable Charles E. Schumer
United States Senate
Washington, DC 20510

Dear Senator Schumer

As a voting constituent, I would like to express my opinion about the Microsoft antitrust case. I have followed this story in the New York Times and feel that after three long years of court battles, it is time to stop legal action against the company. I think that the settlement is fair and should be final.

I am concerned about the economic recession we are experiencing as a nation as well. The IT industry has been one of the sectors of the economy that has been the hardest hit in the past several months. It is important that we allow Microsoft to get back to business and lead the IT industry once again

Your strong support on this matter is greatly appreciated I urge you to put this case behind us.

Thank you,

Ching Hsieh

MTC–00031134

Jan-14–2002 03:26 PM don senften 755 4339 P.01
January 13, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, District of Columbia 20530–0001

Dear Attorney General Aschroft:

I am writing to support the settlement with Microsoft. Enough is enough. It is time to allow the IT industry to get back to business. The settlement is fair and reasonable, and will protect us from future anticompetitive behavior.

The settlement imposes many restrictions on Microsoft. One example is that Microsoft has agreed to grant computer makers broad new rights to set up Windows so that software by other developers can be introduced to any computer. Also, Microsoft has agreed to license its Windows operating system producst to the 20 largest computer makers on identical terms, including price. Plus, Microsoft has also agreed to the ''Technical Committee'' that will monitor Microsoft's compliance with the settlement. Clearly, these, along with the other restrictions will maintain a fair competitive balance.

It is important to let technology sector move forward with developing new products as soon as possible. This settlement is in the best interest of both the public and the economy. Thank you for reading my letter.

Sincerely,

Donald Senften P.O. Box 20895,
Bradenton, FL 34294–0005

MTC–00031135

Jan-14–2002 03:26 PM
don senften
755 4339 P.01
January 13, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, District of Columbia 20530–0001

Dear Attorney General Aschroft:

I am writing to support the settlement with Microsoft. Enough is enough. It is time to allow the IT industry to get back to business. The settlement is fair and reasonable, and will protect us from future anticompetitive behavior.

The settlement imposes many restrictions on Microsoft. One example is that Microsoft has agreed to grant computer makers broad new rights to set up Windows so that software by other developers can be introduced to any computer. Also, Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms, including price. Plus, Microsoft has also agreed to the ''Technical Committee'' that will monitor Microsoft's compliance with the settlement. Clearly, these, along with the other restrictions will maintain a fair competitive balance.

It is important to let the technology sector move forward with developing new products as soon as possible. This settlement is in the best interest of both the public and the economy. Thank you for reading my letter.

Sincerely,

Virginia Senften
P.O. Box 20895,
Bradenton, FL 34294–0005

MTC–00031136

Jan-14–02 03:53 P.01
4201 Tanglewood Drive
Allison Park, Pa. 15101
January 14, 2002
Attorney General John Ashcroft

US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

Today, I am writing you to express my support of the recent settlement reached between Microsoft and the Department of Justice. I am a long time supporter of the Microsoft Corporation. Thus, I would be happy to see the litigation against Microsoft come to an end. As a republican I believe in free enterprise and can't imagine an administration for which I voted choosing to damage a company that has added so much to the economy and growth of our country.

As a senior citizen, Microsoft has personally impacted my life. A few years ago, I was what they call ''computer illiterate'' as I did not grow up learning how to ''surf the web'' or send electronic mail. I do not think that I would have bothered to learn how to use a computer, it is weren't for the Microsoft Corporation. Microsoft's products are so user-friendly that I was able to master computer applications and thus enjoy the age of technology.

It is these innovations that have enabled Microsoft to rise to the top of the technology industry and is my belief that Microsoft has earned its position as a leader in its field. It is ridiculous for the federal government to punish Microsoft for producing high quality products. Please let the settlement stand as it is written. (An educational bill was just passed and yet you want Microsoft not to supply technology to students who most need assistance to participate in todays world. That sounds like leaving 'a child behind'. Microsoft must be allowed to focus on creating innovative software to assist our country continue to lead the world in technology.

Very truly yours,
Mary M. Hembrock
cc Rick Santorium

MTC–00031137

01/14/02 15:54 8149428694 CR CASHMAN 001
149 Elm Street
Hollidaysburg, PA 16648–2930
(814)695–9398
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 8, 2002

Dear Mr. Ashcroft:

I don't feel that the government has been fair to Microsoft from the start. I think the government should keep its nose out of the affairs of business and leave Tree enterprise alone. In my opinion there are many more important issues for the govcrnmcnt to spend their time and taxpayer money on.

Microsoft does a lot for this country, giving charity, and providing jobs. The government should reward companies that do so well, not attack them for simply making a better product. I hope that the settlement of this case will discourage government from doing things like this from now on. Nonetheless, the terms of the settlement are fair especially considering Microsoft is conceding much more than necessary in my opinion. They should not have to disclose internal interfaces and give away other technological information as they have agreed to do.

I appreciate you taking the time to read this and it's nice to know that my opinion will be counted, along with the many others that support Microsoft and want to see the government stay out of business affairs.

cc: Senator Rick Santorum
Sincerely
Clifford Cashman

MTC–00031138

Albert W. Veit
32 Dogwood Lane
Grove City, PA 16127
Phone: (724) 458–4096
fax: (724) 458–4096
e-mail: dogwood@telerama.com
Jan. 14 2002 02:46PM P1
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I urge your office to suppress all opposition to the recent settlement between the Department of Justice and Microsoft. This case never should have been brought to court.

The settlement, though as it is, is in the best interests of the IT industry and the economy. Microsoft did not get off easy, but the settlement is fair and reasonable, and it will clearly benefit consumers and preclude future anticompetitive behavior. To increase competition, Microsoft has agreed to allow competitors to place their programs on Microsoft's Windows operating systern. This will be achieved by Microsoft making available to other companies information regarding the internal interfaces of Windows. The recession has had a devastating effect on state budgets and the federal budget, and it is important that the technology industry be allowed to concentrate on business now.

I sincerely hope no further legislation is brought against Microsoft and look forward to a revival of out IT sector.

Sincerely,
Albert Veit
cc: Senator Rick Santorum

MTC–00031139

Sent by: Jan-14–02 03:50pm From 61052628869202 353 8856 page 1/1
Pamela J. Dvorak
612 Woodleave Road
Bryn Mawr, PA 19010–2921
610–526–2216 / fax 610–526–2886 /pjdl90@hotmail.com
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington DC 20530–0001
January 14, 2002

Dear Mr. Ashcroft

I am pleased that the Microsoft Antitrust case has finally nearing completion. After three years of litigation. it is time Microsoft can once again focus on what it does best-product development driving a successful business

The broad range of the settlement [restrictions and obligations on Microsoft that extend products and technologies not even at issue in the original lawsuit] represents Microsoft's willingness to bend backward to see this case rectified and settled With Windows XP, Microsoft has already carried out modifications listed within the agreement, making it easier for computer makers software developers and consumers to reconfigure their Windows setup at any time. In addition to that Microsoft has also agreed to supply to the competition its protocols used to operate Microsoft's server operating system, allowing opposing software companies to make their products compatible should they choose to do so

Microsoft's compliance will be monitored carefully thus precluding future violations. This may be preaching to the choir'', but I never felt that the company should have been punished for being competitive- and doing well. The American way is for the market to judge the value of the product Not everyone can be on top. From my view this Operating System made this technology user-friendly and accessible to a great segment of the population.

Thank you in advance for your support of this [dare I hope] final settlement

Sincerely,
Pamela J. Dvorak
cc: Senator Rick Santorum; Senator Arlen Specter

MTC–00031140

Bruce Wynn 9728852507 01/14/02 01:25P P.001
8371 Christie
Frisco, TX 75034–3708
January 11,2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–000 1

Dear Mr. Ashcroft:

I am writing to inform you of my thoughts regarding the recent settlement between the Justice Department and Microsoft. I support the settlement 100%.

It is in the best interests of all parties involved to have this case settled so that Microsoft can continue to develop products, and the government can focus on the more pressing needs of our country. I believe that Microsoft is getting a raw deal in this case. Microsoft has agreed to divulge its hard earned intellectual property in its Windows operating system internal interfaces, grant third parties flexibility to modify its well-crafted Windows program to promote non-Microsoft programs, and license its intellectual property on an open, non-discriminatory basis.

The terms of the settlement are more then fair and reasonable for the government to accept. Please leave Microsoft alone, and not pursue any further action against them.

Sincerely,
Joyce Wynn
cc: Representative Richard Armey

MTC–00031141

JAN-14–2002 03:19P FROM:
TO:12023071454
ANDERSON COLUMBIA CO., INC.
P.O. Drawer 38—Old Town, FL 32680
(352) 542–7942—Fax # (352) 542–3417
January 12,2002

Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

It has come to my attention that both the Justice Department, and Microsoft have reached a settlement in the three-year antitrust case. I am happy to hear about the settlement, and I support it 100%.

This settlement will allow computer makers the means to remove access to various features of Windows, such as Microsoft's Internet Explorer web browser, windows Media Player, and Windows Messenger. Also, Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system.

In fact, Microsoft has even agreed not to retaliate against software developers who develop or promote software that competes with Windows. I would like to see this case settled as quickly as possible, since further delay would end up hurting the American economy. Do not prosecute Microsoft any further!

Thank you.

Truly American,

Cynthia T. anderson

MTC–00031142

01/14/02 MON 15:08 FAX 7176240432
CLIFFORD G ROSBOROUGH
80 Matthew Drive
New Oxford, Pennsylvania 17350
January 9,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my opinion of the recent antitrust settlement between Microsoft and the US Department of Justice. I am happy to see that the case is being settled because I believe it has dragged out long enough, to the detriment of the IT sector and the American Economy.

Bill Gates created an innovative and vision-oriented giant that has done wonders for our nation. Microsoft should not be punished for being successful. It is my opinion that there is a direct correlation between the economies woes of the nation and the litigation between the government and Microsoft. Under this settlement, Microsoft will share information about the internal workings of Windows with its competitors, and will allow them to place their own software and programs on the Windows operating system. The settlement represents the best available solution to this seemingly interminable lawsuit. Therefore, I support the settlement, and look forward to a day when this case is a distant memory.

Sincerely,

Clifford Rosborough

cc: Senator Rick Santorum

MTC–00031143

Jan-14–02 10:15A P01
103 Harmony Lane
Port Angeles, WA 98362–8141
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am happy to hear the government has decided to settle the Microsoft case. I don't believe Microsoft should have been sued in the first place. However, I think it is in everyone's best interest that this case settle, so that Microsoft may continue doing what it does best—and that is producing quality products. The settlement agrcement appears to be fair, and well thought out. I am particularly in favor of the creation of the technical oversight committee. The existence of an oversight committee should be able allay Microsoft's competitors'' fears that Microsoft will not abide by the settlement once it is finalized. Additionally, the settlement will allow computer manufacturers more flexibility to run software that competes with Windows. Microsoft has really agreed to terms beyond what is required of them.

I strongly support all parties'' efforts to resolve this case and resent the nine states that maintain opposition. Thank you for your efforts in this regard.

Sincerely,

Agnes Anderson

MTC–00031144

JAN-14–2002 01:41 PM IRWIN EAGLE 410 363 7640 P.01
201 Berry Vie Drive
Owings Mills, MD 21117
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20503

Dear Mr. Ashcroft:

I am a retired businessman I had my own successful interior decorating firm for over thirty five years. It was done by working hard and staying ahead of the competition. One such company is Microsoft that succeeded in this manner and because of its success was targeted by the Department of Justice for an antitrust lawsuit. The lawsuit has now settled and I am writing to you to ask that you give your approval to this settlement. I was against the suit from the start and never have never been able to understand the reasoning behind it. To me, Microsoft is a shining example for this great country. Here is a man who had a good idea, worked hard and succeeded. He is to be commend for his innovation and the way he does business, he keeps jobs and people working in this country not go overseas for cheap labor. His competitors could not keep up and cried foul, succeeding in clipping his wings to some extent, since they could not keep up on an even playing field. No one took Henry Ford to court for being to smart.

Do not let small mind prevail in this matter. Give your support to the Microsoft settlement and let's get back to business. Thank you.

Sincerely,

Irwin Eagle

MTC–00031145

Sent By: JESKELL INC.
408 744 0603;
Jan-14–02 10:24;
Page 1 /1
TrainSoft
6559 Old Meadow Court, San Jose, CA 95135 (408) 223–6034 hasanzr@msn.com
January 12,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I readily admit that Microsoft could have handled itself better regarding concessions to allow competitive browsers on its Windows OS a lot sooner with a lot less fuss. However, the response by our government to this and other complaints about Microsoft were far too severe, especially when breaking up Microsoft was under serious consideration. Fortunately, the threat of this eventuality has been dissipated by this settlement. I am pleased by your efforts to bring it about, and I would urge you to go further and work with Attorney General Lockyer to have this unpleasant situation in California settled as well, since the settlement remedies the question of bundling Internet Explorer with Windows, as well as addressing many other concerns, such as interoperability.

While this settlement forces Microsoft into certain concessions not envisioned by the original lawsuit, it does have the distinct advantage of ending the suit. This is a welcome end, in that we can all put this behind us and work towards rebuilding our nation's economy through the IT business community itself without fear that this lawsuit could yet to more damage.

I am therefore writing to suggest my support of this settlement, as well as share my hope that this sort of thing will not happen again.

Sincerely,

Hasan Z. Rahim

President

cc: Representative Zoe Lofgren

MTC–00031146

Jan 14 02 12:32p
FOWLER AGENCY CORP
616 452–1333 p.1
DAVID E. FOWLER
3120 MADISON SE.
GRAND RAPIDS, MICHIGAN 49348
January 12,2002
Attorney General John Ashcroft
U.S. Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

As an avid Microsoft supporter, I write to express my support for the Microsoft settlement. I have written previously to express my gratitude that the issue was finally reached in November. I write again to express my support during this period of public comment. I trust that at the end of this sixty-day period, the Justice Department will conclude that this settlement is in the best interests of the economy and the technology industry.

Without doubt, the technology has suffered during this litigation. IT industry supporters also know the lengths to which Microsoft has gone to appease their competitors. Microsoft has agreed to design Windows applications so that computer producers have increased rights when designing computers. The

configurers can now install competing programs within Windows. Computer makers will now be able to remove the means by which consumers access various features of the Microsoft programs. Thus, producers can eliminate aspects such as Explorer or Media Player from the system. This is evidence of the generosity of the Microsoft Company.

In all, I hope that this period of public comment ends with the enactment of this settlement into practice.

Sincerely,

MTC–00031147

JAN-15–2002 12:17 AM KELLEY CONSULTS 334 885 6111 P.01
January 13,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I truly believe that the litigation against Microsoft is in total opposition to the concept of free enterprise. I also think that it is unfair to penalize Microsoft for its successful attempts at surpassing the innovation of its competitors. I am therefore writing to ask that the Department of Justice seriously consider putting this whole matter to rest right away. I think that this lawsuit has done much more harm than good.

A close look at Microsoft's handling of the settlement thus far will reveal nothing but compliance. Microsoft has been true to the terms of the settlement in every sense of the word. Microsoft has done much recently to enable its competitor's access to Windows. They have also agreed to document and disclose various interfaces that are internal to Window's operating system products.

Let's stop the litigation and reinvest in technology. I do hope that my views and opinions will be helpful in establishing closure in this matter.

Sincerely,
Leonard Kelley
65561 Highway 22
Roanoke, AL 36274
(334) 885–6111

MTC–00031148

01/14/2002 12:21 718–634–3208 GENE SACHSENMAIER PAGE 01
The Business Automation Group
www.tmsgroup.com
HOME OFFICE
404 Bayslde
Breezy Point, NY 11697
Tel: (866) 592–2100
Fax: (718) 634–3208
e-mail: productivity@tmsgroup.com
MIDWEST OPERATIONS
21535 West 179th Street
Olethe, Kansas 66062
Tel: (913) 582–2100
Fax:(913) 592–3509
e-mail: productivity@tmsgroup.com
January 12, 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 opportunity to let you know that I strongly urge you to support the recent settlement in the Microsoft antitrust case. This case has been going on for years and it is high time that we stop wasting taxpayers money. Letting Microsoft get back to business would help get this country back on track.

I am a software consultant and I use Microsoft's and other companies'' products. Microsoft's ''monopolistic'' influence certainly didn't stop me from using other companies'' software. I chose to simultaneously use both products, due mainly to Microsoft's ease of integration. I see free enterprise as a valued ideal in our society.

This settlement contains provisions and requirements that go well beyond the government's original grievances and work to ensure fair, honest and responsible competition. This agreement between Microsoft and the federal government require Microsoft to submit to a three person, government appointed, technical oversight committee. Furthermore, this settlement forces Microsoft to give up its intellectual property to its competitors and partners in exchange for a fair and reasonable license fee. This provision alone will advance technology vastly and improve competition tremendously. This settlement is the result of intense negotiations over a three-month period, helped along by a government appointed moderator. I support the settlement, and look forward to seeing the end of this case.

Sincerley,
Gene Sachsenmaier
cc: Representative Anthony David Weiner

MTC–00031150

Jan-14–02 ll:54 Tim Rauscher P01
Carol Rauscher
5132 NW 74th Court
Coconut Creek, FL 33073
January 7,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am a computer user. I believe the ''technological revolution'' has allowed greater creativity and innovation than ever previously thought, and the one person most responsible for this revolution is Bill Gates. Through his hard work and own personal vision, he has allowed this country to move faster and farther than any previous ''industrial'' revolution. And, unfortunately, he is being punished for it. I am talking of the antitrust suit brought against Bill Gates by the Department of Justice. My feelings with regard to this action is that it was brought by those who were not, and are not, as smart or innovative as Bill Gates, and only through such an action as an antitrust filing were they able to hinder Microsoft's progress. I think it is very tragic that we, in this country, allow so readily the destruction of a successful company. But the suit has ended. An agreement was reached. Microsoft has allowed, among other things, computer makers to install whichever software they wish. I now have a choice. Of course, I had a choice before, also. I was able to choose whatever software I wanted. I just had to go to ten different programs to get what I could get with one Microsoft package. Bill Gates, through Microsoft, made software and computers affordable. He kept prices down. Software and computers do not cost near what they did ten, fifteen years ago. Bill Gates brought the ''computer revolution'' into the living room of the average person, myself included.

That is why I am writing to urge you to give your support to the Microsoft settlement. It has been reached after three long, hard years. It is really time to move on. Do not give in to the demands of those who still are not satisfied, and will not be. We have moved forward from the tragedies of 2001, help us move forward in our economy as well. Thank you.

Sincerely,
Carol Rauscher
Cc: Representative Robert Wexler

MTC–00031151

JAN 14 2002 12: 09 FR DREYFUS 516 338 3330 TO 912023071454
Dreyfus Service Corporation
35 Seacoast Terrace—Apartment 9W
Brooklyn, New York 11235
January 11,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I support the settlement of the government's antitrust lawsuit against Microsoft. I am a computer programmer for Dreyfus, a mutual funds company. I am also a participant in the stock market. As an investor, I have observed the devastating impact of the antitrust suit on our economy. The stock market has plummeted, and as a result the technology industry as a whole has suffered.

This case should settle for economic reasons, but I also believe the terms of the agreement itself are fair and will promote better competition among IT companies. I am especially in support of Microsoft's agreement to not retaliate against computer manufacturers who use or promote software other than Microsoft's. I also support the establishment of a technical oversight committee to monitor Microsoft's compliance with antitrust laws. In fact, I believe the guidelines Microsoft will be subject to should be applied not only to Microsoft, but also across the board to Microsoft's competitors.

This lawsuit has hurt our economy. Ending the litigation will benefit consumers, and will strengthen the technology industry as a whole. I ask your support in ensuring a swift conclusion to this case.

Sincerely,
Grigory Libo
cc: Representative Anthony David Weiner

MTC–00031152

FROM : ST Sanford Computer FAX NO.: 6312247183 Jan. 14 2002 04:29PM P1
TEKNOWLOGY, Inc.
Phone: (631) 224–9450 X. 111
FAX: (631)224–7183
http://www.teknowology.com
January 14,2002
Attorney General John Ashcroft

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr, Ashcroft,

I suppose an argument can successfully be advanced that throughout the years Microsoft has become a bit proud and defensive regarding its software products. These traits, while not laudable, are not reason enough to drag a company like Microsoft into federal court. Threatening a company like Microsoft with breaking it up does not fill any but the most ardent of Microsoft's critics with any measure of confidence.

Ultimately, it is far better that this suit has ended with a settlement. While I leave it to others to decipher the specifics of the settlement's terms on such things as software licensing and Microsoft's relationships with other IT companies, any settlement that is reasonably acceptable to both sides is far better than dragging this case through the courts.

For this reason, I am writing in support of the settlement. I am also expressing my desire to see this entire episode concluded so that we can all put this behind us. Thank you.

Sincerely,
Scott Sanford
President

MTC–00031153

01/14/2002 02:17 +000000000 PAGE 01
January 14, 2002
Renate Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to urge you to support the proposed settlement of the antitrust lawsuit against Microsoft. While I believe that many of the allegations raised by the lawsuit against Microsoft may have merit, it is time to shift the focus of the Department of Justice and our tax dollars to other priorities.

While the proposed settlement is not a home run for any of the interested parties, it does have a little bit of something in it for everybody while maintaining its overall balance. One way that you can tell that the settlement is balances is the fact that nobody is very happy with the proposed settlement.

Please contact me if you have any questions, or if you would like more information.

Thank you,
J. J. Eglin JJ/sem
4100 Atlas Ct.,
Bakerfield, CA 93308
(616)327–1918
www.bclabs.com

MTC–00031155

1—15–2002 4:26AM
FROM J P ROUTHIER 978 7725528 P.1
Routhier + Sons, Inc.
January 8, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse:

Please support the settlement agreement reached between Microsoft and the Justice Department lawyers. This case has gone on too long, and wasted too much of the taxpayers money. With a recession and international crises going on, it should be obvious that our government has better things to do that harass a company that has created thousands of jobs and billions of dollars in wealth.

My company is decidedly low-tech but we use the products of Microsoft and its competitors on a daily basis. I cannot for the life of me see how anyone can see antitrust activity anywhere in that industry. No sector of the economy could be more fluid, changing and open to new ideas and businesses. I understand why the Justice Department must regulate the business world to prevent abuses, but they need to do so with a little more common sense. This settlement proposal provides a very convenient opportunity to end this case, once and for all, so that those in the high-tech industry and us in the low-tech industries can get back to the business of creating jobs and growing the economy.

Thank you for your consideration.

Sincerely,
Paul Routhier
J.P. Routhier & Sons, Inc
256 Ayer Road,
Littleton, MA 01460–1010
Recycling (978) 772–4251
Transportation (978) 772–0141
FAX (978) 772–5528

MTC–00031156

BODE, CALL & STROUPE,L.L.P.
ATTORNEY AT LAW
3105 GLENWOOD AVENUE, SUITE 300
RALEIGH, NORTH CAROLINA
(919)882–0338
TELECOPIER (919)881–9543
JOHN T. BODE
W. DAVIDSON CALL
ROBERT V. BODE
OTIS L. STROUPE, JR
V. LANE WEARTON, JR
S. TODD KEMPHILL
DEANA EVANS RICKETTS
JAMES N. JOSGREEN
CHRISTIE M. POPELAND
JOHN V. HUNTER III
OF COUNSEL
DAVID F. GREEN
(1945–1985)
MAILING ADDRESS
POST OFFICE BOX 6338
RALEIGH, NORTH CAROLINA 27628–6338
Post Office Box 6331
Raleigh, North Carolina 27612–6334
January l0, 2002
Via Facsimile (202)616–9937
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I appreciate the chance to share my thoughts on the Microsoft matter as part of the Department of Justice's comment process. I don't represent Microsoft or its affiliates and I am not a Microsoft shareholder, so the views expressed are simply those of an interested American.

I didn't agree with the Justice Department when it began this process. DOJ's market analysis appeared to be static when the product, product mix and alleged anticompetitive behavior were all evolving on a dynamic matrix. From a consumer protection standpoint, which is the basis for antitrust action, the result of those behaviors provided reduced costs to consumers from a product that became user-friendly efficient. No evil consequences—only good results.

But the results of the government's actions against Microsoft have not been good. The DOJ has been unable to show that the action will improve software, decrease costs or expand services. In fact,the government's heavy-handed action has had a chilling effect on investment and on innovation.

The settlement that has been proposed provides wide-ranging protections against anticompetitive behavior by Microsoft—protections that probably go much further than needed. Wisely, the State of North Carolina is no longer a party to this proceeding, a recognition of the effectiveness of the settlement provision.

Given the economic uncertainty threatening our nation today, there is no better time and no better way to bring this over-long and over-expensive proceeding to a close. I sincerely hope the court will do so.

Thank you
Best Wishes.
Sincerely,
John T. Bode

MTC–00031157

Bruce Wynn 9723352507 01/14/02 0l:12P P. 001
8371 Christie
Frisco, TX 75034
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a concerned citizen of this country, I am writing to voice my opinions on the recent settlement between Microsoft and the Justice Department. I support the settlement that has been reached by both parties. It is in the best interest of the government to accept this settlement so they can move onto the more pressing needs on the country. Furthermore, continued pursuit of this case would only be a waste of tax dollars, time, and human resources.

Microsoft is not getting off easy in this case. They are making specific changes to their product development, and with their business practices as well. For example, Microsoft has agreed to allow computer makers to reconfigure Windows so as to promote Non-Microsoft software programs. Also, let me remind you that there will be an establishment of a three-person technical committee to monitor Microsoft's compliance with the settlement.

I urge that the government accept the settlement, and not pursue any further action on the federal level.

Sincerely,

Bruce Wynn

MTC–00031158

FROM : H&S HOSE&
SUPPLY FAX NO. :6613274683
Jan. 14 2002 12:09 P1
H & S HOSE SUPPLY
January 14, 2002
Renate Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to urge you to support the proposed settlement of the antitrust lawsuit against Microsoft. While I believe that many of the allegations raised by the lawsuit against Microsoft may have merit, it is time to shift the focus of the Department of Justice and our tax dollars to other priorities.

While the proposed settlement is not a home for any of the interested parties, it does have a little bit of something in it for everybody while maintaining its overall balance. One way that you can tell that the settlement is balances is the fact that nobody is very happy with the proposed settlement.

Please contact me if you have any questions, or if you would like more information.

Thank you,
P.O. Box 40308
5959 Rosedale Highway
Bakersfield, California 93384
(661) 327–HOSE (4673)
Fax (661) 327–4683 —

MTC–00031159

Sent By: JESKELL INC; 408 744 0603;
Jan-14–02 10:27;
Page 1/1
TrainSoft
6559 Old Meadow Court
San Jose, CA 95135
(408) 223–6034
hasanzr@msn.com
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I readily admit that Microsoft could have handled itself better regarding concessions to allow competitive browsers on its Windows OS a lot sooner with a lot less fuss. However, the response by our government to this and other complaints about Microsoft were far too severe, especially when breaking up Microsoft was under serious consideration. Fortunately, the threat of this eventuality has been dissipated by this settlement. I am pleased by your efforts to bring it about, and I would urge you to go further and work with Attorney General Lockyer to have this unpleasant situation in California settled as well, since the settlement remedies the question of bundling Internet Explorer with Windows, as well as addressing many other concerns, such as interoperability.

While this settlement forces Microsoft into certain concessions not envisioned by the original lawsuit, it does have the distinct advantage of ending the suit. This is a welcome end, in that we can all put this behind us and work towards rebuilding our nation's economy through the IT business community itself without fear that this lawsuit could yet to more damage.

I am therefore writing to suggest my support of this settlement, as well as share my hope that this sort of thing will not happen again.

Sincerely,
Hasan Rahim
President
cc: Representative Zoe Lofgren

MTC–00031160

Jan-14–02 10:30 JIM SCHAAF & ASSOC. 913 663 2146 P.01
JIM SCHAAF
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Attorney General:

I am writing to you as a concerned citizen regarding the recent Microsoft settlement. How can this three year long negotiation still be on hold? This well thought out, well-monitored process yielded a fair and reasonable settlement for all parties involved. It is time to let the terms of this agreement speak for themselves. Under the agreement, Microsoft has agreed to:

1. Turn over its internal interfaces for its Windows operating system to its competitors,
2. License its intellectual property to its competitors,
3. Make it easier for non-Microsoft products to be added to Windows by its competitors, and
4. Have a technical committee grade it for compliance and accepting complaints, even by their competitors.

What more could Microsoft's competitors reasonably expect from a fair settlement? As we sit and spend more of our Country's precious resources on more litigation the global market continues to produce outstanding results. Our innovative industry should be able to concentrate on the same without worrying about further legal battles. Let us allow our technology industry to move forward and work together to maintain our place in the global market.

Please help us to stop any further litigation against this settlement. Let us move forward and allow our technology industry to prosper. I thank you of your support.

Sincerely,
James M. Schaaf

MTC–00031161

01/14/2002 11:18 FAX 4078592305
REDS MARKET
001
FRESHPOINT
January 14, 2002
Renata Hesse
Antitrust Division
Department of Justice
Fax: 202–616–9937
Fax: 202–307–1454

Dear Ms. Hesse:

Being informed and involved in the issues of our community has always been a priority for me. Business leaders need to ensure the stability and growth of their businesses, as well as that of the local community and nation.

In this time of economic uncertainty, we need to be creating jobs and improving the education our children. Our efforts need to be focused on issues and activities that will strengthen our economy and position us for growth in the global market. I believe that the government's settlement with Microsoft is needed in order to facilitate this type of productive activity.

From what I've read, I believe the recent settlement is encouraging and fair to non-Microsoft software programs. Companies that make computers will have the freedom to remove Microsoft features with no consequences against them. Moreover, Microsoft will not retaliate against companies that develop or promote software that competes with Windows.

This settlement is just and fair. It's a fitting end to this legal drama that has played itself out for over two years now,

Thank you for your attention to my thoughts.

Sincerely,
Kent Shoemaker
Executive Vice President
Eastern Region
FreshPoint, Inc.
8801 Exchange Drive
Orlando, FL 32809
Telephone 407 858–0020
Fax 407 888–9179

MTC–00031162

FROM : SHOOK
FAX NO. : 3525435623
Jan. 14 2002 11:13AM P1
1655 Heron Lane
Ceda Key, Florida 32625
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As much as is possible, American companies should not have to face extended litigation on a permanent basis. That is why I was pleased to hear that you have agreed to settle with Microsoft in the anti-trust case. Making sure the settlement is completed will be even better news for our economy and American business.

Regrettably certain interest groups, many with anti-Microsoft bias, may attempt to derail this settlement. They argue that the settlement is not harsh enough against Microsoft. This however is not the case. This settlement ends any contractual restrictions Microsoft could place on competitors, and opens up Microsoft's formerly confidential code to competitors; an action never before taken by a software firm. Without a doubt this settlement is sufficient. Detractors simply have an anti- Microsoft prejudice and should be more open-minded.

Maintaining strong support for the settlement is critical to ending this case.

Sincerely,
Joseph Shock

MTC–00031163

01/14/02 04:53 ARTBA-> 001
From the Desk of:

hristopher J. Atkins
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I'm writing to voice my strong support for the Microsoft settlement. Microsoft has agreed to terms that are not only unfair to Microsoft, but I feel, could quite possible have negative consequences for Microsoft, a company that has revolutionized the software industry and provides thousands of jobs. Any further legal action by states or the federal government is only frivolous and punative.

In the settlement, Microsoft has already agreed to grant rights to computer-makers so that they may configure Windows to remove Microsoft products so the computer manufacturer can install its own competitive programs or programs from other software makers, such as RealNetworks or AOL's Instant Messenger.

Microsoft has also agreed to make it easier for computer manufacturers, consumers, and software developers to promote non-Microsoft products within Windows. Microsoft has further agreed to not retaliate against any software or hardware developers who develop software that directly competes with Windows or other Microsoft products. In a move that limits its own competitiveness, Microsoft will give the necessary license for its intellectual property rights. For these reasons. I support this flawed settlement in hopes the federal government and many states will not pursue any further frivolous legal action that will only result in the destruction of intellectual property and the demise that has built the existing computer and software industry.

Sincerely,
Chris Atkins
7507 Woodside Lane, Apt. #24
Lorton, VA 22079–2013
Phone/FAX: 703–339–7244
Cell Phone: 202–425–4837
E-mail: akinschristopher@netscape.net

MTC–00031164

JAN–13–2002 07:46 PM
DAVERUSH 9413661670
FROM : David L. Rush
2705 Bruce Lane
Sarasota, Florida 34237
Telephone: 941,366–4781
FAX: 941, 366–1670
January 12, 2002
Attorney General John Ashcroft
United States Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am a partner in a telecommunications company. I use Windows in my business, and believe Microsoft has consistently created superior products. I would be unable to conduct my business in today's world without Microsoft's innovations. As a businessman, I am obviously interested in having the most advanced technology available to me, at the lowest cost. The Microsoft antitrust lawsuit clearly gets in the way of both of these goals.

I have been totally against this lawsuit from the get-go. If a corporation lies, cheats, or steals, the government should become involved in that corporation's affairs, and perhaps a lawsuit should ensue. On the other hand, a corporation, such as Microsoft, should not be subjected to antitrust litigation merely because it develops superior products through hard work and innovation of its research and development team.

I strongly believe the terms of the settlement agreement go too far. Specifically, I am not in favor of the provision of creating a technical oversight committee. I am oppossed to watchdog groups in a free enterprise system. However, I do support Microsoft making this concession in the interest of getting the case settled. I am also concerned about some of the other concessions Microsoft is making. For example, Microsoft has agreed to make it easier for computer manufacturers to remove features of Windows from computers so that competing software programs may be installed. However, I do support Microsoft's agreement to these terms if it will prevent setting a precedent for disgruntled Microsoft competitors to challenge Microsoft at will whenever they believe Microsoft has created a better product. Clearly, Microsoft has gone far beyond what should be expected of it in the interest of bringing this matter to a close.

I stongly support approval of the settlement to the end to this needless litigation. Thank you for your consideration of my comments.

Sincerely,
David L. Rush

MTC–00031165

JAN–11–2002 12:27
CHARLES STINSON 9637833
P. 01/01
Charles B. Stinson
Lighthouse Road P.O. Box 62
Prospect Harbor, Maine 04669–0062
Tel 207/963–2677
Email ckelp@acadia. net
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am in support of the current settlement between Microsoft and the Department of Justice at the federal level. Microsoft has produced some of the best products for the computer, which accounts for their vast success and status as an industry leader. There have been some instances in the past where making a choice in peripheral Windows components was overly difficult, which is one of the reasons I am in favor of the current settlement. I understand that from this time forward Microsoft products will be much more accommodating to the use and integration of competitors software peripherals. This is definitely a step forward, because I believe above all else the consumer should have the right to choose, to mix and match software as they see fit.

Another important reason for ending the antitrust proceedings swiftly is the strain, which our economy is currently under. The information technology industry is one of the biggest in the United States, and the antitrust suit has hurt this industry. Not only Microsoft has felt the burden of these proceedings, commercial retailers who sell MS products, employees of said retailers, Microsoft affiliated companies, stock holders, and the American tax payers have all been impacted by the antitrust suit. Given the current down turn in our nations economy, now is not the time to be wasting our resources in the court room when they could be better utilized elsewhere. Therefore I support the antitrust settlement, and urge you to do the same.

Sincerely,
Charles Stinson

MTC–00031166

Douglas P, Fields
100 Midwood Road
Greenwich, CT 06830
TEL. (203) 661–2978
FAX: (203) 661–2996
DPFEagle@msn.com
By Fax: 1 202 307 1454 or 1 202 616 9937
By Email: microsoft.atr@usdoj.gov
January 12, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft: I believe that the antitrust case against Microsoft was inappropriate from its very inception and that the government should not have interfered with one of our country's most successful and innovative private businesses on the basis represented by the antitrust suit. I am pleased that the Justice Department has finally decided to reach a settlement in this case. It has been three long years.

Microsoft has given up a lot in this settlement. It has agreed to make future versions of Windows easier to use non-Microsoft software, and it has agreed to disclose a lot of information on the internal operating system, which is a first as far as I know.

I am certainly happy that government has decided to limit its involvement in Microsoft's business affairs, at least for now. I hope that continues to be so. Thank you for taking the time to read my opinion on this matter.

Sincerely,
Douglas P. Fields

MTC–00031167

01/12/2002 08:31 5413440403
JOHN KNUTSON
PAGE 01
2105 Stonecrest Drive
Eugene, Oregon 97401
January 11, 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 of the recent settlement between Microsoft and the federal government. I sincerely hope that no further action is being taken at the federal level.

Taking into consideration the terms of the agreement, Microsoft did not get off at all. In fact, Microsoft is left to make some significant changes to the way that they

handle business. For example Microsoft has agreed to not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

With all of the terms of the agreement, I see no reason to pursue further litigation on any level. I support the settlement, and hope to see it enacted soon.

Sincerely,

John Knutson.

MTC–00031168

Jan 11 02 06:40p
De Byerly 641–421–1100
1725 So. DELAWARE AVE
MASON CITY, IA 50401
JANUARY 10, 2002
Judge Kollar Kotelly
c/o Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Judge Kollar Kotelly,

In November of last year it was announced that a settlement had been reached in antitrust case brought by the United States against the Microsoft Corporation. I am writing today to ask you to support this proposed settlement.

After over two long years of litigation the Department of Justice and nine State Attorney Generals have found a reasonable way to settle this case. Despite what critics may say this settlement is equitable because it only addresses the complaints of the case that have been upheld by the courts.

It is also important to note that this agreement also created a mechanism by which Microsoft will be scrutinized to ensure it is following the agreement to the letter. Under this settlement, a completely independent commission will serve as watchdog. The facts seem simple enough. This settlement represents a workable solution to a tough situation. additionally, it removes the specter of unnecessary government interference out from over the technology industry. If the high tech industry is allowed to grow and flourish there is no doubt the benefit will flow into all American's pocketbooks eventually.

Sincerely,

De Byerly

MTC–00031169

1–11–2002 5:53PM
FROM000000000000 001
January 5, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

As a mother of three school-aged children, I appreciate the opportunity to comment on the proposed settlement with the Microsoft Corporation. Quite frankly, I think it is past time to settle this case. With our economy in recession and State government sadly lacking in enough revenue to fund budgetary needs, the last thing we need to be spending taxpayer dollars on is law suits. I understand that more than $30 million dollars have been spent on this case. That money would have been well-spent on education.

Sincerely yours,

Jerinda F. Mohrmann
18280 Beaverdam Road
Beaverdam, Virginia 23015

MTC–00031170

JAN–12–2002 05:31AM P.01/03
State of New Hampshire
House of Representatives
Concord
January 11, 2002
Renata Hesse
Trial Attorney
Anti trust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Via Fax

Dear Attorney Hesse:

I understand that public comment is now being accepted in the case of U.S. v Microsoft and I want to express my support

The government and this company have been tied up in litigation for years now. Millions and millions of taxpayer dollars have already been spent over this long time period and a good agreement has been designed and agreed upon by both parties. Aren't we long overdue to settle this case and move on?

As a state representative, I truly believe that government should only intervene in the affairs of the marketplace on a very limited basis. The government's treatment of Microsoft has gone on too long and needs to come to an end. This company has made significant gains and should be rewarded, rather than punished, for their innovation and creativity. Too much of the taxpayer time and money has already been spent on this case.

Please approve this settlement as quickly as possible.

Sincerely

Saghir Tahir

State Representative, Hillsborough 38

MTC–00031171

FROM: THE ESTERLINGS
Fax NO.: 541 745 4422
Jan. 11 2002 02: 29PM P1
Robert E. Esterling
Esterling Vineyards
6826 NE Elliott Circle
Corvallis, OR 97330–9407
January 11, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

For those who follow technology and business news, the two have been unfortunately linked through the US vs. Microsoft suit. The decline of the NASDAQ and the teetering technology market both have the instability of Microsoft in this suit as their source.

The longer that the suit continues, the more damage will be done to the economy and to the world of technology. Special interests have kept this suit alive for much longer than needed. It is time now for the Department of Justice to put the needs of the consumer first by ending this suit. Microsoft has agreed to more than any company should be asked to do, such as opening up its intellectual property rights to the internal interface of its Windows operating system to its competitors, and agreeing to be monitored by a Technical Committee to which any third party may file a complaint against Microsoft.

This period of public comment is a great opportunity for the Department of Justice to know that many people in America support Microsoft and want to see it succeed for the good of the economy and for the good of American business. The Department of Justice owes the American people an end to this suit and an end to its meddling into American business. I urge you to see that the proposed settlement be formalized as soon as is legally possible.

Sincerely,

Robert E. Esterling

MTC–00031172

Jan–11–02 05:02P P.01
OTL Consulting
January 10, 2002
Judge Kolar Kottely
c/o Renata Hesse, Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Judge Kottely,

As an independent business owner, I want to say that settling the Microsoft case is just the right thing to do! I understand that Microsoft agreed to new computer-maker flexibility and new Windows design obligations. Microsoft has been a remarkable American success story; its innovations have literally changed the way we live. Microsoft has created opportunities that make our lives easier and more efficient. Our government should not punish innovation by attacking companies for being successful! AOL has spent millions to influence the government's action from which they alone stand to benefit. Innovators should be rewarded for their hard work and the risks they take in creating growth. That growth means new jobs for our communities! Let's send America a strong message and settle these suits. By doing so, I believe we are supporting fair play and free enterprise.

Thank you for your valuable time!

Sincerely,

Michael T. St.Clair
1406 NW Greenwood St.
Anleny IA 50021
515 975 2155
mstclair@quxret.net

MTC–00031173

JAN–12–2002 03:49 AM
Granite State Enterprise
January 10, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

The government has done its job. Years ago, complaints were brought against Microsoft which turned into one of our country's biggest, most ominous, and wide-ranging anti-trust lawsuits. The Justice Department and state attorneys general saw the case through the gauntlet and now Judge Colleen Kollar-Kotelly has worked with both sides to negotiate a settlement proposal.

The fiscal outlook for this year is grim. Unemployment is up. Wages are falling. Sales are down across the board. Americans have battened down the hatches. One of the most significant pieces of housekeeping we can take care of is the U.S. versus Microsoft case.

The continued success of the technology industry is one of the best things we've got going here in America. It employs thousands of people and every day new innovations are brought to fruition. The long-term health of the tech sector is one of the most important components of our economy, with more than one-third of America's economic growth between ''95 and ''00 coming from IT alone.

Instead of trying to knock Microsoft to its knees so that its competitors get a leg up, why not let everyone flourish in a competitive marketplace? Microsoft has been tried. Now is the time to close this case and move on. I hope the settlement agreement will be adopted. Thank you.

Sincerely,
Timothy P. Buckley
Executive Director
287 Canal Street, Suite One
Manchester, NH 03101
603–668–5772

MTC–00031174

01/11/2002 03:01 8046981803 HOUSE APPROPRIATIONS PAGE
COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND
VINCEMT F. CALLAHAN JR
BANKING
6220 NELWAY DRIVE
P.O. DRAWER 1173
MCLEAN, VIRGINIA 22101
THIRTY–FOURTH DISTRICT
COMMITTEE ASSIGNMENTS:
APPROPRIATIONS (CO–CHAIRMAN)
PRIVILEGES AND ELECTIONS
CORPORATIONS INSURANCE AND RULES
January 11, 2002
Renata Hesse, Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am a strong supporter of the settlement the government and Microsoft reached and hope you will resist the efforts of the competitors to try to continue their efforts to destroy this great company.

Microsoft's crime is that they have been successful and apparently a few Attorney Generals and competitors want to curtail this success.

The centerpiece of Virginia's economy is the Northern Virginia regions high-tech industry. A sad message is being sent to them that they had better watch out and don't become too successful or their own enterprise is in peril.

One would be naive to think all of the business practices of Microsoft are without blemish. It is just as incomprehensible to think that a foxed attempt to destroy one of the most successful companies on this planet would be anything less than criminal in and of itself.

I believe the settlement is a fair and reasonable compromise. Furthermore, settlement is good for the consumers, for high-tech industry and for our economy overall, If you have any questions, please do not hesitate to contact me.

Sincerely,
Vincent F. Callahan, Jr.
DISTRICT: (703) 356.1925
FAX (703) 356–9614
RICHMOND (804) 698–1034

MTC–00031175

AGAPE
In Home Care, Inc.
Quality Christian Assisted Living
January 14, 2002
Renata Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street, NW,
Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to urge you to support the proposed settlement of the antitrust lawsuit against Microsoft. While I believe that many of the allegations raised by the lawsuit against Microsoft may have merit, it is time to shift the focus of the Department of Justice and our tax dollars to other priorities.

While the proposed settlement is not a home run for any of the interested parties, it does have a little bit of something in it for everybody while maintaining its overall balance. One way that you can tell that the settlement is balanced is the fact that nobody is very happy with the proposed settlement.

Please contact me if you have any questions, or if you would like more information.

Thank you,
Sandra Oxford
Founder, Agape In Home Care, Inc
4800 District Blvd., Suite A,
Bakersfield, CA 93313
(661) 835–0364
FAX (661) 835–1561

MTC–00031176

Jan 14 02 07:00p
337 234 5535
SENATE
State of Louisiana
P.O. Box 86372
Lafayette, LA 70598–0872
Telephone (337)262–1332
Fax. (337) 233–4610
Vice-Chairman-Commerce
Judiciary A
Natural Resources
Mike Michot
District 23
January 14, 2002
Renata Hesse
Trial Attorney—Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
FAX: 202–616–9937
RE: Settlement of U.S. v. Microsoft

Dear Ms.Hesse:

It's my opinion that the technology of our economy had a greater impact in the past two decades than any other sector. The competition and innovation resulted in great strides in health care, business, government and many other important areas.

After a slight dip, our economy seems to be on the move again. A settlement in this ongoing case would be another step in that important recovery. The settlement is appropriate as it addresses those items upheld by the courts and provides for fair and equitable remedies. We do not need governements lawyers, bureaucrats and judges watching and micro managing the technology industry. We should encourage Microsoft and its competitors to take the fight to the consumers and let them decide.

I appreciate your consideration of my views on this matter.

Sincerely,
Michael J.Michot Louisiana State Senate—District 23

MTC–00031177

JAN–14–2002 16:53 SENATOR FOSTER 573 526 1384 P.01/01
MISSOURI SENATE
JEFFERSON CITY
BILL FOSTER
SENATE POST OFFICE
1328 County RD 442
POPULAR BLUFF, MO 63901
STATE CAPITOL, ROOM 328
JEFFERSON Cl–W. MISSOURI 65101
TELEPHONE (573) 751–3859
FAX (573) 526–1384
TDD (573) 751–3969
TOLL FREE (877) 291–5584
E-MAIL: bill_foster@senat.state.mo.us
January 15, 2002
1328 County Rd 442
POPLAR BLUFF, MO 63901
≤Renata Hesse
Trial Attorney—Anti-Trust Division
Department of Justice
601 D Street Northwest, Suite 1200
Washington DC, 20530

Dear Ms. Hesse:

I am writing in support of the recently reached settlement between Microsoft and the United States Department of Justice, The agreement is pro-consumer helping the technology sector of our economy contribute new and better jobs at this time of economic uncertainty. This settlement brings to an end the most disruptive competitor-driven antitrust campaign in our nation's history. This is something all consumers can celebrate.

Sincerely,
Senator Bill Foster

MTC–00031178

01/14/02 16:45
FAX 8476472225 DDI INC 01
1721 Mission Hills Road
Northbrook, Illinois 60062
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a supporter of Microsoft, I write you concerning the recent developments in the antitrust suit settlement. I am thoroughly aggravated to find that, after three years of negotiations, the agreement is still being delayed. Not only was the negotiation process well thought out, but was extremely well monitored. The results are fair and reasonable and should be used as the guideline for moving our technology industry forward.

Not only has Microsoft agreed to rework licensing and marketing agreements, but also it has agreed to design future versions of Windows that will better accommodate non-Microsoft software. In fact, the terms of this agreement do a great deal to promote non-Microsoft software. This is certainly proof that Microsoft is acting in the interest of the entire technology industry.

Adopting this settlement, in its current form can only be beneficial to the consumer, the IT sector, and the economy as a whole. I urge you to help stop any further litigation against this agreement.

Sincerely,

John M. Mack

MTC–00031179

Jan-14–02 04:59P Rep. Maurice Lawson 573 522 5025 P.01
CAPITOL ADDRESS
State Capitol
201 West Capitol Avenue
Jefferson City. MO 65101–6806
Tele: 573–751–9460
FAX: 573–522–5O75
mlawson@services.state.mo.us
HOME ADDRESS
3109 Christie Lane
St. Joseph, M0 64504
COMMITTEES
Chairman: Environment and Energy
Member: Appropriations-Transportation; Conservation State Parks and Mining; Fiscal Review and Government Reform; Tourism Recreation & Cultural Affairs
MISSOURI HOUSE OF REPRESENTATIVES
MAURICE LAWSON
State Representative
District 29
Disrict Contacts:
Helen Weigman
Adminstrative Assistant
Tele/Fax: 816–640–5337
Craig Carver
Legislative Liaison
816–640–5757
14 January 2002
Ms. Renata Hesse
Trial Attorney, Anti-Trust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

As a member of the Missouri Legislature, I want to express my support for the Microsoft settlement.

I have continued to monitor this case from the beginning and have been fairly critica1 of the case against Microsoft. Based upon my personal opposition, I believe this agreement is a reasonable and fair compromise for both Microsoft and Department of Justice. Microsoft has been extremely innovative and productive in addressing consumer needs, which have spurred billions in economic growth over the last decade. Given the current downturn in the U.S. economy, we should be encouraging companies like Microsoft to set new goals and achievements. For this reason, I hope you will agree to this reasonable settlement.

Sincerely,

Maurice Lawson
State Representative
District 29

MTC–00031180

Jan-14–02 04:58P
Rep. Maurice Lawson 573 522 5025 P.01
CAPITOL ADDRESS
State Capitol
201 West Capitol Avenue
Jefferson City, MO 65101–8806
Tele: 573–751–9460
FAX: 573–527–5025
E-Mail: mlawson@services.state.mo.us
HOME ADDRESS
3709 Christie Lane
St. Joseph. MO 64504
COMMITEES
Chairman: Environment and Energy
Member: Appropriations—Transportation; Conservation, State Parks and Mining; Fiscal Review and Government Reform; Tourism, Recreation & Cultural Affairs.
MISSOURI HOUSE OF REPRESENTATIVES
MAURICE LAWSON
State Representative
District 29
District Contacts:
Helen Weigman
Administrative Assistant
Tele/Fax: 816–640–5337
Craig Carver
Legislative Liaison
816–640–5757
14 January 2002
Ms. Renata Hesse
Trial Attorney, Anti-Trust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

As a member of the Missouri Legislative, I want to express my support for the Microsoft settlement. I have continued to monitor this case from the beginning and have been fairly critical of the case against Microsoft. Based upon my personal opposition, I believe this agreement is a reasonable and fair compromise for both Microsoft and Department of justice. Microsoft has been extremely innovative and productive in addressing consumer needs, which have spurred billions in economic growth over the last decade. Given the current downturn in the US. economy, we should be encouraging companies like Microsoft to set new goals and achievements. For this reason, I hope you will agree to this reasonable settlement.

Sincerely,

Maurice Lawson
State Representative
District 29

MTC–00031181

Kern County Hispanic Chamber of Commerce
Renata Hersse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

Microsoft is being amply reprimanded and reigned in with the settlement reached. It is our understanding that under the Tunney Act, the public has sixty days to provide input for consideration by the parties involved regarding this settlement.

While we appreciate the idea of the government looking after the best interests of its citizens, nearly four years, $35 million dollars and the terms of the settlement are enough. It is more than time for this issue to be put to rest.

We strongly urge you to support the settlement. Please take the actions neccessary to keep the process rolling to get the settlement through all the channels and put in place.

Sincerely,

Lou Gomez, Executive Director
Kern County Hispanic Chamber of Commerce
1401 19th St., Suite 110
Bakerfield, CA 93301
661–633–5495

MTC–00031182

CHAMBER
October 25, 2001
The Honorable Barbara Boxer
United States Senate
1700 Montgomery Street Suite 240
San Francisco, CA 94111

Dear Senator Boxer:

The Greater Bakersfield Chamber of Commerce, an organization that represents 1,500 businesses and over 53,000 employees in the Bakersfield area would like to express our concerns with the on-going litigation against Microsoft Corporation. Microsoft has revolutionized the way America, and the world does business.

In particular view of the current downturn in the economy at a national level it seems reasonable to assume that the Federal Government would be supportive of a company that is contributing so significantly in terms of economic stability. Punative measures now being directed towards Microsoft can only deplete their resources and ability to produce and compete in the global market.

The business community has always cooperated with and worked in conjunction with government to serve the best interests of this nation. We ask that you take our concerns into consideration when negotiating terms that ultimately could be detrimental to not only Microsoft, but also the entire business community at large.

Sincerely,

Chris Frank
President/CEO
Greater Bakersfield Chamber of Commerce
We are members of the Chamber, but disagree w/their position.
1725 Eye Street
P.O. Box 1947,
Bakersfield, CA 93303
Tel 661.327.4421

Fax 661.227.8751
http://www.bakersfield.org/chamber – send email

MTC–00031183

I beleive you should keep prosectuing MICROSOFT. Stop Spending Our Tax Dollars! Antitrust law shouldn't be abused! The pursuit of Microsoft through antitrust and class action Iawsuits is no way fragile economy.

The federal government has spent $35 million tax dollars with their lawsuit against Microsoft. During these turbulent times, we should focus our attention on other priorities.

Keep it up.

Join your chamber & others around the state. Copy the attached letter on your letterhead and send your letter to:

Renata Hesse, Trial Attorney
Antitrust Divison, Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax: 202–616–9937

Fax my thoughts to her

Please fax a copy to PG Communications/ ATL at (916) 737–1809

Phil Gaskill
GASKILL CUSTOM HOMES

MTC–00031184

FROM: LIBERTY CONSTRUCTION
FAX NO. : 3253135
Jan. 14 2002 03:55PM P1
734400 Mamalahoa Hwy.
Kailua Kona, HI 96740–9191
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530–0001

Dear Mr. Ashcroft:

For three years, I have been absolutely befuddled as to why the federal government is so interested in attacking American free enterprise. Microsoft is a company that makes a product that benefits the lives of practically every person in America, and every person on the Earth. Their great contribution tothe world of computers knows no rival, and they have been duly rewarded for their market and technical genius.

The case against Microsoft never should have come to trial. It has been an embarrassment to both the American judicial system and to American business for three long years. People everywhere are getting wise to the fact that the case against Microsoft was motivated by greed and jealously and envy and sloth more than anything remotely substantial.

Forcing Microsoft to do all the tedious parts of the proposed settlement i.e. making retaliation against competitors impossible will only serve to slow progress in the IT industry. Microsoft and its competitors must all be on a level playing field as a result of this suit. Unfortunately, that won't be the case. The government is stripping Microsoft of rights needed for business survival, including competing.

The Department of Justice must close this case before any further damage can be done to Microsoft, and ultimately, the economy. American business deserves a speedy end to these three years of painful litigation. Thank you.

Sincerely,
Julie Hayward

MTC–00031185

Jan 15 02 10:33a 9416430207 p.1
181 West Street
Naples, FL 34108–2907
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

Why should litigation still be pursued against the Microsoft Corporation despite the fact that a settlement has been reached? There is no good reason.

Microsoft has been neither too harshly nor too lightly punished. Tithe complaints of its competitors have been addressed and dealt with. Microsoft, for example, has agreed to reformat future versions of Windows so that its competitors will be able to introduce non-Microsoft software into the Windows operating system. In addition, Microsoft has agreed to make available to its competitors any protocols used in the Windows operating system and its related products to interoperate natively with any Microsoft server. I believe this is a fair settlement. Microsoft does not need to be examined any further in regards to antitrust violations. I believe that the Department of Justice has done its duty in the Microsoft antitrust case and that no additional measures need be taken on the federal level. Nine states are actively seeking to overturn the agreement once the review is over. I do not believe such a course of action is necessary.

Thank you.

Sincerely,
Zorina Wrenn

MTC–00031186

TROUTMAN SANDERS MAYS & VALENTINE LLP—ATTORNEYS AT LAW,
A LIMITED LIABILITY PARTNERSHIP
1111 EAST MAIN STREET
RICHMOND. VIRGINIA 23219
www.troutmansanders.com
TELEPHONE: 804–697–1200
FACSIMILE: 804–697–1339
MAILING ADDRESS
P.O. BOX 1122
RICHMOND. VIRGINIA 23216–1122
Mark L. Earley
mark.earley@troutmansanders.com
Direct Dial: 804–697–1212
January 7,2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D. Street NW—Suite 1200
Washington, DC 20530–0001
Re: Comments on the Microsoft Proposed Settlement Agreement

Dear Ms. Hesse:

Having served as Attorney General of the Commonwealth of Virginia from January of 1997 until June of 2001, I watched the Government's case with Microsoft unfold and progress through the court system. I write to let you know that I believe that the current settlement pending is in the best interest of the nation, the best interest of the industry, and the best interest of consumers. The settlement strikes a balance between placing sanctions on Microsoft while preserving the company and its ability to innovate and market its products. The sanctions chosen will protect consumers and give them greater choice when they purchase and enhance their computers yet at the same time foster greater competition within the software industry. I believe it is a just and fair resolution to all parties concerned.

I write to express my support of the Department of Justice and the 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 yours,
Mark L. Earley
1263/451/1020628

MTC–00031187

LAWRENCE G. TOWNSEND, Attorney at Law
Intellectual Property and Unfair Competition Law
455 MARKET STREET, 19TH FLOOR
SAN FRANCISCO, CALIFORNIA 94105
(415) 882–3288
Fax (415) 882–3299
email lgt@lgt-law.com
December 14, 200l
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530–0001
Re: Microsoft Settlement: United States v. Microsoft

Dear Ms. Hesse:

Taking up the public's right to comment on the Microsoft Settlement (as required by the Tunney Act), I write in three capacities: (1) an intellectual property attorney, (2) a consumer of software products, and (3) a novelist. As to the latter, I've written a novel entitled Secrets of the Wholly Grill (publication February 2002, Carroll & Graf) [1] on the subject of a software monopolist's behavior and the consequences if that behavior is not adequately checked. Based on my experience, a review of the Proposed Final Judgment and having given considerable thought to the behavior of a software monopolist,[2] I believe that a License Committee, similar in nature to the Technical Committee, should be created and implemented, all as is more fully explained below.

In the novel-which in hindsight can stand in as an amicus brief-a hypothetical company by the name of ThinkSoft monopolizes the market for operating systems and software for artificial intelligence called ''reason ware'' that is used by everyone for all manner of decision-making. It then leverages its market power to expand into a new market-outdoor

[1] Subtitled A Novel About Cravings, Barbecue, and Software; additional information, including excerpts, may be found at www.whollygrill.com (January 2002).

[2] The value of novelists in assisting the legal system in gauging justice, especially where human behavior is at issue, cannot be underestimated. Examples abound. When our nation and lawmakers adopted the Thirteenth Amendment, no amount of data or reports from slave trade analysts came close to the distilled accuracy of Uncle Tom's Cabin.

cooking information systems (whose predecessor market was backyard barbecue grills). In so doing, ThinkSoft engages in a wide range of anti-competitive,high-handed and sharp practices that harm consumers financially, physically and emotionally.

There are many illuminating parallels between Microsoft and ThinkSoft. By way of example, the following events in the story should be self-explanatory. In entering the new market, ThinkSoft bundles its trade secret-protected barbecue sauce with the hardware, and consumers are forbidden under the strict end user license agreement from using any other sauce. Competitors don't stand a chance. When an end user bastes with another sauce or attempts to use the proprietary sauce on a competitive grill, not just a crash occurs; rather, physical violence, among other harms, is visited upon the end user.

In moving aggressively into new and unanticipated markets-the latter being a hallmark of the software industry-ThinkSoft proves to be a mindless market-eating machine. Thus, in expanding into the outdoor cooking market, ThinkSoft metes out punishment to its competitors and abuses ever-hungry consumers, all with the design and effect of capturing, maintaining and exploiting its ill-gotten dominance in that market.

The centerpiece of ThinkSoft's abusive conduct is its licensing practices. The Wholly Grill End User License Agreement is attached to the amicus brief as Exhibit A,pages 335 to 336. Here follows a telling excerpt:

1. The Company grants you a non-exclusive worldwide perpetual license, unless sooner terminated as provided herein, to use and operate the Information System, but only as delimited by this License Agreement.

2. You will only use the Information System when connected by the Information System modem to the proprietary outdoor cooking information and control server hosted by the Company, namely, the Wholly WAN(Wide Area Network) Optimization of Research and Development (''the Wholly WORD''). In no event shall the Company be responsible for your inability to connect with the Wholly WORD or any interruption of service you may experience, including loss or spoliation of meats, fish anther perishables.

3. You agree to use Wholly Grill Outdoor Cooking Information System Barbecue Sauce with Smoke Crystals(''the Information Sauce'') and only the Information Sauce in connection with your operation of the Information System and no other sauce or marinade,whether purchased or homemade. Use of any sauce other than the Information Sauce, or use of the Information Sauce on any system other than the Information System, could result in injury or death for which the Company cannot be held responsible.

ThinkSoft requires its end users to obtain grill control server services from ThinkSoft's proprietary Wholly WORD; the latter (analogous to a Microsoft Middleware Product as defined in the Judgment albeit a service, not a product) switches on and calibrates the cooking process. The end user is not permitted to obtain those services from any other provider. Is the Wholly WORD an integral part of a seamless outdoor cooking information system, or is it part of an illegal tying arrangement? And what about the bundling of the sauce with the system? Such questions require a great deal of factual analysis and are no doubt subject to numerous claims and defenses, especially in a technologically dynamic market (as all agree exists in the Microsoft case). But what, if anything, in the Final Judgment gives plaintiffs the teeth to prevent currently unforeseen but abusive licensing practices of the type intended to be controlled by the Judgment?

The point is that at least one major component of Microsoft's licensing scheme-its end user license agreement-is entirely omitted from regulation by the Final Judgment. The only licenses affected by the proposed settlement are those with OEMs,IAPs, ICPs, ISVs and IHVs as those businesses are defined in the Final Judgment.

The settling parties would claim that unlawful tying has not been determined, and that the issue of whether Microsoft unlawfully tied Internet Explorer with Windows was remanded to the trial court for further trial proceedings. Except for the limited controls placed on Microsoft's dealings with those listed above, Microsoft has virtually unfettered discretion, by and through its end user agreements, to require contractual terms such as those found in the ThinkSoft license-terms that are exclusionary and that may serve to artificially maintain its operating system monopoly while allowing it to unfairly leverage into new markets. Microsoft has been and will continue to be endlessly inventive in the way it advantageously and unfairly licenses its products and services.

Hence, in addition to the Technical Committee described in the Final Judgment, I propose a License Committee to be formed much like the Technical Committee and that would have oversight of any licenses or license terms inconsistent with both the letter and the spirit of the Final Judgment. The License Committee would investigate complaints from competitors, industry and consumers, consider Microsoft's permissible business objectives, and then proceed in a manner analogous to the Technical Committee. It would help prevent Microsoft from accomplishing indirectly through its end user agreements (or any other licenses) that which it is expressly forbidden from doing with the licensees specified in the Judgment. The License Committee could never interfere with any activity Microsoft characterizes as innovation. Creative licensing that effects an end-around the Final Judgment isn't innovation; it's legal weaseling.

Another reason to form a License Committee is to at least have the semblance of punishment for the pernicious conduct found to have occurred. Microsoft is a predator, an impermissible monopolist in the software market, yet the Final Judgment proposes no punishment. If Microsoft perceives this as punishment, then all the better; it is far less and avoids the complexities of a structural remedy. Oversight from a License Committee is not much punishment, but Microsoft has demonstrated that on the unlevel playing field it alone unlawfully created, a ''playground supervisor'' is needed. Otherwise, make-nice behavioral controls, promulgated by well-meaning Microsofties, will once again prove to be bootless. Stated differently, a remedy that includes no punishment is no remedy at all;its remedial effect is a fiction that, if written into a novel, would be dismissed as implausibly lenient.

Respectfully submitted,

Lawrence G. Townsend

cc: Thomas W. Burt; John Warden, Esq.; State Attorneys General of New York, California, Connecticut, DC, Florida, Illinois, Iowa,Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, New Mexico,North Carolina, Ohio, South Carolina, Utah, Virginia and Wisconsin

MTC–00031188

3803 Drexel Court
Louisville, KY 40241
December 9, 2001
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530–0001

Dear Person:

I oppose the proposed Microsoft antitrust settlement for the following reasons.

(1) Microsoft is guilty of monopolistic practices, yet the settlement encourages the extension of that monopoly into schools-one of the few areas where Microsoft still has non-trivial competition.

(2) The settlement is not punitive. The cost of providing software is negligible to Microsoft and,in the end, they will probably profit by eventually charging the schools upgrade fees for their ''free''software.This is a variation on the scheme they used to corner the spreadsheet, word processing and browser markets.

(3) The settlement does nothing to correct the wrong created by Microsoft's criminal actions, and does little to keep them from doing the same things in the future.

Sincerely,

Lee Larson

MTC–00031189

North Pathology Associates, PLLP
North Mem la, Medical Center
3300 Oakdale Avenue North
Robbinsdale, MN 55422–2900
768–520–5525
Pathologists:
Virginia Dale, M.D.
Peter J. Benson, M.D.
Sue Schlafmann. M.D.
Laura Schmitz M.D.
Brad Brown M.D.
Betty Olivares-Pakzad M.D.
Eric Kehrberg M.D.
November 21, 2001
Re: the proposed Microsoft antitrust settlement

Dear Sirs,

I am taking the time to write to express my deepest concern regarding the proposed settlement between the Justice Department and Microsoft Corporation. To get right to the point, the settlement which has been

proposed is a conduct remedy (and a backward-looking, weak one at that) which is inappropriate and wholly inadequate for a company which has only shown contempt and disregard for similar conduct restrictions in the past.I need not remind you that Microsoft signed a consent decree in 1995 that prohibited them from tying application software to their monopoly operating system software, which they promptly and completely disregarded in their efforts to drive a smaller and genuinely innovative competitor (Netscape)out of business.They did so knowingly and unrepentantly, and despite being found in violation of antitrust law by both the district and appellate courts for this, they now astoundingly face no penalty of any sort for their actions.——

With this history, why on earth would anyone expect Microsoft to abide by the new conduct restrictions in the proposed settlement? What reason has the Department of Justice given Microsoft to fear disregarding these new restrictions in the very same way they ignored the previous ones? Indeed, they have already pressed forward,trying even more of their own proprietary application software into WindowsXP than ever before, while excluding popular formats (such as MP3) and middleware (such as Java).

The argument that this is somehow the best that the Department of Justice can hope for given it's limited resources is either disingenuous or deeply disturbing. The Court of Appeals did not say that the remedy of splitting Microsoft into two companies was inappropriate, only that it needed to be reexamined by the district court in light of apparent prejudice by Judge Jackson. Such a remedy has been amply demonstrated in earlier cases(such as Standard Oil and AT+T) to be remarkably effective in curbing monopolistic practices while allowing competition as well as the divided monopolist to flourish. If the Department of Justice,representing the very people of the United States, truly cannot persevere through one more stage of this case for financial or political or any other reasons, then the rule of law itself is at risk.

Let me make clear that I have no financial interest in the outcome of this case; I am not a disappointed competitor of Microsoft, nor has this letter been drafted by some PR firm for me to sign. I am simply a citizen who knows and enjoys computers and who appreciates true innovation and fair competition, both of which I feel will be greatly imperiled in the future under the conditions of this wholly insufficient proposed settlement.

If you would like to contact me for any reason, please feel free to do so at the telephone number or address above.

Sincerely yours,
Peter Benson MD

MTC–00031190

JAN 15 2002 12:21PM HILTON, INC. 850–230–4092 p.1
Paradise Found
RESORTS HOTELS
11127 Front Beach Road * Panama City Beach, FL 32407
Office (850) 233–4824 * FAX (850) 235–0888
January 14, 2001
Ms. Renata Hesse
Antitrust Division
Department of Justice
Fax: 202–616–9937
Fax: 202–307–1454

Dear Ms. Hesse:

As a business owner, suffering through a serious recession, I am writing to let you know that I support the Microsoft settlement. The business community I operate in has been suffering due to a weak economy. Too many jobs have been lost and scores of business owners have had to close down. A significant reason among others this is taking place is due to the troubled tech sector.

When the technology industry fell on difficult times, it passed on to other sectors and affected many people. Microsoft, a company that was in the forefront during the great economic expansion, also suffered because of this decline, and the lawsuit against them did not help at all. The settlement that has been reported in the news seems to be even and balanced; it builds new relations with software developers and creates a new, uniform price list.

I strongly believe that the troubled tech sector as well as our economy will better rebound because of this agreement.Thank you for taking the time to read my letter.

Sincerely,
Julie K. Hilton

MTC–00031192

JAN-15–2002 12:10 GUILD OF ST. AGNES 508 754 2026 P.01
Administrative Offices
133 Granite Street * Worcester, MA 01604
(508) 755–2238 fax: (508) 754–2026
www.guildofstagnes.org
GUILD OF ST. AGNES
CHILD CARE PROGRAMS
Since 1913
January 15, 2002
Renata Hesse
Trial Attorney
Anti-Trust Division
Department of Justice
601 D. Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

I would like to comment on the proposed settlement in the Microsoft caseAs the Executive Director of a non-profit childcare agency, I use Microsoft products daily and they have been of great help to me and my staff. They have allowed my staff to become more self-sufficient.

The fact is that the proposed settlement will benefit groups like mine who would qualify to receive Microsoft products if the settlement survives in its present state.In my opinion I have not been harmed by any actions taken by Microsoft. In fact,Microsoft's innovations have helped many small agencies such as mine.

I hope that we end this lawsuit and approve the settlement.

Sincerely Yours,
Edward P. Madaus
Executive Director

Center Locations: Ayer * Bellingham * Gardner * Granite Street, Worcester * Grove Street,Worcester * Lincoln Street, Worcester

Family Child Care Location: Devens * Spencer * Whitinsville * Worcester

MTC–00031193

1–15–2002 12:12PM FROM 000000000000 P. 1 NO.067 P001/001
POWER GOVERNMENT AFFAIRS —> 000000000000
Christopher B. Rivers
2100 Stuart Avenue
Richmond, VA 23220
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I have read through the list of settlement provisions with regard to the Microsoft case, and find several of them quite compelling. For Example;

—The agreement to license Windows to the 20 largest computer manufacturers at the same terms, conditions and price;
—The agreement that consumers will have the freedom to choose to change their Windows configuration at any time and will be ableto add non-Microsoft software if they wish; and
—The agreement that to monitor compliance, a three-personTechnical Committee will be established.

I find these provisions to be good examples of why this settlement will be one that works.

Sincerely yours
Christopher Rivers

MTC–00031194

JAN-15–2002 10:21 M B I WORCESTER 508 799 4039 P.01/01
MBI (MASSACHUSETTS BIOMEDICAL INITIATIVES)
January 14, 2002
Atty. Reneta Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: Microsoft Case
Via Fax: 202–616–9937

Dear Attorney Hesse:

I am writing to express my support for the goal set forth in the proposed settlement of theMicrosoft antitrust case,

As part of that settlement, Microsoft is proposing the donation of approximately 200,000computers to public school students throughout the country. Recent research suggeststhat the digital divide that exists along economic lines have an adverse impact onstudents, schools and educational opportunity. Currently, 82% of schools in affluentcommunities are connected to the Internet. That number drops to 60% of the classroomsin poorer communities.

The New York Times recently reported that 88% of households whose income is $75,000or higher had a computer. This number drops dramatically for households with incomebelow $25,000. The need is documented and in my opinion can be partially remediedwithin this particular case settlement. Thus, my support of the specific goal of thesettlement which will provide students and teachers within these lower income areasaccess to both technology and computers.

Our Biomedical industry is fueled by brainpower along with the technology ''know

how''to create life science products. This particular settlement agreement I believe goes a longway in helping us continue to accomplish this goal. Thank you for your careful reviewand hopeful consideration.

Sincerely,
Kevin O'Sullivan
Vice President Development
25 Winthrop Street.
Worcester, MA 01604
Tel: 508–797–4200
Fax: 508–799–4039

MTC–00031195

JAN 15'02 10;45AM CATALINA SPA P.l
KEITH D. & SUZANNE S. DODGE
125 RAINBOW DRIVE, #2507
LIVINGSTON, TEXAS 77399–1025
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20330

Dear Mr. Ashcroft

Like many people in Texas, I am happy that a settlement agreement has beenreached between the Department of Justice and Microsoft. The suit has taken atoll on the IT industry and on consumers of technology products.

The settlement agreement is fair to all the parties in the case and is the result ofyears of expensive litigation. Information sharing and non-retaliation agreementsshould be enough to satisfy even Microsoft's harshest critics. Unfortunately,opponents of Microsoft would like to see the lawsuit continue and even bereopened for further action. Three years of litigation have already disturbed the ITindustry and the economy too much. Reopening the suit and continuing litigationwill only serve to harm the IT industry and the economy.

Now is the time to end the suit and move on. Surely, the Department of Justicehas more important issues to deal with and Microsoft needs to move on as well. Ihope that the settlement is finalized as soon as possible.

Sincerely,
Suzanne Dodge

MTC–00031196

From : FULL CIRCLE BUILDING SERVICES
FAX NO. : 812–945–2637
Jan. 15 2002 02:33PM Pl
Full Circle
Building Services
January 25, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing because I would like to see your officesettle its ongoing antitrust case against Microsoft. Thematter has dragged on too long, and the current settlementagreement seems fair to all involved parties.

Rather than bowing down to pressures by competitorswho are acting like crybabies, the Justice Departmentshould recognize that the settlement promotes healthycompetition and will allow Microsoft to focus on itsbusiness again, which is especially important given thecurrently depressed economy. The case continues to costAmerican taxpayers a lot of money with little result, andit is time to move on to more important problems.

The settlement really holds Microsoft's feet to the fire.Microsoft, in a first for any antitrust settlement, willrelease the internal interfaces to its Windows operatingsystem. Microsoft will make available to competitors anyprotocols for native interoperation with any Windows serveroperating systems. These are the keys to the kingdom,Attorney General Ashcroft. In order to get this casebehind it, and get on, Microsoft agreed to these generousterms.

I am in favor of settling your office's suit againstMicrosoft. It will let everyone get back to business assoon as possible.

Sincerely,
Thomas Barbercheck
1687 Terry Lane
New Alabny, Indiana
(812) 945–2637

MTC–00031197

MONTGOMERY COLLEGE
Germantown Campus
Student Development/Counseling Center
20200 Observation Drive
Germantown, MD 20876
30l-353–7734
Phone: 202 307–1454
Fax phone: 301–353–1985
REMARKS: Urgent For your review Reply ASAP Please comment
RICHARD L. BERGLUND
129 Lynnmoor Drive
Silver Spring, MD 2O90l-1516
Telephone 301–681–8153
Rberglund@aol.com
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

After considerable time and money, the Department of Justice and Microsoft havereached an agreement ending the three-year-long antitrust case against Microsoft. Iwant to give my support to this agreement and ask that you do also.

Personally, I do not think the case against Microsoft was warranted. The suit in myopinion, was the only way left for Microsoft's competitors to ''clip'' Microsoft's wings,having failed to compete successfully with the Microsoft in the open market. I useMicrosoft, but when I walk into a store and make a choice, I do so freely. I can chooseother software packages, but choose Microsoft because it works.

Anyone who is in the computer industry today has to be very quick and very smart.Bill Gates was simply smarter and quicker. Technology today changes so quickly; aprogram is obsolete by the time it gets on the shelf. What will the competitors ofMicrosoft do if some other firm out-performs them. Will every successful company befaced with a lawsuit from their competitors as a way to keep them in line? If this is so,I would image the Department of Justice will be kept pretty busy.

The agreement reached did not let Microsoft off easy. Microsoft has to configure theirWindows'' software programs as to permit the insertion of non-Microsoft programs;Microsoft has also agreed to disclose source codes for their Windows'' operating systemproducts. Microsoft has even agreed to a technical committee to monitor futureactions.

Frankly if I were Bill Gates I would move the entire Microsoft operation to BritishColumbia. Perhaps he would then have a governmental/ legal system that realizes thebenefit to the national economy of Bill Gates and Microsoft.

Do not punish success. Give your support to this agreement. Thank you.

Sincerely,
Richard L. Berglund

MTC–00031198

FROM : KAY LOPATA FAX NO. : Jan. 15 2002 02:22PM P1
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
January 12, 2002

Dear Mr. Ashcroft

As a supporter of Microsoft, I am writing you with concern over therecent settlement between Microsoft and the Department of Justice. I wassurprised to find out that, after three years of negotiations. there may be evenmore delays in the process. After such a well thought out, well monitorednegotiation process, one would think that it is time to move on. Let us getour technology industry back to business and allow the government to focuson more important issues.

As our economy suffers, our technology industry takes a back seat inthis highly competitive global market. Awaiting more scrutiny of thissettlement, only delays our IT sector in getting back to business with theany concessions that Microsoft has made, all parties of the IT sector areready to move forward, but there are those who are still trying to hold upthe process. Let us not step on our own toes. Let us support the settlementthat we have been trying to make happen for so long.

I urge you to not hold up this process any longer. Help us support thisagreement as it is, so we can move on and get back to business.

Sincerely,
Kay Lopata
P.O. Box 233
Wycombe, PA 18980
cc: Senator Rick Santorum

MTC–00031199

12023071454 p.01
RELCOMInc.
2221 Yew Street
Forest Grove, OR
FROM: Mr. Maris Graube
97116 USA
TO: Attorney General John Ashcroft
COMPANY: Department of Justice
Tel: 503–357–5607 x102
Fax: 503–357–0491
maris.graube@relcominc.com
DATE: 15-Jan-02
FAX: 202–307–1454
No. of pages 1

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am in favor of the Microsoft antitrust case settlement. From my perspective, the sooner thelitigation isconcluded, the better. I work in the technology industry. In my business, we benefit daily fromproductinnovations made by Microsoft and the standards they set in how we communicate via ourcomputer software. Iwould like to see this matter resolved so Microsoft is able to continue developing superiorproducts as they haveconsistently done in the past. It makes little sense to continue to burden the court system andMicrosoft with thislitigation. It appears to me that the parties have participated in extensive negotiations, and havearrived at asettlement agreement that is fair.

The agreement calls for many concessions on Microsoft's part. Microsoft will not retaliate againstthose whopromote or distribute Microsoft's competitors'' software. They have also agreed not to enforcetheir intellectualproperty rights. Additionally, a three person technical committee will monitor Microsoft'scompliance with theterms of the agreement. The agreement goes well beyond what is necessary to address thecomplaints made byMicrosoft's wanna-be competitors. No further delay in the settlement process is warranted orjustified.

I believe Microsoft has been a force for public good. Where else can you buy millions of lines ofcomputer codefor as little as they charge? Who else has the ability to effectively set computer standards?Without Microsoft,we would still be in the dark ages when it was not possible to exchange computer documents orvarious datawithout employing a legion of programmers.

Sincerely,
Maris Graube
President
2221 Yew Street
Forest Grove, OR 97116

MTC–00031200

01/15/02 12:48 FAX 908 771 1985 BOC MURRAY HILL EDI SVCS 001
39 Mayflower Drive
Basking Ridge, New Jersey 07920
January 12, 2002
Attorney General John Ashcroft, US. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

The settlement reached between Microsoft and the DepartmentJustice is welcome, in that it allows Microsoft to return to business theway it should be. After three years of litigation, the technologyindustry and the economy have felt the impact of this litigation. Withthe current recession, it is of apparent and great importance that thisissue be resolved with great haste.

The settlement contains many concessions on behalf ofMicrosoft. Microsoft has agreed to disclose to its competitors theinternal interfaces of its operating system. Further, Microsoft hasagreed to grant computer makers rights to configure Windows as topromote non-Microsoft programs that compete with programsincluded within Windows.

Obviously, Microsoft has gone to great lengths to settle thisissue. It is time that this issue is finally laid to rest.

Sincerely,
Kathleen West

MTC–00031201

Jan 15 02 12:llp LANSOURCE INC 9725781061 P. 1
SOURCE
704 East Central Parkway, Suite 1218
Plano, Texas 75074
Tel (972) 612-l690
Fax: (972) 578-l061
January 15, 2002
Attorney General. John Ashcroft, USDOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

After three years of litigation, The Justice Department has attempted to close thelong, drawn-out saga of the antitrust suit against Microsoft. Microsoft reached asettlement regarding the suit that is more than fair. To carry on any further litigation willonly slow the delivery of advanced technology to the market. The reality of thetechnology sector right now is that it needs to be motivated so we all can get back tobusiness.

It is necessary to settle this suit to gain back consumer confidence. Thesettlement instructs Microsoft to provide some concessions for its competitors. Microsofthas agreed to the establishment of a three-person ''Technical Committee'' that willmonitor its observance of the settlement. Microsoft must also provide information aboutthe development of its products.

It is necessary to realize that this country is based on a free market and capitalism,and by settling this suit we can get back to this. The technology industry has alreadybeen delayed for to long from moving ahead. Stop all action at the federal level and workto finalize this agreement.

Sincerely,
Clifford M. Ward
President

MTC–00031202

DDI INC
DDI, Inc.
6201 W. Howard Street
Niles, Illinois 60714
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a supporter of Microsoft, I write you concerning the recent developments inthe antitrust suit settlement I am thoroughly aggravated to find that, after three years ofnegotiations, the agreement is still being delayed. Not only was the negotiation processwell thought out, but was extremely well monitored. The results are fair and reasonableand should be used as the guideline for moving our technology industry forward.

Not only has Microsoft agreed to rework licensing and marketing agreements, butalso it has agreed to design future versions of Windows that will better accommodatenon-Microsoft software. In fact, the terms of this agreement do a great deal to promotenon-Microsoft software. This is certainly proof that Microsoft is acting in the interest ofthe entire technology industry.

Adopting this settlement, in its current form, can only be beneficial to theconsumer, the IT sector, and the economy as a whole. I urge you to help stop anyfurther litigation against this agreement.

As a software developer, Microsoft products have certainly helped us to expandour own offerings and should not be penalized for being successful for what they do.The computer industry would be lightyears behind without user friendly products such asthe Windows operating system.

Sincerely
Judith A Mack
President

MTC–00031203

Melody Prichard
5806 Stonecrest Midland Texas 79707
January 14, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I write today to express my opinion regarding the Microsoft antitrust case.As a Microsoft supporter, I support the settlement reached in November. Years of litigation served to cripple the technology industry. I believe that a resolution will be beneficial in rebuilding confidence in the industry.

As a Microsoft supporter, I understand the cost of the terms Microsoft agreed to. Microsoft decided to give up many of its personal information regarding Windows. Microsoft will now disclose the internal interfaces of the system to developers. In addition, Microsoft is creating a new version of Windows that will allow users to delete or add different programs into the Windows system. Microsoft has given up this information in an attempt to resolve the antitrust suit once and for all.

I believe it is time we do just that. Enact the settlement at the end of January.

Sincerely,
Melody Richard

MTC–00031204

12024 211th Place SE
Snohomish, WA 98296–3944
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

January 10, 2002

As a member of the IT industry, I feel that it is extremelyimportant that the current Anti-Trust case against Microsoft be resolved as soon as possible. Though I have not agreed with the suit from the beginning, it is my opinion that now is the best opportunity to reach this goal. The settlement reached in November of last year seems satisfactory for all involved. In today's economy we must allow the tech industry and its leading

innovator to get back to work. Continuing this fiasco with more legal wrangling will only prove counterproductive.

The settlement reached last November should satisfy the government as well as Microsoft's main competitors.Microsoft did not get off easy. In fact, they have agreed to terms that extend well beyond the original scope of the suit, for the sake of wrapping it up as soon as possible.Under these terms, Microsoft must relinquish source codes and interfaces that are internal to Windows'' operating system products. Additionally, Microsoft has agreed to design future versions of Windows to make it easier for consumers, computer makers, and software developers to promote non-Microsoft applications. These and many more restrictions and obligations will be monitored for compliance by a Technical committee. It seems to me that this settlement is more than fair, and thus should be implemented without further delay.

Now is the time for this country to move past this issue and concentrate on more important matters. I ask that you concentrate your efforts towards realizing the current settlement and ignoring any requests for more litigation.

Thanks for your time and consideration.

Sincerely,

Bonnie Carpenter

MTC–00031205

Jan 15 02 11:48a Tk and Judi 316–733–6058 P. 1
January 15, 2002
Subject: Microsoft Settlement

To whom it may concern:

Our government needs to protect our economy, and not to be derailed by attempts to benefit certain companies'' interest. It is unfortunate that the remaining states that rejected the agreement have strong support from Microsoft's competitors, in which they reside. Those state representatives have no choice but to support their prime resident companies, and their counter proposal is only to benefit those resident companies.

The focus of this case should be based on whether Microsoft has indeed hurt the consumers and our economy. If Microsoft has not taken a lead in consolidating computer operating systems, and offer compatible/integrated software, we would have induced significant inefficiencies throughout the country, and the world.

I highly encourage our government to move forward and bring this case to a closure that would benefit our crippled economy. There are other major elements that we all need to focus on, instead of continuing to deplete our valuable resources on this case.

Microsoft is now fully aware of its boundaries, in terms of ''anti-competitive behaviors,'' and shall continue to offer more useful software tools that ultimately benefit us all.

Sincerely yours,

Takaaki Hayashi
839 Bramerton
Andover, KS 67002

MTC–00031206

MITCHELL OIL CO
Bill Mitchell
PO Box 680599
Fort Payne, AL 35968
Jan. 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave. NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am concerned with the length of time that the Microsoft settlement is taking. This has drug on for too long already, and enough money has been wasted in legal fees to pay the settlement. In the interest not only of Microsoft, but of business and technology both in the U.S. and the global market, it is time to move on or else be left behind.

I would appreciate your working to end any further litigation and end the waste,foot-dragging, and criticism of Microsoft. Thank you for your time.

Sincerely,

Bill Mitchell

MTC–00031207

JAN 15 2002 11:54AM SALEM HEIGHTS CLC 7249351351
Irene M. Wheeler
436 Elizabeth Avenue
MC Kees Rocks, PA 15136–2156
(412) 331–8876
January 8, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my interest and support for the settlement of the Microsoft Antitrust case. First and foremost, I am pleased to hear about the recent proposed settlement that was reached in early November of last year. The terms of the settlement were reached after much discussion and are reasonable to all that are involved. Microsoft has agreed to a number of terms that encompass a wide range of issues addressed in the case as well as those aspects of Microsoft's business that were not found unlawful by the Court. Microsoft has agreed to these terms in attempt to end the case so that the company may move forward with the development of new technologies.

Included in the settlement are a number of requirements that Microsoft has agreed to in order to resolve the infringements on the antitrust laws. Microsoft has agreed to permit computer makers the right to remove consumer access to features of Windows such as Microsoft Internet Explorer web browser, Media Player, and Messenger. These features can be replaced with access to the Microsoft competitive software products. This is demonstrated in the interim release of Windows XP that will make it easy for consumers to change their configuration at any time.

Microsoft has also agreed to terms that ensure Microsoft's adherence to the guidelines in the settlement. A technical committee will be established, and will consist of three experts in software engineering. Any third party who believes Microsoft is not complying with the agreement will be encouraged to file a complaint.

This settlement was reached as a result of much loss to Microsoft as an advancing software company. Without Microsoft, we would be without much of the technologies we have today, and it is important that we finalize this settlement and allow this company to move onto new product development and growth.

Irene M. Wheeler

cc: Senator Rick Santorum

MTC–00031208

FROM: FAX NO.: Feb. 15 2001 07:31AM P1
Lucretia Whitehurst
P.O. Box 308
Bridgeton, NC 28519
January 14, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

A three-year-old antitrust case against Microsoft by the Justice Department has finally reached a settlement. Sadly, there are those that are still opposed to this settlement and are seeking to revive this case. I write to you to ask that you support the settlement and a quick end to this case.

The Department of Justice has decided to settle, and Microsoft has agreed to the settlement as well. This should be the end of the story but it is not. Unspecified interests are seeking to have the settlement withdrawn and Microsoft forced back into court. This is unfortunate because the settlement would end any anticompetitive behavior. In fact, the settlement has very tough sanctions against Microsoft, such as are worked licensing agreement, and includes full time supervision of Microsoft under the creation of a third-party technical review committee.

Your consideration of my views is appreciated. I would like to repeat my request that you enact this settlement at the end of January.

Sincerely,

Lucretia Whitehurst

MTC–00031209

TOTAL PAGE.01
Gerald Hodgins
133 North Main Street
Boonton, New Jersey 07005
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I was recently surprised to hear that the settlement between Microsoft and the Department of Justice might be even further delayed. After three years of negotiations, it is hard to believe that there are some groups that still want to delay the execution of this well thought out agreement. The settlement is not only fair and reasonable, but is in the interest of all parties involved.

Let's help to support this settlement by stopping any further actions against the agreement. The terms of the agreement focus on promoting non-Microsoft software and, in fact, take a bold step toward a more unified technology industry.By working as a team, the IT sector can focus on maintaining our place in the global market. By maintaining our place in the global market, and

continuing to focus on innovation, we help to strengthen our economy as a whole.

Let us not be the ones to thwart the exact process that we initiated. Let's stop any further litigation and allow our IT sector to get back to business.

Sincerely,

Gerald Hodgins

Jan 15 02 11:14 FR PAINEWEBBER 1 201 902 6861 TO 912023071454 P.01/01

MTC–00031210

FROM : JOHN CORCORAN FAX: 507–553–5226 Jan. 15 2002 11:01AM P1

56784 108th Street
Wells, Minnesota 56097
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue. NW
Washington. DC 20530

Dear Mr. Ashcroft:

After three long years of litigation, I am pleased to be notified that a settlement was finally reached in the Microsoft Antitrust case. Microsoft did not go unpunished as many people may think The details of this settlement were finalized after three years of scrutiny and dispute and thus have been considered for an extended amount of time. In the best interest of both the government and Microsoft, this settlement should be the end of the antitrust case, as further litigation won't benefit anyone except for the lawyers.

Microsoft's antitrust settlement requires that computer makers will now be free to remove certain Windows features and replace them with the competitor's software programs. Additionally, Microsoft will provide competitors with necessary interfaces that are internal to Windows'' operating system products. This part of the agreement has already been implemented in the release of Windows XP. Included within the software is a mechanism that enables the consumer the software makers and computer makers to change the configuration at any time they wish to do so. To ensure that Microsoft complies with the terms of this settlement, a thee-person Technical committee will be expected to monitor Microsoft's business practices. In addition to that, Microsoft also had to agree not to retaliate against its competitors.

Clearly this settlement covers many concerns of the government the industry as well as the public. To my best knowledge, I feel that this settlement offers reasonable solutions to all of the parties involved.

Sincerely,

John Corcoran

MTC–00031211

01/15/2002 11:38 19414376299 MACKINAC GROUP PAGE 01

RALPHLOCKE
12765 YACHT CLUB CIRCLE
FORT MYERS, FL 33919
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530

Dear Mr. Ashcroft,

The lawsuits against Microsoft at the state and federal levels have gone on too long and reflect the government's desire to showcase their political agendas against the best interests of the public. Our economy needs help, and for our government to persist with jealousy battles against our industry's leaders shows their ineptitude about what will help our economy.

While I think the settlement is to harsh and violates many of the rules in a free market economy, I want the settlement to come to fruition, because that is better for our country than for litigation to carry on. Under terms of settlement, Microsoft has agreed to many hard concessions, such as disclosure of internal interfaces and protocols, as well as agreeing to not enter into third party distribution agreements that would guarantee that Microsoft products represent a certain cut of the total.

Let's settle this matter as soon as possible and make sure that these types of lawsuits do not occur in the future. Free enterprise can for the most part run effectively without constant intervention from government officials who are not proponents of a capitalist society in the first place.

Sincerely,

Ralph Locke

MTC–00031212

04/06/1997 13:22 8032723634

11 Chapin Circle
Myrtle Beach, SC 29572–4404
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I would like to see the Microsoft case finalized as soon as possible. The American public interest will be best served when the judge approves the settlement agreement.

I support the efforts of the Department of Justice, Microsoft, and the nine states that have agreed to settle the case. The terms of the settlement agreement are fair, and even go beyond what should be required of Microsoft. The agreement will result in greater flexibility for computer manufacturers who will be able to add or remove programs from Windows, without fear of retaliation. Microsoft will release its intellectual property on non-discriminatory, reasonable terms. Microsoft will also release the internal interfaces to Windows and server protocols. Which will help safeguard against the violation of any antitrust laws.

Thank you for working toward a resolution of this lawsuit.

Sincerely yours,

Robert. B. Hurley

cc: Senator Strom Thurmond

MTC–00031213

Jan. 15. 2002 11:19AM FOMBORO TREASURY No. 8292 P.1

January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to express my fullest support for the settlement reached between Microsoft and the Department of Justice in November. This case has gone on for too long and a settlement is the best option at this point.Although I felt this case was unwarranted from the beginning, I understand Microsoft's desire to wrap this suit up. That explains the company's decision to accept many terms that extend well beyond the products and procedures that were actually at issue in the suit. That includes agreeing to disclose to competitors various interfaces that are internal to Windows''operating system products. Indeed, this is a first for an antitrust settlement.

As someone who has worked in the high tech world for many years, I honestly believe that Microsoft and their products has helped raise the standard of living for people across all socioeconomic levels. So there is no doubt in my mind that the settlement is in the public interest and no further action should be taken on the federal level.

Sincerely,

Mary Kinsella

33 Commercial Street, B52–2J

Foxboro, MA 02035

Invensys Intellectual Property Department

33 Commercial Street B52–1J Foxboro MA 02035 USA

Telephone +l 508 549 6853 Facsimile +l 508 549 6295 www.invensys.com

MTC–00031214

UNITED SOLUTIONS
PHONE: 770/506/1100
FAX: 770/506/1188
DATE: 1/15/02
FROM: KEN WADDELL
E MAIL: KDWADDELL@MSN.COM
FAX: 1–202–307–1454
01/15/2002 10:48 7705061188 UNITED SOLUTIONS GRP PAGE 01
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to you today to express my support of the recent settlement reached between the Department of Justice and Microsoft. The settlement comes at a time of decision for our nation. Given the recent recession, the end of this litigation will untie necessary funds to be allocated to more pressing issues. This settlement is in the best interests of our American economy.

The settlement includes many concessions on behalf of Microsoft. Microsoft has agreed to the creation of a third party technical review committee. This committee will review Microsoft's actions to ensure that the terms of the settlement are followed.

Obviously Microsoft is willing to resolve this issue, I hope that the JusticeDepartment is of the same position.

Thank you for your strength and wisdom.

With sincerest regards,

Ken Waddell

200 Andrew Dr.

Stockbridge, GA 30281

01/15/2002 10:48 7705061188 UNITED SOLUTIONS GRP

MTC–00031215

FROM : MULTI COMPUTER PRODUCTS PHONE NO. : 931 526 9097 Jan. 15 2002 09:25AM P1

Multipro Computers
Address: http.//www.multipro.com
January 11, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington. DC 20530

Dear Mr. Ashcroft,

It has been a bit disturbing to me that our government can be so quick to file a lawsuit against one of this country's most innovative and successful companies as it did with this suit against Microsoft. I would agree that there have been certain things that Microsoft may have done to estrange its competitors, but this should never have gone so far as court.

I am pleased that this suit was stopped from going any further because of the recently achieved settlement, but even the settlement reflects some rather unfair terms to Microsoft. I am specifically referring to that portion of the settlement that deals with the release of some of Microsoft's source code. This is something that has resulted from years of development and hundreds of millions of dollars in investment capital. Source code to a software company is as sacred to them as the patented formula for a medication is to a pharmaceutical company.

Nevertheless, as long as both Microsoft and the Department of Justice are in agreement over the terms of this settlement, than this review process should endorse it. I hope that it will be so that this can finally reach its conclusion.

Sincerely,
Marsha Farley
Service Operations Manager
Multipro Computers
127 N. Oak Ave.
Cookeville, TN 38501
931.528–7777
1–800–467–8584
www.multipro.com

MTC–00031216

Jan-14–02 09:33P P.01
3920 Reiniger Road
Hatboro, Pennsylvania 19040
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This letter is intended to express my concern over the delay in the settlement of the Microsoft case. This federal antitrust action is nearly four years old and the object of near continuous litigation and negotiation. The present settlement proposal, reached through mediation, has been accepted by the main parties and all but the most virulent of Microsoft's adversaries. I think it's high time to lay this matter to rest.

The present plan calls for Microsoft to open up its Windows systems to more ready use by non-Microsoft software and computer manufacturers. Microsoft will have to license its Windows systems products to the major computer manufacturers at uniform terms. Microsoft has also agreed to share some of its technology with competitors. And Microsoft has agreed to submit its future activities to review by a new government oversight committee. In short. Microsoft is willing to substantially change its operating philosophy. In return, Microsoft will remain one corporate entity.

We need Microsoft in one piece, on its feet and fighting to reinvigorate our economy and lead the crucial IT industry. Please support this agreement.PS: Remember where Microsoft started, in a garage in The United States of America. Does not matter how much Bill gates made; he also made the computer easy to use. Which not only employs a lot of people at Microsoft, but how about every one in the industry that sell computers & work on them? Bill Gates should be given. a medal instead of a slap in the face! This crap about Microsoft is all about jealousy, as an American as a X-Serviceman USN ,and a retired Police Officer I back up Microsoft

Sincerely,
Rudolph Muller

MTC–00031217

Jan-15–2002 08:35AM WASHBURNE 273 0660 P.01
15 January, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing because I fear that further litigious action against Microsoft is a mistake. The technology industry has suffered because the suit has dragged out, and I believe the Justice Department has been tied up unnecessarily for too long. Microsoft and the Department of Justice have reached a satisfactory agreement, and I do not see the need for further litigation.

The settlement satisfies the requirements of antitrust laws without being too harsh on Microsoft or taking the complaints of its competitors too lightly. Microsoft will essentially facilitate the efforts of its technological competitors in gaining a more secure foothold in the market by allowing them access to protocols, interfaces, and line code integral to the Windows operating system, and also by reformatting later versions of Windows to support non-Microsoft software.

I do not believe that further litigation will accomplish anything.In fact, it may be detrimental to the economy, the consumer, and the IT industry. I support the settlement, and urge you and your office not to bring further suit against Microsoft.

Sincerely,
W. K. Washburne
1580 Harbour Club Drive
Ponte Vedra Beach, FL 32082

MTC–00031218

10176 Baltimore National Pike
Suite 207A
Ellicott City, Maryland 21042
Office 410–203–9900 * Fax 410–203–9966
January 13, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am the owner of my own realty and contracting firm. When I was first starting out and needed to set up an accounting system for payroll and accounts payable,I looked into a software system to handle my needs. I was quoted $11,000. I couldn't afford that. With Microsoft, I could get a software package doing the same thing for $1500. Bill Gates, through Microsoft, has revolutionized the computer software industry, making software programs easier to understand and more affordable. No other firms did this. For his reward, Bill Gates was hauled into court. I was, and still am, opposed to the antitrust lawsuit brought against Microsoft. Bill Gates took risks and succeeded. This country is where it is today because there were people who took risks and succeeded. What is different today, is that we punish success. We allow success, but only so much.If it goes beyond what government thinks ''proper'' the company is hauled into court.

Microsoft is very important to this country. It is the engine that drives technological innovation. Microsoft provides thousands of jobs directly, and thousands more with the spin-off of their technological expertise. I support this settlement, and look forward to the end of this persecution of Microsoft.

Sincerely,
Christopher Carlyle

MTC–00031219

01/15/02 TUE 09:43 TEL 6104550871 Holox 001
MHB
305 Addison Place
West Chester, PA 19382–7249
(610) 399–3027
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 15, 2002
Via Fax (202–307–1454)

Dear Attorney General Ashcroft:

I would first like to express my opposition to the anti-trust lawsuit filed by the Department of Justice against Microsoft three years ago. There was no justification for this attack. I am a firm believer that government shouldn't involve itself with the private business sector unless public safety or the environment is in jeopardy. In the antitrust case filed against Microsoft, neither of these issues was in question. So why did our government, at both the state and federal levels, find it necessary to sue Microsoft?

Microsoft has agreed to make many changes in the way that it will conduct business. This fact,coupled with constant monitoring of Microsoft by a government created committee, should be enough to ensure that Microsoft will continue to operate in a fair manner. I feel Microsoft has been more than generous in appeasing the demands of the Department of Justice. Microsoft is even still vulnerable to future lawsuits by its competitors if they feel Microsoft isn't fully complying with all the points of the proposed settlement.Our country and our economy need this lawsuit settled. This country has been through some difficult times. The absolutely last action we need is to see our Federal government continue this pursuit of Microsoft: it is an absolute waste of tax dollars. Our nation knows that our economy is ailing.Yet we go

after and persecute the one company that has been a pivotal force in our country's economic growth.

Please let's put an end to this, and allow Microsoft to continue its innovation and help to revitalize our economy.

Sincerely,

Mark H. Bodenstab

cc: Senator Rick Santorum (Fax: 202–224–1229)

MTC–00031220

Deborah J. Swartz.
643 Potts Hill Road
Lewisberry, PA 17339–9594
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington DC 20530–0001

Dear Mr. Ashcroft:

The Microsoft case has been going on for some time now. I sincerely hope that this settlement will be respected and the case can truly be ended. America is a free country. Successful companies like Microsoft should not be punished for running a profitable business. It seems their competitors have used their status as underdogs to claim that Microsoft has an unfair advantage. But fair or not, Microsoft came up with the technology and changed our lives and the entire computer industry. The public is FREE to choose Microsoft or a competitor for computer technology so I ask, should a company being aggressive in marketing and technology PAY for success?

The proposed settlement adequately addresses the issues that Microsoft was having problems with. They've pledged to change their aggressive marketing strategies and share their technology information and server protocols with their competitors. This settlement is quite reasonable and will restore competition to our American computer industry.Please make sure that the settlement is upheld. Our economy cannot withstand further damage. Thank you.

Sincerely,

Deborah Swartz

djswartz@mindspring.com

cc: Senator Rick Santorum

MTC–00031221
01/15/2002 07:55 FAX 419 423 6583 DOW CHEMICAL ZETABON FND 001
January 14 ,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to use this opportunity to convey my support for the settlement reached between Microsoft and the Department of Justice last year. This settlement is definitely in the public's interest and should continued to be backed by the federal government.

The settlement is far-reaching and requires many changes by Microsoft.Microsoft will design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. Under this provision,consumers will have the freedom to choose to change their computer's configuration at any time. And to assure compliance, Microsoft will be monitored by a Technical Committee comprised of three experts in software engineering.Moving forward and concluding this case will give both sides the opportunity to shift resources to other needs. Microsoft can focus on new software development while the government can focus on national security and fighting the recession. I commend your office's efforts to this point in settling this case and hope your support of the settlement continues.

Sincerely,

Ramiro Villarreal

1209 Van Buren Street

Fostoria, OH 44830

MTC–00031222

Jan 14 02 10:21p John Berthoud 703–841–9528
National Taxpayers Union & National Taxpayers Union Foundation
John Berthoud, President
108 North Alfred Street
Alexandria, Virginia 22314
Phone: 703–683–5700
Fax: 703–683–5722
Email: jberthoud@aol.com
www.ntu.orgJan 14 02 10:21p John Berthoud 703–841–9528 p.2
NATIONAL TAXPAYERS UNION
www.ntu.org
January 14, 2002
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FAX # 202–307–1454

Dear Ms. Hesse:

On behalf of the 335,000 members of the National Taxpayers Union, I am writing to comment on the Proposed Final Judgment in United States v. Microsoft.

As you may know, it is our position that this case was brought to protect Microsoft's competitors—not competition itself. Furthermore, we remain concerned that many state Attorneys General continue to push the suit forward for ideological and political reasons.

We are, however, pleased to see that after four years the parties are prepared to settle a case that has produced many unfortunate results. Taxpayers have been forced to underwrite the litigation to the tune of at least $35 million. Microsoft was compelled to shift considerable resources into the legal battle that would normally have been spent on product innovation, and also faces a tangle of private antitrust-spawned litigation. And as BTU Foundation research has shown, the government litigation has imposed billions of dollars worth of stock market losses on millions of American investors.

The Proposed Final Judgment contains many references to ''consumers.'' Indeed, theantitrust authorities have insisted from the beginning that this case was about consumer welfare.Yet the original purpose of the suit against Microsoft was to enjoin the company from including Internet Explorer as part of its Windows operating system, which the plaintiffs deemed to be a grievous threat to Netscape (later purchased for $5 billion by Internet giant AOL, a Microsoft competitor). In a suit supposedly brought on behalf of consumers, we remain puzzled as to how it would have helped consumers to make them pay for an Internet browser they could otherwise get for free.

Consumers place a high value on the ability to use a standardized, integrated operating system. In fact, public opinion polls taken throughout the Microsoft antitrust trial showed that sizable majorities of the public viewed Microsoft and its products favorably.

The Proposed Final Judgment's emphasis on ''network effects'' as a ''barrier to entry'' for Microsoft competitors in many senses disregards consumers'' demonstrated preference for standardized software. The government's suit was premised upon a fundamental misunderstanding of the way in which consumer markets operate: Microsoft did not build up its large market share through anti-competitive practices; instead Microsoft became the nation's largest software company by providing consumers with the products they prefer.

Several state Attorneys General are refusing to sign the Proposed Final Judgment on the grounds that it is not strong enough. However, the agreement appears to provide the plaintiffs with exactly the type of relief they were seeking.

The settlement gives each of the settling states and the Department of Justice the power to enforce the decree and to seek a broad range of remedies in the event of a violation. An Independent Technical Committee that reports to the plaintiffs would be afforded full access to Microsoft's facilities, employees, records, and even the Windows source code. And the settlement binds Microsoft to provide information to its competitors so that their programs will be Windows-compatible. Based on the strength of these remedies and the fast pace at which the software industry is evolving, we believe that the five-year duration of the decree—as opposed to the customary ten-year period—is appropriate.

The antitrust laws do not exist to preserve specific products or specific competitors.They exist to preserve competition itself, and we believe that consumers freely chose Microsoft's products—which provided a standardized, integrated operating system that revolutionized personal computer use. The results included a huge jump in desktop computer usage, much-improved efficiency, and robust growth in the software industry throughout the 1990s. Thus, we believe that this case constituted unnecessary, and harmful, government interference with the private sector. Rather than a victory for competition, we believe the Microsoft case represents a defeat for taxpayers, consumers, and investors.

With the economy in recession, Americans simply cannot keep paying the high price of governmental attempts to dictate winners and losers in the marketplace. We welcome settlement of this regrettable case.

Sincerely,

John Berthoud

President

MTC–00031223

FROM: BENNETT APPRAISAL GROUP Jan.

14 2002 10:26PM P1
RANDY BENNETT
5012 Wood Valley Drive
Raleigh
North Carolina 27613
January 14, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I believe in free enterprise. Economics has taught us that markets work efficiently when they are open. Therefore, I disagree with government involvement in business. The Justice Department's persecution of Microsoft is unmerited.

Nonetheless, I am pleased that the issue is finally resolved.Microsoft has agreed to many terms under the settlement in the interests of getting back to business. Microsoft has agreed to the formation of a technical review board. This board will review Microsoft's actions and determine if there are any violations of the settlement, This board will also ensure that the terms of the settlement are carried out. Microsoft has also agreed to changes in its licensing methods and design of Windows, as well as refraining from what might be characterized as hostile action toward other companies, so the settlement is clearly comprehensive.

This settlement should be enacted at the end of January. lt is in the best interest of our economy.

Sincerely,
Randy Bennett

MTC–00031224

JAN-14–2002 09:27 PM 444466333999 201 8020408 P. 01
Date: January 14,2002
Attention To: Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Fax: l-202–307–1454 / l-202–616–9937
From: Ay-Vin Akiner
140 Rose Ave, Woodcliff Lake, NJ 07677
Fax: 201–802–0408 E-mail: avakiner@cs.com
Re: Microsoft Settlement

Dear Attorney General Ashcroft:

Microsoft and the Department of Justice have reached a settlement, which serves the government interest, the American technology industry, and most importantly, the American public interest. This agreement, reached after negotiations with a court appointed moderator, is fair, reasonable and judicious. I strongly urge you to continue your support for this matter. One of the key provisions of this agreement is the requirement that Microsoft submit its books, and software products to a technical oversight committee. This committee is made up three government appointed officials and will work to ensure compliance with the agreement.

The above-mentioned provisions, and the rest of the settlement, will encourage innovation and foster competition. I hope you continue to support it and take no further federal action.

Let us show the world once again what the American technology industry can do! Thank you.

Sincerely,
Ay-Vin Akiner

MTC–00031225

Jan 14 02 09:39p Randall K. Wright 5703681091 P.1
Randall K. Wright
698 Walnut Street
Montoursville, PA 17754
January l0, 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 that the settlement reached last November between Microsoft and the Department of Justice be implemented without further delay. Though, I think that the federal government's actions against Microsoft during the last three years were unnecessary. I nevertheless think that the best course of action at this point is simply to impose this settlement. The IT community has been struggling enough and needs no further government medalling.

Microsoft has not gotten off easy in this settlement. The settlement imposes a broad series of restrictions and obligations on Microsoft, which are focused on reducing anti-competitive behaviors. I believe it is adequate to accomplish this task. Furthermore, a Technical Committee is slated to oversee Microsoft's compliance to these measures. Thus, the federal government has accomplished what it intended to do with its case three years ago. There is no need to waste time and money with tedious and wasteful litigation on this matter will prove harmful to everyone, including the consumer.

It is time that the government allow Microsoft, and the rest of industry get back to work, try to make a profit and get the stock market back where it belongs.

If you really want to prosecute someone, go after Enron and their accountants.

cc: Congressman Don Sherwood; Senator Rick Santorum
Phone/Fax: (570) 368–1091
Cell (570) 772–0662
E-Mail rkw@uplink.net

MTC–00031226

JAN 14. 2002 9:40PM NO.1109 P.1
FROM: Frank A. Wright
PHONE NUMBER: 703–641–3323 FAX NUMBER: 703–645–2209
NOTES/COMMENTS: Microsoft Settlement
3170 FAIRVIEW PARK DRIVE
MAIL CODE 345
FALLS CHURCH, VIRGINIA 22042
6526 Hidden Beach Circle
Orlando, Florida 32819
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: I am writing you today to express my opinion in regards to the settlement that was reached on November 6, 2001 between Microsoft and the government. I feel that this issue has drawn on long enough, and I was extremely relieved to see this case finally settled. I feel this settlement will serve in the best interest of the public.

Under this agreement, Microsoft must share more information with other companies and make it easier for them to install non- Microsoft software. Microsoft has agreed to share intellectual capital with competing corporation. I can assure you that some of the Corporation backing this litigation against Microsoft would not agree to these terms. Not only will this settlement make it easier to compete with Microsoft, but it also allows Microsoft the ability to once again fully devote its resources and time to designing innovative software, rather than litigation. In addition, a lot of corporations will have access to intellectual capital that Microsoft spent millions of dollars on for free.

I feel this settlement will be beneficial to all. Thank you for your support.

Sincerely,
Frank A. Wright

MTC–00031227

FROM: David/Linda Hoyle
PHONE NO).: 704 922 1561
Jan. 14, 2002 08:57PM P1
Linda Summey Hoyle
604 Queens Dr.
P.O. Box 533
Dallas, North Carolina 28034
January 14, 2002
Attorney General John Ashcroft
U S Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Re: Microsoft Settlement

Dear Attorney General Ashcroft:

The purpose of my letter is to voice my opinion regarding the Microsoft settlement. I believe this settlement is fair and this dispute should be resolved with no further litigation against Microsoft.

As a businessperson and former manager of a small family owned business, I strongly believe in free enterprise. I don't believe in punishing Microsoft for being innovative and successful. I cut my teeth with the user-friendly Apple computers but gave up on them years ago because they were not compatible with the rest of the computer world. They made their choice and in my opinion it worked against them. No one should be penalized if they have played by the rules.

In my opinion Microsoft has been good to all of us. Apparently those pushing for litigation are competing companies that are trying to do the same thing that Microsoft is doing, be successful. They could probably do just that if they would get on with ''their'' business.

I understand that Microsoft has agreed to all terms of the settlement and has pledged to share more information with other companies to create more opportunities for them. It is my understanding that Microsoft has also agreed to not retaliate against software or hardware developers who develop or promote software that competes or runs on software that competes with windows. This settlement will benefit all of us. Lets move forward and help to get our economy on the road to recovery. Thank you for your time and consideration of this settlement.

Sincerely,
Linda Summey Hoyle

MTC–00031228

Jan 14 02 07:2lp Linda Buchanan 3368416822 P.1
665 Merry Hills Drive
High Point, NC 27262–8368
January 14, 2002
Attorney General John Ashcroft
US department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing to express my support in the recent settlement between the federal government and Microsoft. I strongly urge that no further action be taken on the federal level in pursuance of this case. This settlement is fair and reasonable to all sides involved. Microsoft has made significant concessions in this settlement, including changes in the way they license its software. To assure the settlement's terms are met, Microsoft also agreed to be reviewed by a technical oversight committee. It is time for the federal government to move forward. The American government's resources which I believe, as a matter of personal political philosophy are the American people's resources, can be put to better uses than continuing this litigation. I hope you will agree. Thank you.

Sincerely,
Jerry Buchanan
cc: Representative Howard Coble

Jan 14 02 07:2lp Linda Buchanan 3368416822 P.2
665 Merry Hills Drive
High Point, NC 21262–8368
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

I am writing to express my support in the recent settlement between the federal government and Microsoft. I strongly urge that no further action be taken on the federal level in pursuance of this case.

This setttlement is fair and reasonable to all sides involved. Microsoft has made significant concessions in this settlement, including changes in the way they license its software. To assure the settlement's terms are met, Microsoft also agreed to be reviewed by a technical oversight committee.

It is time for the federal government to move forward. The American government's resources, which I believe, as a matter of personal political philosophy are the American people's resources, can he put to better uses than continuing this litigation. I hope you will agree. Thank you.

Sincerely,
Jerry Buchanan
cc: Representative Howard Coble

MTC–00031229

Jan 14 02 06:llp Patricia Ann Kazmar (610)777–5583 P.1
Patricia Ann Kazmar
3070 Welsh Road
Mohnton, PA 19540–8850
(610)777–5583
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 11, 2002
Dear Mr. Ashcroft:

In addressing the U.S. vs. Microsoft case, I am confident that the recent settlement reached in November of last year serves the interests of the state, the IT industry, and the economy. Microsoft has played a large role in the well being of our economy and the resurgence of Microsoft back into the economy can only make things better. The Department of Justice will be free to focus on more pressing matters, Microsoft will concentrate on product development, and the public can be rest assured that their best interest is being taken into consideration.

Included in the agreement are restrictions that extend to several issues addressed in the case as well as those that were not found unlawful in the Court of Appeals, These restrictions were reached after a great deal of effort over the course of three years, and thus each detail of the settlement is fair and reasonable. Microsoft has granted to computer makers the right to replace features of Windows with non- Microsoft software programs. Microsoft has already begun changes in their business practices as demonstrated by the release of Windows XP: a new version of Windows that promotes the competition.

Furthermore, Microsoft will be monitored by a Three-person Technical committee that will ensure that Microsoft follow the restrictions and obligations stated in the settlement.

Clearly, this settlement proves to contain reasonable and fair solutions. I hope that my opinion has helped to finalize the last course of action in this case. Thank you.

Sincerely,
Patricia Ann Kazmar
CC: Senator Rick Santorum

MTC–00031230

JAN-14–2002 06:01 PM GARY DAVIS 215 412 7183 P. 01
Gary Davis
224 Red Haven Drive
North Wales, PA 19454- 1439
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Attorney General Ashcroft:

The litigation between Microsoft and the Department of Justice has gone on for far too long. Over the last three years, the only positive we have seen from all of this is Microsoft's willingness to cooperate with the demands of the settlement. In my estimation, Microsoft's resilience was tried and proven true during this very taxing time. They are stronger and more determined as a result.

Microsoft has also agreed to take measures that will increase competitors'' access to Windows. Such measures include allowing computer makers to remove the means by which consumers access various features within the Windows environment. These features include Microsoft Internet Explorer web browser, Windows Media Player and Windows Messenger. This is done by allowing computer makers to replace access to those features with access to non-Microsoft software such as programs from AOL or RealNetworks.

Please do your part in putting Microsoft back in high production mode as quickly as possible. Microsoft has done a lot for our economy and for the productivity of people in our workforce. Let us not do anything that will further hinder Microsoft's innovation. Let's get this thing behind us once and for all. Thank you for your time.

Sincerely,
Gary Davis
cc: Senator Rick Santorum

MTC–00031231

FROM: FAX NO: 504 7990619
Jan.14 2002 07:52PM P1
4500 Woodland Avenue
Metairie, Louisiana 70002
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft

I am writing to you today to express my support of the Settlement reached last November between the Department of Justice and the Microsoft Corporation Although I believe the litigation was unwarranted to begin with, I believe that this settlement is in the best interests of the technological industry and our economy.

Microsoft deserves it place at the forefront of the technology industry. Microsoft has earned this position through its constant production of innovative products. In return, these products have afforded, to economies around the word, increased productivity in the technological realm.

Microsoft will give up much under this settlement. For example, it will use a uniform price list when licensing Windows out to computer makers. Microsoft is willing to accept this and other stipulations, however harsh they may be, in order to end this lawsuit. Thus, I am support the settlement, as it allows Microsoft to concentrate on business.

Sincerely,
Leslie Perschal

MTC–00031233

01/14/2002 17:31 13415940724 PAGE 01
5219 Hawkesbury Way
Naples, Florida 34119
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I can't understand why the government would want to punish Microsoft in the first place. Microsoft makes not only a huge contribution to our economy, but also to many charities as well. I know that this settlement will mean that no further action will take place at the federal level.

Considering how well the settlement answers many of the problems that its competitors had, I know that many people will accept it and choose to move on. With

elements that increase interoperability between programs and let computers manufacturers choose what they want to put in, many consumers and people who depend on Microsoft products daily will be pleased.

Microsoft's competitors certainly should be; they will now be better able to place their own software on Windows-based operating systems. Microsoft has worked hard to end this case and I hope the Department of Justice works equally hard to keep it that way. I support the settlement, and look forward to seeing this case come to an end.

Sincerely,

Linda Yeagley

MTC–00031234

01/14/2002 15:57 FAX 410 5614905 001/001
CIGNAL CORP
Joseph V. Maranto
8 Graveswood Court
Baltimore, MD 21234–1451
January 14, 2002
BY FAX l-202–307–1454
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft

I am writing to ask that you give your immediate approval to the agreement reached between Microsoft and the Department of Justice. I believe this settlement is fair and equitable for the country and for business alike. Microsoft has done as much for the computer trade and its users as Goodyear has done for auto production. Microsoft is the wheels and fuel that make computers work.

With all due respect, I believe the antitrust suit brought against Microsoft was unnecessary and unfounded. Personally, I use Microsoft Windows out of choice because Microsoft's soft-ware programs are the best on the market. It is my understanding that Microsoft has agreed in tie settlement to assist the computer industry by opening up its intellectual property rights to its Windows internal interfaces, and license its property on a nondiscriminatory basis. This is bound to stimulate the economy and do great things for the entire industry.

In conclusion, I am asking you to allow Microsoft to get back to business without this cloud and legal case as a major distraction to its daily business of developing the best software in the world.

Respectfully yours

Joseph V. Maranto

VP Cignal Mortgage Corp

MTC–00031235

Jan 14 02 03:55p Daniel & Jackie Hsieh
261 8034 p. 1
138—32 68th Drive
Apt.1C
Flushing, NY 11367-
(718)261–8034
January 14, 2002
Attorney General John Ashcroft US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

I am penning this letter to express my support for the settlement that was reached between Microsoft and the Department of Justice. I have followed this story in the New York Times and feel that after three Long years of court battles, it is time to stop legal action against the company. I think that the settlement is fair and should be finalized as soon as possible. I am concerned about the economic recession we are experiencing as a nation.

The IT industry has been one of the sectors of the economy that has been the hardest hit in the past several months. It is important that we allow Microsoft to get back to business and lead the IT industry once again. The terms of the settlement are fair and just and seem to offer competitors the ability to promote their own products and services within Windows operating systems.

I was ecstatic to see that a settlement has been reached; and I hope it is approved as soon as possible because I emphatically believe that it is in the best interest of the American public.

Sincerely,

Ching Hsieh

MTC–00031237

01/15/2002 14:44 FAX 4213984 Daniel R Benolt 01
DANIEL R BENOIT & ASSOCIATES ARCHITECTURE URBAN DESIGN
January 14, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FAX: 202–616–9937

Dear Attorney Hesse:

It is my understanding that the Justice Department is seeking input, regarding the proposed settlement in the Microsoft lawsuit.

Given the state of our economy right now, we should do everything possible to spur growth, not hinder it.

As a small businessman, I understand competition. Competition is healthy for the American economy. I use Microsoft products in my business and they have been a great help to me. They have allowed me to better serve my clients and to manage my business. As far as I can tell there has been no consumer harm as a result of any actions taken by Microsoft. Microsoft's innovations have, in fact, helped many small businesses, such as mine grow.

An additional benefit in the settlement, is the proposed donation of over 200,000 computers to our nation's public schools. I whole-heartedly endorse this provision, which will help erase the digital divide.

I urge a swift settlement.

Sincerely yours,

PH0NE 5 0 8 4 2 1 3 9 0 0 FAX 5 0 8 4 2 1 3 9 8 4

287 PARK AVENUE WORCESTER MA 01609

MTC–00031238

JAN. 15'02(TUE) 11:06 P. 00l/001
Sacramento Office
STATE CAPITOL ROOM 2187
SACRAMENTO, CA 95814
TEL (916) 445–9781
FAX (916) 447–9008
DISTRICT OFFICE
6800 INDIANA AVENUE
SUITE 130
RIVERSIDE. CA 92506–4280
TEL (909) 782–4lIl
FAX (909) 276–4483
SENATOR HAYNES@SEN.CA.GOV
California State Senate
SENATOR RAYMOND N. HAYNES THIRTY-SIXTH SENATORIAL DISTRICT REPUBLICAN WHIP
CHAIR CONSTITUTIONAL AMENDMENTS
VICE-CHAIR JUDICIARY HEALTH & HUMAN SERVICES
PUBLIC EMPLOYMENT & RETIREMENT COMMITTEES
BUDGET AND FISCAL REVIEW EDUCATION
JOINT LEGISLATIVE AUDIT COMMITTEE
3000 NATIONAL CHAIRMAN AMERICAN LEGISLATIVE EXCHANGE COUNCIL
January 11, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse:

I understand that the pending settlement in the case of US v. Microsoft is currently going through a Tunney Act review and you are collecting public comment. Please accept this letter as an expression of support for the settlement being proposed by the Department of Justice.

As a State Senator from California, I am very concerned about the amount of money Attorney General Bill Lockyer has wasted on this case. Our state has a budget deficit of over $6 billion. To even consider spending millions more on the case against Microsoft is unconscionable. How can we continue using taxpayer dollars on this issue when we are trying to find ways to cut spending everywhere else?

The remedies being proposed in the settlement are more than adequate. The national economy has been damaged enough. It is time that we, as leaders, take the steps necessary to ensure this country is given an opportunity to rebound from recession, Refusing the settle the case against Microsoft and wasting even more money on the issue is irresponsible.

Once again, I hope the settlement in the case against Microsoft is accepted and the case is brought to a close.

Sincerely,

RAYMOND N. HAYNES

California State Senator

MTC–00031239

Jan 15 02 10:08a 425–427–5665 P.1
TOWER EQUlPMENT COMPANY
385 Front St. North,Suite 201
Issaquah, WA. 98027
Fax: : 425–427–5665
Ph: 425–427–1996
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue. NW
Washington. DC 20530–0001
January 11, 2002

Dear Mr. Ashcroft:

I support the Microsoft antitrust settlement agreement. I applaud the efforts made toward settling the lawsuit. I am disappointed,

however, that some of the states have unreasonably decided to continue the litigation.

I am a strong supporter of Microsoft. As a small business owner and a participant in the stock market. I have directly observed the impact Microsoft has had on our economy. Microsoft's innovation resulted in the creation of jobs, a healthy stock market, and the production of superior quality products. The lawsuit has been detrimental to our economy, and should be concluded as soon as possible.

It is in the best interest of our economy, as well as everyone involved, that this case be resolved. The terms of the settlement are fair, and even go beyond what was even at issue in the lawsuit. For example. Microsoft has made such concessions as agreeing to not retaliate against computer manufacturers who produce computers containing software that competes with the Windows operating system. Microsoft has agreed to alter its business practices to better comply with the antitrust laws. Continuing the litigation in light of these changes simply does not make sense.

Thank you for your efforts in ensuring the prompt resolution of this unnecessary litigation.

Sincerely,

Tri-Cities,Wa. (509) 545–9309 . Oregon (503) 241–3765

MTC–00031240

DLL Solutions, Inc. 603 537 2099
DLL
DLL Solutions, Inc.
Custom Applications for Process lndustries
01/15/02 01:54P P.001
Dennis K. Kilgore, President
January 14, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

As you are aware, the lawsuit between Microsoft, the federal government and certain states caused much nervousness throughout the entire technology industry and had the undesired affect of suppressing innovation and investment within the industry.

I am sure this was not the government's intention and am glad to know that many of the parties to the suit agreed to settle the matter out of court. Your leadership on reaching a settlement is to be commended, as I am sure the political aspects of this matter are burdensome.

The settlement is fair and will allow Microsoft and everyone else in the technology field to get back to business—including its opponents—as unhappy as they are about the fact that Microsoft was not broken up by the courts. The settlement requires Microsoft to divulge its internal code for the Windows operating system to its competitors.

While Microsoft has good reason to be unhappy about this, it should make its competitors very happy. And since Microsoft fully accepts this term among many others, everyone else should too.

Sincerely.

DLL Solutions Inc.
Dennis Kilgore
President
Microsoft
CERTIFIED Partner
816 Elm Street, #4l7
Manchester, NH 03101
Phone: (603) 637–2088
FAX (603) 537–2098
Email: dennis@dllsolutlons.com

MTC–00031241

01/15/2002 12:57 FAX 8132533280
610 S. BOULEVARD
001
Robert Watkins Company Certified Public Accountants
January 15, 2002
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530
Via Fax #202–307–1454

Dear MS Renata:

As a concerned mother and business professional, I would like to lend my support to the Microsoft settlement. We as a country are in an economic downturn. Because of the legal problems and many legal battles fought by Microsoft in the past several years. Microsoft was taken it on the chin as far as its public image is concerned. I am of the opinion that if Microsoft is guilty of anything it has been of helping the citizens of the United States recover from the September 11th attacks.

Microsoft is responsible for The Red Cross Family Registration Web site, which has not only helped locate more than 1,100 people who were lost because of the September 11th attacks but has united hundred of families who would have otherwise not known how to get in touch with their loved ones. This was the first time in history that people were able to register online and let friends and family know they were okay. Microsoft's New York district even set up a command center on the 18th floor of its building to help authorities create a DNA database to identify victims as well as offering various other areas of technical expertise. Microsoft has united with the American people and transformed itself into a disaster relief center where they have worked with several non-profit organizations to offer their services wherever they were needed.

As a practicing CPA whose client base lies in small business, I can attest to the extraordinary impact Microsoft has had on the economic development of our country. I believe there is a direct correlation between the development and promotion of technology based on the innovations of Microsoft and the unprecedented economic boom this country has seen since the founding of this company. Small business is the very foundation of our recent prosperous era and would never have achieved the efficiency it has without Microsoft innovation. Further, only after the ill conceived and baseless attack on Microsoft by our Justice Department has this economy faltered. I believe there is a direct correlation between these two events and hold the Justice Department at least partly accountable for the economic times I, my clients and the entire country find themselves in today.

01/15/2002 12:58 FAX 8132533280
610 S. BOULEVARD, Suite 100—Tampa, Florida 33606—813–254–3369
Ms. Renata B. Hesse
U.S. Justice Department
January 15, 2002
Page 2

As both a professional and a mother, I commend Microsoft for their business expertise and their profound compassion. Thank you for your time and I look forward to helping out in any way that I can to conclude this case.

Sincerely,

Nancy H. Watkins, C.P.A.

MTC–00031242

30 Norway Hill
Hancock, NH 03449
Phone: 603.525.3820
Fax: 603.525.3819
New Hampshire Homeowner/Main Street Alliance
Fax
To: Renata Hesse
From: Laureen Carney
Fax: 202/616–9937 Date: 1/15/01
Phone: Pages:
Re: Microsoft Settlement CC:
Urgent For Review Please Comment Please Reply Please Recycle
*Comments:
Tuesday,January 15, 2002 1:55PM Philip A.Gehman 2156437646 p.01
815 Montgomery Avenue
Fort Washington, Pennsylvania 19034
January 10, 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 the Department of 'Justice and Microsoft settlement. This agreement, I believe, was reasonable and fair. Microsoft was reprimanded for what was considered unfair trade practices and Bill Gates has opened up his company far more than I, personally, would have done. However, an agreement was reached, ending a three-year litigation case coating both parties time and money.

I believe it is time to move on and ask that you give your support to the decision.

I know there will probably be those who wish to exact more of a punishment, expressing their thought that Microsoft ''got off easy'', but there will always be those who are never satisfied. In truth, the settlement is very hard on Microsoft.

The company will have to share coding with its competitors, allowing them to place their own software packages on Windows. Additionally, Microsoft will agree not to retaliate against companies that use or sell non-Microsoft products. We need to get our economy moving, not look back to something that has already been decided. Microsoft has helped transform our planet into the ''global village''. Support the agreement reached. Thank you.

Sincerely,

Philip Gehman

cc: Senator Rick Santorum

MTC–00031243

JAN-15–02 TUE 01:34 PM DAVID GUIDOS

803 444 4087
P.01
2824 Key Largo Circle South
Myrtle Beach, South Carolina 29577
January 5, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I would like to express my opinion that there should be no further government action against Microsoft. The company has agreed to a fair and reasonable settlement, and it should be finalized.

Given the current state of the economy, it is important that Microsoft is able to use its capital for software innovation instead of legal expenditures. Your decision to stop legal action against the company is best for the consumer, the Information Technology industry and the economy in general.

The agreement grants new rights to computer makers to configure Windows to better promote non-Microsoft software programs within Windows. They will now be free to remove the means by which consumers access various features of Windows. They can replace access to those features with access to non-Microsoft software.

My hope is that the federal government will now let the settlement fall in to place. In my opinion, the government need not taken any more action against Microsoft.

Sincerely,
David Guidos
cc: Senator Strom Thurmond

MTC–00031244

Jan 15 02 01:58p Interactive Payer Network 4407200702 P. 1
Interactive Payer Network
Interactive Payer Network
Landerbrook Corporate Center II
5910 Landerbrook Drive
Suite
110 Cleveland, OH 44124
Phone: 440–720–0700
888–292–1009
Fax: 440–720–0702
January 14, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I decided to take time out of my schedule today to write to you concerning the importance of the recent U.S. vs. Microsoft settlement. The settlement will benefit consumers and the public interest, and therefore no further action should be taken against Microsoft.

Although there are some terms in the settlement which I feel go too far and would not accept, I understand Microsoft's desire to wrap this suit up and move forward. The settlement itself is strong, requiring, for example, Microsoft to possibly disclose intellectual property rights. This could arise if a third party wants to exercise its settlement options. If it is determined that doing so would infringe on a Microsoft intellectual property right, Microsoft will provide the third party with a license to the necessary intellectual property. The settlement actually supercedes Microsoft's property rights. Further, compliance with these terms will enforced in part by a Technical Committee to be created under the settlement. T

his agreement gives Microsoft the freedom to focus exclusively on what they do best, that is, developing new and advanced technology that consumers like myself have come to expect, whether it is at home or work.

Sincerely,
Nicholas Rosenstein, Ph.D.
President

MTC–00031245

01/16/02 04 : 58 : 17 NC GENERAL ASSEMBLY->
202 353 8856 Renata Hesse
Page 001
THE GENERAL ASSEMBLY OF NORTH CAROLINA
FACSIMILE TRANSMITTAL SHEET
DATE: 01/15/02 15:27:33
TO:
Renata Hesse
Department of Justice
FROM: Rep. Russell Tucker
RE:
microsoft settlement
NUMBER OF PAGES SENT: 2
(includes transmittal sheet)
COMMENTS:
FAX: 82023071454
FAX: (919)715–7586
IF THERE HAVE BEEN PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL (919)733–6834.
01/16/02 04:58:30 NC GENERAL ASSEMBLY-> 202 353 8856 Renata Hesse
Page 002
THE GENERAL ASSEMBLY OF NORTH CAROLINA
FACSIMILE TRANSMITTAL SHEET
DATE: 01/15/02 10:54:18
TO:
Renata B. Hesse
US Department of Justice
FROM: Rep. Russell Tucker
RE:
Microsoft settlement support
NUMBER OF PAGES SENT: 2
(includes transmittal sheet)
COMMENTS:
FAX: 82023071454
FAX: (919)715–7586
IF THERE HAVE BEEN PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL (919)733–6834
01/16/82 04:58:44 NC GENERAL ASSEMBLY-> 202 353 8856 Renata Hesse
Page 003
North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601–1096
January 15, 2002
REPRESENTATIVE RUSSELL E TUCKER
10th DISTRICT—Duplin. Jones and Onslow Counties
OFFICE ADDRESS 417–C Legislative Office Building
RALEIGH. NC 27601–1096
TELEPHONE (919)715–3015
FAX (919)754–3225
EMAIL: Russell@ncleg.net
HOME ADDRESS 464 N. NC HWY 11
Pink Hill, NC 28572
EMAIL Russellt@duplinnet.com
Ms. Renata B Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
COMMITTEES
Chair—Appropriations Subcommittee on Information Technology
Vice-Chair—Education Subcommittee on Pre-School. Elementary & Sccondary Education
Agriculture
Appropriations
Education
Environment & Natural Resources
Science & Technology
Via facsimile, (202)307–1454
Re:
Support for Microsoft Settlement
Dear MS. Hesse

I am writing to express my support for the settlement that the Department of Justice and several states, including North Carolina, have reached with Microsoft The settlement represents a reasonable compromise that has obtained bipartisan support I understand that Microsoft is committed to becoming a more responsible industry leader and has agreed to make many significant changes in its business practices.

As co-chairman of the House Appropriations Subcommittee on Information Technology, I will be pleased to see this matter resolved because it will be a boost for the technology sector, a large force in the North Carolina economy. I also believe that the settlement will be positive for consumers by enhancing competition in all aspects of the technology industry

I urge the Department of Justice and the court to approve this settlement.

Sincerely,
Russell Tucker

MTC–00031246

SID RICHARDSON CARBON CO.
Corporate Office:
201 Main Street, Suite 3000, Fort Worth, Texas 76102
Telephone: 817/390–8638, Fax: 817/339–7394
FAX
To: ATTORNEY GENERAL JOHN ASHCROFT Company: US DEPT.of JUSTICE
From: CHUCK O'FARRELL
Date: JANUARY 15, 2002
Fax Number: 202–307–1454
No.of Pages in Transmission Pages 2
MESSAGE:
Jan. 15, 2002 2:30PM ADMIN/R&D
NO. 205 P. 2/2
SID RICHARDSON
CARBON CO.
Charles P. O'Farrell, PHD.
Vice President
Research & Development
201 MAIN STREET. SUITE 1000
FORT WORTH, TEXAS 76102–3131
January 14,2002

CPO-03–02
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:
Today our nation faces many tough issues. We are plagued with terrorist scares. Our economy is in recession. And many Americans are facing layoffs in their workplace. I fail to see how Microsoft's supposed anti-competitive behavior qualifies as a tough issue that should be addressed.
Finally after three years of litigation, the issue has been resolved. Resolution in this issue is fair to all involved. Microsoft has agreed not to retaliate against computer manufacturers that market competing software. This frees up relationships between manufacturers and developers.Further, licensing rights will be equal for the twenty largest producers of PCs. This further eases relationships among manufacturers.
While, I do not believe there was any justification for the anti-trust suit, the terms of the agreement are fair. It should be enacted with haste.
Sincerely,
Charles P.O'Farrell

MTC–00031247

JAN–15–02 03:41 PM CC/MHLU
9374292929
P. 01
2935 Stone Mill Court
Dayton, Ohio 45434
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft.
The recent settlement between the U.S. Department of Justice and Microsoft is fair and should be finalized. Litigation has gone on now for over three years, which is much too long, and will start to be detrimental to our economy if it continues.
The terms of the settlement are fair, as Microsoft has agreed to disclose internal interfaces and protocols as well as not retaliate against computer makers who ship software that competes with anything in its Windows operating system. The terms should appease all opposition as they force Microsoft to give away much of their technological secrets.
I ask your office to tell the nine states that want to continue litigation that it is neither in the public's best interest nor good for our economy. I support the settlement, and anticipate the end of this case. Thank you for your time.
I think that Microsoft has developed significant contributions to high technologies during the last twenty years for this country. The economical prosperity this country enjoyed for the last decade resulted largely from the Microsoft contributions.
The settlement between DOJ and Microsoft should be finalized as soon as possible. The other nine states should also accept the terms of the settlement.
Sincerely,
Chaw Lu

MTC–00031248

01/15/02 TUE 16:21 FAX 803 734 2925
LEGISFAX 001
Teddy Norman Trotter
First Vice-Chairman
Jimmy Charles Bales
Listen D. Barfield
J. Gresham Barrett
James A. Battle, Jr.
Grady A. Brown
Converse A. Chellis III
Tracy R. Edge
Helen Ann S. Thrower
Staff Counsel
Harry E. Cato
Chairman
Labor, Commerce and Industry Committee
House of Representatives
P.0. BOX 11867 TELEPHONE: 734–3015
407 Blatt Building
Columbia, SC 29211
Thomas M. Danizler
Second Vice-Chairman
Shirley R. Hinson
James N. Law
Robert W. Leach, Sr.
Brenda Lee
Olin R. Phillips
William E. Sandifer III
Daniel L. Tripp
Danny Wilder
Dottie N. Nidiffer
Administrative Assistant
January 15, 2002
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW—Suite 1200
Washington, DC 20530–0001
Via Facsimile -to 1–202–307–1454
Dear Ms. Hesse:
I believe the Attorney General of the United States and, under his direction, the United States Department of Justice, acted correctly in negotiating a tough settlement with Microsoft.
I am informed that the settlement will impose new requirements on Microsoft, and that violations of the settlement would subject the company to punishment as contempt of court. Settlement pursuant to the agreed terms will be good for the economy, good for consumers and will encourage market competition in the software and related industries. I hope the settlement will be approved and implemented as soon as possible.
With kind regards, I am
Sincerely,
HARRY F. CATO
Chairman
HFC:dnn
Post-it Fax Note 7671 Date 1/15/02 # of Pages
To Renata Hesse From Rep Harry Cato
Cc/Dept. Suite 1200/Antitrust Div Co SC House of Rep
Phone# Phone# 803 734–3015
Fax# 202–307–1454 Fax# 803 734–2925

MTC–00031249

JAN-15–02 TUE 15:19
3015304220
P-01
4720 Edgefield Road
Bethesda, MD 20814–4016
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Attorney General Ashcroft:
I work for a software development company and use Microsoft products in the office and at home. As I have seen, it is no mystery that Microsoft has employed some overly aggressive marketing techniques. However, as part of the settlement, Microsoft has pledged to tone things down and restore fair competition to the computer industry.Microsoft will be sharing more of their interface design and systems protocol with their competitors. Microsoft has also made it easier to run non-Microsoft programs within windows, allowing computer makers to pre-install non-Microsoft software. A technical committee will monitor Microsoft and field complaints. To the software industry, these settlement terms have gone a long way to address concerns about Microsoft.
Personally, I think the settlement is fair. Our country is a free enterprise system and Microsoft has been punished for creating innovative products that have changed our American computer industry forever. Please do not allow this to continue. Microsoft has helped our economy innumerous ways. Please uphold this settlement and help maintain our American edge in the international marketplace. Thank you.
Sincerely,
Eugene Wathen

MTC–00031250

01/15/2002 16:19
COVER PAGE
TO:
FAX: 12023071454
FROM: MAHDAVIN
FAX: 2125460990
TEL: 2125469058
COMMENT: URGENT
01/15/2002 16:19 2125460990 MAHDAVI N PAGE 01
430 E 56th Street # 5C
New York, NY 10022
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Attorney General Ashcroft:
Thank you for settling the Microsoft case. I greatly appreciate your willingness to get our economy back on the right track. The settlement is adequate, and no more action should be taken in this case.
Under the settlement agreement. Microsoft has made numerous concessions and compromises in its efforts to bring this matter to a close. The highlight of this agreement is Microsoft's submission to a government appointed, three person technical oversight committee which will have oversight over the company's engineering and business practices. Furthermore, Microsoft, as a result of this settlement, has given up its right to intellectual property protection by agreeing to license any technology, which may be called into question by a competitor.Another major concession by Microsoft is its

willingness to adopt a uniform pricing and licensing agreement with its partner computer manufactures and software competitors. This concession will force Microsoft to end its favored agreements with companies and disallow it from engaging in retaliatory pricing with companies that do not carry its software.

This is a settlement agreement that was completed after three years of litigation,and several months of intense negotiations with a court appointed moderator.

This should be the final federal action on this matter. I look forward to a swift end of this case.

Sincerely,
Nahid Mahdavi

MTC–00031251

JAN-15–2002 02 : 16 PM MOTOR HOME SPECIALIST 817 783 6395
P. 01
Sharon O'Banion
5611 South I-35W
Alvarado, TX 76009–5941
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am often amazed at how people want to punish a creative and innovative company such as Microsoft. Microsoft has just endured three long years of litigation and public battle over the antitrust lawsuit. Last November the lawsuit was finally settled and a resolution was reached that all parties could agree on.

The settlement agreed upon included many good provisions that will help to stimulate growth and competition while still offering protections for the smaller and newer companies in the market. Unified pricing lists are now required for Microsoft to provide the same terms, conditions, and prices to all companies that enter into licensing contracts with Microsoft. Microsoft has also been restricted from entering into any kind of contractual agreement with a computer manufacturer that would impede competition from other software companies. As I said, there are protections for the smaller companies, and protections for the competition in the market.

This is a good settlement. and there is no need to drag this litigation on further.

The time has come to stop the public beating of a good company. Microsoft has done nothing but provide exceptional products and services. They have paid enough with this settlement. The next step could only be the breakup of the company. Do not let that happen. Leave the settlement in its current form. Thank you.

Sincerely,
Sharon O'Banion

MTC–00031252

Jan 15 2002 11:14 FR MICROSOFT RECEP #3 425 936 7329 TO 912023071454
P. 01/01
Date: 01.15.02
Subject: Microsoft Settlement

Come on, guys. It is time America gets back to work and the continued legal machinations against Microsoft are not helping.

Let's settle this caseso we can all get on with our lives.

Stephen Quinn
chaos effect@hotmail.com

MTC–00031253

JAN 15, 2002 01:50 PM JACK SCHOFIELD 717 757 9140 P.01
3710 Starview Drive
York, PA 17402
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I, like many, were very sorry to see a case brought against Microsoft. I felt the company was being punished for being successful. That sure is not an incentive for being a entrepreneur in a capitalistic society.

Having said that, I feel the settlement is fair and covers many of the complaints brought against Microsoft in the first place.Microsoft has to disclose a lot of information about the inner workings of their software and make a lot of deals that benefit their competitors.

Many people depend on Microsoft products and services in their day to day lives. I believe most people will be happy with the settlement and hope that things will move along quickly.

Sincerely,
Jack H. Schofield, PE
Former Member of The
New Hampshire House
cc: Senator Rick Santorum

MTC–00031254

FROM : FAX NO. :
Jan. 15 2002 04:43PM P1
Emily M. Ballance, M.Ed.
Counselor and Consultant
1100 Navaho Drive, Suite 103, Raleigh, NC 27609 (919) 878–1685
January 11, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse

I don't often write letters to government officials. As a small business owner, I have become concerned about the impact the litigation against Microsoft might have on my access to integrated software products. It appears that the proposed settlement to the lawsuit will allow me continued access to these products while at the same time satisfying the concerns of computer manufacturers, software designers and other consumers.

Under the agreement, Microsoft will allow computer manufacturers to configure the Windows system so that other software programs that compete with Microsoft can be used. New versions of Windows will make it easier to add or remove access features built into Windows. The provisions relating to contractual restrictions and intellectual property rights provide additional assurances to Microsoft competitors.

The settlement seems to be a fair compromise for all concerned. It promotes competitive technology environment and ends the three-year lawsuit, allowing computer and software companies to get back to building a stronger economy for our nation.

Sincerely,
Emily Ballance

MTC–00031255

JAN.15.2002 4:29PM CLARK UNIVERSITY NO. 039 P. 1/3
Clark University
Trustee's Office
950 Main Street
Worcester, MA 01610–1477
Fax: (508) 793–8831
Phone: (508) 793–7614
To: Attorney Renata Hesse
Fax: (202)616–9937
From: Jack Foley
Date: 1/15/02
Re:
Pages: 3
cc:
O Urgent
O For Review
O Comment
O Reply
O Please
Recycle
JAN.15.2002 4:29PM CLARK UNIVERSITY NO. 039 P.2/3
CLARK UNIVERSITY
1887
John L. Foley
Executive Assistant to
the President
950 Meln Street
Warcostor, MA Ol6lO-1477
(508)793–7441 Phone
506)793–8831 Fax
foley@clarku.edu
www.clarku.edu
January 16, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSIMILE: 202–616–9937

Dear Attorney Hesse:

I would like to comment with regard to the impending settlement in the Microsoft lawsuit.

As a School Committee member from an older industrial city, I see the problems of the''digital divide'' in our school system. Scores of children attend schools with scant resources, which undermines the educational process.

I fully support the Agreement's approach of directing part of the settlement towards public schools, We have all heard about the digital divide that exists along socio-economic lines. This divide has an adverse effect on public education. Research states that 82% of classrooms in higher income communities have Internet access while only60% of classrooms in poorer communities are connected. In my work with the families of low to moderate income in schools in the Clark University neighborhood, I can attest to the tremendous need for the opportunities that access to technology will provide.

The New York Times recently reported on the differences in computer ownership along economic lines. In households whose income was $75,000 or more, 88% had computers.That number dropped dramatically for households whose family income was below$25,000. If this problem is not remedied then students from lower income families will continue to suffer, They will have distinct disadvantages in the pursuit of higher education and future employment opportunities.

CHALLENGING CONVENTION, CHANGING OUR WORLD
JAN.15.2002 4: 29PM CLARK UNIVERSITY NO. 039 P.3/3
Page 2
January 16, 2002

For this reason, I support the aims of the Settlement Agreement that has been proposed.This agreement will provide students with access to technology. The agreement calls for Microsoft to provide 200,000 computers to eligible schools at almost no cost.

I urge the Court to approve the proposed Agreement.

Sincerely yours,
John L. Foley
Member, Worcester School Committee

MTC–00031256

JAN–15–2002 TUE 02:37 PM DATAHOUSE, INC.
FAX NO. 2059729290 P.01
Datahouse
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530 0001

Dear Mr. Ashcroft,

This is to inform you that I support the settlement between Microsoft and the Department of Justice and believe that it will be advantageous to all concerned. To continue litigation would not be in the best interest of our country and our economy. This suit may have already contributed to the slowing of the economy, and to continue litigation could cause further harm.

As I understand the terms of the agreement, the settlement seems to be good for the parties involved and good for the country. This suit has been a nuisance to the technology sector from its conception. We cannot allow continuing, litigation because it has consistently drained millions of dollars of government money, This suit has gone on for long enough,and it must be put to rest. I urge you confirm this settlement and let all of us get back to work.

Sincerely,
Rod Yates
V.P. of Operations
Cc: Representative Spencer Bachus

One (illegible) Park South, Suite 100 South—Birmingham, Alabama 33243 2342 T 205 972 9292

F 205 972 9290 BIRMINGHAM

www.datahouse.com

1965 Lake Park Drive, Suite 210—Atlanta, Georgia 30280 8845 T 773 436 5757 F 770 436 5882

ATLANTA

301 (illegible) Park Drive, Suite 100—Nashville, Tennessee 37213–3128 T 615 315 5200 F 615

781 4243 NASHVILLE

MTC–00031257

JAN–15–2002 14:57
BRALEY & WELLINGTON INS.
508 755 4178 P.01
INSURANCE AGENCY
January 11, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FAX: 202–616–9937

Dear Attorney Hesse

It is my understanding that the Justice Department is seeking input, regarding the proposed settlement in the Microsoft lawsuit.

As a small businessman, I understand competition. Competition is healthy for the American economy. I use Microsoft products in my business and they have been a great help to me. They have allowed me to better serve my clients and to manage my business.As far as I can tell, there has been no consumer harm as a result of any actions taken by Microsoft. Microsoft's innovations have, in fact, helped many small businesses, such as mine grow.

Given the state of our economy right now, we should do everything possible to spur growth, not hinder it.

An additional benefit in the settlement, is the proposed donation of over 200,000computers to our nation's public schools. I whole-heartedly endorse this provision, which will help erase the digital divide in our public schools.

I hope that the government will reach a settlement in this case.

Sincerely yours,
John P. Brissette

MTC–00031258

1–15–2002 2:51PM FROM 000000000000 P.1
Esther Vassar 001
Esther H. Vassar
Esther H. Vassar Enterprise
1548 Winthrope Drive
Newport News, Virginia 23602
January 15, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW. Suite 1200
Washington, DC 20530

Dear Ms. Hesse

I am pleased to have the opportunity to comment on the Microsoft case proposed settlement.

I understand that Microsoft has agreed, as part of the settlement, to document and disclose various interfaces that are internal to Windows operating system products. They will disclose this information to their competitors. If that is what it takes to settle this lawsuit, then I am in favor of such disclosure and sharing of information.

I use Microsoft software in my business. Small businesses like mine are able to start up quickly with software like Windows. My computer system came with the software already downloaded and ready to go. I believe that products like Windows allow more individuals like me to start their own businesses, often working from their homes. In places like Richmond and Tidewater telecommuting will help ease horrendous traffic conditions.

The events of September 11 and after have depressed the US economy, particularly the technology sector. We need actions by our government that stimulates new business, not the opposite. I am hopeful that the provisions like the one cited above can bring an end to this costly and time-consuming case.

Sincerely yours,
Esther H. Vassar

MTC–00031259

1–15–2002 2:37PM FROM 000000000000 CORP COMMUNICATIONS 93644236 P. 1 No.646 002
Irene Thomaidis Cimino
3125 Park Avenue
Richmond, VA, 23221
January 8, 2001
Ms. Reneta Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC. 20530

Dear Ms. Hesse:

I'm a Microsoft shareholder and, quite frankly, I want nothing more than for Bill Gates to be able to make as much money as possible for his shareholders. That is his job. In addition, I don't believe the judicial system or the federal government should be penalizing him or his company for being smarter than anyone else.

Needless to say, I am more than pleased that a settlement is in the works. From what I have been able to glean from news reports, all parties have worked very hard to come up with this agreement. I know, for example, that other software companies will be able to access various Windows features. I hope that part of the agreement, as well as others wilt end this litigation. Let's get out of the courtroom and back to our desks! Sincerely, Irene Thomaidis Cimino

MTC–00031260

JAN–15–2002 14:45
THE MCCAULEY GROUP
508 831 7558 P. 01/01
THE MCCAULEY GROUP
444 Cambridge Street
Worcester, MA 01610
508–798–7000
January 11, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FAX: 202–616–9937

Dear Attorney Hesse:

It is my understanding that the Justice Department is seeking input regarding the proposed settlement in the Microsoft lawsuit.

Given the state of our economy right now, we should do everything possible to spur growth, not hinder it.

As a small businessman, I understand competition. Competition is healthy for the American economy. I use Microsoft products in my business and they have been a great help to me. They have allowed my to better serve our clients and to manage our business.

There has been no consumer harm as a result of any actions taken by Microsoft. Microsoft's innovations have, in fact, helped many small businesses such as mine grow.

An additional benefit is the proposed donation of over 200,000 computers to our nation's public schools. I whole-heartedly endorse this provision.

I urge a swift settlement.

Sincerely,

Robert F. McCauley

TOTAL P. 01

MTC–00031261

JAN–15–2002 12:11 PM Joe Presley
520 393 1348 P. 01
Clyde J. Presley
4723 South Prairie Hills Drive
Green Valley, Arizona 85614
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 full support of the recent antitrust case settlement between Microsoft and the US Department of Justice. This case has dragged on long enough and will serve no good purpose if the current settlement is not finalized.

Under the terms of the settlement Microsoft did not get off easy. Microsoft is being forced to disclose internal interfaces and protocols as well as not retaliate against computer makers who promote other products within Windows. These are not the only concessions, but most of these constitute a breach of free market principles. Even though I do not agree with government's interference with free enterprise, I must agree with ending this settlement. Our IT sector and our economy will greatly benefit from Microsoft being allowed to return to business and innovate the way they always have in the past. Please help to suppress the opposition and quell the state's personal vendettas against Microsoft.

Microsoft's competitors, through their respective Attorneys General, are pushing continued litigation for their own self interest. They are not concerned about the public getting improved technology at reasonable prices. They would prefer the consumer to buy separate applications rather than the intergrated software that Microsoft sells.

Sincerely,

MTC–00031262

JAN–15–02 06:40 PM.J>C BUCZEWSKI I
610 767 5520 P. 01
Joseph Buczewski
P.0. Box 269
Neffs, Pennsylvania 18065–0269
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I have been following the Microsoft antitrust dispute on and off for some time now. I understand that there is now a period of time allotted to examine the fairness of the settlement reached between Microsoft and the Justice Department. As one of your constituents, I urge you to please accept the proposed settlement. This settlement will restore fair competition, as Microsoft has agreed to tone down their marketing practices. They have agreed to share technology information with their competitors. Also, computer distributors will now be able to install non-Microsoft products on Windows. All of this is more than reasonable. There is no question that the settlement is pursuant to the public interest.

Unfortunately, there are many companies and people out there who are trying to take advantage of Microsoft's success. If those companies put as much effort into innovating products as they do into pursuing Microsoft, all of this mess would be a dead issue. Microsoft has helped our American economy to get where it is today and has charged the technology industry forever.

America's economy cannot withstand any more problems. This settlement will allow Microsoft to get back in the market and help out our economy. Please respect this settlement and let Microsoft to continue their business. It means a lot to me, Pennsylvania, and America. Thank you for your time.

Sincerely,

Joseph Buczewski

cc: Senatoe Rick Santorum

MTC–00031263

BELZON, INCORPORATED
190 LIME QUARRY ROAD,
SUITE 211,
MADISON, AL 35758
WWW.BELZON.COM
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing this letter to inform you that I believe that the settlement reached between Microsoft and the Department of Justice regarding the antitrust suit will have positive impact on the economy. The suit has been detrimental to the economy, driving costs of software up and driving the stock market down. To top it all off, taxpayers are footing the bill for all this. If this suit is to continue, it will continue to have an unfavorable effect on the economy.

The proposed settlement will be beneficial to both the IT industry and the consumers alike. Microsoft has agreed to the establishment of a three-person ''Technical Committee'' that will monitor its compliance to the settlement, and assist in dispute resolution. Microsoft has also agreed not to retaliate against any computer makers that may ship non-Microsoft software.

The settlement is fair and reasonable, and was arrived at after extensive negotiations with a court-appointed mediator present. It would be a shame to continue litigation and waste all the time and money spent on drawing up the settlement. I urge you to confirm the settlement and help the nation get on the road to recovery.

Sincerely,

Rich McAdams

MTC–00031264

JAN. 15.2002 4:35PM NO.6427 P. 1/2
FOLEY:LARDNER
ATTORNEYS AT LAW
VEREX PLAZA
150 EAST GILMAN STREET
MADISON, WISCONSIN 53703–1491
POST OFFICE BOX 1497
MADISON, WISCONSIN 53701 1497
TELEFHONE: 608.257.5035
FACSIMILE: 414.319.7002
www.FOLEYLARDNER.COM
FACSIMILE TRANSMISSION
Total # of Pages 2 (including this page)
TO: Renata Hesse PHONE#: FAX#: 202–307–1454
From: Scott Klug
Date: 1–15–02
Client/Matter No:
User ID No:
MESSAGE:
If there are any problems with this transmission or if you have not received all of the pages, please call 608.258.4252.
Operator:
Time Sent:
Return Original
To:

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Cover Page 1 of 1
FOLEY & LARDNER
JAN.15.2002 4:35PM NO.6427 P.2/2
Scott Klug
5694 Kilkenny Place
Fitchburg, WI 53711
Reneta Hesse
Trial Attorney
Department of Justice-Antitrust Division
601 D. Street, NW, #1200
Washington, DC 20530

Dear Attorney Hesse:

I am writing to express my full support of the recent settlement between Microsoft and the Department of Justice. From the outset the federal government's legal attack on Microsoft was questionable. Consumers were never harmed as a result of actions taken by Microsoft. Rather, Microsoft's innovation has led to tremendous benefits for consumers, such as better products and lower prices.

Antitrust laws were meant to protect consumers, not for certain powerful companies to protect themselves from the market competition.

I strongly urge the Department of Justice to uphold this settlement and put this entire issue behind us.

Thank you for your attention to this matter

Sincerely

Scott Klug

003.336634.1

MTC–00031265

01–15–02 17:33 MITCHELL
T: 5167651944
P.01
3985 Wells Road
Peconic, NY 11958–1738
January 14, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–000l

Dear Attorney General Ashcroft:

I am writing in support of the settlement with Microsoft. The required changes in Microsoft's business practices will restore fair competition and prevent future antitrust violations.

The settlement mandates many specific changes on Microsoft's part. For instance, Microsoft has agreed to make available to its competitors any protocols implemented in Windows'' operating system products that are used to interoperate natively with any Microsoft server operating system. Plus, Microsoft has agreed not to enter into any agreements obligating any third party to distribute or promote any Windows technology exclusively or in a fixed percentage. Also, Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

This settlement is in the best interests of the American public and the American economy. The recession has had a devastating effect on state budgets and the Federal budget. It is important that the American technology industry be allowed to concentrate on business again as soon as possible.

Thank you for your wise leadership.

With sincere regards,

Robert Mitchell

MTC–00031266

Jan-15–02 01:38P
Graham Tash (253) 474–7159 P. 01
Rick W. Bauer
P.O. Box 1308
Graham, WA 98338
Attorney General John Ashcroft
US Department of Justice
50 Pennsylvania Ave. NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am a proponent of this settlement. Needless resources have been expended over the course of this litigation. I strongly urge the Department of Justice to put an end to unneccesary waste of resources. This lawsuit should not have been brought in the first place. The case lacks merit, and was brought only as a result of pressure exerted by Microsoft's competitors in Silicon Valley and with the help sympethetic interest groups. As you know, some of those groups were in the highest levels of elected office.

Mr. Ashcroft, history already proves when and where the the breaking point in the stock market was. It was March 1999 when Judge Jackson made his decision against Microsoft. That was the straw that broke the camals back. Our economy went into a downhill slide and has never recovered. Then Sept. 11,2001, and now Enron enter the picture. How much more can our economy withstand, especially With Sen. Daschel holding our economy hostage to achieve his own personal agenda. I believe that you are the Attorney General that is able to understand the political and economic impact of this situation better than any before you. The reason being that you are not so far removed from the process that you have had time to forget.

The terms of the settlement agreement are quite reasonable, and should be approved without delay. Microsoft has agreed to the establishment of a technical oversight committee, has agreed to share its internal information with its competitors, and has agreed to change its business practices to better comply with antitrust laws. Nothing more should be asked of this corporation. I whole heartedly support the Microsoft settlement, and hope to see a rapid conclusion to this case. Thank you.

Sincerely,

Rick W. Bauer

Hm. 253–875–4785

Wk. 253–475–4151

rick99now@yahoo.com

MTC–00031267

Jan 15 '22 16:00 P.01
William H. Wiggins
604 North Pontiac Ave.
Dothan, Alabama 6303–3970
Fax: 334–794–4314
January/15/2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Mr. Ashcroft:

AS a supporter of Microsoft, I write you concerning the recent settlement between the Department of Justice and Microsoft. Three years of negotiations should be ample for a well thought out settlement. The concessions that Microsoft has made speak to all parties involved and are beneficial to the entire information technology sector.

As our economy weakens, we must pay careful attention to our technologies. By delaying the enforcement of this settlement, we cause our technology industry to lag behind and jeopardize our position in the global market. Let us help support the industry by making sure that no more actions are taken against the settlement, By allowing our information technology sector to focus on innovation we, the consumer, benefit as well as the IT sector and the economy as a whole.

Even before the Microsoft suit it has been my perception for some time now that industry can succeed only to a point before the government steps in and discourages capable companies like Microsoft to do what they do best. They want them to stagnate rather than take advantage of their investment in research and create more employment. I urge you to help support this settlement and ask you to help stop any action against it. I thank you for your help.

Respectfully,

William H. Wiggins

P.S. I own no Microsoft stock. I am just interested in encouraging entrepreneurs to have incentive to do their thing and have a vibrant economy in this country

MTC–00031268

01/15/02 16:48 FAX 9067793702
LTI
LTi
Laydon Technology, Inc.
1005 Pinewood Court
Iron Mountain, MI 49801–4464
January 12, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am happy that a settlement has been reached with Microsoft. The terms of the agreement are fair and reasonable. In addition, the required changes in Microsoft's business practices will restore fair competition and prevent future antitrust violations.

The settlement requires a number of specific changes. For example, Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. Also, Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. In addition, 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. These changes along with the others in the settlement will result in a competitive balance in the technology sector. This settlement is in the best interest of the public and the economy. The current recession has had a devastating effect on state budgets and the Federal budget, and it is important that the IT industry be allowed to concentrate on business as soon as possible. Thank you.

I am directly involved in the development of software solutions for sale to small and medium size companies. I am a survivor having been involved in this business since 1981. One thing that has always been a problem in the industry is incompatibility. When Microsoft began to ''monopolize'' the industry it became so much easier to develop software for microcomputers since we knew what was on the users machine and how it reacted. When I began developing for the internet I found, and still find, the same problems.

Netscape supports certain things that MS Internet Explorer doesn't and vice-versa. Since I am a small business trying to survive, writing similar code in duplicate to support both browsers has become almost unbearable. Finally, through no fault of Microsoft's, I had to choose. I chose to support Microsoft and

place a note on my web site that linked to Microsoft so users could download Internet Explorer. The thing is that Microsoft has a better product in Windows and Internet Explorer and forcing users to go through great pains to get the better product is not good for American business. Although I am happy Microsoft has reached an agreement with you, I am VERY DISAPPOINTED, that it has come to this. Forcing competitive products on the industry and users just because others have not been able to compete on their own is a sin. I am a conservative Republican and am very disappointed in my party for not making this issue ''go away'' after the election.

Sincerely in Favor of revived American Innovation,

Jim Laydon

President

MTC–00031269

JAN 15 '02 16:21
ILAPANCOHEN 7459446 PH P. 1/1
Martin A. Cohen, CLU, inc.
1732 Arnold Street
Philadelphia, PA 19152
(275) 745–6094 (phone) (215) 745–9446 (fax)
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The recent settlement between Microsoft and the US Department of Justice is long overdue. Although I think the settlement is too harsh and violates even more laws than the initial lawsuit against Microsoft considered, it is in the best interests of the public.

First off, Microsoft should not be forced to disclose internal interfaces. They have put a lot of time and money into creating their own technology that is far superior to competitors. What company in the world would agree to offer up their technological secrets? If they did, they lose all ability to compete in a free market. The second concession I think is ludicrous deals with contractual restrictions. If Microsoft cannot enter into agreements with vendors to exclusively distribute their products, then they are limited in their ability to gain market share. I see Airlines, Sodas, and Liquor Distributors all entering into these agreements. Why will such agreements be precluded from the tech sector?

At any rate, it is time for this issue to be settled and for our economy to go back to normal. This will only occur when the nine states in opposition drop their suits and Microsoft can start to focus on business.

Sincerely,

Glenda Cohen

cc: Senator Rick Santorum

MTC–00031270

Jan 15 02 04:15p W N Meloon
407 851 6591
January 15, 2002
Renata Hesse
Antitrust Division
Department of Justice
Fax: (202) 616–9937
Fax (202) 307–1454

Dear Ms. Hesse:

I am very concerned with the never-ending saga of lawsuits against Microsoft Inc. One day we're having lawsuits against tobacco and then the gun industry and now the Federal Government is seeking to break up a company that epitomizes the American success story!

This is why I am encouraged by the settlement and hope we can continue to see more of them. Frankly, I just do not see the point in such a suit when there is so much competition in the technology industry. This is an industry where products and service change so very quickly that the stock market fluctuates depending on what new and ingenious product is offered to consumers on any given day!

In addition to the changing times, there is now way for us to tell who is competing with whom. Companies like AOL Time Warner and Microsoft have so many facets, it is just not plausible to suggest that just any one company is dominating in all areas. Who is to say that next week there will not be a new merger that will offer consumers with a choice that is twice the size of Microsoft?

Please continue with the settlements. I know that you understand the importance of a free market and competition. As a business owner myself, I ask that you please continue to speak out against this frivolous litigation and encourage the settlements to continue to take place.

I appreciate the time you have taken to read my concerns on this issue.

Sincerely,

Walter N. Meloon

President/CEO

WNM/arp P. 1

Correct Craft o Est. 1925

6100 South Orange Avenue—Orlando, Florida 32809—407.855.4141—Fax 407.851.7844—

www.nautiques.com

MTC–00031271

Tuesday, January 15, 2002 4:08 PM
Gil Koedel 4129670244
P.01
441 Forest Highlands Drive
Pittsburgh, Pennsylvania 15238
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am in favor the Department of Justice's wise decision to settle the Microsoft antitrust case.

The settlement agreement is fair, and it achieves the goals of those who believe Microsoft has engaged in anticompetitive behavior. Dragging the case through the courts will serve no good purpose. Especially since there is really no better remedy than what the settlement agreement provides.

Microsoft has agreed to disclose its internal Windows operating information to its competitors. They have also agreed to make it easier for computer manufacturers to remove features of Windows and to replace them with other software programs. By doing these things, they are essentially leveling the playing field in the technology world.

The approval of the settlement agreement is the best course of action. Thank you for your attention to these comments.

Sincerely,

Gilbert Koeder

cc: Senator Rick Santorum

MTC–00031272

1–15–2002 5:49PM
FROM 000000000000 TRANS COMMUNITY BANK SHARES P. 1
Jan-15 2002 3:32PM No. 0746 P.2
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

As a supporter of the Microsoft Corporation, I wish to offer my comments on the settlement that is on the table. I believe that the provisions that relate to ''windows design obligations'' and ''computer-maker flexibilty'' demonstrate Microsoft's good faith in wanting to put an end to this litigation.

Let me elaborate.

Microsoft has agreed to design future versions of Windows, beginning with an interim release of Windows XP, to make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Consumers can change their configuration at any time.

Microsoft has also agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows.

For the good of the economy and the high tech industry, I look forward to hearing that this case has been settled.

Yours truly,

9025 Forest Hill Avenue P.O. Box 36197

Richmond, VA 23235 Phone: 804–3119–6000 FAX: 804–320–6024

www.transcommunitybankshares.com

TOLL Free. 1–800–606–0946

MTC–00031273

1–15 2002 5:33PM FROM 000000000000 P.01
1/15/2002 9:10PM FROM: 804–359–6425 TO: (804) 364–4236 PAGE 001 OF 001
Electronic Cottage Industries —
Human & Computer Systems Integration
Muriel Johnson Murray
January 15, 2002
Ms. Renata Hesse
≤Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I have followed the developments in the Microsoft case with interest. Events are leading to what appears to be a good chance for a settlement in this case. That is the reason for my letter.

I understand that the settlement imposes a number of restrictions and obligations on Microsoft, which extend to products and technologies that were not at issue in the lawsuit. In addition, these restrictions also encompass aspects of Microsoft's business and product development that were not found to be illegal by the Court of Appeals.

In order to bring this case to a conclusion, Microsoft has agreed to these broad terms I am certain they look forward to moving on and developing new products. I also understand that any violations of the settlement are punishable as contempt of court and that Microsoft's compliance with the settlement will be monitored by a three-person Technical Committee established under the settlement, by the Department of Justice and by those state plaintiffs that are party to the settlement.

The terms of this settlement sound like they are more than adequate to bring this case to conclusion. For the good of the economy and to prevent a further waste of taxpayers'' money, I truly hope that to be the case.

Very truly yours,

Muriel Johnson Murray

MJM/moo P. 1

2325 Hanover Avenue, Richmond VA 23220.3403 o phone 804–358–4809 9 fax 804–359–6425 o mobile 804–928–4809

e-mail mjmurray@electcottage.com o web site http://www.electcottage.com

MTC–00031274

FROM: MUP CONST. EQ. CO.
PHONE NO.: 3038418373
Jan. 15 2002 10:12AM P1
MOUNTAIN, VALLEY, PLAINS
CONSTRUCTION EQUlPMENT COMPANY
713 AMANDA PINES DRIVE
PARKER CO 80138
CONSTRUCTION EOUIPMENT CO.
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

When I purchased my first computer in 1997 I was able learn programs quickly because of the easy format, which Microsoft had made. Although microcomputers have been around since the 1970's it has not been until recently that millions of people have been able to use computers, in part because of the innovations of Microsoft to make computers easier to use. This country would be many years behind with out Microsoft leading the pack. The other companies just want your power so they can become the leaders. This is all wrong.

I was saddened when I heard a while back that Microsoft had been brought to cow-t in an antitrust suit, especially after all that they have done to improve computers. But now I understand a settlement has been reached in this case. I think it should be a high priority of your office to make sure that this settlement is completed and this case is over at the federal level. Settlement calls for Microsoft to share more information with competitors, and to give competitors more opportunities. (This is crinimal) Clearly, the settlement is fair.

I support the settlement, and look forward to seeing the end of this case.

Microsoft should be allowed to return to innovating and should not be held in court any longer than is absolutely necessary.

Sincerely,

Jule Larrabee

SALES OF NEW AND USED EQUIPMENT AND PARTS

MTC–00031275

Tuesday, January 15, 2002 1:24 PM p.01
Inspection Technology 19096263540
Kermit Skeie
1245 W.Cienega Ave. # 85
San Dimas, CA. 91773
Phone: 909 592 6676
Fax: 909 592 6647
whitefrog@uia.net
1/15/02
Attn: Renata B. Hesse
To Whom It May Concern:

Re: MICROSOFT

In my career of more than 50 years, I encountered a similar situation shortly after WWII when a firm had enjoyed a robust business throughout this period, because of patents granted. Two firms having? essentially 'back-engineered'' products. complained to the US government alleging unfair practices and restraint of trade.

The impact on the company for which I then worked, had top management tied up tied ten years fighting, and at least management decisions were colored by the lawsuit Legal fees became a significant budget item, using moneys that should have been directed at new products. After 10 years the case was dismissed for lack of sufficient evidence!

My sympathies have since been entirely with defendants. Of course, these situations were not parallel in magnitude, but in principle. Why should innovators, and entrepreneurs be penalized for their monetary success?

Bill Gates, and party should be honored for starting a new direction in the nation's business. I purchased a PCI upon my retirement after selling the company I had headed to the British. I gave up on it without an operating system suitable to a non-professional. The a rebuilt Packard Bell 486, with some education, and with a local ISP was on my way, thanks to Bill Gates and party. I am on my 4th upgrade which plays well since I cannot play golf anymore, and have over 150 e-mail addresses.

His efforts should be lauded, not censured! I have a small business operated on my HP Pavilion. I bought my secretary a word processor in 1978 at $14,4000. I saw one today for $199. Thanks to Steve Job and Bill Gates for starting this revolution.

It's too late for me, having retired as President of 2 companies, but in total sympathy with innovators, having headed a company manufacturing diagnostic ultrasound instrumentation in 1964, about 5 years before anyone in the US! No venture capitalists in those days, so I liquidated for the benefit of creditors, and turned to industrial.

Kermit Skeie

MTC–00031276

JAN-15–2002 16:19 P.01/01
Paul F. CANTIANI
Insurance Agency, Inc.
January 14, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FAX: 202–616–9937

To Whom It May Concern:

It is my understanding that the Justice Department is seeking input, regarding the proposed settlement in the Microsoft lawsuit.

As a small business owner, I understand competition and know that it is healthy for our economy. I use Microsoft products daily in my business and they have been a great help to me. They have allowed me to better serve my customers clients, to manage our business and to actually expand.

There has been no consumer harm as a result of any actions taken by Microsoft. Microsoft's innovations have, in fact, have helped many small businesses like mine grow. I hope that we can end this lawsuit and that the Court approves the settlement.

Sincerely yours,

Paul F. Cantiani

Celebating Over 30 Years of Business Total P.01

MTC–00031278

FROM: Nittany Mountain Exc. Inc.
PHONE NO : 8143641296 Jan. 16 2002 09:49AM P1
145 huey Lane Spring Mills, PA 16875–9130
January 10,2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I write you today to express my opinion that the settlement reached last November be implemented without further delay. It is my sincere opinion that this issue should be resolved with all expediency and efficiency. Thus, no more federal action against Microsoft should be instigated.

This settlement has imposed many broad restrictions and obligations on Microsoft forcing it to drastically change its products and business practices. By no means has Microsoft gotten off easy in this deal. The settlement will reduce anti-competitive behavior within the IT industry. It is imperative for the sake of the economy that Microsoft and its competitors get back to producing innovative products. Any further litigation pertaining to this issue would be unnecessary and indeed harmful.

I ask that you continue your hard work in working towards the resolution in this matter. I only hope that it comes quickly. Moving past this issue is vital since more important matters are currently facing this country.

Sincerely,

Kathleen Huey

cc: Senator Rick Santorum

MTC–00031279

JAN–16–2002 08:27 AM JOSH—POTTER 12522491844
P.01
661 Hardison Drive
Arapahoe, NC 28510—9660
January 15, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

My name is Josh Potter. I live in Arapahoe, NC. I am pleased to hear that a settlement has

been reached between Microsoft, the Justice Department, and some of the other parties involved with the lawsuit. I am writing to express my support for the settlement.

I was opposed to the Microsoft lawsuit from the beginning. The computer industry would still be in the dark ages without Bill Gates and Microsoft. However, as I understand the settlement, it allows for greater competition without seriously damaging Microsoft as a competitive entity. Now, under the settlement Microsoft has to reveal its intellectual property in its Windows internal interfaces and server interoperability protocols.

Under the circumstances, and considering other proposals to settle this matter, the settlement you have reached are in the best interest of the public, the tech industry, as well as, the economy.

In closing, I support the proposed settlement. I feel it will benefit American industry and consumers alike. Thank you for your time and consideration.

Sincerely,
Josh Potter

MTC–00031280

16–2002 6:29AM FROM P. 1
6586 153rd Avenue Southeast
Bellevue, Washington 98006
January 14,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

In November of 2001 Microsoft and the Justice Department reached a settlement in the antitrust case that had been in progress for more than three years. I am contacting you to let you know I was pleased to see that this settlement was reached, as were many other Americans.

I am concerned that special interests with anti Microsoft leanings will try to derail this settlement. They will tell the public that this settlement will change nothing and Microsoft should be compelled back to court. However this settlement will create many changes as well as end this expensive case. This settlement will give computer makers flexibility to install non- Microsoft software. Additionally, this settlement will compel Microsoft to reveal an unprecedented amount of secret design code to competitors. Without a doubt this settlement will bring fundamental change to the IT industry. Furthermore this settlement will end this case at the federal level.

Sincerely,
Alicia Mariano

MTC–00031281

JAN–16–2002 08:20A
FROM: =201 444 4591 TO: 12023071454 P:1
414 Radcliffe Street
Wyckoff, New Jersey 07481
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am outraged by the Justice Department's harassment of Microsoft on anti-trust issues. The Microsoft Corporation never engaged in the anticompetitive behavior that they have been accused of by their competitors. At any rate, I am pleased to see this issue come to a resolution with the settlement reached last November. Maybe now everyone can move on to more important issues.

Anyone who thinks Microsoft got off easy in this deal is mistaken. Microsoft has agreed to many terms that go beyond the scope of the case. Microsoft will now disclose the internal interface of its operating system so that software developers will be able to promote their software from within the Windows system.

Clearly Microsoft wants this issue resolved. As a Microsoft supporter, I too hope this settlement is quickly resolved.

Sincerely,
Carol DiPalma

MTC–00031282

Jan–16–02 06:27A Calderazzo 9624563 P.01
Dominick Caldcrazzo
14614 Village Glen Circle
Tampa, Florida 33624
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 exercise my right under the Tunney Act to voice my support for Microsoft in light of recent litigation against then. I am extremely dissatisfied with the way this entire matter has been dealt with. In my opinion. this lawsuit was very unfair to Microsoft and has done much to damage the stability of the lnformation technology Industry. Despite the unfair treatment, Microsoft has been more than cooperative from the very beginning. They have even agreed to restrictions and obligations that were not even at issue in the lawsuit. The have even made efforts to restructure aspects of Microsoft's business and product development that were not found to unlawful by the Court of Appeals. This was all in effort to bring the case to a conclusion and achieve unhindered development of new products

If that were not enough Microsoft has also agreed to allow computer makers to make it easier for non-Microsoft software, such as programs from AOL Time Warner and RealNetworks to be accessed by consumers.

Though this is just a small example of Microsoft's efforts, competitors of Microsoft are still actively trying to undermine the settlement during this review period This iS why I am writing. I am grateful that you value my input and trust that my views and those of others Will impact positively on the case against Microsoft.

Respectfully yours,
Dominick Calderazzo

MTC–00031283

16–JAN–2002 14:29 DASSAULT FALCON JET SPORE 65 4688023 P.01/01
US Department of Justice,
INTERNET:microsoft.atr@usdoj.gov.
From: 110641,1542
Re: Microsoft Settlement

Dear Sirs

Having followed the government's and several states's case against Microsoft, I urge you to conclude the matter as decided by the courts ASAP so that everyone can get back to business. It seems like the case with Microsoft has been in process 4 years or more, about the same length of time as our effort in WWII and if our government needs more time to defeat a software company that it did Nazi Germany and Japan, something is wrong. I use Microsoft software on my computer, most people probably do, and would like to see emphasis on other issues take the fore. For one, the economy needs attention. I have the impression that the continuing attacks on Microsoft serve the Interests of some of their competitors who failed to compete successfully and want the government and stales to beat Microsoft since they could not. This is contrary to business practice in the marketplace. The courts have had their say, let the competitors adjust and adapt to new strategies. Please conclude this case and move on to more pressing issues such as the Enron debacle.

Michael J. Fies
235 Arcadia Road
07–04 Argos
Singapore

MTC–00031284

0 1/ 15/02 11:02 Fax 978–688–7705 JOHN PRESSMAN 01
Merrimack
COLLEGE
North Andover, Massachusetts 01845,. 976–837–5000
Department of Modem Languages
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Since the start of the Department of Justice filed suit against Microsoft three years ago, the IT industry and the economy have been unnecessarily disrupted. The enormous cost this lawsuit has been on the federal government and the IT industry will be inevitably passed onto the consumer through higher prices on technology products for years to come. This cost can only increase as the suit remains in the hands of the court.

Microsoft has agreed to contract changes with distributors, and to opening parts of its proprietary code to competitors among other things. The settlement overcompensates Microsoft's competitors for any substantive infractions it may be guilty of and will surely mitigate Microsoft's market power in the future.

This suit must end. The government has proven that it can effectively disrupt an entire industry with ambiguous results for the consumer in the end. For this and the above reasons, I support this settlement and desire an end of this case. sincerely;

John & Sylvia Pressman
245 Osgood Street
North Andover, MA 01845

MTC–00031285

JAN–15–2002 09:13 PM Emily W h i t e/ Tom Simone 01 727 596 1285 P. 01
1621 Gulf Boulevard, Apt. 807
Clearwater Beach, Florida 33767
January 15, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvanla Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

From the beginning, I have thought that the suit against Microsoft should be thrown out of court. Microsoft has done more good for technology in the world than any other entity. Microsoft rose to its market position through providing a quality product at a price that consumers can afford. The enormous economic rewards that Microsoft reaped due to their business savvy is still the envy of the IT industry. Unfortunately, instead of Microsoft's competitors attempting to create a product that was able to compete well with Microsoft's, they tried to use the court as a tool of greed rather than one of Justice.

The proposed settlement is more than fair to the plaintiffs in the case, and punishes Microsoft far past any substantive infractions of which they may be guilty. Microsoft will share information about the internal workings of Windows, and will design future versions of Windows so that non-Microsoft programs can operate within it and suffer no drop-off of efficiency.

The time is long passed for this matter to be put behlnd us. The incredible cost that Microsoft and the other litigants have spent on the case will take years to pay off.

Sincerely,
Emily J. White

MTC–00031286

FAX 4067783538 BAKERAIR SERVICE PO1
Baker Air Service, Inc.
P.O. Box 979 Baker, MT 59313 (406)778–3508
January 14, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

The fact that this settlement had to be reached at all, in my view is a ridiculous caricature of our American values and spirit. In my view, Microsoft and its success should be viewed as a success story and an enterprise to be celebrated. not one that should be persecuted by its own government. This being said, the recent settlement is the best way to end this matter and to allow the company, the industry and the government to move on.

The provisions of the settlement agreement ensure competition, foster innovation and allow for increased competition. The settlement requires Microsoft, on top of competition building measures, to submit to a government appointed three-person technical committee. This committee's responsibility is to ensure Microsoft's compliance with the agreement and to mediate disputes about the settlement.

It is high time that this process is over and that we as a country are allowed to move on. Let us make the approval of this settlement the final federal action taken on this matter. Thank you.

Sincerely yours,
Roger Meggers, President
cc: Mr. Bill Gates /Microsoft

MTC–00031287

2098 Mt. Laurel Road
Fleetwood, PA 19522–8711
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my opinion that the lawsuits that have been brought against Microsoft should have never occurred in the first place. Now, I hope that the tentative settlement is confirmed and that the nine states that still opposed will end their lawsuits. As a user and consumer, I do not feel that my rights have been infringed upon in any way. I own and use some of Microsoft's products and services as well as some of their competitors and do not feel as though I've been harmed in any way as to my ability to make my own choices for these products and services. In many cases the products and services of Microsoft are far superior to any other vendors and their prices are in line with the technology they deliver. In the settlement Microsoft has agreed to open the intellectual property of its internal Windows interface to its competitors, to promote interoperability with non-Microsoft software, and even have a full-time three-person technical committee monitor its own compliance. I personally, don't believe they should have to do these things; hut I assume Microsoft is willing to do so, so that we can all move on and put an end to these senseless lawsuits. Microsoft represents a free enterprise success that should be a model for our country's entrepreneurs to follow. Microsoft should not he pllnished for being successful.

In the best interest of the public, I urge you to expeditiously make an end of matter so that you can focus your office on real issues, such as international security tax issues. Thank you.

Sincerely,
Don Kiesling
cc: Senator Rick Santorum

MTC–00031288

Packaging Store
The Packaging & Shipping Experts
7129 Citrine Lane Southwest
Lakewood, WA 98498–5013
January 12, 2002
Attorney General John Ashcroft
US Depatymrnt of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing you to suggest that a just outcome for the Microsoft anti-trust case and the surrounding controversy would be the prompt acceptance by the federal government of the proposed settlement plan. This plan is the product of four years of negotiation, mediation and litigation. The parties have accepted it. The court has indorsed it. It's time for all to get out of court and back to work.

The plan directs Microsoft to grant other computer makers rights to configure Windows to promote their and others'' software. It constrains Microsoft from non-completive practices in licensing and other areas. It prohibits any kind of future retaliatory market practices. It puts the company under the eye of a new government review committee. It opens up the company to more competition.

What more does the government want? We need Microsoft back on top of its form. The settlement should be accepted now.

Thank you for your leadership.

Sincerely,
Bill Young
5471 Steilacoom Blvd., SW * Tacoma, WA 98499
(253) 504–7464 o (253) 504–7499 (FAX)

MTC–00031289

PhoneTools
BVRP
Software
Phone:
Fax:
Message :
I urge you to accept the proposed settlement of the Microsoft anti-trust case. Please see my attached letter.
Thank You
Henry S. Williams
1304 Adams Ave.
Toppenish, WA 98948
From: Dell Computer Corporation
To: Attorney General John Ashcroft
Preferred Customer
Attorney General John Ashcroft
Henry S. Williams
1304 Adams Ave.
Toppenish, WA 98948
E-Mail: stein nanwilliams@msn.com
Phone: 509–865–2915
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave., NW
Washington DC 20530

Dear Mr. Ashcroft:

I am writing in regard to the proposed settlement of the Microsoft anti-trust case. As a user of Microsoft products I have found their products to be of high quality and value priced. Consumer complaints with Microsoft are few, unfortunately competitor complaints have driven this ''anti-trust'' matter. As a resident of Washington State, as well as a stock holder, let me tell you this unreasonable litigation has cost our State millions of dollars and my wife and I thousands of dollars.

I believe the proposed settlement is more than fair. I urge you to accept this settlement and put an end to this long drawn out litigation.

The proposed settlement requires Microsoft to make serious concessions to its competitors as Windows systems will have to be made to accept non-Windows software. If fact a government appointed oversight committee would now monitor Microsoft's business practices and insure it abide by the settlement terms.

Clearly this settlement is more than just a slap on Microsoft's wrist. The terms should be more than enough to appease the harshest critics of Microsoft, and it will certainly increase competition in the technology marketplace. At this time of National economic uncertainty we need this great corporation at work. Please support this settlement.

Sincerely.
Henry S. Williams

MTC–00031290

Structure Computer Services
10136 Hickory Ridge Dr.
Brocksville, OH 44141–3636
440–526–2776 e-mail: Itstrong@
January 15, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I am in favor of that antitrust case against Microsoft settling. The litigation against Microsoft has been extended out far too long.

I am a comptuter consultant. As a consultant, I have directly observed the negaitve impact the suit has had on the IT community, and on our economy. Uncertainty has been created industry-wide. As a result, business has suffered. Drawing out the lawsuit further will only result in creating even greater uncertainty in the industry.

The terms of the settlement agreement are reasonable, and are in the public interest. In fact, Microsoft has offered concessions that go beyond the scope of the lawstiit. For example, Microsoft agreed to the creation of a Technical Committee to act as a watchdog over its business practices. I support concessions that wil ensure compliance with the antitrust laws. However, I do not not believe concessions should include the ability to interfere with Microsoft's business operations. While I believe some of Microsoft's concessions are not particularly fair to Microsoft, I support the company's willingness to go beyond what is at issue to bring this case to a rapid conclusion.

I urge you to support the settlement. Bringing closure to this issue is best for everyone, and so I thank you for taking the time to consider my point of view.

Sincerely,
James T. Strong

MTC–00031291

Gordon and Diane Hanford
7900 Skylineview Drive
Mentor, Ohio 44060
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

We have always believed in capitalism and free trade. We feel that the antitrust lawsuit that has been brought against Microsoft is in direct violation of these ideals, and that the settlement that has been reached between Microsoft and the Department of Justice is fair. We simply do not wish to see this issue go any further, and as such, we support the settlement. Please do not penalize Microsoft's success, which has come from offering a superior product.

Quite frankly, I am befuddled by the government's pursuit of this case. Microsoft never forced consumers to buy their software, and people buy Microsoft because they make quality products, which they now market for less than those originally offered. How does putting the best product on the market for less make a company a monopoly? Obviously, this consumer feels that this suit is inappropriate. Finally, we would like to say how pleased we are that you were finally confirmed as Attorney General. There are people in our society that want to attack success at every opportunity. Your reelection bid as Senator showed to what great lengths they will go to, to defeat and smear your outstanding and successful career.

Thank you and God bless!

Sincerely,

MTC–00031292

BAKERAIR SERVICE P01
P.O. Box 979 Baker, MT 59313
(406) 778–3508
January 14, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

The fact that this settlement had to be reached at all, in my view is a ridiculous caricature of our American values and spirit. In my view, Microsoft and its success should be viewed as a success story and an enterprise to be celebrated, not one that should be persecuted by its own government. This being said, the recent settlement is the best way to end this matter and to allow the company, the industry and the government to move on.

The provisions of the settlement agreement ensure competition, foster innovation and allow for increased competition. The settlement requires Microsoft, on top of competition building measures, to submit to a government appointed three-person technical committee. This committee's responsibility is to ensure Microsoft's compliance with the agreement and to mediate disputes about the settlement.

It is high time that this process is over and that we as a country are allowed to move on. Let us make the approval of this settlement the final federal action taken on this matter. Thank you.

Sincerely yours,

Roger Meggers, President c: Mr. Bill Gates /Microsoft

MTC–00031293

Erika Summers
5119–306 Cooper Ridge Dr.
Durham, NC 27707
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: Microsoft Case

Dear Ms. Hesse:

The proposed settlement agreement in the United States v. Microsoft case offers a workable compromise for Microsoft, software designers, computer manufacturers and consumers. Having recently completed college and now working in the private sector, I know the importance of having a good integrated software system. I can also understand the need for some flexibility in configuring other products with the Windows system.

Microsoft's products and services are user friendly and have been valuable to consumers with little software and computer experience. The proposed consent decree provides the proper balance between punishing Microsoft and providing remedies for its competitors, computer manufacturers and consumers. Competitors and manufacturers will have the option of dismantling or removing some Windows features. Microsoft has agreed that it will not retaliate against computer makers that provide software that competes with the Windows operating system.

Ensuring a competitive environment is an important part of the United States economy. This agreement will allow competition while at the same time encouraging innovation at a time when we need to get our economy moving.

Thank you for your attention to this matter.

Sincerely,
Erika Summers

MTC–00031294

Danny Cline
1354 Leland Court
York, SC 29745–7562
January l5, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I appreciate the job you have been doing in the wake of September 11, 2001. As a stock holder in Microsoft I also appreciate your support of the settlement that was reached in the Microsoft antitrust case. Your continued support is needed to make certain that this case is actually settled. Opposition forces with anti-Microsoft agendas may try to derail this settlement and have this case returned to court.

The opposition to this settlement claims that it is not hard enough on Microsoft. Yet a detailed reading of the settlement will show this is not the case. This settlement forces Microsoft to end any contractual restriction that would hold back competitors from placing their software on MS operating systems. Moreover this settlement requires Microsoft to divulge design code to competitors so that they compete more competently with Microsoft.

The concessions made by Microsoft in this settlement are extraordinary. There is no need for a re-trial or continuation of this case at the federal level.

Sincerely,
Danny Cline
cc: Senator Strom Thurmond

MTC–00031295

THE SENATE OF SOUTH CAROLINA
S. C. SENATE
SENATECLERK
FAX # (803)222–6299
DATE: January 16, 2002
TO: Renata B. Hesse
FROM: Senator John C. Land, III
FAX NUMBER: 202–307–1454
PAGES: 1 of 2 (Including this page)
IF YOU DO NOT RECEIVE ALL OF THE SHEETS INDICATED,
PLEASE CONTACT THE SENATE CLERK'S

OFFICE: (803)212–4200
JAN–16–2002 WED 09:29 AM FAX NO P. 02
JOHN C. LAND, III
January 15, 2002
FAX: 1–202–307–4454
Ms. Renata B. Hesse
Anti trust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
RE: Proposed Settlement of Department of Justice Antitrust Action Against Microsoft
Dear Ms. Hesse:

I support the decision of the Attorney General of the United States to negotiate a settlement of the Department of Justice antitrust action against Microsoft. I understand that nine of the eighteen suing states have also decided to join in the proposed settlement.

The parties negotiated intensively over a long period of time. They agreed to a settlement that will protect consumers and encourage competition and growth in the technology sector of our economy. It is time to end the litigation and the uncertainty and to bring this case to a conclusion.

Yours truly,
John C. Land, III
Chairman, Senate Democratic Caucus

MTC–00031296

37 Maple Avenue
Madison, New Jersey 07940
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

This letter is intended to express my views on the proposed settlement that was reached between the Department of Justice and the Microsoft Corporation. I am all in favor of this settlement, and would like to see it approved as soon as possible. There is no reason to continue with litigation against Microsoft, especially if you consider the current state of our economy.

According to the settlement, Microsoft has agreed not to enter into any agreements obligating any third party to distribute or promote and Windows technology exclusively or in a fixed percentage, subject to certain narrow exceptions where no competitive concern is present. They have also agreed not to enter into agreements relating to Windows that obligate and software developer to refrain from developing or promoting software that competes with Windows.

This settlement is great for competition, the IT industry, and the American economy. I fully support the settlement and hope that it is implemented as soon as possible.

Sincerely,
Daniel Meaney

MTC–00031297

110 Seagull Lane
Sarasota, FL 34436–1606
January 14, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Attorney General Ashcroft:

I support Microsoft's antitrust settlement with the federal government. They have done this county a great service by not prolonging this to another day. I think the American taxpayers would like to see the money spent in other ways in these trying times.

I think Microsoft was extremely generous in the settlement. I understand they have granted computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs incluled within Windows, not retaliate against computer makers who ship software that competes with anything in its Windows operating system, and document and disclose for use by its competitors various interfaces that are internal to Windows'' operating system products-a first in an antitrust settlement.

I think Microsoft has proven it takes these matters very seriously. I also think the American consumers are pleased to see that Microsoft could soon be finished with this entire ordeal. I urge you to approve this settlement, and let Microsoft get back to work.

Thank you.
Sincerely,
Donald Morfee

MTC–00031298

January l6, 2OO2
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I am writing in support of ending the antitrust case against Microsoft. The Microsoft settlement is a just and prudent conclusion to a madding trial, and should be final. Any further federal or state action against Microsoft should be stopped.

Microsoft has been a major contributor to the national economy, which is especially important during market doldrums like the one we currently endure. It is imperative that Microsoft uses its resources to innovate in the software industry, instead of spending money on unwarranted litigation. The concessions the corporation is making in the settlement will promote fair competition. The changes in licensing agreements alone will strongly augment the power of computer hardware manufacturers to sell their machines, since they will be able to tailor every customer's computer for his or her optimal needs.

I strongly urge your support of ending all action that hinders Microsoft's progress and ability to innovate. Please work to convince Attorney General Stovall of Kansas of the wisdom of this settlement.

Sincerely,
Patricia Maca
2505 Nevada Street
Hutchinson, KS 67502

MTC–00031299

JOHN G. RYAN
1432 HICHWOOD DRIVE
MCLEAN, VIRGINIA 22101
January l6, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20530
Dear Ms. Renata:

As a Microsoft stockholder and resident of Northern Virginia, I am writing to encourage you to approve the settlement agreement in the case of United States v. Microsoft.

The settlement would he important to my state's economy and to Northern Virginia in particular, as it would help to ensure our continued growth and future prosperity in this Information Age. In addition, such a settlement would allow the marketplace to remain an important factor in the development of technology.

This proposed settlement represents a reasonable compromise between Microsoft and the plaintiffs in the anti-trust case against it.

Thank you for considering these views.
Sincerely,
John G. Ryan JGR/bc

MTC–00031300

2179 Sunny Slope Dr. #4
Dubuque, IA 52002–2258
January 15, 2002
Ms. Renata Hesse
Trial Attorney—Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSIMILE (202) 616–9937
Dear Ms. Hesse:

As a resident of the state of Iowa, I have been closely following the antitrust case pitting the state attorneys general, including Iowa Attorney General Tom Miller, and the federal government against Microsoft Corporation. I am writing to express my support for an end to this already lengthy and costly case.

Since nine of the states and the U.S. Department of Justice reached settlement on this case, it is time to put the issue to bed. The settlement is fair and was reached in good faith. Millions of tax dollars have already been spent fighting a battle that in my opinion didn't even need to be fought. I believe that the timing of the government's case against Microsoft came at an inopportune time for our technology economy. The lawsuit against Microsoft, a company known for creating and improving products that make our personal and business lives easier and more efficient, stunted the growth and development of new and improved products that end users like me crave.

I suspect that our Department of Justice has bigger fish to fry in the months and years ahead in our war on terrorism. Microsoft was and continues to be successful because of the form of government and economy that in recent months has made us so proud and patriotic. I encourage the federal government and the attorneys general to finally put an end to this case.

I appreciate your consideration of this letter. I welcome your response.

Sincerely,

Daniel E. Walsh

MTC–00031301

The TRIANGLE
Lifestyle Magazine
January 14, 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I support the proposed settlement agreement in the United States v. Microsoft case—or, at least, my understanding of it. As a consumer, small business owner and publisher, I believe this proposal with result in more competition and greater innovation among computer makers and software developers.

There are important remedies in the settlement such as the establishment of a Technical Committee and a uniform price list. Consumers and software developers can use non-Microsoft software within Windows, making it easier to add or remove Windows software. They can also remove features such as the Internet Explorer web browser, Windows Media Player and Windows Messenger. These and other options do net totally satisfy all of those concerned about the litigation, but they are a good compromise that will allow Microsoft and its competitors flexibility end encourage new product development.

My own business has been impacted by current economic slowdown as has the computer industry. It is past time to end the litigation and get technology companies back to developing new products—developing and then advertising them! Innovation and competition will return our nation to a strong position in the global economy.

Sincerely,
Margaret Watub
Publisher
Post Office Box 12826 Raleigh North Carolina 27605 919–839–0785 fax 919–836–8203

MTC–00031302

Rock financial
A QUICKEN LOANS COMPANY
From The Desk of: KENNY BELL
kenny.bell@rockloans. corn
Phone: (248) 427–3345
Fax: (734)805–8962
****
ROCK FINANCIAL
530 S. Edison Street
Royal Oak, Michigan 48067
January 16, 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 the Department of Justice has reached with Microsoft in its antitrust case. I like Microsoft products and use them all the time, and I don't want anything, further to happen to the company.

The concessions Microsoft is making in the settlement are fair. There should be increased competition as a result, which will allow consumers to continue making the most informed decisions they can. Microsoft will, for example, allow their competitors to place non-Microsoft software on the Windows operating system, letting them compete on Microsoft's turf. Additionally, Microsoft has agreed not to retaliate against companies that sell or promote non-Microsoft programs.

I want to see this matter ended once and for all. The settlement should be finalized once the public comment period ends.

Sincerely,
Kenneth Bell

MTC–00031303

January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I support the government's decision to settle the Microsoft antitrust case. I believe Microsoft was unduly attacked in this lawsuit, and I support the government doing what is necessary to stop this needless waste of government resources.

By prosecuting Microsoft, the government has unduly punished one of the great innovators of our time. I liken Bill Gates to Thomas Edison, not to the monopolist he has been made out to be. His work has resulted in the production of excellent products, and has strengthened our strong economy. Now Microsoft will be required to use a uniform pricing list when licensing Windows, and will be prevented from taking retaliatory measures when vendors sell or promote non-Microsoft products.

The terms of the settlement agreement are fair, and are in the public's interest. For the good of our economy, I hope the Department of Justice takes whatever steps are necessary to ensure that this settlement goes through.

Sincerely,
Clarys Holliday
119 Cliffside Commons
Rocky River, OH 44116

MTC–00031304

E C Pataki Consulting Services
Information Technology Services for the AS/400
596 McKinley Street
Hazelton, Pennsylvania 18201
(570) 459–1514
Fax: (570) 459–5262
January 16, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing you today to express my opinion in regards to the Microsoft settlement that was reached in November. I feel this issue has gone on long enough. I support Microsoft in this debate and am anxious to see this dispute resolved.

This settlement contains provisions that will not only allow Microsoft to remain together, but will also benefit competing companies and computer makers. According to the settlement text, Microsoft has agreed to design future versions of Windows, beginning with the interim release of Windows XP, to provide a mechanism on the desktop to make it easy for computer makers or consumers to promote non-Microsoft software within Windows. Microsoft has also promised not to retaliate against computer makers who ship software that competes with anything in its Windows operating system.

This settlement is complete and thorough. It will serve in the best public interest.

Thank you for your time.

Sincerely,
Elaine Pataki
cc: Senator Rick Santorum

MTC–00031305

SOUTH CAROLINA HOUSE OF REPRESENTATIVES
OFFICE OF THE SPEAKER PRO TEMPORE DOUG SMITH
FACSIMILE TRANSMITTAL SHEET
TO: Renata Hesse
FAX NUMBER: (202)307–1454
FROM: Doug Smith
DATE: 1/16/02
This is page 1 of a 2 page transmission.
Comments:
For return Fax, dial (803) 734–9488.
Post Office Box 11867
Columbia, South Carolina 29211
(803) 734–2701
1/16/2002 12:23 8037349488 SPEAKERS OFFICE PAGE 02
STATE OF SOUTH CAROLINA
STATE HOUSE
P. 0. BOX 11867
Columbia 29211
DOUG SMITH
HOME ADDRESS
PO DRAWER 5097
SPARTANBURG, SC 29304
January 16, 2002
Via Fax
Renata Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Re: Antitrust Action Against Microsoft

Dear Ms. Hesse:

I am writing to express my support for the settlement that the Justice Department negotiated with Microsoft. This settlement is in the best interests of consumers, as it will put new restrictions on Microsoft while encourage Microsoft and other companies to continue to compete and innovate. I expect that bringing an end to the uncertainty of this legal action will be a plus for the national economy.

Accordingly, it is my hope that the proposal settlement will be approved and implemented as soon as possible.

Sincerely,
Doug Smith
Speaker Pro Tempore

MTC–00031306

COLLINS COMMUNICATIONS INC
3795 Collins Road
Gillette, Wyoming 82718
January 10, 2002
Attorney General John Ashcroft
US Department of Justice

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to voice my opinion in regards to the settlement that was reached in November between Microsoft and the government. I feel this settlement was reached after extensive negotiations and after three years; I am relieved to see a settlement has been reached. I never thought that Microsoft was a monopoly or a threat to the free enterprise system.

Maybe now Microsoft can stop focusing on litigation and begin fully devoting their resources and time to conducting business. As a business owner myself, I know the importance of hard work and diligence to run a business and prosper. I do not believe Microsoft should be punished for being successful at what they do. Is that not what every working American strives for?

Again, I support Microsoft and the settlement. I sincerely hope there will be no further action against Microsoft at the federal level.

Sincerely,
Rod Thornton

MTC–00031307

FROM: Tingen & Associates Insurance
1224 Crooked Creek Drive
Hartsville, South Carolina 29550
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Your work to end the Microsoft antitrust case is appreciated. I was delighted to see you offered Microsoft a settlement and would like to see this settlement put in place and this case ended.

Both Microsoft and the Justice Department have spent large amounts of money and time in this case. Both parties have more important priorities, and that is one important reason this case should be concluded. Furthermore this settlement is equitable. Under this settlement Microsoft has agreed to share vital code information with competitors, allowing competitors to compete more effectively. Microsoft has also agreed to end any contractual restriction that was perceived as anti-competitive.

With these concessions by Microsoft there is no reason for this case to be continued. The settlement is fair, and should be the final action in this case.

Sincerely,
Glenn Milsap
cc: Senator Strom Thurmond

MTC–00031308

Wagner Printing Company
1–9 East Spring St., Freeport. IL 61032
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The antitrust suit brought against Microsoft was recently settled. Bill Gates made a good product; he took software and standardized it, making it understandable and comprehensible to the average layperson. Further, he made it affordable. Bill Gates, more than anyone, has been responsible for this country's technological dominance in the world. For this he has engendered jealousy from those firms who were not quite as good. This was the real basis for the antitrust case brought against Bill Gates, not any devious business dealings. But an agreement has been reached between Microsoft and the Department of Justice and I want to give my support to this agreement. Microsoft, additionally, has agreed to a great many demands by the Department of Justice. Microsoft has opened up its source codes to its Windows program to competitors. Microsoft has agreed to design future versions of Windows to accommodate non-Microsoft software, the company has even agreed to a technical committee to monitor future activities.

Our country needs to get back to business. I support the settlement, and look forward to seeing it swiftly implemented.

Sincerely,
Gerald Burkhalter

MTC–00031309

13 Caisson Crossing. Savannah. GA 31411-1302
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 16, 2002

Dear Mr. Ashcroft:

Let me first say how absolutely delighted I am that you hold the critical office of Attorney General!

As a retired businessman who spent most of his career either directly or indirectly involved in ''the computer business'', I am writing to voice my thoughts on the settlement between Microsoft and the Justice Department. I think the settlement is a good one and should be accepted by the government.

During most of my career, IBM was ''the big bad wolf'' and during which time, there was a constant ''hue and cry'' to break up IBM and otherwise to hobble its operations under the guise of increasing competitiveness within the computer industry. And, I might add that IBM's position of dominance of the computer industry was much more pervasive than is Microsoft's in today's world.

The point of bringing up IBM is to make the point that, in the end, it was market forces (including the success of Microsoft) that brought them from complete dominance to where they are today. And I might further add that, in my opinion, the potential threats to Microsoft's position are more far-reaching and numerous than those IBM faced during it's period of dominance.

It seems to me that in agreeing to license its Windows operating systems and protocols included in those systems, (decisions that must have been very hard to make!) Microsoft has taken steps that are fair and reasonable. I urge you to accept this settlement and stop Justice Department prosecution of Microsoft for the reasons stated above.

Sincerely,
Edward E. Hale

MTC–00031310

8158 Dinsmore Street
Brooksville, Florida 34613
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The lawsuits against Microsoft have dragged on too long. I am in full support of the settlement between Microsoft and the Department of Justice because it is in the bets interest of the American public. Microsoft has agreed to make concessions that are more than fair. They will be disclosing internal interface codes and protocols So that competitors can develop products compatible with Windows'' operating systems. They will also be forming three-person team to monitor compliance with settlement. Microsoft has been a cornerstone of the IT industry and must be allowed to focus on innovation instead of politics. Our country and our economy need their leadership in this time of recession. 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 support this settlement and look forward to seeing its implementation soon. Thank you for your time.

But is suspense, as Hitchcock states, in the box. No, there isn't room, the ambiguity's put on weight.

Sincerely,
Richard Gray

MTC–00031311

LAW OFFICES
WILLIAM E. LEVIN & ASSOCIATES
200 West Madison Street
Suite 5O5
Chicago. Illinois 60606–3412
Willlam E Levin
312/372–6544 Fax: 312/372–8456
FACSIMILE TRANSMITTAL
DATE: January 16, 2002
TO: United States Department of Justice
FAX NO. 202/307–1454
FROM: William E. Levin
RE: Microsoft Settlement

REMARKS: As a Consumer of Microsoft products, I strongly support the settlement reached between Microsoft Corporation and DOJ and nine states. Microsoft is one of the most innovative companies in the world and, without doubt, has eased and made life more efficient for the vast majority of people in this country and throughout the world. The settlement that has been reached imposes significant restrictions on Microsoft and the time has come to put an end to the antitrust litigation. I strongly urge approval of the settlement.

William E. Levin

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MTC–00031312

26 Sandhurst Lane
Buffalo, NY 14221–3153
(716) 631–0995
Fax: (716) 631-0995
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 11, 2002

Dear Mr. Ashcroft:

I believe that the case against Microsoft has no merit. The government has no right to take the action it has for the past three years. Nevertheless, it is time that this matter be resolved and Microsoft be allowed to continue its innovative work within the information and technology industry. At the end of this month, the November settlement should be implemented, and this issue should be forgotten.

The terms of this settlement extend well beyond the products and procedures that were actually at issue in the lawsuit. Microsoft agreed to these terms for the sake of wrapping up the suit. It is quite evident after one studies this matter that in the current settlement the government accomplished what it initially set out to do; namely to inhibit monopolistic behavior. There is no more need to pursue further legal action because Microsoft has agreed to disclose internal interfaces and server interoperability technology to its competitors.

Therefore, I ask that you work towards implementing the settlement that is on the table for the sake of both business and consumers. The longer the delay, the more counter-productive the government's actions will be.

Thanks for your time and effort.

Sincerely,

Lita Tsung

MTC–00031313

William G. Newsome Sr.
227 Rolling Hill Road
Elkins Park, PA 19027
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Dear Mr. Ashcroft,

Microsoft and the Department of Justice have reached a settlement in the antitrust case, which is currently in review. I find the settlement to be fair both to Microsoft and it competitors. Unfortunately, there are nine states on the review board whom do not feel the same. These states wish to continue litigation against Microsoft—to bring Microsoft to its knees, so to speak. I do not believe this is in the best interest of the economy, the consumer, or the IT industry.

Microsoft is the life- blood of the IT industry. It is very unfair to penalize them for their accomplishments within our free enterprise system. The terms of the settlement, however, would appear to allow for a great deal of rapid progress once implemented. Microsoft is willing to allow its competitors a great deal of access to the Windows operating system and pertinent intellectual property rights. Microsoft and non-Microsoft software producers will be able to interact and intertwine their technologies. Where there was division before, there can be growth and unity now. In other words, the government is asking Microsoft to kiss their ass and they are willing to do it!

I do not believe that any good can come of a prolonged suit against Microsoft. It has gone on long enough already. I urge you not to allow the tools of the federal courts to be misused and wasted.

Sincerely,

William G. Newsome Sr.

Veteran, Citizen, Registered Republican

cc: Senator Rick Santorum

MTC–00031314

20 Washington Avenue South, Minneapolis, MN 55402
TO: Renata B. Hesse
Telephone:
Fax: 202–616–9937
CC:
From: Bill Fritts
Telephone:
Fax: 612–342–7531
Date: 1/16/02
Re: Microsoft

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ING
AMERICAS
ING US LEGAL SERVICES
Ms. Renata B. Hesse
Antitrust Division
United States Department of Justice
Suite 1200
601 D Street NW
Washington, DC 20530–0001

Dear Ms. Hesse:

I'm sending this letter to voice my opinion as a concerned member of our nation's business community. Throughout my professional career, I have learned to greatly appreciate and value the significance of an open market and a level playing field. During these times of economic unrest, it is best to allow the free flow of trade and commerce. In fact, it is a free and unfettered market that is ultimately the engine of growth. That is why I support the Microsoft settlement. By removing this case, Microsoft will be allowed to operate freely and provide a much-needed inflow of capital and resources to businesses across the country.

Thank you for the opportunity to express my opinion. The settlement was the right and just outcome.

Sincerely,

William D. Fritts, Jr.

Minneapolis Site

20 Washington Avenue South

Mineapolis, MN 55401

ING North America Insurance Corporation

MTC–00031316

the national tax limitation committee
151 N. Sunrise Avenue
Suite 901
Roseville, CA 95661
(916) 786–9400
FAX (916) 786–8163
January 16, 2002
VIA FAX 202–616–9937
Kenata Hesse, Trial Attorney
Antitrust Division
Department of Justice
Washington, DC
Re: Support of proposed settelement in US vs. Microsoft

Dear Ms. Hesse:

The cost to taxpayers of pursuing Microsoft has run into the tens of millions of dollars. The settlement proposed by the Department of Justice, if accepted, will finally stop this fiscal hemorrhaging.

Our current recession requires that we use all our productive people and resources to get the wheels of commerce turning again. If the federal suit against Microsoft helped precipitate an economic downturn and a slide in the stock market—as some economists have suggested ending the suit might solidify a turnaround and help lead us out of this cycle. Because national polls reveal that most citizens do not support the case against Microsoft, settlement of this action will send a positive signal that the federal government will let the marketplace work for the people once again.

On behalf of our tens of thousands of supporters across America, we encourage you to accept the settlement against Microsoft.

Sincerely,

LEWIS K. UHLER

OFFICERS & DIRECTORS: Lewis K. Uhler, President: Diane Sekofetz. Secretary-Treasurer; Robert B. Carleson; Wm. Craig Stubblebine. FOUNDERS & Sponsors: C. Austin Barker, Robert B. Carlson. George Champion, David Y. Copeland, M. Stanton Evans, Milton Friedman, Allan Grant, James M. Hall. Vern I McCarthy, William A. Niskonen, Frank Shakespeare, Wm. Craig Stubblebine, Donald L Totten, Lewis K. Uhler.

MTC–00031317

Sent by: WOODFIN SUITE HOTELS
Ronald Nehring
1015 Old Mountain View Road
El Cajon, CA 92021
January 16, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

I have followed the Microsoft case for some time now and truly believe the settlement being offered is fair and positive. This letter is meant as an expression of my support for the consent decree currently on the table.

I believe both sides in this case have constructed a settlement which adequately addresses all the issues of concern. Judge Kollar-Kotelly did a tremendous job working with all parties to ensure the process was just. I believe her recommendation should be seriously considered.

The settlement goes in and corrects whatever competitive advantage Microsoft

may have had previously. Source codes are now open, a monitor has total access to Microsoft's products, and the watchful eye of the Federal Government will ensure the playing field is level.

Some competitors will gripe. They will want more. Of course they will want more...it helps their company. I am writing to say that this agreement does enough. It should be approved of the technology industry should get back to business as usual.

Sincerely,
Ron Nehring
Project for California's Future

MTC–00031318

1100 Cova Ciega Isle
St. Pete Beach, FL 33706
January 11, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am glad that this Microsoft lawsuit has been settled. Aside from the obvious problems that the lawsuit had to begin with, it is certainly an unwanted distraction now that more important events in our nation have virtually eclipsed the lawsuit's importance. Besides, it's a fair settlement in its own right, yielding concessions to both hardware and software companies, including disclosure to both groups of interfaces and protocols within Windows.

The settlement makes it so that Windows can be altered to suit hardware companies more effectively if they want to sell non-Microsoft Software with the Windows operating system preinstalled. This will be especially possible now, because Microsoft must redesign Windows to make it more accommodating to non-Microsoft applications, particularly sophisticated multi-media applications like RealAudio or QuickTime.

Our national efforts should now be invested in issues like rebuilding our economy, creating jobs and strengthening our national security. We should net spend any more time continuing our self-inflicted damage to our country's business community by proceeding with any further action against one of our country's most successful buisnesses like Microsoft.

I am hoping that this settlement will stand, and we can move on to more important priorities.

Sincerely,
Rita Bane
1–FAX 202–616–9937

MTC–00031319

COMMUNICATIONS REPORT

Date/Time Function	NO. Destination	Duration PGS	Status
JAN. 14 17:14 RCV	920	6312247183 0′ 01′ 05′ 001	OK
17:53 RCV	921	573 522 5025 0′00′ 38′ 001	OK
17:54 RCV	922	573 522 5025 0′01′ 34′ 001	OK
18:17 RCV	923	8476472225 0′00′ 41′ 001	OK
18:39 RCV	924	573 526 1384 0′00′ 28′ 001	OK
19:45 RCV	925	337 234 5535 0′00′ 51′ 002	OK
20:02 RCV	926	6618351561 0′01′ 01′ 002	OK
21:22 RCV	927	9133419697 0′00′ 44′ 001	OK
21:39 RCV	928	3253135 0′ 00′ 51′ 001	OK
21:52 RCV	929	0′ 01′ 21′ 004	OK
JAN. 15 11:15 RCV	930	9416430207 0′ 00′ 35′ 001	OK
11:47 RCV	931	508 799 4039 0′ 00′ 34′ 001	OK
12:50 RCV	932	000000000000 0′ 00′ 38′ 001	OK
12:54 RCV	933	508 754 2026 0′ 00′ 32′ 001	OK
13:02 RCV	934	8476472225 0′ 00′ 40′ 001	OK
13:04 RCV	935	850 230 4092 0′ 00′ 44′ 001	OK
13:30 RCV	936	0′ 00′ 39′ 002	OK
13:47 RCV	937	8132533280 0′ 01′ 02′ 002	OK
13:53 RCV	938	603 537 2099 0′ 00′ 30′ 001	OK
13:55 RCV	939	425 427 5665 0′00′ 39′ 001	OK
14:0l RCV	940	0′ 00′ 34′ 001	OK
14:23 RCV	941	4213984 0′ 00′ 35′ 001	OK
15:03 RCV	942	520 393 1348 0′ 00′ 54′ 001	OK
15:09 RCV	943	508 831 7558 0′00′ 32′ 001	OK
15:14 RCV	944	000000000000 0′ 00′ 38′ 001	OK
15:29 RCV	945	000000000000 0′ 00′ 41′ 001	OK
15:47 RCV	946	508 755 4178 0′ 00′ 36′ 001	OK
16:24 RCV	947	2059729290 0′ 00′ 30′ 001	OK
16:26 RCV	948	5087938831 0′ 00′ 46′ 003	OK
16:26 RCV	949	0′ 00′ 51′ 001	OK
17:O2 RCV	950	407 851 6591 0′00′ 39′ 001	OK
17:06 RCV	951	0′00′ 28′ 001	OK
17:19 RCV	952	19096263540 0′ 00′ 40′ 001	OK
17:43 RCV	953	3038418373 0′01′ 00′ 001	OK
18:l0 RCV	954	000000000000 0′ 00′ 45′ 001	OK
18:26 RCV	955	000000000000 0′ 00′ 40′ 001	OK
19:45 RCV	956	0′ 00′ 53′ 001	OK
21:21 RCV	957	4067783538 0′00′ 49′ 001	OK
JAN. 16 l0:14 RCV	958	0′ 00′ 53′ 001	OK
l0:26 RCV	959	5635571591 0′00′ 34′ 001	OK
l0:37 RCV	960	0′ 00′ 27′ 001	OK
l0:54 RCV	961	5088422252 0′ 00′ 36′ 001	OK
11:17 RCV	962	515 386 4509 0′00′ 41′ 001	OK
ll:54 RCV	963	515 296 3015 0′00′ 33′ 001	OK
12:24 RCV	964	515 382 7336 0′00′ 34′ 001	OK
13:21 RCV	965	0′ 00′ 38′ 001	OK
13:41 RCV	966	0′ 01′ 00′ 002	OK
13:44 RCV	967	0′ 00′ 40′ 001	OK
13:45 RCV	968	0′ 00′ 40′ 001	OK

COMMUNICATIONS REPORT—Continued

Date/Time Function	NO. Destination	Duration PGS	Status
13:48 RCV	969	0′ 00′ 27′ 002	OK

MTC–00031320

01/16 ''02 01:47 NO.511 02/02
01/16 ''02 01:47 NO.511 01/02
Fax 202–616–9937 or 202–307–1545

MTC–00031321

Home Address
2315 Route M
Jefferson City, MO 65101
(573) 636–8285
Capitol Address
Capitol Building
Jefferson City, MO 65101
(573) 751–0665
Fax (573) 526–4766
W. W. (Bill) Gratz
MISSOURI HOUSE OF REPRESENTATIVES
113TH DISTRICT
Committees
Correctional and State Institutions (Chair)
House Travel (Chair)
Appropriations—
General Administration
Agriculture
Environment and Energy
Administration and Accounts
January l6, 2002
Renata Hesse
Trial Attorney—Antitrust Division
Department of Justice
6O1 D Street Northwest, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Over the years, I have found that when negotiations result in a little something for everyone, the negotiations were successful. This is exactly the result of the recent negotiations between Microsoft and the US. Department of Justice. The settlement allows Microsoft to create new generation products that can help the economy grow and help businesses better communicate with their customers and clients. Additionally, the needs and concerns of Microsoft's competitors were taken into account in the final agreement.

I support the recent agreement between the Justice Department and Microsoft. I regret that a Committee and the court system have had a hand in developing the future of software design instead of the free market. At the same time, this entire process was an effort on the part of competitors to cripple Microsoft and eliminate competition.

Point-of-sale should be the true test of competition. Either your product is marketable or it is not. The courts and regulatory agencies have no role in this important process when job creation and small business development is at stake.

Sincerely,
W. W. (Bill) Gratz
WG/lh

MTC–00031322

Home Address
2315 Route M
Jefferson City, MO 65101
(573) 636–8285
Capitol Address
Capitol Building
Jefferson City, MO 65101
(573) 751–0665
Fax (573) 526–4766
W. W. (Bill) Gratz
MISSOURI HOUSE OF REPRESENTATIVES
113TH DISTRICT
Committees
Correctional and State institutions (Chair)
House Travel (Chair)
Appropriations—
General Administration
Agriculture
Environment and Energy
Administration and Accounts
January 16, 2002
Renata Hesse
Trial Attorney—Antitrust Division
Department of Justice
601 D Street Northwest, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Over the years, I have found that when negotiations result in a little something for everyone, the negotiations were successful. This is exactly the result of the recent negotiations between Microsoft and the U.S. Department of Justice. The settlement allows Microsoft to create new generation products that can help the economy grow and help businesses better communicate with their customers and clients. Additionally, the needs and concerns of Microsoft's competitors were taken into account in the final agreement.

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Point-of-sale shouId be the true test of competition. Either your product is marketable or it is not. The courts and regulatory agencies have no role in this important process when job creation and small business development is at stake.

Sincerely,
W.W. (Bill) Gratz
WG/lh

MTC–00031323

chroma cad
palette imaging
47 South Street Norwood, NJ 07648
January 15, 2002
Renata Hesse, Trial Attorney
Suite 1200, Antitrust Division
Department of Justice
601 D Street NW.,
Washington, DC 20530

Dear Ms. Renata Hesse:

I own a small software development company in New Jersey. I feel impelled to write this letter because,as a software developer, I am appalled by the remedies proposed by the U.S. Justice Department. From a software developer's point of view, those remedies don't address the real issues of the Microsoft monopoly at all.

Developers need alternative platforms to Microsoft Windows on which they can develop programs for the IBM PC. The alternative platforms must be permanently established on most PC's for the next fifteen to 20 years in order for software companies to make the considerable investment in time and money that modem programs require. Developers cannot depend on the vagaries of manufacturers to include of not include alternative platforms at their will.

I feel strongly that the court should, at the very least, require Microsoft to continue including Java within Windows. As we all know. Microsoft included Java in Microsoft Windows 5 years ago. At the time, they indicated that Java would be a permanent part of future versions of Microsoft Windows.

Collectively, millions of hours and millions of dollars of programmers'' time and money have been spent on learning Java across the country. Simply taking a trip to Barnes and Noble and viewing the large number of books devoted to the Java language can easily verify this. Microsoft has now summarily dropped the Java platform from Windows XP. This was done in spite of the fact that they surely knew that this action would cause huge losses and problems in the programming community.

In addition, there are now more than 9 million web pages that contain Java applets. Consumers who purchase Windows XP and access those pages are going to have to endure a long and arduous wait while a software plug-in is installed on their machine over the Internet. It is obvious that Microsoft cares little for problems they cause in the programming community or in the consumer community at large.

Ideally, Microsoft should be required to include the next two most popular programming platforms—Java and Linux, along with Microsoft Windows. Both platforms are available free to Microsoft.

There is no reason why they should not be included except, of course, that they are a direct threat to the Microsoft monopoly. Microsoft Windows is an excellent product, but it cannot accomplish some things that Java can accomplish easily. The same is true of Linux. All of these platforms have different strengths and weaknesses. These platforms should be included In such a manner that they cannot be altered or deleted by manufacturers (thereby averting Microsoft pressures). This would give programmers a choice of three reliable long-range programming platforms and would stimulate a competitive environment. We would surely

see prices of development software drop and the software quality of all the platforms improve competitively. Most users of personal computers are aware of the poor record that Microsoft has in making Windows a reliable trouble-free product. The reason for this is quite likely that they assign few engineers to the job of maintaining a monopoly product that people are forced to buy anyway. Competition would undoubtedly force them into assigning more engineers to making their own product more reliable.

I am sure that, from the point of view of most software developers, any resolution of the Microsoft case that does not, at the very least, require Microsoft to continue supporting the latest versions of Java would be viewed as a complete collapse to Microsoft. It would simply serve to institutionalize, by government decree, their platform monopoly on the PC. As a software developer, I feel strongly that forcing Microsoft to vend other popular competitive development platforms along with their own platform should be the very first priority in resolving this case. Remedies involving Microsoft's contractual relations with manufacturers are of secondary importance.

Software developers need alternative platforms that are stable, fixed and long term and we need to know that these platforms are installed on all machines and will remain on all machines that Microsoft Windows is installed on. If this were accomplished we would have the confidence to spend time and money on developing new applications under new platforms for the PC. In time, this would effectively end most of the problems caused by the Microsoft monopoly, not just put a band-aid on the symptoms.

Respectfully yours,
Marver Seamen
President
Palette Imaging Inc.

MTC–00031324

CAPITAL OFFICE
State Capitol
201 West Capitol Avenue
Jefferson City, MO 65101–6806
Tele: 573–751–1347
Fax: 573–522–9179
E-Mail:rmille01@services.state.mo.us
HOME ADDRESS
P.O. Box 5
Stockhull, MO 65046
Tele: 417–276–3343
RONNIE MILLER
State Representative
District 133
January l6, 2002
Renata Hesse
Trial Attorney-Anti-Trust Division
Department of Justice
601 D. Street Northwest, Suite 1200
Washington, DC., 20530

Dear Ms. Hesse:

I believe the settlement between the Justice Department and Microsoft is fair. As I understand between $25 and 35 million dollars of taxpayer money has already been spent on this anti-trust case. Please keep the taxpayer in mind, I really feel the last thing we need is more litigation and regulation of high-tech business's during this time of challenges of economy and our nation at war.

Microsoft's innovations has lead to great benefits for the customer. You must agree we have better products at lower prices.

Sincerely,
Ronnie Miller
State Representative
District 133

MTC–00031325

David D. Jamison
Story County Treasurer
3244 Cameron School Road
Ames, IA 50014
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney
U.S. Department of Justice-Antitrust Division
601 D Street NW., Suite 1200
Washington, DC 20530

Dear Judge Kottely,

Here in Iowa, like much of the nation, we are facing some difficult times. The economy is stagnant, countless jobs are being lost, and there is no one clear answer to fix all our problems. A recovery will take time, patience and sound judgment. One event that will undoubtedly help the economy is the Microsoft settlement. This agreement builds new relations with Microsoft and the computer makers; it is fair to all parties and our economy will benefit from it.

As far back as the 1980s, Microsoft was an integral part of this country's economic expansion.

The arrival of Microsoft did many things it created jobs, produced an abundant number of businesses and companies, and a great deal of wealth and capital was made available to people. By choking Microsoft with harassing legal proceedings, a recovery from the current recession was made all the more impossible. This recent settlement, however, was a step in the right direction for our economy and the millions of Americans who depend on a healthy economy to support their families.

This is a challenging time for our nation. It was the right thing to do when the Justice Department and the nine states settled the Microsoft case. I strongly support that, and believe it will help our economy rebound.

Your consideration is very much appreciated.

Sincerely,
David Jamison
Story County Treasurer

MTC–00031326

From the Desk of Kevin Kimle
3227 Lettie Street
Ames, IA 50014
(515) 293–2502 (w)
(515) 293–3845 (h)
kkimle@qwest.net
January 14, 2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney—Antitrust Division
U.S. Department of Justice
601 D Street NW., Suite 1200
Washington, DC 20530

Dear Judge Kottely,

I hope that no one in this country takes for granted that we have countless opportunities to be successful! If people from other nations recognize and respect the ''American Dream'' and have even come here to achieve it, then why have we prosecuted a company that has been such a good representation of the American Dream?

I am speaking of the Microsoft case. Microsoft has been legally pursued for too long, and the recent settlement provides a fair and just ending with nine prosecuting states. The settlement was fair for a number of reasons: Microsoft agrees not to punish companies that do not promote their products, and they go even further by sharing their intellectual property when it is necessary. I am glad to see a settlement was reached and support the agreement completely.

As someone who has spearheaded two startup companies in the technology industry here in Iowa I understand the investments that have to be made and the risks that have to be taken. Microsoft has taken the risk, made billions of dollars in investments, and contributed a great deal to the technology industry. It was high time that we brought this lawsuit to a proper ending.

Thank you for your attention to my thoughts.

Sincerely.
Kevin Kimle

MTC–00031327

Guy W. Richardson
705 W. Sunset Road
Jefferson, Iowa 50129
515–386–2220
January 16, 2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney—Antitrust Division
U.S. Department of Justice
601 D Street NW., Suite 1200
Washington, DC 20530

Dear Judge Kottely,

I am a Greene County Supervisor and own a small business here in Iowa, I am intimately aware that our nation is enduring some serious problems. One thing that will give a boost to all of America is the settlement of the Microsoft case. This was a fair and reasonable ending to a complicated problem.

The idea of continuing litigation against Microsoft was simply a bad idea, and the nine states that decided to settle, made the right decision. The settlement permits other companies to use Microsoft's intellectual property and is a good settlement for everyone.

Our nation's economy is bleak enough, and the removal of this lawsuit will help all of us. Thank you for taking time out from your busy day to read my point of view.

Sincerely,
Guy W. Richardson

MTC–00031328

Kenneth Simoncini
Commerce Park,
420 Boston Tpke.,
Shrewsbury, MA 01545
(508) 845–1559
FAX (508) 842–2252
Member of: National Society of Tax Professionals
National Association of Income Tax Preparers

January 11, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW., Suite 1200
Washington, DC 20530
VIA FAX: 202–616–9937

Dear Attorney Hesse

It is my understanding that the Justice Department is seeking input, regarding the proposed settlement in the Microsoft lawsuit.

As a small businessman, I understand competition. Competition is healthy for the American economy. I use Microsoft products in my business and they have been a great help to me. They have allowed me to better serve my clients and to manage my business.

As far as I can tell, there has been no consumer harm as a result of any actions taken by Microsoft. Microsoft's innovations have, in fact, helped many small businesses, such as mine grow.

Given the state of our economy right now, we should do everything possible to spur growth, not hinder it.

An additional benefit in the settlement, is the proposed donation of over 200,000 computers to our nation's public schools. I whole-heartedly endorse this provision, which will help erase the digital divide in our public schools.

I hope that the government will reach a settlement in this case.

Sincerely yours,
Kenneth Simoncini

MTC–00031329

JULIE SCHWARTZ
3111 STONE OAK DRIVE
LOS ANGELES, CALIFORNIA 90049
PHONE: 310–471–4732 FAX: 310–471–8091
FAX TRANSMISSION
DATE 1–16–02 TIME 3:30 PM
TO DEPT OF JUSTICE FAX 1–202–307–1454

RE Microsoft Settlement

Enough already!

Whats wrong with giving to poor & disadvantaged.

You are listening to competitors.

TRANSMITTED BY Julie Schwartz

MTC–00031330

January 16,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my opinion that the antitrust settlement is flawed, but ultimately in the best interest of the American public. The problem is that the lawsuits from the start have not addressed the real problem, which is Microsoft's heavy-handed marketing tactics. Instead it focused on giving competitors an edge that they did not have before,

For instance, under the terms of the settlement, Microsoft will be disclosing internal interfaces and protocols that are part of their Windows'' operating system products. They will also be granting computer makers broad new rights to configure Windows so as to promote non-Microsoft software.

These concessions as you can see do nothing to protect consumer.

Even with the flawed settlement in place, I think it is in the best interest of the IT sector, our economy, and the public for the settlement to come to fruition. Microsoft needs to be able to focus on business and the government should be putting its muscle into more pertinent issues instead of interfering with software design. I urge your office to take a firm stance on this and help discontinue any opposition to settlement. Thank you.

Sincerely,
Scott Garvey

MTC–00031331

229 Windmere Trail
Moneta, Virqinia 24121
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Mr. Ashcroft;

I am writing you today to express my feelings in regards to the Microsoft settlement that was reached on November 2, 2001. I fully support Microsoft, and I am relieved to see this dispute settled and resolved.

Under this agreement, Microsoft must share more information with other companies, such as, disclosing information about certain internal interfaces in Windows. Microsoft must also design future versions of Windows to make it easier to install non-Microsoft software. Additionally, Microsoft will adhere to a uniform pricing list when licensing Windows out to the twenty largest computer companies in the United States.

I support Microsoft in this dispute and feel that this settlement will benefit the economy, the technology industry, and consumers. Thank you for ending this litigation.

Sincerely,
George Burnop

MTC–00031332

Greywolf Technologies, Inc.
PO Box 126,700 Main St.
Willimantic, CT 06226
January 16, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW.,
Washington, DC 20530

Dear Mr. Ashcroft,

For all the critics and detractors that Microsoft has had, lost in that clamor is the fact that Microsoft was, in large measure, responsible for driving our economy during the longest period of economic expansion that our country has experienced in a long time. Prior to that economic expansion, a few brave souls were huddled around the 286's slogging through DOS. Then Microsoft came along with a vast improvement called Windows and suddenly the IT business was opened up to virtually anyone who could plink down a few hundred bucks for a PC. Prior to the mid-1980's business was terrorized by a lack of technology standards, incompatible equipment, high costs, and slow development.

Microsoft was the sheriff who tamed that chaos.

This began the economic expansion and continued with Windows 95, 98, 2OOO and the rest.

Suddenly half the country was computer proficient and had purchased a PC, along with Internet access, software packages, printers, scanners and all the other goodies that they wanted. Behind this, all the while, was Microsoft—along with Compaq, Toshiba, Gateway, Apple, Electronic Arts and all the others. Windows has been named on some lists the most important tool of the 20th century.

For this, we want to haul Bill Gates to the hoosegow.

This recently negotiated settlement at least has the advantage of ending this litigation, even though it forces Microsoft to do some things not envisioned in the lawsuit, such as divulging its interoperability protocols. It is better for all concerned with this suit to settle it and be done with it. I support the settlement and dearly hope that this sort of thing does not happen again.

Kevin C Donohue, President
Greywolf Technologies, Inc.
Microsoft CERTIFIED Partner
Voice 860 456 3322 fax 860 423 9133
kevin@greywolftech.com
www.greywolftech.com

MTC–00031333

January 16, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing this letter so that I may give my support to the settlement that has been reached between the Microsoft Corporation and the Department of Justice. For well over two years, the American economy has been doing poorly, Americans have been losing their jobs and now we are in a recession. The antitrust suit against Microsoft has had a bad affect on our economy.

Microsoft has been extremely beneficial to America, but for the past several years they have had to spend their time and resources on legal battles with their own government. Microsoft has been responsible for providing jobs to thousands of people, donating millions of dollars to charities, and simplifying the American computing industry. It seems to me that government interferes too much with business. Competition and capitalism are good for Americans and the American economy. Forcing a corporation to turnover their intellectual property is not right.

The government should not force Microsoft or any other company to share what they develop.

The case against Microsoft should be settled immediately.

Sincerely,
Nancy Nottonson
171 Marlborough Street
Boston, MA 02116–1887

MTC–00031334

Christopher Durant
Mail: P.O. Box 57978
Sherman Oaks CA 91413
Work Phone: (818) 562–2627

Home Phone: (818) 994–8513
E-mail (work): ChrisDu@FirstHealth.com
E-mail (home): ChrisDurant@Yahoo.com
January 16, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
RE: Microsoft Settlement

Dear Mr. Ashcroft:

I believe strongly that the Microsoft Corporation is one of America's greatest assets. It is a company that provides constantly improving products that help make tens of millions of people more productive, happier, and richer.

We live in an increasingly global economy. When the U.S. Government attacks and tries to cripple a domestic company that has become ''too'' successful, there is no shortage of foreign competition that will gladly step in to take market share, unencumbered by governments with beliefs in forced ''equality'' between corporations, regardless of the value or contributions that the companies make.

Microsoft has never harmed me. Its products have enhanced my life tremendously. If Microsoft is a monopoly, why does it continually improve its products and lower its prices?

For the good of the American economy and consumers everywhere, please settle with Microsoft as soon as possible. Doesn't the U.S. Government have better things to do than fight one of the best things that has ever happened to this country?

Sincerely,
Christopher Durant

MTC–00031335

January 16, 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.

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.

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. For example, the proposed settlement permits Microsoft to define many key terms, which is unprecedented in any law enforcement proceeding.

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.

2700 Westown Parkway o Suite 200 o West Des Moines, Iowa 50266

Phone 515–453–9590 o Fax 515–222–0565

E-mail info@CRGpros.com o Web CRGpros.com

Sent by: Executive Offices 5152513919; 01/17/02 4:26AM;JetFax #418;Page 3/3 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.

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.

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.

Sincerely,
tom Keating
President
Career Resources Group
2700 Westown Parkway, Suite 200
West Des Moines, IA 50266

MTC–00031336

14 War Admiral Lane
Media, PA 19063–6238
January 16, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

After three long years of costly court battles, the federal government has settled its antitrust lawsuit against Microsoft. This settlement will have profound implications for all software publishers, the rest of the American Information Technology industry and American consumers.

Under the agreement, Microsoft is forced to grant computer makers new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows. The companies will now be free to remove the means by which consumers access various features of Windows. They can now replace access to those features with access to non-Microsoft software.

Microsoft has also agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows—as well as computer makers who ship software that competes with anything in its Windows operating system.

Enough is enough. No more litigation against Microsoft is needed on the federal level. Thank you.

Sincerely,
Adelia Ockerbloom
cc: Senator Rick Santorum

MTC–00031337

SmartSoft Custom Software Engineering for Microsoft Operating Systems
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to urge the Department of Justice to move forward expeditiously with its proposed settlement with Microsoft. I have followed this antitrust lawsuit very closely after working for Microsoft from 1989 through 1994. I currently work as an independent software engineer helping hardware and software manufactures bring innovative products to the American public.

I feel the proposed settlement is a fair proposal. The terms of the settlement show Microsoft's desire to correct what the government feels are improper practices. Stiffer terms would punish Microsoft for operating successfully within our free enterprise system. The nine states agreeing to the settlement terms are encouraging innovation, strengthening the economy and the tech industry both at state and national levels. These terms give companies the ability to develop Windows based software applications faster, utilizing far less resources, which keeps development costs down and ultimately benefits consumers by allowing them to spend less for better applications.

In conclusion, I fully support having the proposed settlement put into force without delay. This will greatly benefit innovation in the tech industry, benefit consumers, and spur state and national economic growth.

Sincerely,
John Hensley
12421 Hardee Road o Raleigh, NC 27614–9234
Tel (919) 846–1741
Fax (919) 846–1585

MTC–00031338

Carl T. Bowen
6715 Hempstead Court
Suwanee, GA 30024
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

The settlement with Microsoft has my full support. We must allow a return to business for the tech industry as soon as possible.

There are many changes required by the settlement. For instance, Microsoft has

agreed to a ''Technical Committee'' that will monitor Microsoft's compliance to the settlement. Also, Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms, including price. Plus, Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. Clearly, these changes will benefit both consumers and the economy.

The settlement will not only be fair and reasonable but also will prevent future anticompetitive behavior. In addition, the recession has had a big effect on the economy, and this settlement may spark a new upswing.

Sincerely,

Carl T. Bowen

MTC–00031339

105 Stirrup Lane
Thornton, Pennsylvania 19373
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

The lawsuits pending against Microsoft by the US department of Justice and the states have gone on long enough. I am happy to see a tentative settlement has occurred between Microsoft and the US Department of Justice, but I am concerned that nine states are continuing litigation.

During this time of economic recession, we must rely on our industries Microsoft is the leading technology industry company with unprecedented growth rates over the last decade The suits which are being filed against Microsoft could be filed against any other company in the country and I honestly do not think that any business would be able to operate if they were forced to take on the restrictions that Microsoft will have to. For example, Microsoft will have to ignore intellectual property rights and share, with other companies, critical information about how the Windows operating system works.

The system is allowing rich cry-babies like Scott McNeil and others to use the anti-trust laws for furthering their own businesses. A careful scrutiny of their business practices would also reveal similar so-called anti-trust laws. Also, to allow each state to individually sue is also calling for 50 additional individual biases. Is this justice?

I urge the US Government to discontinue its meddling in private affairs and focus on other more important issues. The best interests of the American Public will be served only when these lawsuits are dropped and Microsoft is allowed to focus on business, not politics.

Sincerely,

Vinod Rao

cc: Senator Rick Santorum

MTC–00031340

TO. Attorney General John Ashcroft
CC Sen. Rick Santorum
RE: Microsoft Settlement
Nicholas J. Olson
3311 Powelion Avenue Apt 3R
Philadelphia, PA 19104–2731
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 11, 2002

Dear Mr. Ashcroft:

After a three year legal dispute between the federal government and Microsoft, I was pleased to hear that a settlement was finally reached. I sincerely hope that no further action is being considered at the federal level.

Considering the terms of the agreement, Microsoft did not get off easy. In fact, Microsoft is now left to make several significant changes to the ways that they handle their business. For example. Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs within Windows. Computer makers will now be free to remove the means by which consumers access various features of Windows. Computer makers can replace those features with access to non-Microsoft software.

With the many terms of the agreement, there should be no reason to pursue further litigation on any level against Microsoft. Microsoft represents the best of the American economy and the American ideal of success through hard work and innovation. The government should never have interfered to begin with, and there should not be any further action.

cc: Senator Rick Santorum

Sincerely,

Nick Olson

MTC–00031341

From: Bert McLachlan
3524 West 97th Place
Leawood, Kansas 66206
Re: Microsoft Settlement
Wall Street Journal 1–16–02
Another Pound of Microsoft

In a perfect world, Microsoft's anti-trust headaches would have ended in November when it settled with the Justice Department. But a perfect world wouldn't have nine state attorneys general who still object to the deal and plaintiffs'' lawyers whose main job is to shoot the wounded.

Such imperfection is why we are today faced with yet another strange Microsoft settlement. This one is over the more than 100 class-action lawsuits filed by consumers who claim Microsoft's ''monopolistic'' pricing policies meant they were overcharged for Windows software.

Reasonable people might wonder how Microsoft could be guilty both of undercutting competitors'' prices (a government claim) and charging con- sumers too much. But if the only goal here is for class-action attorneys to ex- act their own pound of flesh, the claims make perfect sense.

Microsoft agreed to settle the lot by donating more than $1 billion in cash. software, computer equipment and support to 14,000 impoverished schools; as the opposing attorneys put it, this provided a ''social benefit.'' This latest humbling was under way when Apple Computer complained that the deal was anticompetitive. U.S. District Judge Frederick Motz agreed and last week quashed the settlement-though holding out hope it might be revived at a higher price.

What a spectacle. It's understand- able that Microsoft wants to end years of litigation and get on with life as a software company. But the truth is that this latest act of penance will serve no one but the legal firm of Corporate Shakedown & Artists.

Microsoft probably won't gain by go- ing forward. The company may have seen this as a way to score some public relations points while concluding the litigation. Instead, Apple did its own PR job, making it look as though Mi- crosoft was using the settlement to mo- nopolize the schools market.

Nor are schools benefiting. Studies show that simply adding computers to Failing environments doesn't help. These are some of the most disadvantaged facilities in the country; what they need are real curriculums, devoted teachers and (we might add) competition, not the latest version of Microsoft Oulook.

And then there's the judicial branch, which once again finds itself drawing lines in the sandbox between Microsoft and its competition. In retrospect, what motivated the government's own case was Microsoft's competitors-Netscape, Oracle- which used the courtroom to accomplish what they couldn't in the marketplace. Judge Motz now faces the similarly unpleasant task of apportioning tech markets.

Finally, there's the matter of the plaintiffs. Ridiculous as the suits are (America's cheap technology prices are the envy of the world), these people expected something. Instead, their lawyers realized that parceling out a settlement would mean each of the 65 million consumers who had ''overpaid'' get the grand sum of $10 and crafted the school option instead.

Someone benefits, of course.

Tucked into the bottom of the settlement was a line stating that, in addition to the school gift, Microsoft would be reponsible for ''reasonable'' attorney fees to be determined by the court. Seeing as how the plaintiffs'' attorneys in question are Michael Housfeld and Stanley Chesley-the class action wizards who have sued cigarette makers, gunmakers, IBM, Goodyear, Texaco, well you get the picture- ''reasonable,'' in their minds is a percentage; these guys tend to get a bare minimum of 10% to 15%.

So consumers get a ''social benefit'' and the lawyers could get a cool $150 million.

We have seen this so many times, it is like a bad cable movie. Microsoft, too knows how the story goes. Whether the lawsuits are frivolous or not, its options are the same: The company can chance years of litigation in dozens cases, or it can simply sign over one big, hundred-million dollar payoff to the plaintiffs'' bar. Sooner or later the US political system has to come to grips with this kind of legal extortion.

MTC–00031342

THE GREAT SEAL OF THE STATE OF NORTH CAROLINA
North Carolina General Assembly
Senate Chamber

State Legislative Building
Raleigh 27601–2808
SENATOR A. B. SWINDELL
10TH DISTRICT
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COMMITTEES:
APPROPRIATIONS
NATURAL AND ECONOMIC RESOURCES
COMMERCE
EDUCATION/HIGHER EDUCATION
FINANCE
RURAL DEVELOPMENT—VICE CHAIR
RULES & OPERATIONS OF THE SENATE
TRANSPORTATION
WAYS & MEANS
January 16, 2002
Ms. Renata B. Hesse
U.S. Department of Justice
Antitrust Division
601 D. Street NW, Suite 1200
Washington, DC 20530–0001
Transmitted Via Fax (202) 307–1454
Re: Support for Microsoft Settlement

Dear Ms. Hesse:

This letter is to express my support for the settlement that the U. S. Department of Justice and several states, including North Carolina, have reached with Microsoft.

Resolution of this matter will boost the technology sector, which represents a large segment of the North Carolina economy and, for that reason, it will be well to have this matter resolved. I feel this settlement will promote new investment opportunities in technology, as well as enhance competition in all aspects of the industry and this will greatly benefit consumers.

It is my opinion that this settlement represents a reasonable compromise that has earned bipartisan support. I strongly urge approval of this settlement by both the Department of Justice and the court.

Cordially,
A.B. Swindell, IV
ABS:mmh

MTC–00031343

From: Charles W. Reid
110 Tutty Loop
Houma, La. 70363
PH: 985–868–8307
To: Attention: Renata B. Hesse
microsoft.atr@.usdoj.gov

Dear Renata B. Hesse:

I read an article in the Houma Courier that I can voice my opinion on the Microsoft settlement.

At first I was on Microsoft's side and though they were getting a bad rap for ''their ''product. AS of now, I am not so sure. My recent experience with Windows XP turned my view against them.

Why???? First off, Microsoft came out with Windows XP and said it was great and a fabilious upgrade and we should purchase it and it would solve all out compatablility problems. What they didn't tell us was that all out software and hardware that ran in Windows 98 2nd Edition or Milinium would not run with XP unless approved by Microsoft. All hardware and software running A-OK in 98 and ME would not run in XP. I paid $99.00 + tax to install it and register it and after a week of trying to get my recently purchase software and hardware to work but not work with XP, I cannot get a refund because I opened the package and registered it, but it is now sitting on a shelf by my computer and I will not use it. So far, the companies I have purchased hardware and software are not putting out updates. ''I have to purchase new equipment or software to use my already owned equipment in Windows XP''.

Microsoft did not tell me I would have to purchase new software or hardware to use XP, but I do!!!! Microsoft should not have come out with XP until all 3rd party companies that have software and hardware (printers, scanners. cameras) running in Microsoft's operating system come up with updates to go with the Windows XP CD.

Did you know that with Microsoft's basic patch they offer for Hewlett Packer printers to let them work in Windows XP, will only do ''basic'' printing. Why not the full feature that runs in 98? Even the basic patch has bugs. It is automatically set to print the last page first in multi pages, but the setting is actually set for first page first. You have fool the printer into thinking it is printing last page first by selecting last page first to get it to print first page first.

I now believe that Microsoft is out to make all the money they can and not 1.) get the bugs out before release, 2.) care about providing support, 3.) make their system users spend more money on each upgrade. Have you tried to get support about a problem? I can't.

And if I happen to get through, they cannot fix it!!!!!

Thanks for listening.
(Charles W. Reid)

MTC–00031344

Human Resources by design
January 16, 2002
VIA FACSIMILE
(202) 616–9937
Renata Hesse, Trial Attorney
Antitrust Division. Department of Justice
601 D Street NW. Ste 1200
Washington, DC 20530

Ms. Hesse,

I am extremely troubled by the idea of the courts rejecting the settlement currently on the table in US v. Microsoft I believe a rejection of the settlement will have a seriously negative impact on the research and development coming out of the technology industry right now.

Microsoft, as a company, invests more resources than any other company in the software industry on research and development. They fund companies across the world with their research and development efforts as well. Because of this case and the insecurity it has caused in the technology industry and among Microsoft brass, money being infused into research and development is considerably less than it should be.

I am very confident that, should the settlement be accepted, resources will continue to flow back into research and development. It is that research and development which fuels the growth of the technology industry.

The courts decision on this matter has the potential to affect the software and technology world for years. I hope that you will accept the settlement and clear the way for the computer industry to get back to business.

Sincerely,
Deborah Krause
President / CEO
510 First Avenue, Suite 405
San Diego, California 92101
Phone: (858) 566–4950/(619) 255–6931
Toll-Free: (877) 861–8880 Fax: (858) 566–4674/(619) 269–7192
Website: www.hrbydesign.net Email: info@hrbydesign.net

MTC–00031345

Power to know. Power to Grow FAX
Re: Microsoft Settlement
Date : 1/16/02
From: R. Rusty Harder
Commwnts:
1606 Golden Aspen Drive Suite 108
Ames, IA 50010
Phone (515) 233–8720
Fax: (515) 956–9388
www.e-markets.com
January 15, 2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attornwy
Antitrust Division
U.S. Dapartment of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Judge Kottely,

This letter is in regard to the Microsoft settlement. As a company founder and vice president of E-markets, I have to make tough decisions every day. Sometimes I have to make a quick judgment with little information to go on and other times it is a long, drawn-out process with reams of data to analyze and no particular time limit. Based on the information I've seen, the Microsoft settlement is a good deal and should be accepted by all parties.

Microsoft agrees to a host of new provisions that provide for a fair settlement; they established new relations with computer manufacturers, and agree to share intellectual property. It seems to me that Microsoft has already done a lot of good with the money it has made, and this agreement is worth accepting. One of the details I read about in the news, and it seems very fair, states that Microsoft consents to the establishment of a ''Techncal Committee'' that will monitor Microsoft's compliance with the settlement.

Anyone who believes that Microsoft is not complying with the settlement will be free to lodge a complaint with an ''Internal Compliance Officer'' at Microsoft (established by the settlement), the Department of Justice or any of the state plaintiffs that are parties to the settlement.

I support this settlement. Thank you for hearing my opinion.

Sincerely,
R Rusty Harder
Cofounder, Director and VP of Client Solutions

E-Markets, Inc.

MTC–00031346

January12, 2002
Department of Justice
Washington DC
Re: MICROSOFT SETTLEMENT!

I'm very disappointed at the prolong case against Microsoft and that 9 states are still fighting the case even though I thought an agreement had been reached. The only winners here are the lawyers as they have won in so many cases at the expense of the consumer. Not only are they paid exuberant fees, but the CONSUMER ends up the LOSER! Eventually all cost of defending the cases are passed on to the CONSUMER!

From what I can determine with the information available the settlement is FAIR!!!!

Please let's not have another IBM fiasco, where alot of money was spent and the case was dismissed. Let's move on with this case and force the states to accepted the agreement so that business can go on.

Sincerely
Gene Pizzato
6007 E. Harvard Street
Scottsdale, AZ 85257

MTC–00031347

THE GREAT SELA OF THE STATE OF NORTH CAROLINA
North Carolina General Assembly
House of Representatives
State Legislative Building
Raleigh 27601–1096
REPRESENTATIVE LYONS GRAY
39TH DISTRICT
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TELEPHONE: (919) 733–5820
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COMMITTEES
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JUDICIARY
SCIENCE & TECHNOLOGY
UNC BOARD OF GOVERNORS
CONGRESSIONAL REDISTRICTING
ENVIRONMENT & NATURAL RESOURCES
January 17, 2002
Renetta Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW. Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

As a former chairman of the Finance Committee in the North Carolina House of Representatives, I was asked many times to approve compromises which had been worked out between various legislators even thought the legislators came into the process with widely divergent views. Now, Judge Kollar-Kotelly faces a similar task with the settlement agreement worked out between Microsoft, the Department of Justice and nine attorneys general in an effort to clear up the government's case against the world's largest software company.

As I did for those years, I would urge the judge to move forward and approve the settlement for many reasons.

First, the settlement was approved by our attorney general in North Carolina and now the taxpayers of our state no longer have to fund that activity. Second, I believe that when a fair compromise can be reached, it is best to do so as quickly as possible. Otherwise, cases get dragged out in our system for many years, sometimes ultimately coming to settlement years later. Meantime, more taxpayers'' money is consumed as was $30 million in the federal case against Microsoft As a legislator who is concerned about economic development and education in our state, I believe it is not in the best interest of anyone to have such lawsuits lingering over a major corporation. This is especially true of Microsoft which has a facility in North Carolina. What lawsuits can do to the economy is not good. Several years ago when initial negotiations in the lawsuit broke down, the downturn among Microsoft and other tech stocks had a great negative impact on the market and the financial accounts of millions of individuals. Even though such ups and downs are inevitable, I believe that the market causes, not government intervention should be the cause.

Even though I am not an attorney, it seems that both Microsoft and the federal government have come out with both positive and negative.

Sincerely,
Lyons Gray

MTC–00031348

7 Riverwoods Drive
Exeter, New Hampshire 03833
January l4, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington DC 20530

Dear Mr. Ashcroft:

I strongly support the decision to put an end to the Microsoft antitrust litigation. Enough damage has been done. Our economy has obviously been adversely impacted, and it is time for everyone to move on.

In my opinion this case was brought by the various state attorneys general as a result of greed. This was merely an attempt to bring down a successful company so that the states could each have a piece of the Microsoft pie. I do not believe the plaintiffs would ever be able to prove Microsoft engaged in anticompetitive behavior.

Notwithstanding these beliefs, I am in favor of the Court approving the settlement agreement. The terms of the settlement agreement go far beyond what was initially at issue in the suit. For example, Microsoft has agreed to make it easier for computer manufacturers to remove features of Windows and replace them with non-Microsoft software. Additionally. Microsoft has agreed to not retaliate against software or hardware developers who promote software that competes with Windows, and to not enter into agreements obligating third parties to exclusively distribute or promote Windows. These concessions are more than reasonable, and I support the settlement.

Sincerely,
Gareth Dunleavy

MTC–00031349

Christopher Durant
Mail: P.O. Box 57978
Sherman Oaks, CA 91413
Work Phone: (818) 562–2627
Home Phone: (818) 994–8513
E-mail (work): ChrisDu@FirstHealth.com
E-mail (home): ChrisDurant@Yahoo.com
January 16, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
RE: Microsoft Settlement

Dear Mr. Ashcroft:

I believe strongly that the Microsoft Corporation is one of America's greatest assets. It is a company that provides constantly improving products that help make tens of millions of people more productive, happier, and richer.

We live in an increasingly global economy. When the U.S. Government attacks and tries to cripple a domestic company that has become ''too'' successful, there is no shortage of foreign competition that will gladly step in to take market share, unencumbered by governments with beliefs in forced ''equality'' between corporations, regardless of the value or contributions that the companies make.

Microsoft has never harmed me. Its products have enhanced my life tremendously. If Microsoft is a monopoly, why does it continually improve its products and lower its prices?

For the good of the American economy and consumers everywhere, please settle with Microsoft as soon as possible. Doesn't the U.S. Government have better things to do than fight one of the best things that has ever happened to this country?

Sincerely,
Christopher Durant

MTC–00031350

PACIFIC ENERGY CONSULTANTS, INC.
993 OAK LANE
ESCONDIDO. CA. 92029
(760)746–5193
eMail Tom@Hinrichs.org
January 16, 2002
Renata Hesse Trial Attorney
Antitrust Division. Department of Justice
601 D Street NW. Ste. 1200
Washington DC 20530
VIA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

The settlement in the case of US v. Microsoft should be accepted and ratified as soon as possible. This letter is being written to the courts to not only to ask you to accept the settlement—but to do so as quickly as possible.

The Microsoft case has been an awful constraint on the national economy. I am sure the courts have heard this argument articulated by many an academic who understands the economy better than I. But, let me assure the courts, the argument is much more than academic. Small business is feeling this case in a very real way.

From what I understand, the settlement in this case will become law as soon as it is

accepted by the courts. Therefore. the sooner you can ratify the settlement, the better. Business affected by the case will see positive change right away (as opposed to the next fiscal year or some business related time period). Essentially. I am asking the courts to accept the settlement and work to expeditiously set the wheels in motion for the settlement to be executed. Doing this will allow business to move forward again

Sincerely.

Tom Hinrichs President

MTC–00031351

FROM: AH HA FAX NO. 919–363–8789 Jan. 16 2002 03:09 PM P1
AH HA! LTD
facilitation & consulting
January 15, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov

Dear Ms. Hesse:

The U.S. Department of Justice antitrust lawsuit against Microsoft has now gone on for over three years, at a cost of many millions of dollars to taxpayers. The cost in lost productivity, unrealized innovation and underused economic resources is far greater. It is time to bring this matter to a close.

Even here in the Research Triangle, one of the most dynamic areas of the country, the information technology industry is hurting. Now, of all times, it is vitally important to settle this pending litigation and get both Microsoft and its competitors back to work on what they do best: develop and market new products and services for consumers. The proposed settlement insures that Microsoft will not engage in illegal and anticompetitive behavior Microsoft must agree not to retaliate against computer makers that ship its competitors'' software and take other steps to guarantee that its current market position will not be used unfairly.

I hope the courts will see fit to accept this settlement, just as the State of North Carolina has done, and help restore this industry and our economy to the growth and progress we enjoyed over the past decade.

Sincerely,

Warren Miller

MTC–00031352

Mike Davis Public Relations, Inc.
PUBLIC RELATIONS COMMUNICATIONS
P.O. Box 27646 Raleigh, NC 27611
Phone: 919–821–3928 Fax: 919–821–9135
January 16, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov

Dear Ms. Hesse: It is time to bring an end to the too-long and too-expensive Microsoft antitrust case. In November 2001, our Attorney General here in North Carolina, Roy Cooper, agreed to the settlement that has been proposed. I hope that the federal judge will now approve the settlement also.

It is difficult for a layperson such as myself to understand what misdeeds Microsoft has committed. It appears to me and my three teenage, computer-savvy children, that Microsoft has made information technology more accessible, more usable and more affordable. No consumer harm is apparent to me. I was under the impression that the purpose of antitrust laws is to protect consumers, not competitors. Whatever Microsoft's misdeeds, however, I believe the proposed settlement offers more than enough protection in the future. I have read that Microsoft will be required—and has agreed to abide by a strict set of rules and regulations governing its relationships with computer maker and software providers. An independent committee will oversee the company's behavior. More information about Microsoft's products and practices will be made public—and made available to its competitors. Enough is enough. It is time to accept a settlement that appears to be fair and reasonable to both sides in this matter. Put my name down as one citizen who thinks it is time to take all possible steps to returning everyone's attention to restoring the strength of our nation's economy, rather than bleeding an important industry dry in the courtroom.

Thank you for your attention and the opportunity to comment.

Sincerely,

F. Michael Davis President

MTC–00031353

Bernard A. Streeter
Mayor
City of Nashua
January 16, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse: In response to the Court's request for public comment on the proposed settlement in the case U.S. v Microsoft, I am forwarding my support for the settlement to the District Court and hope it will made part of the case's record.

As Mayor of the City of Nashua, I wish to respectfully express my support for the remedies and settlement laid out by Microsoft, the U.S. Department of Justice, and nine of the state plaintiffs The small business community of Nashua has long supported a speedy and reasonable settlement to this case, and we believe that the proposal before the court meets both requirements.

After more than four years of waiting for this case finally be resolved, the high technology, community in our area and around the country has seen the protraction of it do much more harm than good. Profits investments, and new jobs are down, while the pace of innovation and, therefore, demand, has fallen off. The current state of the economy-a full-fledged recession—in our view makes immediacy an even more important factor in settling the case than ever before. No longer is the drag on the high tech sector not noticeable. It is a major factor in the loss of jobs and lack of investment in the technology industry. I believe the cultivation of this industry is vital to the success of any economic recovery and hope the court sees this settlement, as we do, as a step toward that goal.

I hope my comments have helped illuminate the public impact of the proposed settlement, at least in our community, and hope also that you approve the proposal.

Thank you,

Bernard A. Streeter

Mayor

MTC–00031354

MISSOURI HOUSE OF REPRESENTATIVES
CAPITOL OFFICE
State Capitol Room 115–B
201 West Capitol Avenue
Jefferson City, MO 65101–6806
Tele: 473–751–2076
HOME ADDRESS
311 Constitution
Jefferson City, MO 65109
573–893–7647
CARL M. VOGEL
114TH DISTRICT STATE REPRESENTATIVE
January 14, 2002
Renata Hesse
Trial Attorney-Anti-Trust Division
Department of Justice
601 D Street Northwest, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Given that the economy is now in recession, the last thing we need is more litigation and regulation of the high-tech industry. Already over $30 million in taxpayer funds have been spent on the Microsoft anti-trust case at a time when money should be kept in the pockets of consumers, thus helping our fragile economy grow. The settlement reached between the Justice Department and Microsoft is appropriate.

I favor free-market solutions to the problems facing businesses today. Competition—and the will to succeed as a result of this competition—has given this nation the strongest business enviroment in the world. There has been no consumer harm as a result of any actions taken by Microsoft. In fact, Microsoft's innovation has led to tremendous benefits for consumers, such as better products and lower prices.

Sincerely,

Carl M. Vogel

State Representative

114th District

MTC–00031355

To: Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington. DC 20530
Fax: 202–616–9937
From: Kai Hintze
Senior Systems Programmer
Albertsons
(Voice) 801–961–3146
Subj: Antitrust Settlement—U.S. v Microsoft
Summary: Please go back and do it right.

16 January 2002
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington. DC 20530
Fax: 202–616–9937

Dear Ms Hesse. In the matter of US v. Microsoft: I do not believe that ''punishing'' a company convicted of illegally maintaining a monopoly by offering it a chance to extend that monopoly into one of the few markets it does not already control will prove an effective deterrent. In my opinion, any penalty which might impede Microsoft's illegal monopoly growth must include at least the following elements:

1) Microsoft must publish all specifications to all its file formats. Much of Microsoft's power arises from the fact that its Office suite has been bundled with new computers so much that it is a defacto standard. Other word processors and spreadsheets try to build conversion routines so that they can read and write Microsoft files, but they depend on reverse-engineering to try to find out what the file format is, so they have limited success. A published specification would allow Microsoft its precious right to innovate, but would permit other developers to make truly compatible software. This way Microsoft would have to compete on usefulness and not on obfuscating their files.

2) Microsoft must publish all Application Programming Interfaces (API's) exposed by its operating systems. Programs written using operating system API's are usually. easier to write and usually run faster. Microsoft has been shown in the past to publish most of their API's so that third party software can be written, but reserve some knowlege of API's so that third party software won't run quite as well as Microsoft software.

3) Microsoft must publish its price structure. Said price structure cannot penalize vendors who sell non-Microsoft products and operating systems. From the purchaser's point of view, when vendors sell a computer with Windows located the vendor must include the cost of the operating system as a line item.

I believe this is the most extreme penalty. Pricing is usually considered a trade secret, but Microsoft has been shown in too many instances to set prices for a specific contract not according to volume or any other objective measure. but purely to reward its friends and punish its enemies. This will also allow consumers to compare the price they pay for various operating systems that can run on their computers.

4) Microsoft must use independently published networking protocols. If Microsoft wishes to extend a networking protocol it must submit the extension to an independent body such as IEEE for approval. One of Microsoft's common practices to discourage competition is called ''embrace and extend''. In other words, take something that works for everyone, and make it so that it only works with Windows. One recent example of this is the Windows 2000 implementation of the published Kerberos security protocol. It looked a lot like something that would work with other Kerberos clients and servers, but was just different enough that it didn't, thereby requiring organizations that wished to use Kerberos authentication for their Windows 2000 boxes to have a Windows 2000 Kerberos server, even if they had an existing Kerberos server they had been using for years for other platforms that ran well.

5) Microsoft must be prohibited from pursuing legal action against people helping to enforce penalties 1 through 4, and people who publish reviews and comparisons unfavorable to Microsoft.

Penalty 5 is required because Microsoft has a history of attempting to suppress reviews that find that other products out perform the Microsoft product by threat of legal action. Microsoft claims that involving their product in ''unsanctioned'' evaluations is a violation of the license terms. Thus this penalty is required both to allow legitimate journalistic and evaluatory functions and specifically to protect individuals and groups engaged in the research necessary to monitor penalties 1, 2, and 4. This behavior is particularly loathsome when Microsoft attempts to sweep security flaws under the table, as they usually do. (See their recent Security Through Obscurity program, formally known as the Microsoft Certified Security Partner Program.) If Microsoft is allowed to continue business as they have in the past they will only increase the risk to business and national security that they are now. Penalty 3 is a matter for accountants. It is obnoxious but straightforward to monitor. Penalties 1, 2, and 4 would be most easily monitored by providing a bounty (to be paid by Microsoft) for individuals or groups who examine Microsoft's products and find instances where Microsoft has failed to comply.

In addition to the bounty for those who find violations, Microsoft should be required to pay a substantial fine for each violation. Perhaps this fine could be applied to some existing educational fund.

Please note that I have not requested that Microsoft reveal any of its code, only the interface to use the code. Neither have I suggested that Microsoft not be allowed to innovate, only that they should stop trying to skew the playing field so that others can innovate as well.

The damage to consumers created by Microsoft as a monopoly was demonstrated during the recent trial, but I will provide three specific damages, and one instance of each:

1) Microsoft only innovates (or buys innovation to include with its products) where it has competition.

When Lotus l-2–3 was the dominant spreadsheet Excel received frequent and noticeable enhancements, to the point where it became the clearly superior choice. Now Excel has obliterated the competition, and I cannot recall the last useful function added to it

2) Microsoft lowers prices where it has competition and raises them where it does not.

When WordPerfect and other word processors offered serious competition to Microsoft Word the list price for Word was US $99.00 and I could have bought it for $59. Today the list price for Word is US $399 and the lowest price C-Net can find is $275.

3) Microsoft has a history of trying to stifle other innovators. Microsoft has a current lawsuit against Lindows.com Inc.. claiming that their name will confuse buyers. But Lindows is the most reasonable name for the company, given that their stated goal is to be able use Linux to run programs written for Windows. It looks to me like Microsoft prefers litigation to innovation. I hope that you will see that the published settlement proposal only benefits Microsoft (and that only in the short run), and demand that they return to the table to create a settlement that will benefit everyone.

Thank you for your attention.

Please note that this letter is my opinion only, and may or may not represent the view of my company. However I included my title as evidence that I am familiar with the computer industry, and that my opinions are reasoned and backed by experience.

Sincerely,
Kai G. Hintze
Senior Systems Programmer
Albertson's
(Home address)
3087 W 7140 S
West Jordan, Utah 84084

MTC–00031357

Jan 16 02 03:03p Gary Pearce 9197878031 p.1
TRC Triangle, Inc.
P.O. Box 41087
Raleigh, North Carolina 27629
Telephone 919–828–3150
Facsimile 919–828–1977
January 11, 2002
Renata Hesse
Trial Attorney
DEPARTMENT OF JUSTICE
Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse: In November 2001, North Carolina Attorney General Roy Cooper joined with other states'' attorneys general from across the nation in agreeing to a settlement with Microsoft Corporation in the ongoing antitrust litigation against that company. I believe our state's attorney general made the correct decision, and I am writing to urge the federal courts to agree to that settlement. North Carolina and, especially, the Triangle area have enjoyed remarkable economic growth thanks in great measure to the advances of the information technology industry. Events at home and abroad now jeopardize our prosperity-and that of the entire nation. It is more important now than ever to remove any obstacle to economic recovery, and I sincerely believe this prolonged Microsoft matter is just such an obstacle. By accepting the proposed settlement, Microsoft has demonstrated that it will abide by strict constraints on its behavior in the marketplace. The settlement provisions protect Microsoft's competitors and, more importantly, the consumer, while preserving for Microsoft the essential ability to innovate and introduce new products.

Thank you for your consideration.

Sincerely,
C. Thomas Hendrickson
President

MTC–00031358

Jan 16 02 03:Olp Gary Pearce 9197878031 p.1

SMITH HELMS MULLISS & MOORE. L.L.P.
Attorneys at Law
2800 Two Hannover Square
Raleigh. Norrh Carolina 27601
PO Box 27525 (27611)
(919) 755–8700
direct: 919–755–8726
fax: 919–755–8800
Dennis.Wicker@smithhelms.com
January 16, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse: I believe that the proposed settlement in the Microsoft case is a fair and reasonable compromise. It was arrived at after extensive and intensive negotiations, through the leadership of a court- appointed monitor. I hope it will now receive the approval of the federal court. Under the agreement, Microsoft will be forced to make significant changes in its operations. It must work in new ways with software developers and computer makers. It must communicate better with other companies, share more information, create more opportunities for other companies and offer more choices to consumers. Microsoft must also accept the oversight of a special committee that will monitor implementation of the lawsuit.

These are extraordinary steps for a company to take, and Microsoft has stated publicly that it will accept and abide by the terms. So I strongly believe it is time, especially given the uncertain condition of our economy today, to close the books on this matter and enable Microsoft—and its competitors -to go back to doing what they can and should do best: find new ways to enhance the productivity of America.

Sincerely,

SMITH HELMS MULLISS & MOORE, L.L.P.

Dennis A. Wicker

MTC–00031359

JAN-16–2002 13:54 MO HOUSE OF REPS 473 751 5123 P.01
DANIEL J. HEGEMAN
STATE REPRESENTATIVE DISTRICT 6
State Capitol—Room 101D
Jefferson City, MO 85101–6806
TELE: (573) 751–0246
FAX: (573) 525–7740
E-Mail: dhegeman@services.state.mo.us
MISSOURI HOUSE OF REPRESENTATIVES
DISTRICT ADDRESS
18739 County Road 294
Cosby. MO 64436
(816) 662–2645
January 14, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.qov

Dear Ms. Hesse As a state legislator in the Missouri General Assembly, I want to express my support for the proposed settlement between the United States Department of Justice and Microsoft. As a legislator that is constantly involved in negotiating and compromising, I am firmly convinced that this proposed settlement is fair and equitable to both parties. Now is the time to put this case behind us and allow the technology industry to move forward. As you know, Microsoft has been a leader in innovation throughout the industry. All facets of our economy have benefited because of the leadership and technology advances made by Microsoft. Stewards of government should encourage these types of industry successes instead of placing roadblocks in front of them. I hope you stop the litigation and accept this reasonable settlement.

Sincerelv.

Daniel Hegeman

District 5 State Representative

MTC–00031360

linda c. ashendorf 6040 jester lane charlotte nc 28211
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov
Re: Microsoft case

Dear Attorney Hesse: As a business owner and comsumer, I am writing in support of the proposed settlement in the U.S. v. Microsoft case. The agreement to the three year-old antitrust suit is a compromise that contains rules and regulations on how Microsoft will develop and license software. At the same time it allows Microsoft to continue efforts to develop new software that will benefit consumers. Computer manufactures will have the flexibility to configure Windows so non-Microsoft programs can be integrated into the set up and have the ability to remove certain Windows features such as the lnternet Explorer and replace it with another web browser. Microsoft has also agreed to provide a uniform price list to the 20 largest manufacturing computer makers. This settlement reaches a middle ground for both sides and will ultimately benefit consumers, the technology industry and the economy. It is time to end the litigation and promote opportunities lo get our economy and technology industry moving again.

Sincerely,

Linda Ashendorf

public affairs consultant

MTC–00031361

Hillsborough County Republican Committee
January 10, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse: I am writing to submit my public comment in support of the current settlement proposed in the case of the United States v Microsoft. I have been following the case in the news and believe that its end is long overdue. Haven't we spent enough of the taxpayers'' money on this case? The company should be allowed to get back to work on more important matters, like creating new products and focusing on their customers' needs. During this economic downturn and as national security concerns rise, your efforts should be focused on prosecuting criminals that have a detrimental effect on the American people and our economy. Government should be encouraging companies like Microsoft by allowing the marketplace to police them, rather than subjecting them to government interference.

I am certain that the agreements reached in this settlement will ease the government's concerns about Microsoft. After all, if a number of the parties involved in this case can agree, doesn't that show that it is a good agreement? To continue litigation against Microsoft at this time would be unnecessary and ultimately harmful to the American people. I urge you to approve this settlement quickly so we can all get back to work.

Sincerely,

Maurice Goulet

Chairman

48 Ministerial Branch Bedford, New Hampshire 03110

MTC–00031362

Clendenin Bird & Company
CERTIFIED PUBLIC ACCOUNTANTS
1300 Tenth Street, Suite C
Modesto, California 95354
Telephone (209) 526–3091 Facsimile (209) 526–2287
Gerald L. Clendenin, CPA
Constance Hillas Bird, CPA
Albert A. Avila, CPA
James O. Armstrong, CPA
Patricia A. Retting, CPA
Claire L. Schendel, CPA
Wendy I. Prather, CPA
January 16, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530

Dear Ms. Hesse: I am writing this letter to the court to support the settlement that is proposed in the case of US v. Microsoft. From what I understand, nine of the states and the federal government have come to an agreement and the court is asking for public comment as to whether that agreement should be accepted. I have read the arguments made by both sides on this case- by Microsoft and by the competitors who called for the suit in the first place. These competitors of Microsoft have made the argument that Microsoft's anticompetitive actions have brought harm to the technology industry. That argument is no longer valid. Since the day this case against Microsoft first began, the technology industry went into a steady decline. You don't need to look any further than the NASDAQ-our strongest tech market indicator-over the last three years. Those competitors and their allies who arc arguing to the court that a settlement will harm the technology industry are totally wrong.

The original goals of this case may have been justified. I don't believe that question is still relevant. I believe the relevant question now is ''is the settlement fair and is it time

to end this case?'' To those questions, I think I speak for the majority of Americans by telling the court that the answer is a resounding ''yes.''

Thank you very much.

Sincerely,

CLENDENIN BIRD & COMPANY

MTC–00031363

January 16, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft: I would like to express my feelings about the Microsoft antitrust case. I sincerely hope that this settlement will be the end of the lawsuits. This is supposed to be free enterprise but Microsoft is being punished for running a successful company and inventing technologies that have changed our lives. I work for the government as a Chemical Engineer, and I use Microsoft products every day. Microsoft is not forcing anyone to use their, products; consumers want the ease of using compatible products. Please uphold this settlement, Microsoft is conceding far more than what has even been asked for. For example, Microsoft will now share its proprietary information with competitors, allowing them to more easily place their own programs on Microsoft's Windows operating system. It is a very reasonable settlement and will restore fair competition to the computer industry. Thank you for your time.

Sincerely,

Federico B. Santa Cruz

506 Saybrooke View Drive

Gaithersburg, MD 20877

MTC–00031364

FROM : PHONE NO. : 8472952092 Jan. 17 2002 08:38AM P1

January 14, 2002

Attorney General John Ashcroft

US Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft: Microsoft has been involved with the federal courts in an antitrust lawsuit for approximately three years now. Last November, a settlement was reached that seemed to mark the beginning of the end. I thought that the struggle would soon be over. That appears not to be the case. Nine states remain litigious, and they have used the past several weeks to sling mud at Microsoft and gather support to overturn the settlement. In light of the recent terms agreed to under the settlement, I do not see why these states believe Microsoft remains in violation of antitrust laws. Microsoft has agreed not to retaliate against any software producer that introduces software onto the market that is in direct competition with Microsoft products. Moreover, Microsoft has agreed not to enter into any agreement that would require a third party to endorse Microsoft products either exclusively or at a fixed percentage. I do not believe terms such as these are too lenient with Microsoft nor do I believe that the issues raised by Microsoft's competitors have been dealt with lightly.

It seems as though every time Microsoft is attacked, the whole market collapses. This duration of this case has had a derogatory effect on the economy and the IT industry. No good can come of further litigation. In my opinion, the case should remain settled. I see no reason for the suit to be reopened and the settlement overturned. I urge you and your office not to take further action against Microsoft in the federal courts.

Sincerely,

Mary McAndrew

432 E Alexander Palm Road

Boca Raton, FL 33432

MTC–00031365

Date: Thursday, January 17, 2002 Time: 3:19 AM

To: Renata Hesse

Company: United States Department of Justice

Fax Number: 2026169937

From: Robert Trujillo

Subject: Microsoft Antitrust Settlement

71 Faragut Ave

Tonawanda, N.Y. 14150

January 17, 2001

Renata B. Hesse

Antitrust Division

U.S. Department of Justice

601 D Street NW

Suite 1200

Washington DC 20530–0001

Renata B. Hesse:

As someone familiar with computing and the computer industry, and the adverse effects of Microsoft's monopolies in these areas, I cannot see how the settlement that is proposed even pretends to remedy the antitrust violations for which Microsoft has been found culpable. The company has already been found in violation and this is the penalty phase of the case, but the settlement contains no penalties and actually advances Microsoft's operating system monopoly. A just penalty would at barest minimum include these 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.

Any Microsoft software that is bundled with Microsoft's operating system, software such as Internet Explorer and Windows Media Player, should be removable from the Operating System. Thus if the user chooses a competitors product and no longer desires to use Microsoft's product. the user can then remove that application and all files pertaining to that application. This should be made retroactive, i.e. older versions of the Windows operating system should be made to comply with action. Microsoft and or O.E.M.s should be compelled to include Sun MicroSystems Java virtual machine. Microsoft has decided to discontinue shipping Sun MicroSystem Java virtual machine in it's future release of its operatin system, this includes the currently shipping Windows XP. Microsoft had in the past shipped Sun MicroSystems Java virtual machine with its products but after its settlement with Sun MicroSystem has decided against this action. This action is quite harmful to users and developers who use the Java programming language and applications developed from this product. This action unfairly penalizes users and developers alike. Note Microsoft's Visual Basic components continue to ship with their operatin system giving Microsoft's Visual Basic product an unfair advantage. I believe these changes listed above would go along way in improving the proposed settlement.

Sincerely,

Robert Trujillo

MTC–00031366

MARK S. PULLLIAM

SAN DIEGO, CALIFORNIA 28101

January 16, 2002

VIA FACSIMILE (202/616–9937)

Renata Hesse, Trial Attorney

Antitrust Division, Department of Justice

601 D Street NW, Ste. 1200

Washington, DC 20530

Dear Ms. Hesse: It is probably safe to assume that as part of the Tunney proceedings the court is receiving numerous letters arguing that the Microsoft settlement does not go far enough. Microsoft's competitors have long held the belief that all of their shortcomings in the marketplace might be resolved by the courts. I would like to publicly state that the settlement does more than enough to remedy the case of US. v. Microsoft, this issue has gone on far too long, and accepting the settlement will bring closure which is long overdue. A settlement in a case like this is just that-a settlement, Individuals and companies will spend extensive amounts of time and money trying to point out every single flaw or shortcoming they perceive to be a part of this settlement. But the case against Microsoft is not about trying to make sure those who abhor Microsoft get every single thing they ask for. The settlement is about working to remedy a previously bad situation in a manner that is fair to both sides.

The settlement more than adequately punishes Microsoft. Forcing codes to be opened, placing monitors in their business, and removing any perceived leverage will bring fairness to all the companies trying to gain an advantage from the settlement. Hundreds of hours and countless individuals have worked to craft this settlement. I hope the courts will consider this in their ruling

while also recognizing the self interest which motivates many of the letters pouring in against the settlement.

Sincerely,
Mark S. Pulliam

MTC–00031368

3289 Pear Point Road
Friday Harbor, WA 98250
Phone: 360–378–6845
Fax. 360–378–5042
To: Attorney General John Ashcroft
From:Steven A Cotton
Fax: 202–307–1454
Date January 17, 2002
Re:Microsoft Anti-Trust Case
Comments:
3289 Pear Point Road
Friday Harbor, WA 98250
January l6, 2002
Attorney General John Ashcroft
United States Department of Justice, 950 Pennsylvania Avenue, NW
Washington, District of Columbia, 20530–0001

Dear Mr. Ashcroft, I am writing today to encourage you and the Department of Justice to accept the Microsoft antitrust settlement. The suit has been dragged out for over three years now, and it is time to put it behind us. Microsoft and the industry as a whole needs move forward and focus their attention on business at hand; otherwise the economic climate within the tech industry may never rebound.

Many people believe that Microsoft got off easy; in fact, the opposite is true. Microsoft agreed to terms that extended well beyond the products and procedures that were actually at issue in the suit, with the express reason that it will al1 be over soon. The company also agreed to a three-person technical committee that will monitor Microsoft's compliance with the settlement A fair settlement and a fair way to make sure that the settlement is followed were reached The only thing left is to see that the government accepts its own settlement. In these economic hard times we need to allow business to move ahead. As long as this suit is hanging around, the technology industry will not be able to move further. Please accept the Microsoft antitrust settlement and let us get on with the people's business.

Sincerely,
Steven Cotton

MTC–00031369

January, 2002
Department of Justice
Washington, D. C.
To Whom It May Concern: I am for settling the Microsoft Case. I believe that it was wrong in the first place to bring this to court. The company is not perfect—-but what they have done incorrectly does not merit a case being brought against them. This company and Mr. Gates has done more for many in this country than any other company. They have helped many schools and many, many charities, and many, many people when other companies would not even lift a hand.

Also—We have obligations to move beyond this. We have a war with terror going on right now. Let us begin to resolve the problems in this country—illegal immigration—let us begin to pull together and solve existing problems. President Bush is on the right track to work together—not divide this country. I love the windows operating system as it enabled, me a novice, to begin to use the computer. I think we should thank Mr. Gates rather than drag him into court. He was head and shoulders above everyone else in inventing a way for all to compute—he should have the freedom to continue to invent new ways to work. Our economy is in shambles. Let us put this behind us—I think it is time to accept Microsofts proposal and put this behind us. Many, many people are out of work in this country—we need to grow up and move on.

Thank you
Mary E. Wenger
Washington State

MTC–00031370

From. Myma-Sue Shimberg
To: Attorney General John Ashcroft
Date: 1/16/2002
Subject : Microsoft settlement

Dear Mr. Ashcroft:

Microsoft has succeeded because it has made products that are easier to use and more effective than its competitors. I was pleased to learn that a settlement was recently reached in the antitrust case that was begun more than three years ago by the Justice Department. I hope it will finally bring an end to this case. Microsoft should be allowed to function and compete without excessive government intervention. The settlement that was reached this November could conclude the federal case if it is put in place. Sadly some opponents of the settlement may try to undermine the settlement because they feel it is too undemanding. However the reality is that this settlement is very comprehensive. The settlement requires Microsoft to end any contractual restriction that could be interpreted as harmful to competitors. Additionally, this settlement compels Microsoft to share proprietary code with competitors, to an unprecedented extent. Undoubtedly this settlement should be the end of this case, despite what the Microsoft opponents may contend.

Sincerely,
Myrna-Sue Shimberg
11068 N. Mountain Breeze Drive
Tucson, AZ 85737

MTC–00031371

225 Castle Drive
West Mifflin, PA 15122–2958
January 16, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft settlement issue. I support Microsoft and believe this settlement is fair. Microsoft is an American company that has impacted our daily lives. Microsoft has brought American computer technology into our businesses and homes. This company has done so much in the past that it should not be stifled or restricted. This settlement allows this company to remain together. This settlement also contains provisions that will foster competition. Microsoft has agreed to share more information with other companies and has agreed to be monitored by a technical oversight committee. Competing companies may also opt to sue if they feel this company is not complying with this agreement. Again, I support this settlement and feel it will serve in the best public interest of America. Please support this settlement. Thank you for your time.

Sincerely,
Suzanne Cunningham
cc: Senator Rick Santorum

MTC–00031372

Iowa Special Events Group, Inc.
Specialists in Sound & Communications
Dale Blair, CEO E.E.
January 16 ,2002
Judge Kolar Kottely
c/o Renata Hesse, Trial Attorney
U.S. Department of Justice—Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Judge Kottely, I am writing in hopes to encourage the settlement with Microsoft. Most analysts agree that the suit is a wasteful use of taxpayer dollars; this case has a chilling effect on innovation, and is making it harder for entrepreneurs to raise capital. Beaten in the market by better Microsoft products and services, competitors like Netscape (since acquired for billions by AOL) somehow talked the federal government into attacking Microsoft as an anti-competitive monopoly guilty of predatory practices. Remarkably enough, I read that AOL-Time Warner began lobbying the government against a competitive Microsoft product before it was even released! It's quite disturbing to think that a corporation such as AOL-Time Warner has such influence over our states' legal decisions.

It has been AOL-Time Warner, created as a result of AOL's merger with Time Warner, whose existence has raised real hackles about potential monopoly power. For its part, Oracle has left no stone unturned in trying to undermine Microsoft. What disturbs me the most is that the government's attack on Microsoft may well have been motivated by a desire to assert control over the fastest growing and most independent industry in the country. That's a horrible philosophy if we want people to invest in new technologies and products that mean new jobs and growth for our future. All this being said, I think the settlement is acceptable and it's time to move on. Thank you for your time, as I know it is very valuable.

Sincerely,
Dale Blair
P.O. Box 815—Des Moines, Iowa 50304—
Phone: 515–277–2002

MTC–00031373

8 Pansy Court
Newtown, Pennsylvania 18940
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft: I would like to express my support for the settlement that was negotiated in November between Microsoft and the Justice Department. I believe the settlement is sound and in the best interests of our economy.

Although Microsoft probably conceded more than was warranted, the company believes it is time to move forward. As an example, Microsoft agreed that if a third party's exercise of any options provided for by the settlement would infringe any Microsoft intellectual property right Microsoft will provide the third party with a license to the necessary intellectual property on reasonable and non-discriminatory terms. I believe this is a significant concession and should show the government that this is indeed a good deal for them.

Both sides of this dispute showed much courage in sticking with the tenuous negotiations this agreement required. Your office has made the right decision in supporting this settlement and I hope you will continue your support.

Sincerely,

Arthur Millevoi

cc: Senator Rick Santorum

MTC–00031374

Professional Performance
DEVELOPMENT GROUP, INC
January 16, 2002
Attorney General John Ashcroft, US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft, I believe that the settlement reached between Microsoft and the Department of Justice regarding antitrust suit is more than fair. We live in a free-market society; it does not make sense to submit to so much government intervention. Carrying on litigation will have an adverse effect on the industry and prevent the advancement of technology.

It is necessary to settle the suit so the economy may a get a much- needed boost. I do not understand why a company must provide its competitors with information pertaining to its products, but Microsoft has agreed to give the rights to computer makers to configure the different Windows operating systems so they can run non-Microsoft software within them even easier. Microsoft has also agreed to license Windows to the 20 largest computer makers on equal terms and conditions, including price.

The suit has managed to drop the value of the stock market, raise software costs, and have taxpayers dig deeper into their pockets. If this suit continues, the economy may not be able to get the much-needed boost that it needs. I urge you to make certain that this settlement is confirmed and Microsoft is allowed to return to innovation.

Sincerely,

Klaus Schonfeld

Vice-President

4241 Woodcock Road,Suite A125, SAN ANTONIO, TEXAS 78228

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MTC–00031375

01/16/2002 19:25 630–325–0260 GREG SMITH
10 South 336 Hampshire Lane East
Hinsdale, Illinois 60527
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: Finally, after three long years. the Department of Justice has decided to end its antitrust lawsuit against Microsoft. This is good news for the business community and the economy as a whole, because Microsoft affects so much of the economy.

Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. Microsoft has also agreed to disclose and document! for use by its competitors, various interfaces that are internal to Windows' operating system products—a first in an antitrust settlement. Microsoft did not get off easily. The settlement was arrived at after extensive negotiations with a court-appointed mediator.

The company 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. Enough is enough. I support the settlement, and anticipate a swift end to this lawsuit.

Sincerely,

Greg Smith

MTC–00031376

1705 E West Highway
Apt. 409
Silver Spring, MD 20910
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to thank the Justice Department for agreeing to settle the Microsoft Anti Trust case. This case has dragged on for years and it's great that there is an end in sight. However, I hope that the government will be able to fend off the advances from Microsoft's competitors and allow the proposed settlement to be finalized. This settlement is more than reasonable, especially given Microsoft's contribution to consumers and small businesses. Their company is conceding a lot more than called for so that they can concentrate on their business again.

I am a private researcher and use Microsoft products daily for my research and personal use. Consumers would suffer greatly if it weren't for the Microsoft products that keep people connected to their PCs. There is a reason that most people use Microsoft over their competitors; in most cases their products have proved far superior to others'. However, this settlement will allow more competition in the computer industry, as Microsoft has agreed to share more of their coding information and interface design. They have also made it easier for PC users to use non-Microsoft products on Windows by allowing computer makers to pre-install their competitors' software on Windows.

Please do not allow further scrutiny of this settlement. It is a good way to end the lawsuits and allow the computer industry and the economy to get back on its feet.

Sincerely,

Timothy Baker, Ph.D.

MTC–00031377

25 Valley View Court
Westford, Vermont 05494
January 16, 2002
Attorney General John
US Department of Justice
Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my opinion that the three-year lawsuit against Microsoft was unjustified and wrong. I do not think that Microsoft has infringed on consumer rights or violated antitrust laws. In fact, their innovation has brought so much to our country's technological growth that we owe Bill Gates a huge ''thank you''. I thought it ludicrous that giving away software was considered by some to hurt the consumer!

Under the terms of the settlement, I am glad to see Microsoft will not be broken up, but the concession Microsoft will be making are unfair to them as a private firm. For one, they should not be forced to disclose internal inter-faces and protocols to their competitors. They should also not be restricted form entering into third party agreements for exclusive distribution rights.

Even though the settlement is flawed, our economy and the IT sector in particular, cannot take any more wounds. Finalizing the settlement is in the best interests of the American public and we look forward to the end of the suit.

Sincerely,

Howard Dachs

MTC–00031379

Michael D. Fleming, CFP
Senior Financial Advisor
CERTIFIED FINANCIAL PLANNER practitioner
American Express
Financial Advisors Inc.
IDS Life Insurance Company
suite 109
Jackson Plaza
503 Jackson Avenue
Elk River, MN 55330
Bus 763 241 9696
Bus 877 241 9696
Fax 763 241 1039
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft: I am writing in support of Microsoft's antitrust settlement with the federal government. I think it was fair and reasonable.

I also think Microsoft's willingness to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows, and their willingness not to retaliate against computer makers who ship software that competes with anything in its Windows

operating system, or against software of hardware developers who develop that also competes with Windows or that runs on software that competes with Windows, is was a huge concession by Microsoft.

In closing, I hope this settlement will be approved so Microsoft can get back to the business of innovation. Thank you very much. With sincere regards for an innovative American future.

Michael Fleming, CFP

MTC–00031380

3314 Waterwood Drive
Florida 33872
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: United States business history shows that the less the government is involved in private businesses, the more prosperous we are as a nation. That said, I am glad to know that we are at a point in which the federal government is stepping away from the private affairs of Microsoft once and for all. The Government is far too involved in the world of business and further government involvement in the IT industry will only serve to further damage current technology and future innovation.

Under the proposed settlement, Microsoft will share information with its competitors, allowing them to more easily install their own software on the Windows operating system. Additionally, Microsoft will agree not to reiterate any competitors that sell, uses, or promotes non-microsoft software. A swift end to the suit is in order so that Microsoft and the economy may recover from the extended lawsuit. I support the settlement as it now stands so that the entire (illegible) can be put to rest.

Sincerely
Robert F. Swault

MTC–00031381

North Carolina Citizens for business & Industry
P.O. Box 2508, Raleigh, NC 27602 225 Hillsborough Street, Suite 460, Raleigh, NC 27603*
Telephone: (919) 836–1400 *Fax: (919) 836–1425
Executive Committee:
*William Cavanaugh III
Raleigh
*William A. Coley
Caharlotte
*John A Forlines Jr.
Granite Falls
*David P. Huskins
Linville Falls
*Darleen m. Johns
Raleigh
*Kelly S. King
Winston-Salem
*George W. Little
Southern Pines
*Henry E. Miller Jr.
Wilmington
*Stephen P. Miller
Asheville
*R.V. Owens
Nags Head
*Suzanne D. Sartelle
Jacksonville
*Pope Shiford
Hickory
*Will B. Spence Jr.
Charlotte
*Dr. Patricia Sullivan
Greensboro
*C. Avery Thomas
Burlington
*N. Bradley Thompson Jr.
Charlotte
*Dr. Julianne Still Thrift
Winston-Salem
*Edward L. Weisiger Jr
Charlotte
*Paul M. Wiles
Winston-Salem
Chairman Emeriti:
*L.M. Baker Jr.
Winston-Salem
*Edwin B. Borden
Goldsboro
*Thomas W. Bradshaw Jr
Raleigh
*Richard L. Daugherty
Raleigh
*Malcolm E. Everett III
Charlotte
*John O. McNairy
Kinston
*Earl N. Phillips Jr
High Point
*Sherwood H Smith Jr
Raleigh
*G. Smedes York
Raleigh
*Charles E. Zeigler Jr
Gastonia
*Stephen P. Zelmak Jr
Raleigh
Presidents Emeriti:
*Ivic L Clayton
*Edward Rankin Jr.
January 11, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse: As president of North Carolina Citizens for Business and Industry, I would like to heartily endorse the settlement that has been reached and signed off on in the Microsoft case. With the Department of Justice, nine state attorneys general and Microsoft in agreement, I hope that Judge Kollar-Kotelly will approve it as soon as possible.

The group that I head is the largest business association in the tenth largest state in America. For many years, North Carolina has been rated as one of the top states in which to do business. One of the chief goals of our organization is to continue to improve that situation so that industry will move into our state and provide jobs for all our citizens. That is also why NCCBI has worked on many programs in education and job training as well.

One of our key growth industries has been high technology. Even Microsoft itself has a facility in Charlotte that provides high-paying jobs to more than 1,000 technical workers in the area. And that is why, from the beginning, we believe that the lawsuit filed by the Department of Justice was not in the best interest of our state.

However, now that there is a settlement on the table, I would hope that it would go through quickly so that Microsoft can be freer to keep innovative products flowing into the marketplace. Our state has suffered a great deal because of the downturn in our traditional core industries and now is feeling the effects of cutbacks in high tech and telecommunications. The last thing we need is further government intervention into this marketplace, holding up economic progress.

I was highly pleased when our own attorney general Roy Cooper withdrew the state's lawsuit against Microsoft and signed on to the national settlement. This is the kind of positive move that I hope will influence this case to come to settlement.

Sincerely,
Phillip J. Kirk, Jr.

MTC–00031382

Georgia R. Short Route 1, Box 330 Columbia, VA 23038 434.842.5189
January 16, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse: I am writing to comment on the Microsoft settlement.

Not too long ago I was the victim of a costly and unnecessary computer crash that was partially attributable to a non-Microsoft software clash with my computer's Windows operating system. As a consumer I am particularly impressed with the approach the settlement takes to ensure competition and promote the best interests of the consumer public.

With regard to Microsoft's compliance with the settlement, the agreement appears to provide adequate resources, access and authority to quickly respond to any complaints about noncompliance. The independent Technical Committee's power to hire unlimited onsite staff at Microsoft's campus and at that company's expense is also an important and welcome settlement feature,

While the agreement positions the U.S. Justice Department as the sole enforcement authority, the fact that state Attorneys General may take steps to escalate complaints to the Court appears to add a further measure of protection that is important to consumers and the computer industry as a whole.

I appreciate the opportunity to provide my comments.

Sincerely,
Georgia R. Short

MTC–00031383

SENT BY: ALASKAN OIL INC : 1–17–2:10:45AM: SYRACUSE, NY-2025149082;# 1/1
ALASKAN OIL INC.
2020 LeMoyne Street
* P.O. Box 533
* Syracuse, NY 13211
* 315–471–8490
* Fax 315–479–6698
www.alaskanoilinc.com

January 16, 2002
Department of Justice
Antitrust Division
Ms. Renata Hesse, Trial Attorney
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

I would like to express to you and Judge Kollar-Kotelly my support for a settlement between the United States government and Microsoft. I am the owner of Alaskan Oil, Inc., a company employing 125+ people located in upstate New York. Being involved in a highly regulated business, I am all too accustomed to the high pressures of doing business within an industry permeated with government regulation. I believe we do not need to add the high-tech sector to the list of over-regulated industries. The last thing the current economy needs are government lawyers and bureaucrats micromanaging the high-tech sector. It is my understanding that the antitrust laws were designed to protect consumers, not for some powerful companies to protect themselves from market competition. Microsoft competitors such as AOL Time Warner and Oracle should stop encouraging the government to fight their battles for them in court and fight in the marketplace instead.

Sincerely,
Richard A. Neugelauer
President

MTC–00031384

FROM: OFFICE DEPOT
FAX NO.: 864 587 2709 Jan. 17 2002 10:37AM P2
806 Thackston Drive
Spartanburg, SC 29307–2534
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Subject: Microsoft Settlement
Dear Attorney General Ashcroft:

We are writing to ask that you strongly advocate approval of the Justice Department's settlement with Microsoft at the close of the public comment period. It is important to the American economy that this matter be resolved, and that Microsoft be allowed to move forward with its business. It is our understanding that the settlement reached will allow for additional competition in the computer market without requiring Microsoft to operate from a competitive disadvantage. The formation of an oversight committee to monitor the settlement will also help avoid future unnecessary litigation. We appreciate being afforded the opportunity to address this important issue.

Thank you.
Sincere regards,
Robert D. and Aline Soutter
cc: Senator Strom Thurmond

MTC–00031385

John E. Echlin Jr.
321 Tom Fripp Rd.
St. Helena Island
South Carolina, 29920
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

This letter is to express my support for the settlement reached between Microsoft and the Justice Department. Enough damage has been done to the company by the pursuit of an unjust law suit that should not have ever happened. Microsoft has taken steps that give competitors a lot of what they wanted, although to some it is not enough. Further pursuit could damage Microsoft beyond recovery.

Not only has Microsoft been forced to give up proprietary products, it has cost the company and the shareholders money and has distracted management from its primary goal of managing the company.

Cordially,
John E. Echlin Jr.
cc: Senator Strom Thurmond

MTC–00031386

Barbara Thompson
8907 E Douglas
Wichita, KS 67207–1207
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Attorney General Ashcroft:

I support the Justice Department's current settlement agreement with Microsoft. I feel that the case is being furthered by jealous competitors, much like the trouble AT&T incurred years ago. Microsoft should be allowed to get on with business.

I'm not a technical-minded person, but I think that Microsoft is a great company that offers innovative products. The terms of the settlement are fair, and Microsoft's concessions will allow for fair business competition. The increased consumer flexibility in selecting different program options will ensure that.

In addition, I feel that Bill Gates has contributed greatly, both financially and with his time, to charitable, cultural, educational, and community organizations. It seems that, proportionate to other companies, his generosity has far exceeded that of other CEOs. I particularly reference foreign automakers following the 9/11 tragedy. His record of giving, T believe, makes a significant and positive impact on every American. I urge you to settle the Microsoft case as quickly as possible. Thank you.

Sincerely,
Barbara Thompson

MTC–00031387

Michelle D. Blount
906 Manhattan Drive
Columbia, Missouri 65201
January 17, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D. Street NW, Suite 120
Washington, DC 20530
Dear Ms. Hesse:

As a technology management person for a large insurance company, I frequently deal with issues related to computer hardware and software. In addition to my professional involvement with computer technology, and perhaps more important, is my interest as a general consumer being represented by the Justice Department. Due to my involvement with technology, I've followed with interest the Microsoft settlement and am compelled to express my opinion on this issue. Keeping in mind the basic foundation for this lawsuit, which was for me protection of the average consumer, it is my opinion that to accomplish this there must be a quick resolution of the matter. This settlement has been far from expedient and has been very costly. The lawsuit has clogged up our federal legal system and it is time to agree to a settlement for the benefit of all. Again, keeping in mind the well-being of consumers, would it not be to the benefit of all for our school systems to receive free computer systems from Microsoft? While I have considered a competitor's opposition to this, their position is ancillary to the issue. The lawsuit was brought on my behalf, not to the benefit of companies that in some cases created their own failures by their own limited technology. Further, to consider a break-up of a company such as Microsoft would not be to any consumers benefit, A break-up of the company would be costly, confusing, and would ultimately harm the consumers. To act on my behalf, the Justice Department needs to resolve this issue immediately, agreeing to a settlement that benefits those it claims to have in it's best interest. This would be to put the rewards of the settlement back into the hands of the consumers via the education of our children.

Sincerely,
Michelle D. Blount
Manager—Technical Support Services

MTC–00031388

Sue French Lewis
PRESIDENT
COMMUNICATIONS
January 17, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

I am pleased to have the opportunity to comment on the Microsoft case settlement. It is my understanding all new Microsoft operating systems would have to utilize a mechanism that readily allows users to remove Microsoft's products—including the Internet browser, instant messaging tools, media player, and email utilities. In my opinion, this settlement would make it easier for users to switch and compare among competing products. I feel this part of the settlement provides end users like myself with the flexibility I prefer.

Sincerely yours,
Sue F. Lewis, President
Imagine Communications
313 Saint David's Lane
Richmond, Virginia 23221
804–213–053
FAX 804–213–3018

MTC–00031389

TIMOTHY J. DONOVAN

1081 Crosspoint Court
San Jose, California 95120
(408) 268–8288
January 17, 2002
VIA FAX
TO: DEPARTMENT OF JUSTICE
Re: PROPOSED MICROSOFT SETTLEMENT (i.e., Tunney Act Review)

Gentleperson:

I recommend that the settlement between the Justice Department, Nine States and Microsoft be immediately approved, without reservation. From the outset the lawsuit brought against Microsoft was politically motivated. The lawsuit wrecked the economy and triggered the worst recession in the history of the United States. I believe the settlement is fair and just to all parties concerned. It is about time we stopped playing ''politics'' with the United States Economy and settle this lawsuit which will be a catalyst for a full recovery of our economy. Otherwise, you do not have to be a rocket scientist to conclude that if this settlement is rejected, it will trigger a deeper and broader recession.

Sincerely,
TIMOTHY J. DONOVAN

MTC–00031390

FROM: RICHARDS
117 Kingswood Drive
Florence, Alabama 35630
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

It is a firm opinion that the past three years of litigation with Microsoft has been very damaging to the economy on a whole. I truly hope that this litigation process will come to end soon. My reason for writing to you is to express my support for the Microsoft settlement. I do not blindly support Microsoft. I am a very happy Microsoft user and have had no major problems with the services rendered. I am also extremely pleased with Microsoft's initiative to distribute software and services to school. This is a very impressive and well-needed effort. In following this case, I am also satisfied with Microsoft's strides to adhere to the guidelines of the settlement including their development of Windows XP to promote non-Microsoft software within Windows. As this entire issue has been dragged on for quite some time now, it is my hope that my input and that of others will help in the litigation process.

Sincerely,
Nolan Richards

MTC–00031391

THE ESSENTIAL FACILITY CONNECTlON
January 7, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I would like to begin by stating that the scheme of breaking Microsoft should not have even been brought up. Since the conception of this suit, there has been an uncertainty of job security in the IT industry. It is vital that Microsoft and the DOJ work to push this issue through.

As you know, this settlement was arrived at after extensive negotiations with a court-appointed mediator present. In accordance to the settlement, Microsoft has agreed not to enter any agreements that would obligate any third party to distribute or promote any Windows technology exclusively or in a fixed percentage. Microsoft has also has agreed not to retaliate against computer makers that may ship software that would compete against the Windows operating system. This will make consumers happy, and ensure that competition reigns supreme.

I believe that it is too early to feel comfortable regarding this settlement. But, it is also necessary to resolve this issue so that the economy and the industry may continue to move forward during this stagnant time in our Nation's history. It is time to allow Microsoft to return to innovation.

Sincerely,
Randall Jarrel
Webmaster
5030 First Avenue South, Seattle, WA 98134
Tel: (206)268–9800 Fax: (206) 268–9801
Email: info@essention.com

MTC–00031392

379 Rattlesnake Road
Ridgeway, South Carolina 29130
January 17, 2002
Attorney General Ashcroft
US Department of Justice
Washington, DC 20530

Dear Mr. Ashcroft

I am writing to you regarding the Microsoft case. To me, Microsoft symbolizes what America stands for—free enterprise. They should not be punished for their ability to lead the industry and their competitors'' inability to follow even closely behind. Ever since its inception, Microsoft has been an incredible act to follow. The company's software has been released with relatively few glitches, has been very affordable, and has made the professional and personal lives of its users much more convenient. I use Linux on several of my machines and think it is great but it is not suitable to the average consumer, only Microsoft fits that bill.

I also believe that the States that remain in opposition of Microsoft have not given close enough consideration to Microsoft's impact on the economic well being of this nation. With the country in a recession and at war, this is no time to negatively impact the economic backbone of the technology industry.

I know that when closure is brought to this matter, it will do a world of good for the economy and the industry. Thank you for doing your part to recreate this stability.

Sincerely.
John M. McSwain
cc: Senator Strom Thurmond
Congressman John Spratt

MTC–00031393

Michael D. Kania
724–935–3237
mikekania@prodigy.net
January 15, 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 the settlement between Microsoft and the US Dept. of Justice. The settlement will satisfy the desires of all involved parties, and should be allowed to proceed.

I do not think Microsoft has a monopoly. In fact, I believe Microsoft's innovation has benefited the country's growth. Not only, does Microsoft epitomize all the aspects of a successful business in a free market economy, but it positively affects our country's economy. Still, Microsoft is willing to accept sanctions, including sharing business secrets and non-retaliation clauses, that go well beyond the original concerns of the lawsuit in order to get on with business. As a Microsoft products user and supporter, I am glad to see this issue settled and I look forward to Microsoft's furture growth throughout the technology sector.

Sincerely,
Michael Kania
305 Oak Grove Court
Wexford, PA 15090
cc: Senator Rick Santorum
Marliene Branton
606 Harding Avenue
Pen Argyl, PA 18072
January 8, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft,

It is with great enthusiasm that I write to you today to express my support for the settlement reached in the Microsoft antitrust dispute. The litigation was unwarranted. The end has come. And the technology industry can finally return to normal.

Microsoft did not escape this litigation without compromise. The company agrees to restrict its business practices as to not retaliate against companies that develop or promote competing products. Protocols that can benefit other companies will now have to be disclosed. To assure compliance, Microsoft will be subject to the all-new technical review committee, which will also sometimes manage disputes other firms have with Microsoft. Microsoft has been generous in its compromises to competitors. Microsoft should be allowed to focus on business now. The IT community needs it. Our economy needs it. Please continue to support this settlement, and work through the appropriate channels to have it enacted permanently.

Sincerely,
Marliene Branton
cc: Senator Rick Santorum

MTC–00031396

Steve & Christine Bury
PO Box 378
Otto, North Carolina 28763
Telephone: 828–369–5908
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

It is with great pleasure that I write to you today to express my support of the settlement reached between the Department of Justice and Microsoft. Three years have passed since this litigation was introduced. During these years, the technology industry has suffered a decline. In addition, many federal dollars were spent in this litigation process. The settlement that was reached, then, signifies a step forward. The settlement includes many different concessions. Microsoft agrees to license Windows at a uniform price for the majority of computer manufacturers. The largest twenty computer makers will now all be able to license Windows at the same price with the same terms and conditions. This will eliminate some competitions between manufacturers,

I wish to reiterate the importance of this settlement. Settling this case will untie necessary budgetary resources. During economic recession, this should be our priority,

Sincerely,
Christine Bury

MTC–00031397

2807 NW 83rd Street # Cl2
Gainesville, FL 32606–8623
January 15, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

It is time for litigation in the Microsoft antitrust case to come to an end. I am hopeful that you will ensure the settlement that was recently reached between you and Microsoft carried through and this case is finally ended at the federal level. After three years and great expense to your Department and Microsoft, there is a light at the end of the tunnel in this case: namely the settlement. This settlement by no means lets Microsoft off easy. Included in this settlement axe provisions that will change the way Microsoft does business. Microsoft will have to disclose an unheard of amount of proprietary code to competitors under this settlement so these competitors will be able to make better software and compete against Microsoft.

Regrettably extreme anti-Microsoft special interests may try to derail the settlement. They would prefer to see Microsoft damaged rather than see a reasonable conclusion to this case.

Sincerely,
Roger F. Bates

MTC–00031398

FROM : ARGO INTERNATIONAL
FAX NO. : 6105663807 Jan. 17 2002 11:47AM P1
826 Meredith Drive
Elwyn, PA 19063–1714
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 14, 2002

Dear Mr. Ashcroft: I am glad that the antitrust settlement with Microsoft has finally come to a halt. I feel that it has gone on far too long. It's about time that the government and Microsoft will come to an agreement as to how Microsoft runs its business.

It is good that Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with or runs on Windows. It is also a sound decision that a technical committee comprised of three software engineering experts will monitor Microsoft's compliance with the settlement and assist with dispute resolution. This will ensure the best interest of all people, both Microsoft employees and consumers. Again, thank you for settling this matter. I give you my support. This country has more prudent issues to attend to at the moment.

cc: Senator Rick Santorum
Sincerely,
Wesley Argo

MTC–00031399

2113 Arrowhead Drive
Olathe, KS 66062
January 14, 2002
Attorney General John Ashcroft
US DOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft I am writing to express my opinions on the Microsoft antitrust settlement. I do not believe the suit was fair to Microsoft to begin with. The Microsoft Corporation and its employees have attained their dominant status in the IT industry through hard work and innovation, not through a concerted and conscious effort to block the advances of competing software producers. Nevertheless, Microsoft was found to be in violation of antitrust laws and was brought to trial in the federal courts to answer for these violations. After three years of negotiation and mediation, Microsoft and the Department of Justice finally came to an agreement that would seem to be beneficial to Microsoft's competitors while at the same time allowing Microsoft to remain intact. Unfortunately, there are those who wish to see the settlement overturned and Microsoft destroyed. This is extreme.

Microsoft does not need to be rent asunder. The settlement has provided well for Microsoft's competitors. Microsoft has agreed to license intellectual property rights that fall under terms of the settlement to its competitors. Additionally, Microsoft will refrain from retaliatory behavior when software is put on the market that directly competes with Microsoft products. Microsoft will also not enter into agreements wherein a third party is required to endorse Microsoft programs or products either at a fixed percentage or exclusively.

Mr. Ashcroft, I do not believe further litigation against Microsoft is either necessary or wise. The economy has suffered while Microsoft has been tied up in this suit, and the IT industry has likewise been stunted in its growth. Microsoft has, through this settlement, appeased the demands of justice. I urge you to let the settlement stand. Thank you.

Sincerely,
Bill Barnhart

MTC–00031400

The House of Representatives
STATE OF SOUTH CAROLINA
STATE HOUSE
P.O.BOX 11867
Columbia 29211
(803)734–3065
DOUGLAS JENNINGS. JR
DISTRICT 54
JUDICIARY COMMITTEE
HOUSE MINORITY LEADER
HOME ADDRESS
151 BROAD STREET
P. 0. DRAWER 995
BENNETTSVILLE. SC 29512
January 16, 2002
RENATA B. HESSE
ANTITRUST DIVISION
U.S. DEPARTMENT OF JUSTICE
601 D STREET NW
SUITE 1200
WASHINGTON, DC 20530–0001
RE: SETTLEMENT OF DEPARTMENT OF JUSTICE ANTITRUST ACTION AGAINST MICROSOFT

Dear Ms. Hesse: I write to express my own support for the proposed settlement of the US Department of Justice antitrust action against Microsoft. I understand that nine (9) of the eighteen (18) states that joined in that action support the proposed settlement. The Attorney General of my state, Honorable Charlie Condon, long ago withdrew our state from this lawsuit. As a practicing attorney and as Democratic Leader in our House of Representatives, I know that some disputes are best resolved through negotiations and settlement. This settlement is going to impose strict new pro-competition and pro-consumer requirements on how Microsoft does business. It results from extensive negotiations with a court-appointed mediator and is of course supported by the Attorney General of the United States. It's time to bring this case to an end with this settlement.

Sincerey,
Douglas Jennings,Jr.
Democratic Party Leader
South Carolina House of Representatives

MTC–00031401

HANNIG ENTERPRISES, INC.
SPREAD EAGLE DEV. CORP.
SPREAD EAGLE REALTY, INC.
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: As an industry expert, I would like to express my opinion on the recent settlement between Microsoft and the Department of Justice. While it is good that Microsoft will not be broken up, it is my opinion that litigation should never have occurred in the first place. To date, Microsoft has been the most reliable source of new products and technology. They have created services that no other company could and therefore have an unusually large market share. But their ability to be the best should not be punished. Instead other companies should be considered to perform at the same rate of growth and operating efficiency that Microsoft does. I look forward to the IT industry returning to normal and a large part of their comeback will be Microsoft's ability to focus on business, not politics.

Sincerely,
Charles M. Hannig
cc: Senator Rick Santorum
442 Office Plaza, 200 Plaza Court, Suite A,
East Stroudsburg, PA 18301
(717)476–4747 * fax
(717)476–4749

MTC–00031402

North Carolina General Assembly
Senate Chamber
SENATOR CAL CUNNINGHAM
23RD DISTRICT
RALEIGH OFFICE 628 LEGISLATIVE OFFICE BUILDING
RALEIGH, NC 27601–2808
(919) 733–5870
(919) 754–3252 FAX
(illegible)@NCLEG.NET
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PO BOX 2101
ALEXINGTON, NC 27293
(336) 249 7731
COMMITTEES
JUDICIARY I, VICE CHAIR AGRICULTURE/ENVIRONMENT/NATURAL RESOURCES
≤APPROPRIATIONS/BASE BUDGET-EDUCATION
EDUCATION/HIGHER EDUCATION
INSURANCE AND CONSUMER PROTECTION
JOINT SELECT COMMITTEE ON VOTING PROCEDURES
RURAL DEVELOPMENT
TRANSPORATION
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Via facsimile: (202) 307- 1454
Re: Support for Microsoft Settlement

Dear Ms. Hesse, I am writing to express my support for the settlement that the Department of Justice and several states, including North Carolina, have reached with Microsoft. The settlement has earned bipartisan support and represents a reasonable compromise. I understand that Microsoft is committed to becoming a more responsible industry leader and has agreed to make many significant changes in its business practices. Along with our Attorney General, Roy Cooper, I believe that the settlement will be positive for consumers by enhancing competition in all aspects of the technology industry. I will be pleased to see this matter resolved as it will be a boost for the technology sector, a vital component of the North Carolina economy. I urge the Department of Justice and the court to approve this settlement.

Senator Cal Cunningham

MTC–00031403

9953 South Beach Drive
ainbridge Island, WA 98110
January 12, 2002
Attorney General John Ashcroft
U.S. Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft: From the start of the U.S. vs. Microsoft lawsuit, three long years ago, I have been confused as to why our federal government would choose to pursue and punish one of the most beneficial companies in America today. Microsoft has done more for the world of computing than any other single entity in the world. Without their products, the enormous marketplace for IT products that exists today would simply not be around—not at all Included in the proposed settlement are many points that are punitive towards Microsoft. One point requires Microsoft to open its proprietary software interfaces to other software manufacturers. This is an amazing affront to Microsoft and its lifetime investment in its own product, and a first in an antitrust lawsuit. Yet, Microsoft is willing to renounce this and many others of its fair business practices to see an end to this unfortunate lawsuit. For the millions of Microsoft stockholder and consumers Of Microsoft products, an end to the suit cannot come soon enough. For many, the government's prolonging the suit has already hurt financially. In the end, I wonder who will benefit from all of this wrangling. The Department of Justice owes all involved parties an end to this suit. Thank you.

Sincerely,
Carol Shade

MTC–00031404

Joe TOWSON
P. O. 6383
Spartanburg, SC 29304
January 16, 2002
Attorney General John Ashcroft
U.S. Department Of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft, I am writing you in support of Microsoft's decision to settle then antitrust case with the federal government. I think it is very fair, and goes beyond what was originally at the center of the dispute. Microsoft made the decision to cede privileges to computer makers to give them the chance to reconfigure Windows before they ship it to consumers. This means that the computer makers can promote non-Microsoft software programs that compete with programs included within Windows. What's more, Microsoft made the decision to also cede protocols to other software companies in the hope that they will develop more streamlined software. Finally, Microsoft will not be allowed to retaliate against software or hardware developers who take advantage of these decisions. I think this settlement should be approved so Microsoft can get back to business. I urge you to approve this settlement.

Sincerely,
Joe Towson
Cc: Senator Strom Thurmond

MTC–00031405

2830 Cabaline Trail
Hamel, Minnesota 55340
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: I would like to express my support for the pending Microsoft settlement to be decided on this month. As a taxpayer, I have felt that the only thing the expensive government case has accomplished is precluding free enterprise from continued growth in the technology sector. Therefore, the measures promised in this deal should be more than adequate to allow fair competition while still allowing Microsoft to create quality products for consumers. Though created by pressures from weaker companies envious of Microsoft's success and technology base, the settlement has achieved the lawsuit's goals and then some. Microsoft will ensure no retaliatory action against alternative software developers or the hardware makers that work with those competitors. The decision will also allow access to their internal interfaces and licensing of their intellectual property. All of this will then be monitored by a three-person technical committee of software experts, to guarantee ongoing compliance. It seems like an obvious choice for the sake of the technology industry to approve this agreement and move on to more important issues. Please allow this action to stand and Microsoft to implement the moves they've promised.

Sincerely,
Gabi Demeritt

MTC–00031407

From: James Leahy
To Renata Hesse Fax. (202)616–9937
Republican Assembly of Illinois
Thomas F. Roeser—Founder * James A. Leahy—Executive Director
January 15, 2002
Renata Hesse
Antitrust Division
Department of Justice
60l D Street NW
Washington, DC 20530

Ms. Hesse: My name is James Leahy and I am the Executive Director of the Republican Assembly of Illinois (RAI), which is a grassroots organization dedicated to the principals of smaller government, local control and lower taxation. RAI has been vocal in its encouragement of ending the Microsoft anti-trust case. I am writing you today to provide you some of the reasons why we have called for an end to this case in the past.

In November of 2001 it was reported that Microsoft had reached a proposed settlement of the case with the US Department of Justice. Here in Illinois we were grateful to hear this case may be coming to an end. We were further encouraged to know that our own Attorney General Jim Ryan had decided to end years of legal wrangling with Microsoft and accept the settlement. This decision will bring an end to a case that has been very costly to the American taxpayer and the United States economy. Not only have millions of taxpayers dollars been spent on this case, the stock market has been greatly affected. One can see the decline of the tech stocks is closely linked to when the government took aim at Microsoft. This settlement will provide the technology industry, which performed so well throughout much of the 1990s, with the ability to get back to business without fear of more government overregulation and

interference. It is clear that to reach this settlement all parties involved have worked together to resolve this case for the good of the tech industry and the nation's economy. It is my hope that the support of Judge Kollar Kotelly will be forthcoming.

Sincerely,

333 N. Michigan Ave. Suite 932 * Chicago, Illinois 60601 * 312–553–0097 *

MTC–00031408

Larry L. Koon
First Vice-Chairman
Alfred B. Robinson Jr.
Third Vice-Chairman
Marion P. Camell
William Clyburn
Gilda Cobb-Hunter
Daniel T. Cooper
Bill Couy
C. Alexander Harvin III
Mark S. Kelley
Kenneth Kennedy
Herb Kirsh
Harry B. Limehouse III
Donald B. Hottel, Jr.
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Jeannie R. Potter
Executive Secretary
Thomas G. Keegan
Second Vice-Chairman
Merita A. Allison
Secretary/Treasurer
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E. DeWitt McCraw
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John W. Riser
J. Roland Smith
Lewis R. Vaughn
Annette Young
Beverly C. Smith
Director of State
Budgeting & Finance
Gordon 0. Shuford
Director of Legislation
Policy Analysis
Robert W. Harroll, Jr.
Chairman House of Representatives
P. 0. BOX 11867 TELEPHONE: 734–3144
Columbia, SC 29211
January 16, 2002
Ms. Renata B. Hesse
Antitrust Division
U. S. Department of Justice
601 B Street NW
Suite 1200
Washington, DC 20530–0001
Re: Microsoft Settlement

Dear Ms. Hesse: This is to express my support for the settlement that Attorney General Ashcroft agreed to regarding the Department of Justice antitrust action against Microsoft. The settlement puts important new restrictions on Microsoft, yet it allows that company to continue to compete and innovate. Nine of the eighteen suing states decided to support the settlement, and our own state's attorney general, Charlie Condon, previously decided to stay out of the lawsuit. In my opinion it will benefit consumers, competition and the economy to allow this long-running lawsuit to be brought to a conclusion as soon as possible.

Sincerely,
Robert W. Harrell, Jr.
Chairman

MTC–00031409

W.D.S. FINANCIALS
Commodity Futures and Options
Managed Accounts
David Skinn
516 North Frederick Ave.
Oelwein, Iowa 50662–1244
319/283–3761
800/632–5973
January 17,2002 800/728–3761
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft: I am writing to express my thoughts on the government's anti-trust lawsuit against Microsoft, a case that I have disagreed with since Day One. This matter is one that never should have been pursued, and I, am glad that the two sides have agreed on a settlement. I want to ask that you please accept the terms of their agreement. Microsoft should be allowed to spend its time making products that will help the technology industry, rather than spending it on this unnecessary litigation. Settling now will be beneficial to independent companies, because Microsoft has offered to share information with its competitors. This seems more than reasonable, and I do not want to see this case dragged. out any longer than it already has been. The Justice Department you run made the right decision when it decided to end this litigation, and I hope you will make the right choice by supporting the Justice Department's settlement.

Sincerely,
David Skinn

MTC–00031410

1100 Cova Ciega Isle
St. Pete Beach, FL 33706
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pcnnsvlvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft, I am glad that this Microsoft lawsuit has been settled. Aside from the obvious problems that the lawsuit had to begin with, it is certainly an unwanted distraction now that more important events in our nation have virtually eclipsed the lawsuit's importance. Resides, it's a fair settlement in its own right, yielding concessions to both hardware and software companies, including disclosure to both groups of interfaces and protocols within Windows. The settlement makes it so that Windows can be altercd to suit hardware companies more effectively if they want to sell non-Microsoft software with the Windows operating system preinstalled. This will be especially possible now, because Microsoft must redesign Windows to make it more accommodating to non-Microsoft applications, particularly sophisticated multi-media applications like RealAudio or QuickTime. Our national efforts should now be invested in issues like rebuilding our economy, creating jobs and strengthening our national security. We should not spend any more time continuing our self-inflicted damage to our country's business community by proceeding with any further action against one of our country's most successful businesses like Microsoft. I am hoping that this settlement will stand, and we can move on to more important priorities

Sincerely,
Rita Bane

MTC–00031411

Presto Telecommunications, Inc. Presto Telecommunications, Inc. 10509 Vista Sorrento Parkway
Suite 300
San Diego, CA 92121 USA
Phone: (858) 642–0600
Fax: (858) 642–0602
www.prestotel.com
January 17, 2002
Attorney General John Ashcroft, USDOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft, Unlike AT&T of years past, Microsoft is not a monopoly. Microsoft has maintained its position of strength not by force, but rather by the superior quality of its products, its commitment to service, and its integration of software. I do not necessarily wish to make excuses on Microsoft's behalf, but the facts are that consumers and businesses alike simply prefer the reliability of Microsoft products to any of those offered by its competitors. Never let it be said, however, that there is neither room for improvement, nor room for someone else to develop a market better products than they. This is, after all, the very nature of the IT marketplace. In spite of these facts, however, our government badly misunderstood Microsoft's position in the volatile world of software and made the erroneous assumption that since Microsoft was as good as it was, it simply had to be breaking the law. This was never so. This settlement is good, providing changes in both deslgn and licensing of Windows. It should be accepted, if only to remove this litigation from the courts and be done with it. I am writing to voice my support of it, while at the same time I am communicating my displeasure over this entire sordid episode.

Sincerely,
Ross Cook
Chief Information Officer

MTC–00031412

128 W Ormsby Avenue
Louisville, Kentucky 40203
January 7, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft, It's about time that the Department of Justice has decided to end their crusade against Microsoft. Finally, the average person will stop worrying about this and Microsoft can get on to making better products. Of course, making a better product is what got them here in the first place. It's because Microsoft simply makes a better product than their competitors that put them where they are, not because they're a monopoly. Companies should not be punished for doing well, especially not hardworking American companies like

Microsoft that have such a large impact not only on our economy, but on the way the average person lives his or her life. The settlement maintains the need for a strong position in the IT market for Microsoft, and does so without the anticompetitive secrets endemic to owning an operating system and corresponding applications. The settlement publicizes these secrets and thus gives more information to software companies to develop corresponding software. I think this whole thing with Microsoft should never have gotten started in the first place, but I am happy that it's finally over. I only hope that you will be able to use your influence to sway the rest of the states that continue to try and harass Microsoft just to get their own pound of flesh.

Sincerely,
Mary Ray

MTC–00031413

Catherine Verhulst
1560 N Sandburg Terrace Apt. 1112
Chicago, IL 60610–7709
January 17, 2002
Attorney General John Ashcroft
United States Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft: I am writing to express my opinion of the recent antitrust case settlement between Microsoft and the United States Department of Justice. I think the lawsuits over the last three- years were unwarranted and unfair. The fact that there has been a tentative settlement is a relief, but I still think the penalties are too harsh and biased against Microsoft. Under the terms of the settlement, two points concern me. One, Microsoft is not allowed to enter into third party agreements for exclusive or fixed percentage distribution rights. This seems to inhibit Microsoft's ability to build and maintain market share in a competitive environment. Furthermore, companies such as Pepsi and Coca-Cola live by their ability to enter into o third party agreements. They are not being prosecuted, nor should they be. Two, Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. This term essentially creates a monopoly whereby the different vendors can collaborate to raise prices at the same time. If Microsoft is not allowed to profit from it's unique ingenuity, new software that drives America's productivity and internet usage (particularly e-commerce) will cease to be developed at a rate which is beneficial. It is in the best interest of the American public for the settlement to finalize, because our economy and the IT industry in particular cannot afford to have Microsoft be hindered any longer. Please end this legal battle in a just way for our nation.

Thank you.
Sincerely for justice,
Catherine Verhulst

MTC–00031414

Gordon Stamler
16 Pine Island Court
Hilton Head Island, SC 29928
843 363 2939
Email gstamler@aol.com
Attorney General John Ashcroft
US Department of Justice 950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: I am very tired of the baseless, and seemingly endless, lawsuit against Microsoft, and am writing to plead for closure. I am not merely writing because I am a strong supporter of Microsoft, but also because despite the unfair way that Microsoft has been treated, I have still managed to muster a level of confidence in my government. I trust that my voice will not go unheard and that my opinion will count toward the prompt resolution of this matter. I have a very difficult time understanding why there is still such intense opposition against Microsoft. Over the years, Microsoft has proven itself a leader in the industry. This company's innovation is seen in almost every corner of the globe. I have used Microsoft products for several years and I have no intention to shift my loyalty from the company. I find their software affordable and user-friendly. In addition to that, I have been thoroughly impressed with the way Microsoft has handled the requirements of the settlement. They have established a Technical Committee to assist with conflict resolution; they have also made it easier for competitors to access Microsoft features; and have given computer makers the flexibility to configure Windows in order to promote non-Microsoft software. It is fair to say that Microsoft has not only been an industry leader, but a booster of the economy in past few years. They have recently proven their diplomacy in the way the handled this lawsuit and settlement. I am sure that they are looking forward to the end of this matter as are the majority of the American people.

Sincerely,
Gordon Stamler
cc: Senator Strom Thurmond

MTC–00031415

Steve Scott
5612 Lake Washington Boulevard, NE Kirkland, WA 98033
16 January 2002
Attorney General John Ashcroft
The US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft, I am writing to express my happiness about the Microsoft antitrust settlement. I believe that the government should accept the settlement and allow Microsoft and the industry as a whole to move on. Microsoft did not get off easy by any stretch of the imagination. The Company agreed to terms that had nothing to do with the products and procedures that were actually at issue in the suit, as well as the original claims of the suit. Disclosing intellectual property for competitors is a great example of these extensive additional terms. Now the government needs to accept the settlement after it doggedly negotiated it. Once the settlement is agreed to, Microsoft and the whole industry will be able to move on and capture the economic position that they once enjoyed.

Sincerely,
Steve Scott

MTC–00031416

American internet Services Network
Internet Services Worldwide
January 17, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft, With all due respect, the federal government's antitrust lawsuit against Microsoft was the antithesis to the principles of capitalism and free market enterprise. Therefore, I am very pleased with the settlement particularly because it spares Microsoft from being broken up. The settlement may not be perfect; however, the anticipated results will be superior to anything a costly, time-consuming, and counterproductive lawsuit would have accomplished. In fact, the government's original goal to break up Microsoft was seriously misguided. If successful, this would have been a disaster for standardization and reliable software products with regard to the Windows OS. In short, Microsoft would not function well as three separate companies. Innovation would be the first casualty of this scenario. The settlement should more than satisfy Microsoft's critics because, if one accepts the premise that Microsoft was a monopoly, the settlement's requirements will put an end to any anticompetitive behavior in very short order. Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. It is also going to be required to share portions of its Windows source code with its competitors. These two aspects of the settlement alone will significantly improve competition in the marketplace—negating a break up of Microsoft I truly hope this matter is finalized and that the settlement is instituted very soon.

Daniel Lundahl
President
1611 Colonial Parkway o Inverness, Illinois 60067 o
Phone: 847 / 202—1400 o Fax: 847/ 202—4460

MTC–00031417

From: Jack 360 240 0589
To: Attorney General of the United
Date: 1/17/02 Time: 10:57:20 AM
2134 Stoney Beach Lane
Oak Harbor, WA 98277
(jkjou@whidbey.net)
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 17, 2002

Dear Mr. Ashcroft, I'm writing to encourage you to support the recent settlement Microsoft has reached with the United States Justice Department. Microsoft has agreed to settlement terms that will not only allow itself to return to the business of developing innovative software, but it will also make the software industry much more competitive.

Microsoft has, for example, agreed to grant computer makers and software developers broad new rights to configure Windows to remove or disable Microsoft products and promote non-Microsoft products, such as

Netscape Navigator, AOL Instant Messenger, or RealNetworks'' RealAudio. Microsoft has also agreed to not retaliate against companies who choose to do this, nor will Microsoft retaliate against computer makers who ship operating systems that compete with Microsoft.

Microsoft has further agreed to not enter into any contract that will obligate third parties to exclusively or in a fixed percentage distribute or promote Windows.

These terms will result in a much more level playing field that allows smaller, developing software companies to compete and mature. For these reasons, I encourage you to support the recent settlement. As a late Computer User—started some 12 years ago at age 70—I find the Microsoft Products invaluable for development of my computer skills—a company that proves its excellence by being the leader of Product Development in the Computer Industry should not be haggled to such a great extent by the Government, States, and opportunistic lawyers.

Sincerely,
John K. Jouett
Lt. Col. USA Retired

MTC–00031418

FROM : JLS-FIN-SvC
FAX NO. : 717–545–5117 Jan. 17 2002 02:56PM P1
JAMES L.SMITH
1178 Twin Lakes Drive
Harrisburg, Pa. 17111
(717) 545–5117
(717) 545–5117
jls37@mindspring.com
January 16, 2002
Attorney General John Ashcroft
U.S. Department of Justice
Washington DC 20530–0001

Dear Attorney General Ashcroft:

This letter is an effort to encourage you and the federal government to proceed with the settlement of the Microsoft anti-trust case. This controversy has had a debilitating effect on one of our most innovative and productive companies and its dynamic industry without producing any noticeable benefit to anyone other than the legal profession. My greatest concern is that this is diverting resources from the more important objective of fighting terrorism. That is a topic for a much longer letter.

The settlement plan calls for these concessions from Microsoft: Abandon its more tenacious marketing practices. License its systems products to the largest computer manufacturers on nearly uniform terms.

Make Windows systems accessible to non-Windows software. Disclose to competitors various internal interfaces of Windows.

In a nutshell Microsoft is going to crack its own shell and open itself up to competition.

Please look favorably on the settlement. Thank you.

Sincerely,
James L. Smith

MTC–00031419

255 Algonquin Drive
Vergennes, Vermont 05491
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to urge your support for the recent settlement between Microsoft and the Department of Justice. This agreement ended a long court battle that, in my opinion, was a waste of both time and taxpayers'' money. The basis of the antitrust suit was the monopolization by Microsoft of the computer industry. What was ignored was that Microsoft's systems work. Microsoft was one of the first companies to offer an integrated software package, allowing for the simplification of basic operating functions that we now enjoy. I believe that competition and free enterprise will eventually reign in any company. I do not believe any one company dominates a field for too long. I also beleive that for efficient computer use by the majority of people, it is imperative that the operations be as simple and consistant as possible. The Microsoft system isn't perfect yet and it probably never will be, especially if the government continues this harassment, which does nothing more than bleed off money that could be spent on further R&D—not lining the pockets of the lawyers. I hope that there are no further delays in the settlement process. Thank you.

Sincerely,
Doug Stuart
01/17/02 THU 13:07 FAX 802 759 2049
Champlain Bridge Marina 001

MTC–00031420

PARKER & ASSOCIATES REALTY
1330 LEYDEN STREET, SUITE 104
DENVER CO. 80220–2115
OFFICE 303–329–8210 FAX 303–329–0094
Date: 1/17/02
TO: Attorney General John Ashcroft
U.S. Dept. of Justice
950 Pennsylvania Ave. NW
Washington, DC 20530
Phone: Fax 1–207–307–1454
CC: REMARKS: URGENT For your review Reply ASAP Please comment
2636 Madison Street
Denver, Colorado 80205
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue. NW
Washington. DC 20530

Dear Mr. Ashcroft:

Microsoft has developed very innovative products in the past twenty years. I was saddened to see the Justice Departmcnt bring the antitrust case against Microsoft but was pleased to see a settlement was recently reached in this case.I trust you will see this settlement through to the end.

This settlement will create an unprecedented amount of openness in the technology industry. It calls for Microsoft to disclose its internal interfaces and the means by which Windows communicates with other programs. What this means is Microsoft will disclose more information to competitors than has ever been offered by an IT firm before to competitors. Sadly some competitors and others believe this settlement does not sufficiently ''punish'' or harm Microsoft. They would like this settlement withdrawn this case brought back to court. They are mistaken. The settlement is thorough, and after three years this case simply has gone on for too long, more than three years at this point.

Again, please ensure this settlement is put into place and turn your back those that seek to mindlessly promote more litigation in this case.

Sincerely,
Warren Scott

MTC–00031421

Power Solutions
From the desk of.....
William F. Nemecek
2617 Mt. Isle Harbor Dr.
Charlotte, NC 28214–5413
(704) 398–9703 Fax (704) 398–0077
Internet: powersolutions@iname.com
January 17, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

During this period of public comment. I want my opinion entered into the public record. Although I do not believe that Microsoft has ever operated as a monopoly, I think it serves this country to let the settlement, delivered by the Appeals Court, to happen without delay.

As a retired employee of IBM, I have witnessed antitrust lawsuits with IBM, and have seen the tendencies to always pick on the big guy, the one who has the greater market share, the company who has forged ahead with incredible innovation to separate themselves from the rest of the pack. From the point of view of the consumer/taxpayer, the antitrust suit against Microsoft was unfounded, has caused Microsoft to spend millions of dollars on their defense and the consumer ends up paying, not saving. The suit served as an agenda of a few companies to knock down the giant to create an ''even playing field,'' rather than create and demonstrate superiority with their own products as many other companies have done.

Microsoft is still embroiled in more litigation. Please do not continue to punish a company for having great success and innovation with their products. The consumer and taxpayer ends up paying as a result. Microsoft has agreed to the terms that extend far beyond the products and procedures that were actually at issue in the suit, for the sake of wrapping up the suit. It is time to move on.

As a taxpayer and consumer, I urge you to please allow the current proposed settlement to be enforced. The black cloud this suit has over Microsoft needs to be lifted and would significantly effect the economic situation in this country. Microsoft sees how important it is to get back to building success and innovative products. So do I

Sincerely,
William Nemecek

MTC–00031422

ELLIOT BAY DESIGNS
C/O Rozann Cherry
108 15th Ave.

Kirkland, WA 98033
(425) 803–2992
January 17, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I'm writing to encourage you to support the recent antitrust settlement reached between Microsoft and the United States Department of Justice. I believe it is now time to end this senseless litigation so Microsoft can move forward with the business of developing innovative software.

As part of the settlement, Microsoft has agreed to grant broad new rights to computer makers and software developers to reconfigure Windows so that Microsoft products can be removed and competitive products can be installed in their places. Further, Microsoft has agreed to not retaliate against computer manufacturers or software developers who choose to do this. Nor will Microsoft retaliate against computer makers who choose to ship operating systems that directly compete with Microsoft Windows. Overseeing compliance of the settlement will be a ''Technical Committee'' comprised of three software engineering experts. This committee will also assist in any dispute resolution should a complaint be filed by anyone who believes Microsoft is not complying with the terms of the settlement. For these reasons, I encourage you to support this settlement so we can put this business behind us and move forward to develop better, more innovative software.

Sincerely,
Rozann Cherry

MTC–00031423

January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my thoughts on the Microsoft antitrust dispute. Microsoft is a company that has contributed a great deal to our society and the technology industry. Not only am I a stockholder, I am a republican voter who believes that ''less government is better''. I do not feel that Microsoft, or any other company, should be stifled or punished for being successful. They contribute greatly to our society as a whole, and also to the government tax rolls''. If other companies do not have the technology that Microsoft has, then those companies should step up to the bar- set by Microsoft. We should not lower the bar, nor punish companies, for being successful. This smacks of socialism- and look at what socialism has created in Russia. In America, it should be that all those who work hard and strive to succeed have a shot at better lives—not to tell them ''don't do too well or the government will penalize you for your ingenuity'' (while still taking the money that these companies provide through taxes, business licenses, etc). Have the courts thought of the sheer number of people that are employed and are given superior benefits by Microsoft? With companies laying off employees left and right, having a stable job and superior health benefits is becoming a rarity. Obviously, I support the settlement that was reached in November- as do the majority of people that I associate with.

Microsoft should be allowed to focus their energy and resources to more productive activities, rather than litigation. Please support this settlement so this dispute can be resolved. Thank you for your support.

Sincerely,
Kristen Haynes
Owner / Broker In Charge
(704) 372–2252

MTC–00031424

Dale Stoughton
971 E. Durness Ct.
Wake Forest, NC 27587
January 17, 2002
Attorney General John Ashcroft
U.S.D.0.J.
950 Pennsylvania Ave. N. W.

Dear Mr. Ashcroft:

I am writing to let you know how I feel about the recent settlement between Microsoft and the Justice Department. I support the settlement that was reached, and am a supporter of Microsoft as well.

I don't think it was very wise for the government to prosecute Microsoft in the first place. However, it is my belief that the settlement will bring closure to this three-year dispute. The settlement contains seemingly dozens of tough conditions, such obligating Microsoft to license Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. Also Microsoft has agreed not to retaliate against it's competitors use or promote other software that competes with Microsoft's. These insurance buffers ought to adequately curtail any unfair influence by Microsoft.

Thank you for your continuing good work at the D.O.J.

Sincerely,
Dale Stoughton

MTC–00031425

FENNER MELSTROM & DOOLING, LLP.
CERTIFIED PUBLIC ACCOUNTANTS
January 16, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Mr. Ashcroft:

As a regular user of Microsoft products, I would like to write in support of settling the federal lawsuit at the end of this month. The tactics used by Microsoft despite the opinion of the Justice Department are, in my opinion, not monopolistic and further legal action should no longer he necessary.

Analogous to the experience of Henry Rearden, as narrated in the book ''Atlas Shrugged'' by Ayn Rand, the disruption of the free-market system to stifle a business in favor of its lesser competitors only gives power to those who misuse or squander it. Microsoft has not used its power to gauge the public, so to punish the company only punishes consumers, who have been receiving a user-friendly and efficient product at very minimal cost. Though I support many of the concepts in the settlement, such as anti- retaliation laws, my overarching concern is with the government mandate on behavior that should be the personal business of Microsoft. In the interest of moving forward, this agreement is the best compromise possible and the most effective way to appease the critics without disabling a company's ability to create and grow. Please end this debilitating legal action and allow Microsoft to implement these very fair terms. All questions of competitiveness should be answered from here forward by letting the free market be able to determine the winner as it should be. Thank you very much.

Sincerely,
John W. Melstrom, CPA Partner
691 N. Squirrel Rd., Ste. 250—Auburn Hills, MI 48326
Telephone (248) 377–0900 Facsimile (248) 377–0909

MTC–00031426

Barbara M. Vakulskas
4300 Country Club Blvd.
Sioux City, IA 51104
(712) 239–1830
FAX (712) 252–5003
bmv@willinet.net
January 17, 2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney
ntitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Judge Kottely, The settlement of the Microsoft antitrust case was a positive occurrence for the United States.

Presently our economy is enduring some harsh economic conditions. The markets are falling, many businesses have had to close down, and we've endured thousands of layoffs. The technology industry in particular, which helped fuel much of the financial gains of the 1990's, is suffering through its own severe downturn. Although we are experiencing an economic slump, many believe that reviving the technology sector would he good for the nation.

The antitrust case was stifling Microsoft with hostile attacks and legal maneuvers. Settling the case was right for the economy and the well being of our nation. It's my understanding that Microsoft agrees to grant computer makers new rights to configure Windows, and will disclose different parts of their Windows operating system. This is a fair accord and all parties involved in the case will benefit. I support the settlement completely.

Thank you.
Sincerely,
Barbara M. Vakulskas

MTC–00031427

AMERICAN LEGION
NELSAN-HORTON POST NO. 204
THE AMERICAN LEGION
SEVENTH DISTRICT
DEPARTMENT OF MINNESOTA
LITCHFIELD, MlNNESOTA 55355
Jan 17, 2002
Dear Renata B. Hesse,

Antitrust Division
U.S. Department of Justice
601 D Street NW
Washington, DC 20530–0001

I dont write these kinds of letter often and I only do so when I feel the issue is crucial enough to let our leaders know how I feel. I am writing you today to express my support of the Microsoft Settlement. My home computer and my computer at my office both use Microsoft software.

Microsoft is a business that countless people in this country have come to rely on for a great number of services. It was in the best interest of our nation to settle the case. I understand that Microsoft agreed to a new windows design obligation and set a uniform pricelist. By continuing this legal issue, we were only hurting our already weak economy and the chance of an economic turn around was all the more possible.

Most Sincerely,
Bruce (Illegible)
Commander

MTC–00031428

809 Balmoral Court
Inverness, Florida 34453
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Being a fervent supporter of Microsoft and its great success, I feel very strongly that this settlement is in the best interest of the public and should be concluded as soon as possible. Microsoft is a great company and should be recognized for it. In a country that encourages creative problem solving, it seems ironic that Microsoft is being punished in the first place. I believe that the terms of this settlement go well beyond the issues at hand. Microsoft has agreed to do everything in its power to address and change these concerns, which can be seen from the interim release of Windows XP (the new version of Windows that promote non-Microsoft software within the program). Microsoft has been punished enough. The recession has had a grave effect on state and Federal budgets and it is important that the technology industry be allowed to concentrate on business now

Sincerely,
Dr. Arthur F. Zaccaria (352) 726–1337
Arthur Zaccaria

MTC–00031430

SENATE OF VIRGINIA
BILL BOLLING
4TH SENATORIAL DISTRICT
COUNTIES OF HANOLA, CAROLNE
COGEX, KING AND QUEEN KING
WILLIAM MATHEWS, MIDDLESEW,
NEW KENT AND RICHMOND
PART OF RIDGECHESTER COUNTY
POST OFFICE BOX 5637
MECHANGVILLE, VIRGINIA 23116
COMMITTEE ASIGNMENTS,
AGRICULTURE, CONSERVATION,
NATURAL RESOURCES EDUCATION
AND HEALTH CRIMINAL LAWS,
[ILLEGIBLE] AND ELECTIONS
January 17, 2002
Reneta Hesse, Trial Attorney
Antitrust Division
United States Department of Justice
601 D Street, NW
SUITE 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to advise you of my support for the proposed settlement agreement between the United States federal government and the Microsoft Corporation, and to encourage you to approve this settlement agreement. Based on the information I have reviewed, this proposed settlement agreement would be of tremendous benefit to consumers in Virginia and other states. The dispute between Microsoft and the federal government needs to be concluded as quickly as possible, and a fundamental part of this settlement agreement should be a recognition that Microsoft should be empowered to decide which products and features it offers to the public and how those products are priced. This is in the interest of competition, and bringing the best possible products, at the lowest possible price, to consumers.

The finalization of this settlement agreement is particularly important to the Commonwealth of Virginia. As you know, Virginia is a technology friendly state, and technology companies have flourished within the Commonwealth over the past several years. We need to do everything we can to encourage a continuation of this important economic development activity, and we need to make certain that we not impede the success of companies like Microsoft in any way.

Once again, I would encourage you to approve the proposed settlement agreement between the federal government and Microsoft and I appreciate your willingness to consider my views on this important issue.

Very Truly Yours,
BILL BOLLING
Senate
Fourth Senatorial District
BB/dpg

MTC–00031431

Dr. Neil Randle. DC
2002 Schuster Parkway
Tacoma, Wa. 98402
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to urge you, along with the Department of Justice, to accept the Microsoft antitrust settlement and put the case to rest. The suit against Microsoft has gone on for over three years. Persued by the previous administration, and is in part, cause of the present financial plight of our country. Microsoft, along with the rest of the technology industry, deserves to see this case settled.

The terms of the agreement are fair. Though many people think that Microsoft got off easy—I think they did not. Microsoft has accepted terms that are well outside of the scope of the charges in the lawsuit, in the interest of settling the suit.

The technology industry has been going through some tough times. The industry needs its leader back, so it is time to wrap up the suit and move on, Please finalize the Microsoft antitrust settlement.

Sincerely.
Dr. Neil Randle

MTC–00031432

CAPITOL OFFICE
State Capitol o Room 201C–A
201 West Capitol Avenue
Jefferson City. MO 65101–6800
Tele: 573—751–4039
Fax: 573—75l-5271
E-Mail:mrichard@services.state.mo.us
MISSOURI HOUSE OF REPRESENTATIVES
MARK L. RlCHARDSON
State Representative
District 154
HOME ADDRESS
P.O. Box 310
Poplar Bluff. MO 63901—0310
Tele: 573—785–4606
FAX: 573—785–8858
TO: Renata Hesse
FAX # (202)616–9937
FROM: Rep. Mark Richardson
Number of pages (including cover page): 2
DATE: 1–17–02
COMMENTS:
MARK L. RICHARDSON
State Representative
District 154
January 17, 2002
Renata Hesse
Trial Attorney—Antitrust Division
Department of Justice
601 D Street Northwest, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Over the years, I have found that when negotiations result in a little something for everyone, the negotiations were successful. This is exactly the result of the recent negotiations between Microsoft and the U.S. Department of Justice. The settlement allows Microsoft to create new generation products that can help the economy grow and help businesses better communicate with their customers and clients. Additionally, the needs and concerns of Microsoft's competitors were taken into account in the final agreement.

I support the recent agreement between the Justice Department and Microsoft. I regret that a Committee and the court system have had a hand in developing the future of software design instead of the free market. At the same time, this entire process was an effort on the part of competitors to cripple Microsoft and eliminate competition.

Point-of-sale should be the true test of competition. Either your product is marketable or it is not. The courts and regulatory agencies have no role in this important process when job creation and small business development is at stake.

Sincerely,
Mark L. Richardson
State Representative
MLR/bas

MTC–00031433

Dominion
William C. Hall, Jr.
Vice President
External Affairs and Corporate

Communications
120 Tredegar Street, Richmond, VA 23219
Mailing Address: P.O. Box 26532
Richmond, VA 23261
January 17,2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

With regard to the Microsoft settlement, the enforcement provisions of this agreement would make it quite easy to slow innovation and delay product launches by the filing of multiple complaints. Microsoft's competitors attempted to do with Windows XP.

I might add that there has been no consumer harm as a result of any actions taken by Microsoft. In fact, Microsoft's innovation has led to tremendous benefits for consumers, such as better products and lower prices. Products like Windows have allowed countless Americans to work from home in various enterprises without having to employ and pay for costly computer set-ups. Antitrust law is supposed to be about consumer harm that the government has been unable to show.

Yours truly,
Wm. C. Hall
William C. Hall, Jr.

MTC–00031434

MOBILIO INSURANCE AGENCY
259 Shrewsbury Street Personal Service for all kinds of Insurance
Worcester, MA 01804
808–752–2582
January 17, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D. Street NW, Ste 1200
Washington, DC 20530

Dear Attorney Hesse:

It is my understanding that the Justice Department is seeking imput under the Tunney Act review process, regarding the proposed settlement in the Microsoft lawsuit. Given the state of our economy right now, we should do everything possible to spur growth, not hinder it. As a small businessman, I understand competition. Competition is healthy for the American Econmomy. I use Microsoft products in my business and they have been a great help to me. They have allowed me to better serve our clients and manage my business.

There has been no consumer harm as a result of any actions taken by Microsoft. Microsoft's innovations have, in fact, helped many small businesses like mine grow. I urge the government to settle this case as quickly as possible.

Yours truly,
Mark J. Mobilio
Mobilio Insurance Agency

MTC–00031435

Lorena Jaeb
P.O. Box 428
Mango, Florida 33550
January 9, 2002
Renata Hesse
Antitrust Division
Department of Justice
Fax: 202–616–4937
Fax: 202–307- 1454

I am writing in regards to the antitrust case against Microsoft. I am pleased to hear that a settlement has been reached that will build new relationships between Microsoft and other technology companies. That connection will provide the marketplace with even more new and innovative products. As a longtime business owner, a mother and grandmother, I can remember the days when one had to communicate via phone or through U.S. Postal Service only. I also remember when one had to write checks and present them only in person to get cash, or had to go to the library to do literally all of one's research. Most of us including my children and grandchildren can't imagine life without e-mail, ATM machines or the internet because we rely on these things everyday to make our lives easier. Microsoft has certainly aided in providing the necessary tools for us to run our business, communicate with friends and family who are far away, and also to educate future generations.

Microsoft has gone one step further in today's world of technology that will greatly affect our families. Microsoft is working together with DIRECTV & Ultimate TV to change the way we watch television. We will be able to watch or record two live shows at the same time and then view them whenever our schedule permits. This also allows parents to better monitor what their children watch on television and at the same time allows parents to watch their shows. Not only has Microsoft changed the way we watch television, but we are now able to ''surf'' web sites on the internet,check e-mail and participate in educational programs with our children all at the same time! We can now work from home and spend quality time with our family. Microsoft has extended to many people like me the benefits that will serve my family for years to come. The settlement is a refreshing change in today's seemingly bleak times

Sincerely,
Lorna Yaeb
Telephone: (813) 681–5796 Fax: (813) 654–6369

MTC–00031436

FAX NUMBER: 1–509–575–6330
GRETA BRYAN
4823 Snowmountain Road
Yakima, Washington 98908
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I support the settlement of the Microsoft antitrust case. This case should not have been brought in the first place and I, like most members of my community in Yakima, Washington, am anxious to see a conclusion to this litigation.

In settling this case, Microsoft is going beyond what should be expected of it. What strikes me as particularly impressive is Microsoft's agreement to disclose interface information to its competitors. They have even gone so far as to change the way they design their software. The design changes will result in consumers having the ability to more easily change the configuration of their system. By agreeing to these terms, Microsoft is really doing more than should be expected o f it. However, in the interest of ending this long, drawn out litigation, I support the terms to which Microsoft has agreed.

This case has had a devastating impact on the U.S. stock market. In this time of recession, the government should be doing whatever it can to encourage businesses to succeed. The continuation of this lawsuit will clearly have the opposite effect. I hope the Court and the Department of Justice heed the people's call for an end to this litigation. Thank you.

Sincerely,
Greta Bryan

MTC–00031437

3290 W 7545 S
West Jordan, UT 84084
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

Microsoft has been involved in an antitrust suit for the past three years, and in November, when a settlement was reached, I began to hope that the whole ordeal would soon be over. Nine states, however, continue to remain litigious, and it worries me that this may not be the end. Microsoft and the Department of Justice have spent a great deal of time and money during this trial, and I can only imagine how much more would be squandered in the pursuit of additional litigation when a settlement has already been reached.

A court-appointed mediator oversaw round-the-clock negotiations from June to November. Microsoft agreed to terms in the settlement that restricted products and procedures that were not found to be unlawful by the court of appeals. A great effort has been made to right any wrongs Microsoft committed, and I believe the time has come to accept the settlement and move on. The settlement requires that Microsoft not take retaliatory action when directly competitive software is introduced into the market. Additionally, Microsoft has been required to reformat future versions of Windows so that the operating system will support non-Microsoft software. Microsoft also plans to document and disclose source code, protocols, and interfaces for use by its competitors to improve inter- operability among different software products.

I urge you, Mr. Ashcroft, to allow the settlement to stand.

Sincerely,
Paul Johnston

MTC–00031438

Suleiman Ajlouni
1019 Pear Tree lane
Wheeling, IL 60090
January 17,2002
John Ashcroft, Attorney General
950 Pennsylvania Avenue, NW

Washington, DC 20530–0001
Dear Mr. Ashcroft:

I urge you to settle the Department of Justice's ongoing antitrust lawsuit against Microsoft. I believe that the government has other priorities it should be concentrating on, and that Microsoft should have the freedom to continue producing innovative new products.

Microsoft software has been pivotal in my computer use from day one. The simple truth is that it works well, and others do not measure up. The government's case against Microsoft interferes with the company's ability to research and develop new technologies, and for that reason the matter should be resolved.

I find the terms of the settlement to be reasonable, and that Microsoft's agreement to make it easier to use other manufacturers'' programs within Windows to be an indication that they will promote fair competition. Please settle the Microsoft case and let them focus on doing what they do bettor than anyone else.

Sincerely,
SS

MTC–00031439

113 Fielding Ridge
Peachtree City, GA 30269–3249
January 16,2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

It has come to my attention that there has been a settlement reached in the three-year case against the government's case against Microsoft. I think the settlement is wonderful. I also believe that the government should1 leave Microsoft alone.

It is in everyone's best interests that this case be resolved quickly so all parties involved can attend to other matters. The American public would agree that any further pursuit of the case would be a waste of time, money and human resources Also, it would be harmful to not only the American economy, but the global economy as well. Microsoft will be making major changes because of this settlement. These changes will include the establishment of a technical committee to police Microsoft's compliance with the settlement. Also, Microsoft has agreed not to retaliate against. computer makers, and software developers who ship software or hardware that competes with anything in the Windows operating system. Furthermore, Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to the Windows operating system. This is a first in any antitrust settlement.

Once again, I ask that you accept this settlement, and terminate your efforts to further prosecute Microsoft, Thank you.

Sincerely,
Janet Siegel

MTC–00031440

307 Spencer Place
Paramus, New Jersey 07652
January 13, 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 go on record as being a staunch supporter of the settlement that was reached between Microsoft and the Department of Justice last November. The settlement will finally bring an end to the three-year long litigation process that has cost both sides millions of dollars.

The settlement will greatly benefit competition, the technology industry, and the American economy. I am sure that you are aware that the economic downturn that started three years ago was partly caused by the suit against Microsoft. It only took three years for the economy to go from being the best it ever has been, to being stuck in the middle of a recession.

Again, I would like to go on record as supporting the settlement between Microsoft and the Department of Justice.

Sincerely,
Paul DeMaria

MTC–00031441

34 MEADOWBROOK DRIVE
SELINSGROVE, PA 17870
January 15 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

We write today to express our endorsement of settling the Microsoft case. Microsoft has gotten a raw deal in the recent antitrust case. After being the leading innovator of computer technology over the last 10 years and standardizing the industry, Microsoft is now the victim of competitors that cannot compete and politicians who are self interested. We are both glad to see that Microsoft will not be broke up, but under the terms of settlement, Microsoft will still be thoroughly punished. Microsoft had to promise to not retaliate against computer makers who ship software that competes with anything in its Windows operating system. They have also agreed not to retaliate against software developers who develop or promote software that competes with Windows or that runs on a non-Windows. These concessions and more represent stipulations that benefit competitors, but not necessarily consumers.

While flawed and unjustified, the settlement still represents the public's best interests because the alternative is further litigation. Our country cannot afford any more rounds of this. Please take a stand and make sure the settlement is finalized.

Sincerely,
Carol Koval
CC: Senator Rick Santorum

MTC–00031442

January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing you today to express my support for the settlement that has been reached in the Microsoft antitrust dispute. I hope that we can finally put this litigation behind us. I appreciate all the work that you have done in bringing this settlement about, and I hope that you continue to support it. I feel that this case has been extremely bad for the American economy, not to mention the IT sector in general. With this settlement in place I hope that the damage that has been done to the economy can be rectified. Microsoft is one of this nation's biggest employers, and attacking them during this time of economic instability is unwise at best.

It is time for us to focus on more important issues. We need to put this past us so that we can continue to remain at the forefront of the technology industry throughout the world,

Sincerely,
Kathleen Kattler
304 Dora1 Drive
Pawleys Island, SC 29585
cc: Senator Strom Thurmond

MTC–00031443

B & W CONSTRUCTION
P.O. Box 758
Pine Valley, CA 91962
(619) 473–8353
January 17, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC'' 20530
VIA FACSIMILE
(202) 616–9937
Dear Ms. Hesse:

I am a small business person in California. Between my federal and state taxes, I pay among the highest rates in the country. For someone like me to receive a tax break, the political warfare is outrageous. I also am forced to deal with the ebbs and flows of the economy. Those same leaders who fight giving me a tax break are the first people to institute policies which slow the economy.

These are the same individuals who are asking the court to reject the settlement in US v. Microsoft They are not small business people struggling to make enough money to pay their tax bill They are politicians acting in their own self interest.

The Microsoft case is a perfect example of an issue which quietly destroys small business without anyone putting a stop to it. Since the day the Microsoft case began, I have been affected I have been affected by a slow down in the entire economy and I have been affected by a tremendous slow down in the technology industry. Now, California leaders are talking about a tax increase to help pay for programs. They talk about a tax increase in one breath and ask for more money to pursue the case against Microsoft in the next, It doesn't make any sense.

The Microsoft issue is hurting small business. Taxes hurt small business. If they are going to raise taxes, then don't spend money on ridiculous issues. The settlement should be approved. That money is better spent elsewhere (like whatever progams they are going to raise my taxes to pay for)

Sincerely,
Holly Bonnett, Owner
B&W Construction

MTC–00031444

Jan 17 02 04:l0p
MJ Rozmus CPA
760 510 4965 p. 1
Mark J. Rozmus
Certified Public Accountant
960 West San Marcos Blvd., Suite 230
San Marcos, California 62069
Voice : 760–510–4960
Facsimile: 760–510–4965
Mark J. Rozmus, MBA, CFE CPA
Diplomat: American Board of
Forensic Accounting
January 17, 2002 1454p mjr
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE: (202)616–9937

Dear Ms. Hesse:

I am sure the courts have received many e-mails and letters regarding U.S. v. Microsoft from many different technology related companies. Whether positive or negative, these dot-com, or e-commerce companies have a very direct vested interest in the outcome of this case. My letter is meant to articulate a different business perspective-one of a non dot-com perspective.

I have owned a small forensic accounting practice for over four years. It may seem that my type of business would have little concern about U.S. v. Microsoft, but that is not the case.

My forensic accounting practice is affected by this case in two ways. First, is the marked technological increase in efficiency and productivity gained through the use of current software available. Thetechnologyboom, in general, has revolutionized the accounting profession. Our ability to complete work projects in advance of trial dates and conferences, we well as produce effective financial presentations, grows exponentially with each year of new technological advancement. Much of this technological revolution is occurring because of the innovation of Microsoft and its Windows compatible software.

Actually, other products developed to work with Windows are changing the way accounting firms do business.

Since the case has started, we are seeing a real lack of innovation in the products available to us.

Secondly, our forensic accounting practice, as well as that of many clients, is being economically harmed by this case. My practice is based in California; one of the most technology defendant regions in the world. This Economic slow down brought on in part because of the Microsoft case has caused a general economic slowdown in the development and growth of many new California businesses. Once the case is settled, I believe,we will see the national economy rebound and demand for all products and services increase.

I ask the courts to approve the settlement on behalf of thousands of small businesses suffering from the current technological innovation slump.

Sincerely,
Mark J. Rozman
Certified Public Accountant
Your Financial Friend & Confidant

MTC–00031445

January 16, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

As a business owner for more than twenty years, I have observed the changes in our economy, I have also seen increasing constraints by the federal government on US Companies while at the same time giving priority to foreign trade that can result in a competitive advantage for products produced in other countries.

The technology industry has been a driving force in many segments of industry and is one reason the U.S. has maintained its leadership role in the global economy. Companies such as Microsoft have encouraged innovation and entrepreneurship. Our economy cannot afford to have the government discourage companies like Microsoft from developing new products. The proposed consent decree between Microsoft and the U. S. Department of Justice reaches a middle ground for Microsoft and its competitors. Computer manufacturers will have the flexibility to configure Windows so Windows features such as the Internet Explorer can be removed and replaced with another web browser. A technical committee will be established to monitor compliance with the settlement. Other remedies wil1 also benefit Microsoft competitors while at the same time giving Microsoft the ability to keep innovating on behalf of consumers.While the settlement will impose new rules and regulations, resolution of this matter is important for consumers and for technology companies. It will also free companies to focus on the future and the fast changing digital economy.

Sincerely,
Fred Dula
6614 Gaywind Drive
Charlotte, NC 28226
704–366–6457
p.1 9197878031 Gary Pearce Jan 17 02 05:39p

MTC–00031446

Jan 17 02 05:29p Gary Pearce 9197878031 p.01
Jan- 17–02 08:42A P.01
17th January 2002
Office of Ms. Renata Hesse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov

Dear Ms. Hesse

I believe it is time for the federal courts to bring an end to the Microsoft case

Although I am not fully sympathetic to Bill Gates, I do believe that Microsoft has abused its role, acting as a monopoly. It appears, however, that the Federal government,as well as a number of state governments including North Carolina, have concluded that the proposed settlement would protect against these monopolistic practices.Prolonged litigation has no positive effect for the consumer, or for our country, especially in light of recent tragic events. If the settlement achieves its stated goal, which I feel is providing a fair and reasonable solution to both sides in this dispute, then the courts should act speedily, approve it and go on.

I appreciate the opportunity to be heard on this important matter, as well as your attention to my letter.

Sincerely,
Tomas Franklin Castillo MSEd.

MTC–00031447

FROM: AMERICAN FINANCIAL ADVISORS
PHONE NO.: 530 223 2230
Jan. 17 2002 02:32PM P1
To: U.S. Department of Justice
From: Dorothy Palfini
RE: Microsoft Settlement
Date: January 17, 2002

I have read the decision to reject the Microsoft Settlement. It stands to reason that the states and the 100 private class-action lawsuits, do not want to have this case resolved and settled. The longer the suit goes on the more Microsoft will have to lose. If they feel this is too good a deal, then why don't they give software, training and services to the schools. Then they would be able to benefit and give them the power to monopolize the computer market. This is just a joke.

Please get this case resolved ASAP. Then the technology economy will be able to get on with business and recovery.

Sincerely,
Dorothy Palfini
3011 Victor Avenue
Redding, CA 06002
Phone: 530–223–2195

MTC–00031448

JAN 17 2002 16:30 FR BANK OF AMERICA
515 235 7203 TO 912026169937 P. 01/02
Bank of America. N.A.
Private Bank
IA1–100–01–02
PO Box 1813
Des Moines, IA 50308–1813
Bank of America Fax Cover Sheet
To: RENATA HESSE
Company:
Telephone Number:
Fax Number: 202–616–9937
Date: 1–17–02
From: BRANDON HAMIL
Department: PRIVATE BANK
Telephone Number: 515–235–7255
Fax Number:
Number of pages including this cover sheet: 2
If transmission problems occur, please call:Message: PLEASE REVIEW THE ATTACHMENT.

THANK YOU,
Brandon Hamil

The information contained in this FAX message is intended only for the confidential use of the designated recipient named above. This message may contain contractual and proprietary information and as such is privileged and confidential. If the reader of

this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the message to us by mail.
JAN 17 2002 16:30 FR BANK OF AMERICA
515 235 7203 TO 912026169937 P.02/02
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney
Antitrust Division -U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
January 17, 2002
Dear Judge Kottely,

I have followed the proceedings against Microsoft for some time now, and I want you to know that I feel the Justice Department has done an outstanding job of forcing a settlement in this case.I think that the terms you have agreed to in principle are sound,and will bring about a just result without doing damage to our already faltering economy. Because of the settlement, Microsoft cannot force a third party contractor to sell Microsoft products.

This demonstrates that the necessary steps were taken to reach a fair and balanced agreement. All groups enmeshed in the settlement negotiations should be commended.

I encourage you to move to a final settlement so the Justice Department can shift its resources to the many other areas of business and industry that need to be examined for abuse and predatory practices.

Sincerely,
Brandon J. Hamil
1205 31st Street
West Des Moines, IA 50266

MTC–00031449

FROM : Trackers Inc FAX NO. : 3193449200 Jan. 17 2002 03:58PM P1
TRACKERS INC.
in Illinois dba
EASTERN IOWA COLLECTION BUREAU, INC.
1970 Spruce Hills Drive
P.O. Box 1227 Bettendorf, IA 52722 1227
Phone (563) 344–8500 FAX (563) 344–9200
January 17,2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Judge Kottely,

I just wanted to send along my opinion that the Microsoft settlement with the nine state sand the Justice Department was even-handed and reasonable and will be beneficial for the American economy. Microsoft agreed to new relations with software developer and will design future versions of Windows that provide a way for computer-makers to promote non-Microsoft products. The poor-performing economy is the most important reason why I support this settlement.

As VP of Operations for a collection agency, I can tell you firsthand that America is suffering badly. Day after day our professional debt collectors hear the plight of many Americans of how they want to pay their bills but have lost the means to do so. Not only is the economy hurting by no new spending but it is also hurting by people's inability to pay for debts they rightfully owe. Too many people have lost their jobs, and there is no relief in sight since the September attacks. The tech sector has been particularly hard hit, and the slide had spread to other economic areas. This is a favorable conclusion to this complicated case that will give a boost to the troubled tech industry.

For the aforementioned reasons, I am sending you my support for the Microsoft settlement.

I appreciate your consideration.

Sincerely,
Kimberly Guy
Vice President of Operations
jm:KAG

MTC–00031450

Jan-17–02 02:43P P.01
K the koval group
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I would like to take advantage of this public comment period and give you my thoughts on the Anti Trust Case. To begin, this lawsuit is an embarrassment to American business. Microsoft is being forced to defend themselves for being a successful and profitable company, which is hallmark of what most people desire in a business. Now their successes and remarkable contributions are being punished because their competitors can come up with no other way to be successful on their own. This lawsuit is a huge waste of our tax dollars and I do not understand how it has been allowed to continue for so long.

I run a small manufacturing business and use Microsoft products to help fun my business.Microsoft has done so much for consumers and businesses alike: they are completely responsible for creating our standardized computer systems of today. Nonetheless, I see this settlement as a great compromise in this controversy. Although most of the burden falls on Microsoft, the settlement certainly addresses all of the issues alleged in the lawsuits, Microsoft is handing over its own intellectual property, giving its competitors important source codes and server protocols. Agreements have been made with computer makers that will allow them to promote non-Microsoft products within the Windows operating system.

The stipulations of this settlement go far beyond what is just and serving to consumers. However,this settlement is necessary to help move our computer industry and economy forward. Please help in upholding this settlement.

Sincerely,
John Koval
cc: Senator Rick Santorum
34 meadowbrook drive selinsgrove, pa 17870 570.743.1420 fax 570.743.7304

MTC–00031451

Jan-17–02 02:19 Modesto City Comm.Div. 209 491 4379 P.01
CITY of MODESTO
Bill Conrad
Vice Mayor
Chair Community
Development & Housing
Committee
Vice Chair Financial
Policy Committee
Member Economic
Development Committee
Intergovernmental
Relations Committee
1010 Tenth Street
Suite 6200
P.O. Box 642
Modesto, CA 95353
209/571–5169
209/495–1926 Cellular
e-mail:
bconrad@ci.modesto.ca
Hearing and Speech
Impaired Only
TDD 209/526–9211
VIA FACSlMlLE
(202) 616–9937
January 16, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
Dear Ms. Hesse:

I am writing this letter to the courts in support of the settlement in the case of US v.Microsoft. This letter is being sent in accordance with the Tunney Act which allows the public to offer comments on matter such as these.

I would like to offer the courts my opinion in support of the settlement as a technology consumer. It is my opinion that, should the settlement be rejected and this case continue to drag on, it will be the consumers who face the largest burden.Right now, I can go to my local computer store and buy a copy of Windows XP forjust under $100. Regardless of what Microsoft's competitors say, that is a very reasonable price for such a complex operating system. If this case drags on,Microsoft is forced to incur higher legal costs, and we see the technology industry stagnate even further, the costs passed on to consumers will steadily increase.

The courts should also note that the tenets of the current agreement are established in such a way that there will be minimal harm passed along to the consumer with regard to pricing. Should this settlement be rejected and even more restraints are placed upon Microsoft, I believe it is safe to say that there would be significant potential for higher prices to be a result.

I say again-please accept this settlement so we, as consumers, are not forced today higher prices for various technology products.

Sincerely,
Bill Conrad, Vice Mayor
City of Modesto
Citizens First!

MTC–00031452

01/17/2002 00:01 13364273554 RUSS OR JOYNER PAGE 01
Jo Ann Russ

212 Fairway Drive
Stoneville, NC 27048
January 15, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Ave.
Washington, DC 20530–0001
Dear Mr. Ashcroft,

It has come to my attention that a settlement has been reached in the justice Department's three-year,antitrust case against Microsoft. I want you to know that I support the settlement, since the terms are fair and reasonable tall parties involved. As a North Carolina resident, I've seen enough of these proceedings at the state and federal level for one lifetime. Microsoft will be making a number of specific changes to its business practices that will restore fair competition and prevent future antitrust violations. For instance, Microsoft has agreed to document and disclose its windows internal interfaces that its competitors might be able to use to write better programs.

Furthermore, the government will establish a ''technical committee'' to monitor Microsoft compliance with the settlement, and to act as a mediator for disputes about the settlement. Please accept the settlement, for the reasons

I have already given you, Thank you.

Sincerely,

Jo Ann Russ

MTC–00031453

≤Jan 18 02 06:23a JOSEPH, E. SZYMANSKI l-914–355–8328 P.1
≤January 18, 2002
≤Attorney General John Ashcroft
≤US Department of Justice
≤950 Pennsylvania Avenue, NW
≤Washington, DC 20530
Dear Mr. Ashcroft:

I am a staunch supporter of Microsoft. As such I believe that the current actions against Microsoft by the federal government have been frivolous.Microsoft has gotten to where it is by creating a better product, not by anti-competitive behavior. In any case the issue as it stands needs to be resolved immediately. The settlement reached last November seems to be fair and reasonable. Therefore, it seems to me that there is no longer any need for litigation as many of Microsoft competitors are advocating.

There are many provisions within the current settlement that will give Microsoft's competitors a significant advantage. In the settlement, there are many terms that Microsoft has agreed to that extend beyond the original scope of the lawsuit. Microsoft did this simply for the sake of wrapping up this case. In short the current settlement has forced Microsoft to alter many of its products,services and business practices to make it easier on its competitors. A technical committee will verify all of this. This is quite enough. I see no more need for an extension of the lawsuit.

I ask that the current settlement be implemented without further delay.The economy has slowed and it is time we allow the IT industry to get back on its feet. Please direct your efforts towards resolving this issue as fast as possible.

Sincerely,

Joseph Szymanski
149 Springbrook Rd.
Port Jervis, NY 12771–3626
I SUPPORT VFW

MTC–00031454

From: james a g beales Fax 843–5374245
To: John Ashcroft at US Attorney General Page 1 of 2
Friday, January 18, 2002 6:18:44 AM
FAX
Date: Friday, January 18, 2002 Time: 6:16:00 AM
2 Pages
To: John Ashcroft
US Attorney General
From: james a g beales
Fax: 307–1454 Fax: 843–537–4245
Voice: Voice:
Comments:
From: james a g beales Fax 843–537–4245
To: John Ashcroft at US Attorney General Page 2 of 2 Friday, January 18, 2002 6:19:24 AM
January l8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

Please add this letter to the many thousands of others which you have undoubtedly received in support of the settlement reached between Microsoft and the Department Justice. There is no doubt that his settlement will benefit the stability and strength of the American economy.

It is my understanding that the settlement terms, while harsh, have been agreed to by Microsoft in order that bring final closure to this three year affair. It has been costly, time consuming, and a serious distraction to the entire technology industry.

You and your department have seen the need to bring this saga to a close, and you are to be applauded for doing so.

Thank you.

Sincerely,

James A. G. Beales III
Cheraw, SC, 29520
cc. Strom Thurmond

MTC–00031455

From: Valued Sony Customer
To: Renata B Hesse
Date: 1/18/02 Time: 12:40:12 AM
Page 1 of 1
FACSIMILE COVER PAGE
To: Renata B. Hesse
From: Valued Sony Customer
Sent: l/18/02 at 12:40:08 AM
Pages: 1 (including Cover)
Subject: Microsoft Settlement
Judge Hesse,

I wish to express my concern over the government's recent settlement of the Microsoft antitrust case. I believe it is far too lenient and will not fix any of the deeper causes of the Microsoft monopoly.

I concurred strongly with Judge Thomas Penfield Jackson's original decision, which I thought was accurate and comprehensive. The new terms proposed by the government, however, do not address the root of the Microsoft monopoly, as Judge Jackson's remedy did, Since this is so-called ''Information Age,'' and the Internet is one of the great, if not greatest, outgrowths of this era. The Microsoft case is therefore extremely important, in my opinion, and I believe it vital that this or any company should not be allowed to dominate and stifle either the Internet, computer operating systems, or the applications market,

Thank you for your consideration

Nelson Cole
Sunderland, MA
413–397–9763
nelsonjcole@yahoo.com

MTC–00031456

13302 Coral Ridge Court
Houston, TX 77069–13343
January 17, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–000 1
Dear Mr. Ashcroft:

I am happy with the terms of the settlement reached last November between Microsoft and the Department of Justice.

As a long-time Microsoft supporter, I believe the terms of the agreement are fair and beneficial. I strongly urge you to enact this settlement at the end of January.

It is very important to me that we not hinder free enterprise, and force companies to compromise the very creativeness that makes our country and our economic system great. Microsoft has made many concessions during this mediation process. Microsoft now agrees to disclose some of the information regarding the interfaces of its Windows system, which is more than reasonable. In addition, Microsoft has agreed to the formation of a review board whose sole purpose is to make sure that the terms of the settlement are enacted to the letter of the law. This condition should satisfy any skeptics who might believe Microsoft might not abide with the settlement's terms.

In al1 I believe that the settlement is fair to all parties and should be enacted soon. Thank you for your time regarding this issue.

Sincerely,

Tom Ryan

MTC–00031457

NORTHTECH SERVICES
506 White Pine Drive
Cadillac, Michigan 49601
January 17, 2002
Attorney General John A&croft
US Department of Justice
950 Pennsylvania Avenue, NW Washington, DC 20530
Dear Mr. Ashcroft:

I am writing to show my support of the Microsoft settlement, which will be finalized at the end of the month. I have felt that this lawsuit reflected an attempt by the previous administration to challenge the strongest parts of our business community and do not support any further action. This deal provides a comprehensive attempt to remedy any lack of competition that might exist in the industry, so it should offer plenty of opportunities for competitors and be approved promptly.

With regular monitoring by a panel of experts, the agreement has guaranteed no favoritism of computer makers who use Microsoft software.

A uniform price list will be used for licensing of Windows to the 20 largest manufacturers and they will have expansive rights to replace Microsoft programs with those from AOL, Real Networks, etc. There will also be no contract restrictions in relation to promoting Windows technology as well. With this settlement, Microsoft has given its competitors an ample opportunity to succeed in the marketplace. Please take this chance and move on with that process now.

Sincerely,

Lynwood Taylor

MTC–00031458

Nancy C. Cocke
4900 Hassell Lane
Erie, PA 16509–4236
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I would like to take this time to urge you to please uphold the settlement that was reached between Microsoft and the Department of Justice on November 2, 2001. This case has been dragging on for nearly three years. I see no reason to prolong it further. There was obviously a great deal of effort put into negotiating this settlement. The settlement quite adequately addresses the issues of concern.

There is no reason to scrutinize this issue any further, especially since the Federal government has already agreed to terms. I thought that the initial settlement was too harsh on Microsoft to begin with. I would really hate to see any further legal action. Microsoft actually had to concede more than they initially desired in the settlement, but the American economy was more important to Microsoft's leaders than a few details listed in the settlement. Microsoft has agreed to share a lot of their coding and internal Windows interface information, making it easier for their competitors to come up with their own products. They are also creating a Technical Committee to oversee Microsoft's compliance of the settlement terms. This is all more than reasonable, especially given their huge contribution to our nation's economy.

Thank you for your time. Please respect the settlement. Thank you.

Sincerely,

Nancy C. Cocke

MTC–00031459

6194858519 GUS G SIPKES PO1
17224 Tam O Shanter Drive
Poway, California 92064
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue. NW
Washington, DC 20530

Dear Attorney General Ashcroft:

This letter is to give my support to the agreement reached between Microsoft and the Department of Justice. As I understand, there are sixty days for public comment and I would like to say that I believe this agreement is long overdue. It has done a great deal of damage to our economy and our country. It is now time to put this behind us and move forward. There are more important things to be concerned about.

Further, Microsoft has agreed to a number of demands from the Justice Department, enabling competing firms to have access both to certain software and new rights to configure systems with access to various Windows features. Microsoft has also agreed to be bound by requirements on their licensing practices. The company will have to use a uniform price list when distributing Windows to the largest twenty computer manufacturers in the nation. This is a great deal for a company to do.

Please do not pursue any further federal action against Microsoft. It is not in the best interests of the country. Thank you.

Sincerely,

Gus Sipkes

MTC–00031460

January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave. NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing to ask you to settle the Microsoft lawsuits that have been going on for such a long period of time. Microsoft should retain the ability to produce the brightest and best of technology without impediments from the government. The continued harassment from the government is against the best interests of the public.

Please settle the suit.

Sincerely,

Alice Cason
52 Bellevue Ave.
San Rafael, CA 94901
Sent via fax 1–202–307–1454
1–202–616–9937

MTC–00031462

01/18/2002 08:43 FAX 804 7866310 VA HOUSE OF DELEGATES 001

VIRGINIA HOUSE OF DELEGATES
FAX COVER SHEET
To: RENATA HESSE
Organization; Antitrust Division—US Dept of Justice
FAX Number: (202) 616–9937
Phone Number: ( )
Local
Long Distance Number of Pages including this cover sheet: 2
From: DELEGATE THOMAS DAVIS RUST
Room Number: 516 Telephone Number: (804) 698–1086
Comments:
If you have any problems with this transmission please call the House Fax Center at: (804) 698–1558
Our Fax Number is (804) 786–6310
01/18/2002 08:43 FAX 804 7866310 VA HOUSE OF DELEGATES
002
COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND
January 17, 2002
THOMAS DAVIS RUST
730 ELDEN STREET
HERNDON, VIRGINIA 20170

Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW #1200
Washington, DC 20530
By Facsimile: (202) 616–9937

Dear Ms. Hesse:

As the Delegate for the 86th District in Northern Virginia, I am writing to encourage you to approve the settlement agreement in the case of United States v. Microsoft.

Northern Virginia has been fortunate to attract a diverse and wide-ranging number of technology firms over the past 10 years, and with those firms choosing to locate here, we have insured our area's continued growth and future prosperity. While I have varied business interests across my district, the bottom line is that the settlement is a boon to our state's economy and for the economy of the nation as a whole.

Being a technology-friendly state put Virginia on the map again with the emerging IT industry in the 1990's. As IT has blossomed and flourished, our state has reaped the benefits as well. We embraced the new economy and profited from the relationship. Government should not be an inhibitor, but rather an enabler of consumers, entrepreneurs, and the marketplace. Technology empowers individuals, both here in the Commonwealth and beyond. It gives individuals previously unimagined opportunities to participate in the economy. It opens the door of opportunity to many including women in business who are harnessing the power of the IT economy and to children who are empowered with the learning and teaching potential of the Internet.

More than half of all Internet traffic travels through Virginia. In my district alone, there are hundreds of high-tech firms all relying on consumers, and beholden for their survival to the competitive system that Americans so cherish. This proposed settlement is tough, yet reasonable, and a valuable tool in bringing stability back to our economy. It is my hope that the Court will approve the proposed settlement between Microsoft and nine plaintiffs in the anti-trust case against it, including the federal government.

Sincerely,

Thomas Davis Rust

DISTRICT: (703) 437–9400—FAX: (703) 435–6855—E–MAIL: DEL_TRUST@HOUSE.STATE.VA.US

MTC–00031463

JAN–17–2002 09:05 PM Bob Hailey 760 789 6480 P. 01

Ramona Unified School District
720 Ninth Street Ramona, CA 92065–2399
(760) 78905000 o FAX 789–9168
Renata Hesse
Department of Justice, Antitrust Division
Via Fax 202–616–9937

Ms. Hesse,

I was told that individuals wishing to express their opinion on the pending settlement in the case of US v. Microsoft are allowed to send their letters to number above. I support the settlement.

Please accept this letter and include it with those members of the public who believe the courts should approve of the settlement.

Though it is the purpose of the courts to review facts, it is nearly impossible to consider the politics of this issue. I am writing in support of the settlement because some of the politics should be explained to the Courts.

Specifically, I believe it is important to recognize that nine of the original states and the federal government have endorsed this settlement. That concept alone speaks volumes about whether the settlement is adequate. More importantly. those states that have rejected the settlement are not doing so based on the facts surrounding the case; they are doing so because of the politics. Attorney General Lockyer and Attorney General Miller are far from objective on this issue.

They have used it to generate favor among other hi-tech companies and raise their profile.

This is sent to you as my opinion and does not necessarily reflect the opinions of other board members. I ask that you include my name on the list of those supporting this settlement.

Bob Hailey
President, Board of Education
Ramona Unified School District

MTC–00031464

Jan 17 02 06:54p Gary Pearce 9197878031 p.1
SMITH HELMS MULLISS & MOORE, L.L.P, Attorneys at Law
2800 TWO HANNOVER SQUARE
Raleigh, North Carolina 27601
PO Box 27525 (27611)
(919)755–8700
direct: 919–755–8816
fax: 919 755 8800
Peter.Hans@smithhelm.com
January 15, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I believe that the proposed settlement in the Microsoft antitrust case is a fair and reasonable compromise, and I want to express my hope that it will be approved by the federal court. North Carolina's Attorney General, Roy Cooper, carefully reviewed the setllement and concluded that it is fair and effective, as have attorneys general from a number of states and the U.S. Department of Justice.

The agreement contains significant restrictions on how Microsoft will be able to develop, license and market its software. But, most important, the settlement would permit Microsoft to return its focus to the development of even more outstanding products. These products have played a vital role in the productivity gains that have driven our nation's economic growth, and their development should not be unduly restricted.

America needs an economic boost today, and there could be no better boost than a settlement of this lawsuit as soon as possible.

Thank you for the opportunity to comment.

Sincerely,

SMITH HELMS MULLISS & MOORE, L.L.P.

Peter Hans
PH/gm
ATLANTA CHARLOTTE GREENSBORO RALEIGH WILMINGTON

MTC–00031465

01/18/2002 10:32 6033757915 CUSTOMSCOOP PAGE 01
CustomScoop
Your Online News Clipping Service
VIA FAX (202) 616–9937
January 18, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Thank you for accepting comments on the settlement with Microsoft.

The so-called Innovation Economy results in a higher standard of living for all of us. Our lives become richer because of the opportunities afforded us by a robust and vibrant technology industry. Litigation does nothing but tack on costs that in the end, we all must bear and for which we must all compensate.

The marketplace, not the courtroom, should decide winners and losers in the tech sector.

Instead of finding excuses and ingenious ways to continue prosecuting the case of U.S. v. Microsoft.

The settlement agreement the U.S. Justice Department and nine states agreed on with Microsoft seems fine. We need to move on, for the good of the technology industry and our economy as a whole. As an executive of a technology business, I can tell you that for every day this case is extended, we lose opportunities.

Sincerely,
Chip Griffin
Charles Griffin
P.0. Box 609, Concord, N.H. 03302
(800) 538–6420
www.customscoop.com

MTC–00031466

01/18/2882 12:55
=== COVER PAGE ===
TO:
FAX: 12026169937
FROM : KATHLEEN BART
FAX: 5165464919
TEL: 5165464919
COMMENT : PLEASE CALL
01/18/2002 12:55 5165464919 KATHLEEN BART PAGE 01
Jack Bart
1930 Sunrise Highway Apt. 17
Merrick, NY 11566
January 17, 2002
John Ashcroft, Attorney General
US Department of Justice
Washington, DC 20530

Dear Mr. Ashcroft

I am writing today to address the Microsoft antitrust settlement with the Department of Justice, I am in support of the settlement, and I feel that it is a just one. After three years in court we are well past the point where this issue should have been resolved. Now more then ever, we cannot afford to waste valuable resources debating an issue that has an acceptable solution on the table.

When the settlement is finalized Microsoft will be a changed entity, one allowing more consumer flexibility, and is far less combatively competitive. From this point forward, Microsoft will design Windows-family products to be user-friendlier to installation, un-installation, and configuration of its competitors'' peripheral software components. Furthermore, Microsoft will make available to its competitors various internal interfaces of the Windows product line for the purposes of their own software development. Should any of these interfaces fall under intellectual property rights, Microsoft will provide license for their use to the developer in question. I would highlight these aspects of the settlement to those who claim that Microsoft is just being given a free ride. In fact, many of the terms within the current settlement reach above and beyond the issues originally brought to suit against Microsoft three years ago.

At this point I strongly urge all parties involved to agree to the current settlement and wrap this antitrust issue up once and for all.

Sincerely,
Jack Bart

MTC–00031467

01/06/2002 12:57 914–2489689 SERGIO TOSCANO PAGE 01
4 Walker Drive South
Yorktown Heights, New York 10598
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

After three years of negotiation, the Department of Justice has announced a proposed settlement for the Microsoft antitrust case. All terms were arrived at with a court-appointed mediator. I favor finalizing settlement of this case at the earliest possible date,

Microsoft has agreed to allow competing technology developers to reconfigure Windows links to suit their needs so that they may promote their own software products. Microsoft has also agreed to make documentation and protocols available to competitors to facilitate these reconfigurations.

Basically, the settlement has provisions that satisfy all of the issues originally raised in the suit and the issues raised since then.

Further litigation would only serve to drag this case out and tie up the courts unnecessarily. I ask for your support to bring this case to a timely closure.

Thanks for your consideration.

Sincerely,
Sergio Toscano

MTC–00031468

Jan 18 02 12:02p Richard S. Vann 336–722–2895 p.1
Matthew Tilley
874 Cook Road
Rural Hall, NC 27045
January 16, 2002

Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
610 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

I am writing as a member of the public to respond for public comments concerning the Microsoft settlement before Judge Kollar-Kotelly. I am an executive at marketing firm with a wife and two children. I am also going back to school in hope of receiving my MBA. As you can probably tell, I am a great believer in people such as Bill Gates who came out of nowhere and built a great commpany whose products nearly everyone buys and who has made my work on the computer a whole lot easier.

During the entire period that the government has prosecuted Microsoft, I have strongly opposed the suit and written such an opinion to my Congressmen and Senators. I still believe that the suit was greatly aided by Microsoft's competitors who still are trying to influence the proceedings even today. However, since Microsoft the federal government and nine attorneys general have agreed to the settlement, I want to lend my support as an interested citizen I believe that with any settlement that the provisions are fair for both sides. These are much the same provisions as months earlier when the attorneys general turned down a settlement and sent the financial markets, including Microsoft stock, into a tailspin from which it has never recovered. Millions of dollars have been lost from people's pension funds and individual accounts because of government intervention and the refusal of some AGs to be reasonable.

I regret that these few individuals, even now, refuse to go along with the settlement and so their lawsuit continues. Thanks goodness, as a taxpayer, I will not any further burden because North Carolina has wisely withdrawn its lawsuit and the federal government, which wasted $30 million on the effort, will shortly shut its doors on this sad chapter as well

Thank you for your consideration of my views.

Sincerely,
Matthew Tilley

MTC–00031469

01/18/2002 11:43 MERGER & ACQUISITION SERVICES—12026169937 NO. 123 002
MERGER & ACQUISITION SERVICES, INC.
3060 Holcomb Bridge Road, NW Suite G
Norcross, GA 30071
January 17, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

Stop the litigation against Microsoft. Enough is enough. The money spent so far on this case has been ludicrous, and the idea of more litigation makes me very upset.

There are many specific changes mandated be the settlement that will affect the entire IT industry. For instance, Microsoft already has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows. Plus, the company has agreed to a ''Technical, Committee'' that will monitor Microsoft's compliance with the settlement. Clearly, these restrictions on Microsoft will benefit consumers the most.

The recession has had a large effect on state budgets and the federal budget, and it is important that the technology industry be allowed to concentrate on business now. Let Microsoft do what it does best and, at the same time, do what is best for all of us.

Sincerely,
David Schofield

MTC–00031471

01/17/2001 10:56 FAX 8037794953 S.C. POLICY COUNCIL 001/002
SOUTH CAROLINA POLICY COUNCIL EDUCATION FOUNDATION
1323 Pendelton Street—
Columbia, SouthCarolina 29201
(803)779–5022
(803)779–4953 Fax
FAX
DATE: 1–18–2002
# of Pages: 2
TO: Todd Kruse
COMPANY:
FAX: 1–202–307–1454 or 616–9937
PHONE:
FROM: Gerry Dickinson
MESSAGE:
01/17/2001 10:56 FAX 8037794953
S.C. POLICY COUNCIL
002/002
January 18, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse:

Attorney General Charles Condon ended the State of South Carolina's involvement in the Microsoft lawsuit in December 1998. At that time—more than three years ago—the state cited the fact that they could no longer justify the expense for a trial made moot by the actions of a competitive marketplace.

It was easy for the individual states to hop on the lawsuit bandwagon, but it is more difficult to step off. However, amidst the dot-com meltdown and terrorist threats, we have seen our economy shrink. While other states are facing huge billion-dollar budget gaps because of the recession and high spending levels, South Carolina has been fortunate to add jobs in the past two years.

American freedom and prosperity grew from the principles of free enterprise. Those who choose to enter the marketplace should be allowed the chance to succeed or fail on their own, unconstrained by continual litigation. But most certainly, they should be able to rest assured that running a successful business is not against the law.

The Department of Justice's proposed settlement has great merit. Advocates of limited government support the Department's settlement as a prudent way to save taxpayers from having more funds wasted on this case. Additionally, a settlement would send a positive signal to the businesses, which comprise the technology sector that the government isn't going to run their businesses for them. It is our hope that this settlement agreement—negotiated by nine states, the federal government and Microsoft—will receive your utmost consideration for approval.

Sincerely,
Gerald P. Dickinson, Jr.
Vice President for Policy
The Thomas A. and Shirley W. Roe Center for Public Policy Research
1323 PENDLETON STREET o COLUMBIA, SOUTH CAROLINA 29201 . (803) 779–5022 o
FAX (803) 779–4953 o
www.scpolicycouncil.com

MTC–00031472

01/18/2002 16:50 1100000000 CDAEMB1ADKMAASSOC PAGE 03
January 16, 2002
Ms. Tracy Selmer
12513 Cliff Edge Drive
Herndon, VA 20170
Ms. Renata Hesse
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Now that the federal government has finally settled its long antitrust case against Microsoft, I hope the states still involved with the suit will do the same. It is time for consumers to come together and move the economy and our country in a positive direction—a forward and economically strong direction.

The settlement's provisions protect Microsoft's ability to continue to be innovative and, this hopefully, will revitalize competition and the technology industry for the betterment of us all. Consumers and investors will reap the benefits of this settlement and this should help to get the engines running toward a healthy and prosperous economic stance.

Sincerely,
Tracy Selmer

MTC–00031473

01/18/2002 10:50 1100000000 CDAEMB1ADKMAASSOC PAGE 02
January 17, 2002
Mr. Michael Frey
14613 Old Kent Road
Centreville, VA 20121
Ms. Renata Hesse
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

As jobless rates and economic indicators continue to tell consumers that times are getting worse, I think Microsoft's settlement with the federal government could provide a beginning bright light. By settling the case, we could once again see the competitive prosperity of the 90's foster the necessary kick the economy needs to move in a positive direction.

The high tech industry has been a driving force for our nation in recent years and if Microsoft's settlement revitalizes competition, than we should welcome this opportunity. This long drawn out case should be resolved once and for all, and the

focus should be on lowering the jobless rate, increasing consumer confidence and strengthening our economy.

Sincerely,

Michael Frey

MTC–00031475

From : JoeT SemEnt
PHONE NO. : 1 407 977 9625 Jan. 18 2002 06:45AM P1
P.O. Box 622363
Oveido, FL 32762–2363
N Miami Beach, FL 33160
January 14, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530–0081

Dear Mr. Ashcroft,

I am writing to- express my support for Microsoft's antitrust settlement with the federal government. I think it is fair and reasonble

As I understand it, Microsoft agreed to not enter into any agreements obligating any third party to distribute or promote any Windows technology exclusively or in a fixed percentage, meaning that Microsoft can't exploit their position to force-sell Windows to smaller companies.

In case there was doubt about lax enforcement, the government will establish a ''Technical Committee'' to monitor Microsoft's compliance with the settlement and assist with dispute resolution, in case disputes arise.

Mr. Ashcroft, I think this settlement is very good. Its a win-win for everybody, I urge you to approve it.

But is suspense, as Hitchcok states, in the box. No, there isn't room, the ambiguity's put on weight.

Sincerely,

E.L. Troendle

MTC–00031476

JAN 18 02 12:24PM SC ATTORNEY GENERAL P.1
STATE OF SOUTH CAROLINA
CHARLIE CONDON
ATTORNEY GENERAL
Office of the Attorney General
ColumbiA 29211
January 15, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 ''D'' Street, NW
Suite 1200
Washington, DC 20530–0001
Re: DOJ Proposed Settlement with Microsoft

Dear Ms. Hesse:

As Attorney General of South Carolina I commend the United States Department of Justice and Microsoft for negotiating a settlement to the DOJ antitrust lawsuit. The parties conducted extensive negotiations with the help of a court-appointed mediator and have reached an agreement that needs to be implemented. The interests of consumers, market-competition and the national economy are best served by bringing this lawsuit to the agreed conclusion as soon as possible.

Yours very truly,

Charlie Condon

(803)734–3970 (803)734–3046 Facsimile

MTC–00031477

01/18/02 11:32 FAX 18157565443 T D HARRELSON 01
333 South Seventh Street
Dekalb, IL 60115
January 17, 2002
Attorney General John Ashcroft
US Departmnt of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my support for putting an end to the antitrust case brought against Microsoft. As an ordinary consumer, Windows is beneficial to my everyday life, and I would like to see Microsoft able to operate without further legal complication.

Microsoft has made more concessions to the government in the settlement than were charged n the suit. They have agreed to new removal capabilities for Windows-based programs along with documentation of the coding that will make it easier for competitors'' software programs to run with Windows. I think Windows is a very friendly operating system, and these charges will only serve to make it a stronger product.

Microsoft has endorsed this settlement to put a quick end to the litigation. I urge you to finally close the lawsuit against Microsoft as soon as possible.

Sincerely,

Terry Harrelson

cc: Representative J. Dennis Hastert

MTC–00031478

Jan-19–02 12:15A MIDWAY LITTLE GENERAL 573 446 8100 P.01
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I write you with concern over the recent settlement between Microsoft and the Department of Justice. I was happy to know that the settlement was finally reached, only to be disappointed when I learned that it is being even further scrutinized. After three years of litigation, it seems ridiculous that there should be any further hold up on this agreement.

At this point in time, there are many other topics to be concerned about in our nation. Spending our precious resources on an agreement that has already been under severe scrutiny seems ridiculous, compared to more recent issues. Beyond that, this settlement has already been extremely well monitored and serves the interest of all parties involved. It is time to let these terms speak for themselves and let our IT sector get back to business.

Let us not be the ones to delay the very process we initiated. Now that the technology industry has agreed to move forward in this fashion, let us allow them to do so. I ask that you help support this settlement in its current form.

Sincerely,

Cheri Perry

203 Broadfield Drive

Columbia, MO 65203

MTC–00031480

01/18/02 l0:06 FAX 3192175 001
STATE CAPITOL
P.O. Box 942049
SACRAMENTO, CA 94249–0075
(916) 319–2075
FAX (916) 319–2175
DISTRICT OFFICE
15708 POMERADO ROAD, SUITE 110
POWAY, CA 92064
(858) 385–0070
FAX (858) 385–0179
Assembly California Legislature
CHARLENE GONZALES ZETTEL
ASSEMBLYWOMAN, SEVENTY-FIFTH DISTRICT
COMMITTlEES:
APPROPRlATIONS
EDUCATION
ENERGY COSTS AND AVAILABILITY
GOVERNMENTAL ORGANIZATION
HEALTH
RULES
SELECT COMMITTEES:
CALIFORNIA CHILDREN'S HEALTH
LOW PERFORMING SCHOOLS
TRANSPORTATION CONGESTION RELIEF
CALIFORNIA-MEXICO AFFAIRS
STANDING SUBCOMMITTEE:
VICE CHAIR, SEXUAL HARASSMENT PREVENTION AND RESPONSE
January 14, 2002
Renata B. Hesse
U.S. Dept. of Justice, Anti-Trust Division
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

It is my understanding that the federal government has negotiated a reasonable settlement agreement with Microsoft that is in the nation's best interest. This settlement will place sanctions on Microsoft without destroying the company nor punishing its employees.

The sanctions are meant to encourage greater competition in the software industry by giving consumers a greater choice when purchasing and enhancing their computers.

The agreement sounds to me to be a fair resolution of the matter and I encourage you to continue your efforts to settle this case.

Sincerely,

CHARLENE G. ZETTEL

Assemblywoman, 75th District

MTC–00031481

FROM : FAX NO. : 13607341875 Jan. 18 2002 09:06AM P1
Facsimile Transmittal
ULTRA TANK SERVICES, INC
Ph: 1–360–734–7612
Fax: 1–360–734–1825
P.0. Box 664
Bellingham, wa 98227–0664
Date: 1–18–02
Attention: Mr. Ashcroft
From: George Willet
Number of pages (including this cover): 2
Comment(s):
Reply requested Yes No
FROM :
FAX NO. : 13607341875 Jan. 18 2002 09:07AM P2
ULTRA TANK SERVICES, INC.
P.O. BOX 664
BELLINGHAM, WA 98227–0664

OFFICE PH: l-360–734–7611
FAX: l-360–734–1875
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 12, 2002
Dear Mr. Ashcroft:

I would like to voice my opinion on the recent events surrounding the Microsoft Anti-trust case. I think it is wonderful that there has been a settlement reached. I support Microsoft on this 100%. It is time to put this issue to bed and the settlement is a perfect way to do so.

I don't see how there is any dispute on this settlement not representing the public interest. Microsoft has been providing us with user-friendly technology for years. They've changed the computer industry forever and made computers something everyone uses. The settlement calls for Microsoft to give away a bunch of their information so that their competitors have an edge on things. And if that's not enough, there is a Technical Committee to make sure that Microsoft does what they're supposed to, including dispute resolution. I see this as more than fair.

Microsoft has created one of the best consumer products of our time. They've changed the way people do business. Please don't punish them any more. Respect this settlement and put this lawsuit to bed forever. <<PARA5>>

Sincerely,
George Willet

MTC–00031482

JAN-18–02 FRI 12:26 PM TACO TREAT FAX NO. 406 727 7583 P. 1
Jack Deck
1316 Central Avenue
Great Falls, Montana 59401
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington. DC 20530
Dear Mr. Ashcroft:

A reasonable and equitable settlement has been reached in the Microsoft antitrust case with the Justice Department, I am pleased that this settlement has come this far and I am writing your office to encourage you to see that it is instituted. Microsoft has many rivals and unfortunately some are pressuring for this settlement to be withdrawn and Microsoft forced back to court. They care little for the settlement and more for seeing that Microsoft is damaged. This is unfortunate because the settlement will create more openness and competition in the technology field. This settlement will end any contractual restrictions that may have been harmful to Microsoft's competitors. This settlement also will allow competitors extraordinary access to Microsoft's internal interfaces and server interoperability mechanisms. No software company has ever opened up their books more than Microsoft than in this settlement. Despite all the concessions by Microsoft competitors will contiue to press for a continuation of this case. Only resolute backing of this settlement by your people can ensure this settlement is realized.

MTC–00031483

01/18/2002 12:43
018/2002 12:43 5165464919
KATHLEEN BART
PAGE 01
JACK BART
1930 Sunrise Highway Apt. 17
Merrick, NY 11566
January 17, 2002
John Ashcroft, Attorney General
US Department of Justice
Washington, DC 20530
Dear Mr. Ashcroft,

I am writing today to address the Microsoft antitrust settlement with the Department of Justice. I am in support of the settlement, and I feel that it is a just one. After three years in court we are well past the point where this issue should have been resolved. Now more then ever, we cannot afford to waste valuable resources debating an issue that has an acceptable solution on the table.

When the settlement is finalized, Microsoft will be a changed entity, one allowing more consumer flexibility, and is far less combatively competitive. From this point forward, Microsoft will design Windows-family products to be user-friendlier to installation, un-installation, and configuration of its competitors'' peripheral software components. Furthermore, Microsoft will make available to its competitors various internal interfaces of the Windows product line for the purposes of their own software development. Should any of these interfaces fall under intellectual properly rights, Microsoft will provide license for their use to the developer in question. I would highlight these aspects of the settlement to those who claim that Microsoft is just being given a free ride. In fact, many of the terms within the current settlement reach above and beyond the issues originally brought to suit against Microsoft three years ago.

At this point I strongly urge all parties involved to agree to the current settlement and wrap this antitrust issue up once and for all.

Sincerely,
Jack Bart

MTC–00031484

the CLONE STORE
A Clone Store Corporation Company
884 Yale Avenue, Suite 1500
Lake City, Pennsylvania 16423
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

After three long years disputing an unnecessary case, I was pleased to hear that a settlement was finally reached between Microsoft and the federal government. I hope that no further action will be taken against Microsoft at the federal level.

The settlement is fair and reasonable, and was arrived at after extensive negotiations with a court appointed mediator. Microsoft 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. For example, Microsoft will not retaliate against vendors that use or promote non-Microsoft products,

Considering the many terms of the agreement, there should be no reason for the government to pursue further litigation against Microsoft on the federal level.

Sincerely,
Douglas L. Thurston
cc: Senator Rick Santorum
Committed to Quality NNOVELL
814–744–0759 01/18/02 12:21PM P001
DOUG THURSTON

MTC–00031487

01/17/2002 23:00 2036559359
SMEGO
PAGE 01
Mary Ann S. Smego
7 Lighthouse Way
Darien, CT 06820–5612
January 11, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing to express my relief at the fact that the Department of Justice has finally reached a settlement in the Microsoft antitrust case. I don't feel that this case should have ever been brought against them in the first place and am happy to finally see it over and done with, at least at the Federal level.

The settlement answers many of the complaints that Microsoft's competitors had with the company. Now they not only have to make it easier for people to write programs for Windows, but there's now a federal review board to make sure they comply with all the terms of the settlement.

I appreciate you taking the time to hear me out on this matter and I hope that you will do everything in your power to make sure that the rest of the states who haven't settled quickly do so.

Sincerely,
Mary Ann S. Smego

MTC–00031488

To: Attorney General John Ashcroft
US Department of Justice
From: steve dasaro 01/18/02
9:53:12 Page 1 of 1
Sent by the Award Winning Cheyenne Bitware
Janet & Stephen Dasaro
47 Cedar Drive
Massapequa NY. 11758
H (516) 799—0727 B (516) 997—8030 l/18/02
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

This is to address the recent settlement between the Department of Justice and Microsoft. This case, in my opinion, has gone on far too long. The initial lawsuit was not merited. It was more a political act, than any assault on a monopolistic business. Rivals of Microsoft could compete in no other way than to haul Microsoft into court, the Department of Justice agreed to sue far too readily. I am disturbed this lawsuit has set a dangerous precedent for future companies.

Evidently, if a firm gets too successful, too big, they can be assured of being hauled into court. Microsoft is successful because it produces a good product. Bill Gates worked long and hard to make compatible software available to, and understandable to, the average lay person. The case has been settled, and Microsoft did not get off easy. Microsoft has agreed to grant computer makers new rights to configure Windows to better promote non-Microsoft software.

Also, Microsoft has agreed to share any code or programming that Windows uses to communicate with other programs. I wonder if Microsoft's rivals would do the same.

Let's put this case behind us and move forward. I support the agreement, and look forward to the end of this case.

Sincerely

Stephen F. Dasaro

MTC–00031489

JAN-18–02 FRI 09:24 AM JERRY KOSSACK CNC 209 431 7656 P.01
Jerry Kossack, CNC
Certified Nutritional Consultant
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
1–202–307–1454

Dear Mr. Ashcroft:

I would like to give you my thoughts on the recent microsoft Anti Trust case. This settlement is long past due, I am appalled that this lawsuit has been allowed to drag on for three years, wasting millions of tax dollars.

I am a Certified Nutritional Consultant and I use Microsoft products in my job and at home. Microsoft has provided a series of exceptional products that have assisted me in serving my community better. That's what business is about. However, now Microsoft has to give up a great deal just so that this lawsuit might be ended. They are sharing a lot of their source code and interface design with their competitors. They are also making agreements with computer makers that will allow them to pre-install non-Microsoft products on the Windows operating system.

Please do your part in respecting the public interest. Our fragile economy needs a boost and this settlement will certainly provide one. Thank you.

Sincerely,
5792 N. Palm Avenue
Fresno, California 93704
(559) 431–7678
FAX (559) 431–7656
eMail:CNC2001@hotmail.Com

MTC–00031490

SENT BY: ; 610 828 8323; JAN-18–02 10:27AM; PAGE 1/2
FAX COVER SHEET
TO: Attorney General John Ashcroft Fax: (202) 307–1454
FROM: Dennis R. Rubisch
Phone: 610–828–8323
Fax: 610–828–3246
Of PAGES: 2 (including cover sheet)
Letter Attached
SENT BY: ;
610 828 8323; JAN-18–02 10:27AM; PAGE 2/2
DENNIS R. RUBISCH
243 VALLEY FORGE LOOKOUT PLACE
RADNOR,PA 19087
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I support the agreed settlement between the Justice Department and Microsoft and I feel there should be no further court action taken by the federal government. It is time for the Department of Justice to move on and it is time for Microsoft to get back to business. The case has gone on long enough.

Microsoft has agreed to terms in the settlement that change their licensing agreements, contractual agreements and general business practices extensively. They have agreed to terms that extend beyond the points in the lawsuit for the purpose of settling the suit and they have agreed to be monitored for compliance. That should be enough assurance to keep Microsoft out of any future anti-trust violations.

The case against Microsoft should finally be closed and let all parties involved carry on their respective business.

Very truly yours,
Dennis Rubisch
cc: Senator Rick Santorum

MTC–00031491

01/22/2002 09:12 19197281314 SULLIVANHOMEBUIDERSI PAGE 01
2712 Highway 70E
Beaufort, North Carolina 28516
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I write you today with the Microsoft settlement on my mind. The recent developments have caused me to wonder why we are wasting more time on this issue. After three years of negotiations, it seems ridiculous to continue to scrutinize this well thought out agreement. I believe that it is time to move forward and that we should support our technology industry in any way we can.

Microsoft has agreed to make bold changes in licensing and marketing and even design. By designing future versions of Windows for easier installation of non-Microsoft software, we open up the market for the Microsoft competitors. This is clearly a move toward working as a more unified IT sector. At this point in time, Microsoft believes that by moving forward we can continue to maintain our position in the global market. By continuing to focus on litigation, we only move backwards and jeopardize our advancement in this global market.

Let us help to keep America's technology industry on top, by supporting this settlement. The terms clearly promote working together and can only help our IT sector. I thank you for your support.

Sincerely,
Lawrence Sullivan

MTC–00031492

JAN-18–2002 13:40
GUILD OF ST. AGNES 508 754 2026 P.02
William Joseph Eddy
December 31,2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSIMILE

Dear Attorney Hesse:

I would like to comment on the impending settlement in the Microsoft suit.

It is imperative that the government reaches a settlement in this case as soon as possible. Our economy is in tough shape and we don't need this lingering case to drag us down further.

I believe that the settlement will be beneficial to small non-profit community organizations such as the one I head. The potential donation of computers and software will be invaluable. The money we save with this potential donation will free us to spend more in our community.

I urge the Justice Department to settle this matter as soon as practical

Sincerely yours,
William J. Eddy
3 Barrows Road
Worcester, MA 01609
TOTAL P.02

MTC–00031493

JAN.18.2002 2:25PM DEPT OF STATE No.249 P. 1/1
GREAT SEAL OF THE STATE OF FLORIDA
IN GOD WE TRUST
FLORIDA DEPARTMENT OF STATE
Katherine Harris Secretary of State
DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Office of International Relations
Division of Elections
Division of Corporations
Division of Cultural Affairs
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
Division of Administrative Services
MEMBER OF THE FLORIDA CABINET
State Board of Education
Trustee of the Internal Improvement Trust Fund
Administration Commission
Florida Land and Water Adjudicatory Commission
Sitting Board
Division of Bond Finance
Department of Revenue
Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans'' Affairs
January 14, 2002
Ms. Renata Hesse
Antitrust Division
United States Department of Justice

Dear Ms. Hesse:

Via Fax: 202–616–9937
202–307–1454

This letter is an indication of my support for the Microsoft settlement. With a stagnant economy and a war raging overseas, I believe

it is in the best interest of the public to settle this lawsuit.

From print and media information, it appears Microsoft has taken the necessary steps to reach a fair and reasonable settlement, Currently the settlement allows competitive computer makers to eliminate the Windows software and replace it with another. I believe this demonstrates Microsoft's commitment to the consumer.

As Florida's Secretary of State, one of my duties is to encourage commerce and international business for our state. Obviously, too much litigation is never helpful to a recovering economy,

Yours truly,
Katherine Harris
Secretary of State
The Capitol o Tallahassee, Florida
32399–0250 o (850) 414–5500
http://www.dos.state.fl.us

MTC–00031494

MicroCity, Inc.
13612 Midway Rd. Suite 110
Dallas. TX 75244
Tel: 972–387–5529 Fax: 972–387–7945
January 16,2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Schools, small and minority businesses, and the individual personal computer user all stand to lose if the government continues its open-ended pursuit of the high-tech industry. For years now, the U.S. Department of Justice has relentlessly attempted to break-up Microsoft Corporation into two companies. The lawsuit was wisely dropped but not until wasting millions of taxpayer dollars. Now, even more ominous threat looms on the high- tech horizon—government regulations of the entire industry.

What disturbs me most is that the pursuit of Microsoft was and still is competitor-driven. No consumer or end-user of Microsoft products is a party to this attempt to quash innovation and interfere with market-driven competition. Does the handful of competitors realize that when the government regulates, it regulates everyone?

I think it is time to settle all remaining issues between Microsoft and the government and let the technology industry get back to the business of providing high quality products to the American consumer.

Sincerely,
Linda Newman
President
Jan. 16 2002 04:36PM P1
FAX NO.: 9723877945
FROM: 9723877945

MTC–00031495

01/16/2002 12:16 8174169015 RENAISSANCE IT PAGE 01
Renaissance
I.T. Inc.
January 9,2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530

Dear Ms: Hesse:

I am writing to express my support for the compromise settlement negotiated between the Department of Justice and Microsoft.

After years of investigation and tens of millions of taxpayer's dollars spent on the government's Microsoft hunt, the case against the software company is as flimsy today as it was five years ago. No consumer has been harmed by Microsoft's presence in the market, and software prices continue to fail. In fact, some portions of the newest versions of Windows once cost more as free-standing programs than the entire platform does now.

As the owner of a small ($1,OOO,OOO/year) business my company's future was threatened by your attempted antitrust action. It is a relief to me that my business can continue to grow under the terms of the compromise settlement negotiated between the Department of Justice and Microsoft. I employ between 6 and 12 professional employees and they stand to be hurt as well by the Justice Department's continuation of antitrust actions.

Consumers benefit from competition and innovation, the two things that have kept Microsoft successful for years. On the other hand, there is no example of a government-ordered breakup and take over ever helping an industry.

Let the innovation in the technology market continue—accept the settlement and move on!

Sincerely,
Donald J. Levings, Jr.
President/CEO/Owner
1125 South Ball Street Suite 104 o Grapevine, Texas 76051 o 817 421.8127 817 418.9015 fax o
www.renaissanceIt.com

MTC–00031496

Lori Barrow
1201 Harvest Ridge Lane
Prosper, TX 75078
January 14, 2002
Attorney General Ashcroft
U.S. Dept. of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

The purpose of this letter is to express my support of the agreement reached between the Dept. of Justice and Microsoft. Microsoft has been at the forefront of the tech industry for some time. Through innovation and a commitment to quality, Microsoft has created its position in the field. I find it ridiculous that Microsoft has been punished for its success,

With this noted, I do believe that the resolution reached in the settlement is beneficial. It allows Microsoft to return its focus to the IT world and leave at least some of its legal troubles behind. The settlement comes with a cost though. Microsoft will now be required to disclose the interfaces of its operating system. This will give other companies the opportunity to write more efficient programs. Users will be able to reconfigure the Windows system to their liking. Microsoft must also license Windows to all computer makers at the same rate.

A11 of this is detailed in the agreement.

Microsoft will continue to be a leader in the IT field. This settlement is beneficial in that it allows them to return to work. Please enact the settlement quickly.

Sincerely,
Lori Barrow
P.01 19725425643
ROCKNB@PEOPLEPC.COM JAN-1802 11:56AM

MTC–00031497

01/18/2002 13:57 18173581603 PICARD PAGE 01
2425 Meadow View
Bedford, TX 76021–4929
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The terms of the settlement are fair and the issue needs to be resolved in order for the technology industry to be able to move forward.

Some critics say that Microsoft is getting away with an easy deal. This is simply not true. The settlement was arrived at after extensive negotiations with a court-appointed mediator. The company agreed to strict terms that extend well beyond the products and procedures that were actually at issue in the suit.

I know that there probably isn't a windows user out there that has not wanted to strangle Bill Gates and Microsoft when there system crashes or a little dialog box pops ups asking it you, would like to make Explorer your default browser. The market p1ace will decide the ups and downs of Microsoft.

I feel that today the Department of Justice needs to focus their time and resources on more important things, like terrorism, Enron, and Arthur Anderson.

Please accept the Microsoft antitrust settlement. I ask this as an investor in Microsoft and some of it competitors

Sincerely,
Robert Picard

MTC–00031498

01/18/2002 12:56 218–834–2498 TWO HARBORS MACHINE PAGE 01
1691 White Pine Drive
Two Harbors, MN 55616
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I would like to offer my approval of the recent government settlement with Microsoft and ask the Justice Department to finalize the agreement. Although some concerns over Microsoft's competitive tactics were warranted, this case has gone on way too long, at way too much expense to the taxpayer, and is ready for resolution.

The agreed terms are fair and reasonable and actually exceed Justice Department

charges. The new measures, including the uniform price list on Windows products for the top computer manufacturers, greater rights to configure Windows to promote competitor products and an interim Windows XP version for that use, should open competition for other software developers.

I ask for a swift conclusion to this case and an opportunity to let businesses succeed unimpeded through this even-handed settlement. Thank you very much.

Sincerely,

David Johnson

MTC–00031499

JAN-18–2002 12:15PM P.01
1/11/2002 11:57AM FROM: Fax 14067526699.....191 PAGE: 003 OF 003
218 Lonepine Road
Kalispell, Montana 59901
January 11,2002
Attorney Genera1 John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to go on record as supporting the proposed settlement that was reached in the antitrust lawsuit between the Department of Justice and the Microsoft Corporation. After three years of arguing and having Our economy slide into a recession, the government finally realized that settling the issue would be the best move.

The settlement actually goes further than Microsoft wished, but the economy was more important than a few details in the agreement. I do not feel that it is fair that restrictions are being placed on Microsoft in areas that were never even an issue in the lawsuit. Microsoft has even 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.

The settlment that was reached is fair and reasonable, and I would like to go on record as supporting it. Thank you.

Sincerely,

Gerald Mason

MTC–00031500

2084 Alameda Way
San Jose, CA 95126
January 18, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001.

Dear Mr. Ashcroft:

I am writing you concerning the recent developments in the settlement between Microsoft and the Department of Justice. The settlement has been reached as part of a well thought out process that has yielded fair and reasonable terms. These terms not only speak to a more unified IT sector, but help to promote getting back to business.

As this economy continues to take a turn, it is important to support our technology industry. Unfortunately, while they sit by and focus on litigation, the global market continues to be competitive. These terms, which include changes in marketing, licensing, and design, help to promote a technology industry that works together. For example, Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows. This will help our IT sector to maintain their place in the global market.

Please help to support this settlement, and help our IT sector get back to business. I appreciate your help

Sincerely,

Ann Kleives

Jan. 18 2002 01:13 PM P1 FAX NO.: FROM:

MTC–00031501

FROM : JIMDAY
FAX NO. : 7703934854 Jan. 18 2002 01:22PM P1
James Day, Jr.
340 Spalding Lake Court
Atlanta, GA 30350
January 18,2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing in support of the settlement with Microsoft. The settlement is in the best interests of the public and the economy. Wasting money and time unnecessarily is wrong, and the time has come to focus on other more important cases and programs.

The settlement requires many specific changes from Microsoft. For example, Microsoft has agreed to a ''Technical Committee'' that will monitor Microsoft's compliance with the settlement. Plus, Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms, including price. Also, Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows'' operating system.

This settlement is in the best interests of the state, the IT industry, and the economy. As a nation, moving forward should be the highest priority and this agreement will surely help us to do that.

Sincerely,

James Day

MTC–00031502

FROM : HRC Jan. 18 2002 12:51PM P1
FAX NO. : 5169978670
Janet & Stephen Dasaro
47 Cedar Drive
Massapequa NY.11758
H(516)799—0727 B(516)997—8030
1/17/02
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This is to address the recent settlement between the Department of Justice and Microsoft. This case, in my opinion, has gone on far too long. The initial lawsuit was not merited. It was more a political act, than any assault on a monopolistic business. Rivals of Microsoft could compete in no other way than to haul Microsoft into court; the Department of Justice agreed to sue far too readily. I am disturbed this lawsuit has set a dangerous precedent for future companies. Evidently, if a firm gets too successful, too big, they can be assured of being hauled into court- Microsoft is successful because it produces a good product. Bill Gates worked long and hard to make compatible software available to, and understandable to, the average lay person.

The case has been settled, and Microsoft did not get off easy. Microsoft has agreed to grant computer makers new rights to configure Windows to better promote non-Microsoft software. Also, Microsoft has agreed to share any code or programming that Windows uses to communicate with other programs. I wonder if Microsoft's rivals would do the same.

Let's put this case behind us and move forward. I support the agreement, and look forward to the end of this case.

Sincerely,

Stephen F. Dasaro

MTC–00031503

FROM : HRC FAX NO. : 5169978670 Jan. 18 2002 12:50PM P1
47 Cedar Drive
Massapequa, New York 11758
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to give my approval to the recent Microsoft-Department of Justice settlement. Bill Gates succeeded in making his company the best and the brightest of his industry. Unfortunately, his success created jealousy among his peers. Unable to compete in the market place, they sought to cripple Microsoft in another way, through the court system. This lawsuit was a combined effort between the Department of Justice and the rivals of Microsoft.

Microsoft has accepted the dictates from the Department of Justice. Among other concessions, Microsoft has agreed to give computer makers new rights to configure Windows to better promote non-Microsoft software programs that compete with programs within Windows; Microsoft has agreed to design future versions of Windows with a mechanism making it easier to promote non-Microsoft software within Windows; and Microsoft has agreed to disclose various source codes that are internal to Windows'' operating system products. This is far beyond what I believe any other firm would do.

I urge you to support the settlement reached by these two parties. It is time we put this behind us.

Sincerely,

Janet Dasaro

MTC–00031504

FROM : HRC FAX NO. : 5169978670 Jan. 18 2002 12:48PM P1
Mrs. Lisa Burkert
47 Cedar Drive
Massapequa NY. 11758
January 18,2002
Attorney General John Ashcroft
US Department of Justice

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I do now and always have felt that the DOJ's and various state attorneys suits against Microsoft Corp. are the result of the prejudiced views of elected officials from states where Microsoft's competition reside. This constitutes what I and everyone I speak to considers an injustice perpetrated against Microsoft Corp. As you know millions of our tax dollars have already been wasted in an attempt to wrongfully punish this company. I like most Americans who used P.C's. before the advent of Windows hold Microsoft in the highest regard. I am proud of it's performance in dominating it's field because in doing so it took us out of the realm of cryptic DOS code and into the future of computing. Lets face it, the driving force behind any great advancement has always been profit. By punishing Microsoft for doing exactly what any other large corporation or small businessman would do in it's place sends a bad signal to those of us who have the nerve to gamble in the high stakes world of business. By the way what would the trade deficit have been last quarter if Microsoft did not sell software worldwide?

Please stop this nonsense and accept this settlement that is already much larger then the so-called (but in my mind fabricated) harm done to the ''public'' Let this great American company thrive and grow.

Thank you for considering my position.

Sincerely

Lisa Burkert

MTC–00031505

From Michael J. Cunningham 1–419–393–4271
To: Department of Justice
Date: 1/18/2002 Time: 2:15:00 PM Page 1 of 1
MICHAEL J. CUNNINGHAM
15454 POWER DAM ROAD
DEFIANCE, OHIO 43512
Telephone 419–393–2998
Fax 419–393–4271
E-mail mikejcun@bright.net
Department of Justice
re: Microsoft Settlement
Jan. 18,2002

Gentlemen,

I wish to express my opinions here about the proposed Microsoft antitrust matter.

Like most other frivolous litigation in this country this was never more than a hope for a ''jackpot judgment'' by the DOJ in the beginning. The nine remaining states that have refused to join the settlement simply exhibit their appetite for going after a windfall of money they do not deserve or have any right to. The only motivation is money and has absolutely nothing to do with antitrust, real justice, or any consumer or company being harmed by Microsoft. Also, I doubt any judgment received will ever benefit any consumer or company allegedly harmed by Microsoft.

This suit has been based on the assumption that the American public is too ignorant and stupid to be able to make decisions about the software and browsers they use, therefore unfairly hurting Microsoft's competitors. Nothing could be further from the truth with the intense competition in this market and muriad of choices available to consumers.

Microsoft has been key to the technological advancements in the world over the last two decades. They have created huge opportunities and profits for thousands of other companies to take advantage of. The financial benefit to this country and it's consumers because of Microsoft is incalculable.

I am very disgusted to say the least over any of this litigation. As a citizen, taxpayer, stockholder, and voter I urge you to bring this matter to a close and pursue worthwhile matters in the future.

Sincerely,

Michael J. Cunningham

MTC–00031506

Sent By: BRACKETT & LUCAS;
508 799 9799;
18 Jan 02 2:28PM;Job 830;Page 1/1
Jonathan Finklelstein
ATTORNEY AT LAW
19 CEDAR STREET WORCESTER MA 01609
TEL (508) 753–0299 FAX (508) 799–9799
E-Mail: Attyfink@aol.com
By FAcsimile: 202–616–9937
January 15, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse:

It is my understanding that the Justice Department is seeking input relative to the proposed settlement in the Microsoft lawsuit.

As an attorney and a real estate developer, I understand competition. Competition is healthy for the American economy. I use Microsoft products in my law practice and in my business. They have allowed me to better serve my clients and manage my business. I believe that the settlement in this case is in eveyrone's best interest. It will serve the interest of consumers by allowing new technologies to enter the market place. I have read recently that Microsoft has agreed, as a condition of its settlement with Justice, to provide computers to public school students throughout the country. Certainly in a city like Worcester, an older, industrial area in Central Massachusetts, this magnanimous gesture will be a great benefit to our inner city schools. This donation will also serve to minimize the so-called ''digital divide'' by making cumputers available to the economically disadvantaged.

I urge a quick settlement in this case.

Very truly yours,

Jonathan Finkelstein

MTC–00031507

Jan 18 02 04:05p Zollweg 7709717039 p.1
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avc, NW
Washintgon, DC 20530

Dear Mr. Ashcroft:

As a long-term contributor to the GOP, I would urge you to support the Microsoft antitrust settlement proposal now on your desk. This settlement was reached in November of 2001 and provides the most reasonable and logical solutions to address this issue. Microsoft is not the ENEMY. A fairly good case can be made that the most recent recession started when the Clinton administration decided to go after Microsoft. The ''tech'' stocks started going down after that, followed by much of the stock market. The terms of this settlement have been well thought out and I urge you to settle this case as soon as possible, Thank you for your time.

Sincerely,

Denny Zollweg
2977 Nestle Creek Dr
Marietta, GA 30062

MTC–00031508

Jan. 18 2002 5:26PM
J.W. BURNS & COMPANY No.1605 P. 1/1
J.W. BURNS & COMPANY, INC.
GLACIER CREEK OFFICE PARK
6711 TOWPATH ROAD
EAST SYRACUSE, NEW YORK l3067
315—440–1341
INVESTMENT COUNSEL
Edward A. Grassi
145 Plymouth Drive
Syracuse, NY 13206–2338
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I have been and will always be a huge Microsoft supporter. I believe that our technology industry would not have made the incredible leaps and bounds it has over the past decade if it hadn't been for Microsoft. Since the recent antitrust case settlement does not break up Microsoft, I am in complete favor of it and hope that it is finalized.

The terms of the settlement seem to benefit the competitors instead of the consumers. For instance, under the terms Microsoft has agreed to not retaliate against software or hardware developers who develop or promote software that competes with Windows.

They have also agreed to document and disclose for use by its competitors various interfaces that are internal to Windows'' operating system products.

The settlement, although flawed, serves the public interest, because the IT sector cannot afford to be hindered in its development any longer. Please support the settlement.

Sincerely,

Edward A. Grassi

MTC–00031509

01/18/02 16:09 802 864 1891 TCA-PAA-FSM 001/002
6 Adirondack Street
South Burlington, VT 05403
January 16,2002
Attorney General John Ashcroft
Department of Justice, Washington, DC

Dear Mr. Ashcroft,

I am writing to express my opinion of the recent settlement between the US Department of Justice and Microsoft. I am a proponent of free enterprise and think that government should stay out of big business.

Microsoft has been the leading innovator of technology over the last 10 years, and should

be applauded for its ability to standardize the tech sector to the consumers'' benefit, What annoys me about the lawsuits is that they never address the consumers themselves. The terms of the settlement only seem to help the competitors gain some edge that they did not have before. For instance, Microsoft will be documenting various interfaces for use by competitors. They will also be forced to not retaliate against software developers who develop or promote software that competes with Windows.

So while the lawsuits and settlement is flawed, I think it is in best interest of public for it to be finalized. Further litigation could be detrimental to our ailing IT sector and ultimately postpone our economy's recovery. I urge your office to make the right choice and make the settlement a reality.

Sincerely,

Brad Maunsell

01/18/02 16:09 802 864 1891 TCA-PAA-FSM 002/002

6 Adirondack Street
South Burlington, VT 05403
January 16, 2002
Attorney General John Ashcroft
Department of Justice, Washington, DC

Dear Mr. Ashcroft,

I am writing to express my opinion of the recent settlement between the US Department of Justice and Microsoft. I am a proponent of free enterprise and think that government should stay out of big business.

Microsoft has been the leading innovator of technology over the last 10 years, and should be applauded for its ability to standardize the tech sector to the consumers'' benefit.

What annoys me about the lawsuits is that they never address the consumers themselves. The terms of the settlement only seem to help the competitors gain some edge that they did not have before. For instance, Microsoft will be documenting various interfaces for use by competitors. They will also be forced to not retaliate against software developers who develop or promote software that competes with Windows.

So while the lawsuits and settlement is flawed, I think it is in best interest of public for it to be finalized. Further litigation could be detrimental to our ailing IT sector and ultimately postpone our economy's recovery. I urge your office to make the right choice and make the settlement a reality.

Sincerely,

Peggy Maunsell

MTC–00031510

01/18/2002 15:09 17344858321 JOSEPH NEMCHAK PAGE 01
5950 Big Pine Drive
Ypsilanti, Michigan 48197
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I never agreed with the government's decision to sue Microsoft when this case began three years ago, and I am pleased to see that you have decided to end litigation and stop this lawsuit at the federal level. Microsoft has made many concessions that made this settlement possible, and it is time to move on so that this company can go back to creating great products for the marketplace.

Microsoft has agreed to design future versions of Windows that will allow computer makers to promote non-Microsoft products within the operating system. This will promote competition within the technology industry, and the results of this will be beneficial to the industry and to consumers.

Our entire economy will benefit from this settlement as well. It is time to let Bill Gates and the people at Microsoft get back to work.

Thank you for ending this lawsuit; it is the right decision for our country.

This lawsuit never should have been brought against Microsoft in the first place, and I am glad that it is over at the federal level.

Sincerely,

Joseph Nemchak

MTC–00031511

JAN-18–2002 02:47 PM FCCMV 3158537789 P.01
FREIGHT
COST
CONSULTANTS OF MOHAWK VALLEY
102 UTICA ROAD CLINTON,
NEW YORK 13323
January 17,2002
Attorney General John Ashcroft
US Department of Justice
930 Pennyslvania Avenue NW
Washington, DC 20530

Dear Mr. Ashcroft:

I support Microsoft's decision to enter into the antitrust settlement agreement. I do not think the government was justified in bringing this case aganinst Microsoft to begin with.

There are a multitude of monopolies in this coutry. Microsoft has been unjustly singled out. The sooner this case is resolved, the better.

It is apparent to me that the terms of the settlement agreement are quite restrictive to Microsoft. I do not necessarily agree that Microsoft should be subjected to such harsh terms.

However, in the interest of resolving the action, I urge the Court to approve the agreement in its present form. Microsoft's competitors should be quite satisfied with Microsoft's agreement to not take action against those it has the legal right to retaliate against. For example, Microsoft agreed to not take action against those who infringe on their intellectual property rights. Instead they will grant licenses on reasonable and non-discriminatory terms. They have also agreed to not retaliate against computer manufacturers who install non-Microsoft software on their computers. They have also agreed to the creation of a watchdog committee to monitor their compliance with the agreement. With those provisions, the agreement will certainly achieve the goal of ensuring that Microsoft will not violate antitrust laws.

I appreciate your taking the time to review my comments on this matter.

Sincerely,

Austin Bartholomew

MTC–00031512

Jan 18 02 12:31p
p. 1
Paul Scott Turner
7751 Wood Shade Court
West Jordan, Utah 84084
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am appalled by the fact that nine of the eighteen plaintiff states involved in the Microsoft antitrust suit wish to continue litigation against Microsoft. This case has gone on far too long already. While the suit has dragged out in the federal courts, the IT industry, the economy, and the American public have suffered the effects. I see no need, now that a settlement has been reached, for Microsoft to be picked apart by nine states that should logically have no complaint with the settlement. The Justice Department should get this case over with and move on.

After six months of mediated negotiations, Microsoft and the Department of Justice came to an agreement that addresses all the antitrust violations, as well as some products and procedures that did not fall within the scope of the suit. Microsoft, for example, has agreed to reformat future versions of Windows, enabling its competitors, through modifications to the operating system, to introduce non-Microsoft software into Windows. Moreover, Microsoft has agreed to provide any party acting under the agreement with license to pertinent intellectual property rights. I see no reason for the plaintiff states to be unhappy with the settlement, other than the fact that Microsoft remains intact.

Any additional action taken on the federal level would be superfluous and counterproductive. I ask you not to condone petty behavior such as this within the federal court system. The settlement should stand.

Sincerely,

Paul Scott Turner

MTC–00031513

Friday,January 18,2002 2:25 PM John Gilbert 704–341–4411 p.01
10133 Hanover Glen Road
Charlotte, NC 282l0–7726
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I have closely followed the federal government's antitrust case against Microsoft for a long time. Microsoft is not a monopoly, but competitors who cannot compete with Microsoft in this highly Innovative market have attacked them aggressively. This settlement is fair and will give the computer/software industry the boost it greatly needs. I feel Microsoft is improving its business practices by allowing competitors and partnering software developers access to some of the Windows operating system source code. It also agreed to not retaliate against software or hardware developers who develop or promote software that competes

with Windows or that runs on software that competes with Windows.

Microsoft must be permitted to implement these new business practices. Far too much time and resources have been spent proving Microsoft is operating as a monopoly. Its time to put an end to Big Brother is watching, and let Microsoft get back to business with the settlement terms,

Sincerely,
John Gilbert

MTC–00031514

JAN-09–02 WED 11:29 PM LEADERSHIP SEMINARS 972 570 5902 P.01
LEADERSHIP SEMINARS
4020 N. MACARTHUR BLVD.,STE 122
IRVING,TX 75038–6422
972–570–4641
January 9, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Dept. of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

We all stand to lose if the government continues its open-ended pursuit of the high-tech industry.

I think it is time to settle all remaining issues between Microsoft + the government + let the technology industry get back to the business of high quality products to the American consumer.

Sincerely,
Emily Lanitach, Ph.D
President

MTC–00031515

FROM : EDMONSON WHEAT GROWERS PHONE NO. : 806 864 3325
Jan. 17 2002 09:54AM Pl
COOP.
EDMONSON WHEAT GROWERS, INC.
P.O. Box 32
EDMONSON, TEXAS 79032
Phone: 806–864–3327
January 17, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: Microsoft

Dear Ms. Hesse,

I believe it is time to end the Microsoft controversy. I think the most recent settlement being looked at should be accepted. I, along with many Americans, feel like they have benefited from Microsoft products. Microsoft has contributed greatly to the economic growth of our nation.

I don't understand why the goverment has spent so much time and money on this. Ten years ago, the average American could not think about purchasing a computer, Microsoft has changed that. I thank Microsoft for what they have done for us!

I would like to ask the Federal Court to put an end to this issue and the controversy with Microsoft.

Sincerely,
Frieda Jones
Bookkeeper

Northwestern Mutual
FINANCIAL NETWORK
George R. Allen, CLU, ChFC
Financial Representative
55 W 2nd St
PO Box 4065
Oswego,NY 13126
315 343 2323
315 343 8098 fax
george.allen@nmfn.com
January 15, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I'm a 13-year veteran and financial representative with Northwestern Mutual who has seen first hand how the continued litigation of Microsoft has had a negative impact on the economy and success of the small business I deal with on a daily basis.

My client base is predominantly made up of small businesses, and I can say definitively that the current economic recession we are dealing with has been detrimental to their bottom lines. By pursuing further litigation against Microsoft, the cost of software and technology will most certainly rise. With my clients operating on tighter budgets, my business is adversely effected, as well. I think it is evident that not accepting the settlement of this case would be to encourage further negative economic conditions. By taking this battle back to the marketplace, Microsoft's competitors can demonstrate that they are committed to promoting economic prosperity, instead of furthering litigation at the risk of raising the price of technology and software for all consumers.

Thank you.

Best regards

George R. Allen, CLU, ChFC

Northwestern Mutual Financial Network is the marketing name for the sales and distribution arm of The Northwestern Mutual Life Insurance Company and its Subsidiaries and Affiliates. Agent, The Northwestern Mutual Life Insurance Company, Milwaukee, WI, life insurance, annuities and disability income insurance. Klaude R. Konrad, General Agent. Registered Representative, Northwestern Mutual Investment Services, LLC. (NMIS) (6314 Fly Rd. P.O. Box 4718, Syracuse, NY 13221 (315–434–8800)), vriable life insurance, variable annuities, mutual funds unit investment trust and money market funds, NMIS is a separately operated subsidiary of Northwestern Mutual and is a member of the NASD and SIPC. Northwestern Mutual is not a broker-dealer. There may be Insurances when this agent represents insurance companies in addition to Northwestern Mutual.

MTC–00031517

FROM : ALYCE NORMAN SCHOOL
FAX NO.: 916 3757659
Jan. 18 2002 10:57AM P2
ASUCD
ASSOCIATED
STUDENTS
530–752–1990
January 17, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I would like to voice my opinion on the Microsoft case.

I am glad that it will be over soon. I believe that this was a bad idea In the first place. Microsoft was and is a successful company. Why should we be punishing them for their success. They have provided innovative products and ever decreasing prices.

If I were Microsoft, I would continue to fight this case. However, since they have agreed to a settlement, I hope that the government can finish this up quickly, so that Microsoft can go back to improving our economy and the government can get out of the marketplace.

Sincerely,
Mike Hartmeyer
347 Memorial Union
University of California, Davis
One Shields Avenue
Davis, California 95616–8530

MTC–00031518

VIRGINIA B. HUNDLEY
13750 Elmstead Road
Midlothian, VA 23213
(804) 794–7654
January 18, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC. 20530

Dear Ms. Hesse:

Regarding the Microsoft settlement, the following are my comments on this proposed agreement.

The agreement specifies that Microsoft would have to promptly disclose technical information that enables any Windows operating system to communicate with Microsoft servers and with all Microsoft middleware products. Also, to encourage more non-Microsoft middleware, the settlement forces Microsoft to license any intellectual property rights that others might need to compete with Microsoft. As with computer manufacturers, Microsoft could not penalize any software developer, service provider, or hardware vendor that develops or sells products that compete with Windows and Microsoft middleware. The net result is that all information technology providers, including Microsoft's competitors, are guaranteed access to technical specifications. That's pretty good.

Sincerely yours,
Virginia B. Hundley
vbh/ bhs

MTC–00031519

Carrie Lizotte
501 E. 234th St.
Apartment 1D
Bronx, NY 10470
Renata Hesse, Esq.
Trial Attorney
Antitrust Division
Department of Justice

601 D Street NW, Suite 1200
Washington, DC 20530
Via Facsimile 202–616–9937

Dear Ms Hesse:

I am writing to express support for the proposed settlement between the Department of Justice and Microsoft Corporation.

I have been watching this case carefully particularly over the past few years and am ready for the case to be settled. It has been quite clear to me that the case has been competitor driven rather than in the best interests of consumers. Oracle, AOL and ProComp have used this trial as a forum for their consistent bellyaching about Microsoft's prowess—all at taxpayer expense.

I understand that the purpose of this exercise is to help determine whether this settlement is in the best interest of the public. Considering the state of our economy can best be described as dismal, and this case has been eating up our tax dollars for the past 10 years, a settlement can only be a win-win situation for us all.

Sincerely,
Carrie Lizotte

MTC–00031520

CALYPSO
COMMUNICATIONS
January 9, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937

This letter is in support of the settlement of the case of Microsoft and the Department of Justice.

The case was brought about by the Justice Department at the egging on of Microsoft's competitors. Throughout the case we have seen these proceeding aiming to benefit Microsoft's competitors rather than consumers.

In the settlement, Microsoft agreed to take steps to give computer makers more freedom to feature rival software on their machines. This is what Microsoft's competitors have been bellyaching about. After years of frivolous litigation, the Department of justice finally asserts that the terms of that settlement are strong enough to stop the company's so-called ''monopolistic'' practices.

Finally after months of negotiations, mediators etc.. .everyone seems to be in agreement. For the benefit of the economy, the technology sector and the marketplace, please approve the proposed settlement,

Sincerely,
Paul A. Young
Principal
CALYPSO COMMUNICATIONS LLC
208 Market Street Suite 300 Portsmouth New Hampshire 03801 T 608.
431.0816 F 608.431.4497
www.calysocom.com

MTC–00031521

Christian Printers, Inc.
January 18, 2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney, Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC:

I'm sending this letter as a supporter of the recent Microsoft settlement. Many people have suffered due to the recession we are facing. Businesses have gone bankrupt, many hardworking men and women have lost their jobs, and the stock market has taken a dramatic tumble that's hurt everyone across the financial spectrum. Frankly, we've felt the crunch in our printing business as well.

It was very important to settle the Microsoft case. This issue has been going on for far too long and the parties involved need to wrap it up and draw it to a close. The American economy has suffered enough and there is no reason to make it suffer any longer by restricting an economic engine like Microsoft from freely operating its business. From all that I've read in news accounts, the settlement was fair and just; everyone walked away with a good deal.

Thank you for taking time to hear my thoughts on this important matter.

Sincerely,
Bruce Dohrmann
1411 21st Street
Des Moines, IA 50311
Phone: 515/243–0471
Fax: 515/243–0547
E-mail: chrstnprnt@aol.com

MTC–00031522

GENTIUM HOMES, INC. FAX: 415–292–0352
Gentium HOMES
January 18, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

This letter urges you to accept the proposed settlement between Microsoft and the Department of Justice.

The proposed settlement addresses the major charges against Microsoft including requiring Microsoft to provide technical details to help rivals make products compatible with its Windows operating system; providing an oversight panel full access to its books and plans for five years, bans exclusive contracts with computer makers that put rival software vendors at a disadvantage; requires disclosures to be made to rivals about the operation of its server software; and establishes a separate oversight committee of the states to ensure compliance.

The negotiators of this settlement have done a good job. This settlement should be accepted and all parties should move forward in their quest to provide more advanced technical products to consumers. Thank you.

Sincerely,
David J. Thompson
One Daniel Burnham Court, Suite 200C o San Francisco. California 94109
Telephone (415) 4471998 . Fax (415) 292–0352

MTC–00031523

Dean Gentry
P.O. Box 321
St. Maries, ID 83861–0321
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

From the start of the US vs. Microsoft lawsuit, I have been opposed to the way that the government has bullied Microsoft on behalf of many of Microsoft's competitors. The Department of Justice has interfered with the IT industry and with Microsoft claiming with the intent of bettering the status of the consumer. The truth is that if the consumer's interest were at the center of this lawsuit, it would have been resolved much sooner than it has been. Three years of litigation have proven that special interests and greed have taken center stage in this lawsuit. Microsoft has made many concessions in the settlement, including opening parts of proprietary code to competitors and making parts of its flagship Windows program removable by the consumer. Such concessions combined with the enormous amount of money that Microsoft has spent defending itself more than compensate for any substantive wrongdoing Microsoft may be guilty of. The settlement's benefit to the consumer is indirect and ambiguous at best. We won't know for a long time whether the IT industry and the consumer will reap any benefit from all of this. However, we do know that the longer that the suit remains unresolved, the more damage will be done to the consumer. That is why the Department of Justice owes the American people a swift end to this suit that is this proposed settlement can bring.

Sincerely,
Dean C. Gentry
cc:Senator Larry Craig

MTC–00031524

FRIEDEL ENTERPRISES
2841 Troyer Road
White Hall, MD 21161–9321
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I would like to voice my support for the settlement of the Microsoft Anti Trust case. This case has dragged on for years and it is wonderful that our government is finally making a move to end it.

I run my own company as an Independent Contractor for equipment packaging materials. I use Microsoft's software to run my office and appreciate their superior products that have truly changed the entire technology industry. In an effort to end this mess, Microsoft is giving up a great deal in the settlement. They've pledged to change their problematic business practices and will be sharing more information with their competitors.

Please accept the proposed settlement, it will no doubt restore fair competition to the technology industry and will be great help to our struggling economy.

Sincerely,
Vernon Friedel

MTC–00031525

P.O. BOX 587
Navesink, NJ 07752
January 19, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

This is intended to urge you to support a prompt settlement of the Microsoft anti- trust case. This case has been around tooooo long; it has seen litigation, negotiation and mediation. There now exists a settlement proposal acceptable to the court, the major parties and the majority of state party comp1ainants. The settlement is a fair compromise between the parties'' adverse positions and should also quell the concerns of the federal government. In short there is no rational reason to further prolong this controversy. The settlement keeps Microsoft sole, whole and functioning. Microsoft's concessions include rendering itself answerable to a new oversight committee for any future anti-competitive practices. Microsoft will now open its Windows systems up to use by non- Microsoft software, reconfiguring Windows not just to accept competitors'' products but also to promote such use. Microsoft will now take steps to share portions of its technologies in order to promote competition and innovation. Microsoft, in essence, will alter its corporate marketing philosophy to embrace its competition. This seems to me to be adequate consideration for a settlement. Please also urge your colleagues in the administration to expedite an end to this case.

Sincerely,
Gary M. Tishler

MTC–00031526

18111 Sencillo Drive
San Diego, CA 92128–1324
January 18, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

It is with great pleasure that I learned of the settlement between Microsoft and the Department of Justice last November. The antitrust dispute was long and arduous. The case, which was an unnecessary attack on the success of the American economy, has been a waste of time and, more importantly—money. The taxpayer and the consumer are the people that are negatively affected by this litigation. It is a waste of taxpayers money to spend three years persecuting a company that has consistently provided consumers with reasonable, accessible products. It is time to let this issue rest.

It is my hope that this period of public comment will end with federal resolve to settle this issue. The taxpayers and computer consumers deserve it.

Sincerely,
Elizabeth Walters

MTC–00031527

ASH CREEK ENTERPRISES, LLC
2987 FAIRFIELD AVE.
BRIDGEPORT, CT 06605
203–335–4842 VOICE
203–335–4049 FAX
January 16, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

If only for the sake of lowering the strident volume of the in-court dramatics, it is better for this law- suit between the Department of Justice and Microsoft to have ended in a settlement. There has certainly been a lot of rancor from both sides during the course of this case. I must admit, however, that there was an uncomfortable appearance that this trial was more about punishing Microsoft for having been successful at doing what it does than anything else. There were, of course, legitimate complaints about Microsoft's way of doing business that have been addressed by the settlement, such as Microsoft's legendarily rocky relationship with OEMs, but it probably should not have been part of the suit. Whether a company is perceived as aggressive in its marketing techniques, or as exerting unfair pressure is purely a matter of perception. The settlement will hopefully suffice to end this divisive litigation, and I am writing in support of it.

I am hoping that this sort of obnoxious litigation against any American company can be avoided in the future.

Sincerely,
Geoffrey James
CTO/President

MTC–00031528

UNIQUE Promotions & Awards
2246 N Palmer Drive
Schaumburg, IL 60173
847–397–0300 Fax: 847–397–7356 FAXED
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:
January 14, 2002

I am writing to express my opinion about the recent antitrust case settlement between Microsoft and the US Department of Justice. I am glad to see Microsoft will not be broken up. That move would be detrimental to our IT industry and bad for our economy. But, I do believe that it is in the best interest of the American public to have this issue settled as soon as possible. The terms of the settlement are fair in many ways. The fact that Microsoft is disclosing internal interfaces to competitors, designing future Windows'' applications to make it easier for software developers to promote their own products, agreeing to contractual restrictions, and forming a three person party to monitor compliance with the settlement shows that Microsoft is ready taking active steps to appease all parties.

Nevertheless, our economy is in recession and our IT industry is ailing. Our country needs to end litigation against Microsoft so that they can go back to leading the IT industry in growth and raising the standards of innovation throughout the sector. Thank you for your time and I hope your office makes this settlement become a reality.

Sincerely,
Charles Loveisky
President

MTC–00031529

Clem Insurance Services, Inc.
217 N. Duff Ave.
Ames, Iowa 50010 Services, Inc.
Phone 515–233–3073
Fax 515–233–3098
www.cleminsurance.com
Email: aclem@cleminsurance.com
To: Judge Kottely
From: Anthony S. Clem
Pax: 202–6l6–9937 Pages:
Phone:
Date: 01/19/2002
Re: Microsoft Settlement CC:
Comments: Personal and Confidential
CLEM INSURANCE SERVICES
January 18,2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney—Antitrust Division
US. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Judge Kottely,

I am writing to let you know that I stand in support of the recent Microsoft settlement.

Our nation is suffering through a harsh and painful recession. Right here in Iowa numerous layoffs are taking place, leaving hundreds of men and women out of work and unable to adequately support their families. Understanding this fact, it begs the question, ''why would our leaders continue the Microsoft antitrust case?'' The settlement brought about a fair, just, and appropriate conclusion to this issue. Microsoft allows computer makers to remove their software, and they agree not to retaliate against companies that create or endorse products that compete with Windows.

Nine states agreed to this settlement, and the nation in better of because of it. If Microsoft is allowed to operate freely without the burden of this lawsuit, it will help provide jobs, create new businesses, and assist in stimulating he economy.

Thank you for taking the time to hear from a small business owner such as myself.

Sincerely,
Anthony Clem
Risk Management for Your World
217 N. Duff Ave. . Ames, IA 50010 . (515) 233–3073 . (877) 600-CLEM . Fax 515–233–3098 .

E-mail clem.ins@isunet.net

MTC–00031530

Fri Jan 18 20:15:33 2002
FACSIMILE TRANSMISSION
Please deliver this facsimile to:
MICOSOFT SETTLEMENT
TUNNEY ACT REVIEW
12026169937
From: Jonathan Ah Kit <ahkitj@jnawk.net.nz> Data: Sat, 19 Jan 2002 19:12:01 +l300 (NZDT)
Subject: Microsoft Settlement
To: Microsoft Tunney Act review <microsoft.atr@usdoj.gov>
From MyPlumber
Fri Jan 18 20:29:05 2002
Page 1 of 2

Sir/Madame,

Re: Microsoft Settlement

I have read the provisions of the proposed settlement as described at http://

www.usdoj.gov/atr/public/press—releases/2001/9463.htm this afternoon. I feel while it is preferable to keep the company in one piece, it does not necessarily go far enough to encourage any major competition.

The licensing provisions Microsoft have employed as described at http://www.cio.com/archive/0ll502/meter.html by CIO Magazine, appear to force customer loyalty by employing a type of subscription model not previously employed in most Windows software— last time I saw this model was on a telnet client a New Zealand government department bought for its mainframe. While its supposedly oppressive terms could actually be said to encourage purchases of competitors'' products, it still could potentially be a case of Microsoft Corporation attempting to use its hold on current users to force more money out of them [corporate users]. Its monopoly position in this case is a bit different. There are competitors in the ''office suite productivity software'' market to Microsoft Office, but StarOffice (and OpenOffice) and KOffice—with the latter available for Microsoft's Windows grouping of operating systems—do not really have the profile due to Microsoft's Office offering being the de facto standard. Which makes education institutions, companies, non-profits as well as private individual people end up feeling compelled to take it.

This is fine, to a point. Being a de facto standard due to its market share can be okay—if it is not priced crazily like CIO Magazine in the above-referenced article on licence schemes for Office describes. In analogies, it is like buying a manual gear car versus an automatic gear car. As in, it would probably be fair to say most people buy a manual because it is the standard and virtually everybody (give or take) is trained to drive one. But, it doesn't force everybody to buy a manual— not too much more expensive are equivalent automatic models. (Maybe people buy automatics for convenience and or ease, but that is out of the scope of this submission.)

Credit where credit is due, though. Microsoft's New Zealand operation has issued a version of Microsoft Office, called ''Microsoft Office XP Standard for Students and Teachers'', selling for about NZD280 to NZD3OO, inclusive of 12.5% NZ Goods and Services Tax. It requires no student ID or letter proving employment before buying it, so would require a user's honesty before it is bought. (NB: For this package, Microsoft has defined student and teacher as either a student or teacher of any education institution, including primary, intermediate, middle and high schools, as well as tertiary institutions such as universities, polytechnics and what NZ calls ''private training establishments''. It includes staff.) I would say that is still a high price for esentially a high price for private individual people to buy, however. Details: http://www.microsoft.com/nz/office/xp/forstudents/ (That also raises another issue, possibly out of the scope of this submission—piracy. Microsoft needs to adjust its curve of piracy versus pricing. Once it does so, there is a chance it can raise revenues. But as said, there is another story there.)

Lastly, I have a note regarding a scheme tying New Zealand schools to Microsoft software. Software is a slightly fickle business, so I can see some justification in having this scheme, but because of its centralised procurement nature, it does not tend to give competitors a look-in. Details: http://www.microsoft.com/nz/presscentre/articles/2001/september-18-schools.asp I trust that this is of some use to you. If you desire further feedback, e-mail or telephone would be much appreciated, especially if issues raised need clarifying. If called upon, I would be interested but not necessarily able to appear.

Regards,

Jonathan Ah Kit.

Jonathan Ah Kit—Lower Hutt—New Zealand

jonathan@ah-kit.dropbear.id.au—http://www.ah-kit.dropbear.id.au/

ahkitj@paradise.net.nz—ICQ#9747234—http://www.electric.gen.nz/

MTC–00031531

Richard Gach
4301 Derry Road
Bloomfield Hills, Michigan 48302–1835
January l8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ash&oft:

I would like to add my support of the Justice Department settling the Microsoft lawsuit, which is scheduled to be finalized at the end of the month. As a libertarian, I am in full support of our free market system and believe that the government's attack on a successful company because of its market position is against the principles I support. This deal is the most acceptable outcome at this point.

To emphasize the importance of this ruling, I would like to note the recent economic growth this country enjoyed without inflation during the 1990's, which was the result of increased productivity; increased productivity was definitely powered by the growth of the PC industry. And, of course the number-one player in that industry has been Microsoft. To damage such a key player in the nation's economy is a major mistake that should be avoided at all costs. With Microsoft's commitments to neither favor nor punish computer makers that use or don't use competitor products with the Windows operating system, and to allow licensing of its intellectual property and access to its internal Windows interfaces and server protocols, the current agreement should more than suffice to create wider competition in the software industry.

Please support the approval of the proposed Microsoft settlement and allow free enterprise to guide the technology revolution once again. I thank you for your time and attention.

Sincerely,

Richard Gach

MTC–00031532

21031 ALEXANDER CT
HAYWARD,CA 94545
PHONE: 510 723 2123
FAX: 510 786 4259
SENDIO: DOJ ANTITRUST FROM: ROSS LINDELL
ATTENTION: Renata Hesse

United States v. Microsoft

''Public comment is invited within 60 days of the date of this notice. Such comments, and responses there to, will be published in the **Federal Register** and filed with the Court. Comments should be directed to Renata Hesse, Trial Attorney, Suite 1200, Antitrust Division, Department of Justice, 601 D Street NW, Washington, DC 20530; (facsimile) 202–616–9937 or 202–307–1545; or e- mail microsoft.atr@usdoj.gov. While comments may also be sent by regular mail, in light of recent events affecting the delivery of all types of mail to the Department of Justice, including U.S. Postal Service and other commercial delivery services, and current uncertainties concerning when the timely delivery of this mail may resume, the Department strongly encourages, whenever possible, that comments be submitted via email or facsimile.''

I am an Engineering Director for a privately held company and I am familiar with computing and the computer industry since the 1980s, and have seen the adverse effects of Microsoft's monopolies in these areas. I cannot see how the settlement that is proposed even pretends to remedy the antitrust violations for which Microsoft has been found guilty. The company has, already been found in violation, and this is the penalty phase of the case, but the settlement contains no penalties and actually advances Microsoft's operating system monopoly. 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. Computer vendors 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 believe this is of national interest, and therefore, it is crucial that Microsoft's operating system monopoly not be extended. It is well documented by the Center for Strategic and International Studies, among others, that the use of Microsoft software poses a national security risk- their sloppy attitude about privacy and security is un-American and

should be corrected, opposed to encouraged by the United States Government as it appears in the current settlement.

Ross Lindell
2235 45th Ave
San Francisco, California

MTC–00031533

COGDILL & GIOMI
REAL ESTATE APPRAISERS & CONSULTANTS
January 17, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

I respectfully ask the courts to settle the case of US v. Microsoft, Though I personally do not agree with the case, my letter is really being written on behalf of the vast majority of Californians.

I work closely with politicians and opinion leaders. That allows me to see polling and information many people don't pay attention to. In November 2001, a California statewide poll was done which provided some important insight into Californians position on the Microsoft case.

The poll was conducted with 804 individuals (a large and fair sample). Of those individuals, 57% believed the terms of the settlement were fair while only 24% believed it did not go far enough. More importantly, over 80% said that if continuing the case meant spending more tax payer money, they believe it is time to settle the case. Obviously, Californians want to see this case brought to an end. It has been over three years and we do not understand why a settlement can't be reached. This survey and its results are a good sample of how we feel. Please support the settlement of this case.

Sincerely,
David E. Cogdill, Jr.
Cogdill and Giomi
1317 I Street Suite A *Modesto, CA 95354
o Ph (209) 523–9365 Fax (209) 523–6344
*Toll Free
(800) 223–9365

MTC–00031534

Dan Knox Consulting
95 Minna Street, Second Floor
San Francisco, CA 94105
Phone: 415–543–2800
Web: www.danknox.com
Knox Consulting
January 18, 2002
Ms. Renata Hesse
Antitrust Divsion
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

This letter regards my support of the settlement of the Microsoft lawsuit.

The Department of Justice and Microsoft have reached fair settlement to the antitrust lawsuit, which has been going on for more than 3 years costing over 35 million in tax dollars. It is time to move on!

The settlement is fair and I urge you to accept the consent decree. While the settlement is not entirely satisfying to all, it strikes a difficult compromise providing something for everyone.

Sincerely,
Dan Knox

MTC–00031535

BEK GROUP
January 18, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601, D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

This letter is sent to you to urge you to accept the settlement which has been reached between the federal government and Microsoft in the antitrust lawsuit.

Microsoft has benefited the computer industry and contributed to the economic growth of the United States.

Competitors not happy with this agreement should compete with Microsoft by creating new products rather than lobbying the government to stop Microsoft's new products. This settlement would allow such activity.

The settlement is good for consumers as it encourages competition in creating better products for our future. Please accept the consent decree in the antitrust lawsuit against Microsoft.

Sincerely,
Brad Klurg
BEK Group
95 Minna Street, 2nd Floor-San Francisco, CA 94105
Ph: (415)543–2800—Fax: (240) 359 8141
e-mail: bekgrp@msn.net

MTC–00031536

33 Packanack Lake Road
Wayne, New Jersey 07470
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft: I am writing you this brief letter to encourage you, your department and the administration to endorse the present proposal to settle the Microsoft anti-trust case. This case is ready for settlement. The major parties have agreed to the proposal after prolonged negotiation.

The plan will restrain Microsoft from any future anti-trust activities. Its marketing practices will be monitored by a new federally appointed oversight committee. The company's Windows systems will now become all but part of the public domain with the platform now reconfigured to ''promote'' non- Microsoft software. Microsoft's will now license its products to major manufacturers at near uniform terms. In short the agreement lets Microsoft remain whole in return for opening up its technology to the rest of the IT industry. This is more than fair.

Microsoft is a great corporation. In this time of economic floundering, the company should be able to direct all its energy to the business of business. Please give this proposal your attention and support.

Sincerely,
Joseph Bukowski

MTC–00031537

6246 Sturbridge Court
Sarasota, Florida 34238
January 20, 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 opinion of the recent antitrust case settlement between the Department of Justice and Microsoft. Although I am happy to see Microsoft will not be broken up, I do think the penalties imposed are too harsh.

I have never felt as a consumer that my rights were being violated, nor do I think that competitors have been unfairly pushed out of the market. Microsoft has worked harder to innovate and create products that competitors cannot. When Microsoft should be applauded, the government wants to bring them down. The settlement violates their intellectual property rights by forcing them to disclose technology codes and inhibits their ability to maintain market share by restricting them from third party agreements regarding exclusive distribution.

But, even though the agreement is flawed it is in best interest of public and economy to settle and that is why I support settlement. I urge your office to do so also and ignore opposition that seems to think it is better to drag this out and waste more taxpayer dollars.

Sincerely,
Kathleen A. Krebser

MTC–00031538

Richard Gach
4301 Derry Road
Bloomfield Hills, Michigan 48302–1835
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to add my support of the Justice Department settling the Microsoft lawsuit, which is scheduled to be finalized at the end of the month. As a libertarian, I am in full support of our free market system and believe that the government's attack on a successful company because of its market position is against the principles I support. This deal is the most acceptable outcome at this point.

To emphasize the importance of this ruling. I would like to note the recent economic growth this country enjoyed without inflation during the 1990's, which was the result of increased productivity; increased productivity was definitely powered by the growth of the PC industry. And, of course, the number-one player in that industry has been Microsoft. To damage such a key player in the nation's economy is a major mistake that should be avoided at all costs. With Microsoft's commitments to neither favor nor punish computer makers that use or don't use competitor products with the Windows operating system, and to allow licensing of its intellectual property

and access to its internal Windows interfaces and server protocols, the current agreement should more than suffice to create wider competition in the software industry.

Please support the approval of the proposed Microsoft settlement and allow free enterprise to guide the technology revolution once again. I thank you for your time and attention.

Sincerely,
Richard Gach

MTC–00031539

Clairemont Republican Women Federated #1446
1705 Catalina Blvd San Dieqo, Californla 92107
VIA FACISMILLE
January 18, 2002
Renata B. Hesse
Anti-Trust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

This message is being sent to support the Microsoft settlement. After reading various news articles about the details of the agreement, I strongly believe it is fair and in the best interest of the country; Microsoft has agreed to new contractual restrictions and will share its intellectual property when needed. While I believe that the government must enforce law when actions warrant it, it is inappropriate for the government to intervene in private industry because a competitor feels that it is losing its ability to create competitive products. I am a strong proponent that the free market be allowed to work and that successful, creative endeavors should be encouraged for the benefit of our country. No good can come from harming a business that contributes so crucially to the lives of other businesses, industries and private users.

Please pass on my remarks to the proper individuals and let them know that this settlement if a good thing for our country.

Sincerely,
Chalise E. Zoezzi
Recording Secretary
CLAIREMONT RWF #1446

MTC–00031540

JAM–PAK CORPORATION
4043 Yorktown drive
Boothwyn, PA 19061
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

The lawsuits against Microsoft have gone on for too long now. It has been three years of wrongful litigation and Microsoft has not gotten off easy with the settlement. Considering that Microsoft has created jobs for our country, made technological breakthroughs, and standardized the IT industry, I am appalled at our government's attempt to bring them down The terms of the settlement seem to favor competitors and do little to protect consumer rights. Microsoft has agreed to not retaliate against software developers and computer makers who develop or promote non- Microsoft software. They have also agreed to grant computer makers broad new rights to configure Windows so as to more easily promote non-Microsoft products. Theses concessions are the products of intense lobbying on behalf of competition to politicians and lawmakers. Even so, they are more than fair and should be enough to appease all parties.

I urge your office to take a strong stance against the nine states in opposition and help to correct three years of unjustified litigation.

Sincerely,
John A. McManus
President

MTC–00031541

January 18, 2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Judge Kottely,

As a business leader and owner of a technology company, I have been very concerned about the burgeoning litigation by the federal government against the Microsoft Corporation. I believe this case has been unfair from the start and I am glad to see that nine states have agreed to settle. The terms of the agreement are fair and balanced. Microsoft creates new rights allowing Windows to sponsor non-Microsoft programs and hardware manufacturers will be free to remove Microsoft programs from their hardware without any punishment from Microsoft. This is a fair and balanced ending to a prolonged legal production.

I support this settlement and think the terms and conditions reflect a fair deal for everyone. Thank you for taking the time to read my comments regarding the settlement.

Sincerely,
Jose M. Laracuente

MTC–00031542

212 Golden Beach Drive Golden Beach, Florida 33160
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a Microsoft supporter, I feel it necessary to voice my opinion in regards to the Microsoft Antitrust settlement. I am happy to hear that a settlement has finally been reached and I have high hopes that this will be the final stage of this lawsuit .

In terms of the settlement itself, I found the solutions to be both reasonable and fair. Microsoft has agreed to implement a lot of the changes within the structure of the Windows program as well as in their business methods as well. In this agreement, Microsoft will enable computer makers to replace access to Microsoft applications with the competition's software. This will require that Microsoft make various interfaces readily avilable to the competition. In addition to these obligations, Microsoft has consented to the forming of a Three-Person Technical Committee in order to monitor Microsoft's adherence to the settlement.

Microsoft has come up with a lot of good ideas and I believe that they should be credited for these ideas. Furthermore, I look forward to the end of this case, as I am certain that it will be most beneficial to all of the parties involved. Thank you for your time and energy that you have dedicated this matter. It shows that you truly have the best in mind for the public interest.

Sincerely,
Jane Caswell

MTC–00031543

From: Nancy and Dennis Sk Fax: +1(706)638–2503
To: Att. Gen. Ashcroft
Fax: 1(202)307–1464
22107 Highway 193
LaFayette, GA 30728
January 18, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This letter is to express my support for the settlement with Microsoft. As a company, Microsoft must be allowed to develop new products without constant interference from the government. Wasting millions of dollars more on this unnecessary litigation is just plain wrong.

Microsoft has already agreed to license its Windows operating system products to the 20 largest computer makers on identical terms, including price. And the company has agreed to disclose to its competitors technical information that will allow them to write programs that work better with Windows. What's more, Microsoft has agreed to a ''Technical Committee'' that will monitor Microsoft's compliance with the settlement.

This is above and beyond what Microsoft should do but the company agreed to it so that it can get back to business as soon as possible. The settlement clearly will benefit consumers and the economy. Enacting this agreement is in the best interests of the country as well.

Sincerely,
Nancy Skidmore

MTC–00031544

111 P01 JAN 19 '02 11:15
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington. DC 20530

Dear Mr. Ashcroft:

I am writing to let you know that I fully support the recent settlement between the U.S. Justice Department and the Microsoft Corporation. While I believe the government's case against Microsoft was not called for to begin with, I am very glad that both parties agreed to a settlement.

It is painfully obvious that the lawsuit against Microsoft was instigated by its'' competitors who are unhappy because they are not as successful as Microsoft. This is not the fault of Microsoft nor has Microsoft done anything to warrant being accused of being a monopoly. Of course, politics being what it is, its'' competitors lobbied certain ''key''

public officials in an effort to implement a full frontal attack against Microsoft through use of the courts. Everyone knows their only goal was and still is to harm Microsoft.

The U.S. economy is in a fullblown recession. Continuing these lawsuits will only further retard technological innovation and keep the economy from making a recovery. The Federal government should be bolstering the economy not harming it. All of this debate about an economic stimulus package is besides the point. Perhaps if the government backed off and stopped trying to harm hard working and successful American companies such as Microsoft, the economy would not be hurting today.

Sincerely,
David Sprouse
128 Reed Place
Anderson, SC 29621
cc: Senator Strom Thurmond
Representative Lindsey Graham

MTC–00031545

Jan 19 02 11:36a Reda & Company, LLP CPA'S 914–289–0704 p.1
January 16, 2002
Attorney General John Ashcroft
Dept. of Justice
950 Penn. Ave., NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I understand that a settlement has finally been reached between Microsoft and the Department of Justice in their three-year-long anti-trust battle. This suit flies in the face of the ideals upon which we have built this nation: free enterprise capitalism, and indeed the very American dream itself. What kind of message does this suit send to future American entrepreneurs? Apparently that it is okay to become successful, but only to a point; if you do ''too well'' we will take it all away.

This suit has been a large contributing factor to the recession in which we now find ourselves. Microsoft is one of America's largest employers; attacking this company at this time is economically damaging policy. The settlement represents a number of significant concessions on Microsoft's part. They are sharing proprietary information with competitors in order to make it easier for competing products to work with and in Windows, They must permit Windows to be altered by manufacturers to promote compete products. And there are many more concessions.

This is enough; far more than enough. Let's accept the settlement.

Sincerely,
Al Reda

MTC–00031546

01/19/2002 12:19 5084863455 GLAVEY AND GLAVEY
Acton-Fitchburg Development Corp.
COMMERCIAL RESIDENTIAL LAND
28 Tadmuger Rd.
P.O. BOX 4
Westford MA 01886
FAX (508) 692 4860
0FFICE (508) 692 3250
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 2053O
January 18, 2002

Dear Attorney Hesse:

Please support the settlement agreement that has been reached between Microsoft and the U.S. attorneys in the ongoing antitrust case. I urge the Department of Justice to do whatever you can to convince Judge Kollar Kotelly that this is the best deal for the American consumer.

I am a small businessman with a development company. I use Microsoft products, and I work for many in the high-tech field in the course of my day. It is obvious to me that this case should end for several reasons:

—there is no monopolistic control of the market present here;
—the economy has suffered by the uncertainty the trial has created;
—the settlement reached is exactly the sort of end we should want;
—a continuation, or more more penalties, only benefits the special interests of other companies, not the American public;
—the high-tech sector would be hurt greatly by more regulation;
—and, a resolution now could bolster the economy at a time when it really needs it.

Thank you for your consideration of my opinion. I hope the settlement is adopted.

Sincerely,
Timothy Sullivan

MTC–00031547

01/19/2002 08:10 8584562285 DWI PAGE 01
Capital Endeavors
2165 Via Don Bonito
La Jolla, CA 92037
(858) 456–2285
FAX (858) 456–2285
January 19, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

When the government stepped in and brought the antitrust case against Microsoft, famed free market economist Milton Freedman stated 'the technology industry will rue the day it asked for the government's help in it's struggles to compete against Microsoft.'' Here we are, four years later, with a recession staring us right in the face. I am writing the Court to let you know that I agree with Mr. Freedman today like I did four years ago and to ask you to approve of this settlement. It is time to end the case against Microsoft.

Four years ago, the technology industry was like wild frontier. It was untamed, full of possibility, and free of burdensome restrictions. We experienced what happens when an industry can operate in that sort of environment. Money flowed to new investments like water. Each day saw a new innovation-high speed internet, satellite communication, e-commerce, cd burners...the list is endless. And with all of this wild innovation, the collective of American people grew. We became more sophisticated and our quality of life improved. Then the government came calling...rather...some of those jealous pioneers called on the government.

The case against Microsoft marked the end of the technology revolution, We know now that the United States government can and will attempt to stop anyone who harnesses the strength of this new industry. Innovation has slowed and you don't need to look very far to see the impact of the technology bust. This wasn't irrational exuberance-it was government crashing the party.

I hope the courts will settle the case against Microsoft. Though it won't bring back the days of the wild frontier, it might clear the way for just a little more exploration.

Sincerely,
Dwight Filley
President Capitol Endeavors

MTC–00031548

Michael R. Englert
P.O. Box#505
Boone NC 28607
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
January 17, 2002

Dear Mr. Ashcroft:

My name is Michael Englert, and I am a resident of Boone, North Carolina. I am writing to express my support for the settlement agreement your department recently reached with Microsoft. I am also asking that you end the Microsoft litigation as quickly as possible.

Microsoft has agreed to some important changes in its business practices in order to reach this settlement, The agreement to open the Windows operating system to internal competition from non-Microsoft software products is at significant concession on Microsoft's part. In addition, their agreement to maintain more uniform pricing guidelines should adequately address the allegations of predatory pricing practices.

The settlement offers the country an opportunity to move past this lawsuit and turn its focus back to more important issues. It is time to put the litigation behind us and move on. Thank you for your time and attention.

Sincerely,
Michael Englert
P O Box 505

MTC–00031549

01/19/2002 02:54
7242384762
DAVIDCINDYPURNEL
PAGE 01
7 Wildview Drive
Ligonier, Pennsylvania 15658
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my opinion about the recent settlement between Microsoft and the Department of Justice. This case has dragged on way too long and should be settled as soon as possible. Microsoft has

been a leading innovator or technology, has contributed to technological advancement of our nation, and has added jobs to our market. They should not be reprimanded, but instead applauded. The terms of the settlement are hardly favorable for Microsoft. They force Microsoft to disclose internal interfaces and protocols to their competitors. It also prohibits Microsoft from retaliating against computer makers and software developers who ship or promote non-Microsoft products that compete with Windows operating system.

But, I am happy to see that Microsoft will not be broken up and do think it is in our best interest to allow Microsoft to focus on business, not politics. We need the cornerstone of the tech sector at its strongest. The attorney general hopefully will do all it can to make state and federal litigation end and free up our private sector for an economic resurgence.

Sincerely,
David Purnell
cc: Senator Rick Santorum

MTC–00031550

Web-Builders.net
3229 Elkhorn Blvd. #12
North Highlands, CA 95660
www.web-builders.net sales@web-builders.net
January 18, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am glad to see that the Government and Microsoft have agreed to settle the anti-trust case. It seems to have something for all parties.

Microsoft can get back to work. 11 providers, including Microsoft's competitors get guaranteed access to technical specifications. Computer manufacturers who equip their computers with Microsoft's OS get flexibility on what they can install. Finally, for those who'd doubt Microsoft would comply with this agreement, there is an enforcement mechanism to respond to complaints about Microsoft.

What more can we reasonably ask for? I think this settlement is appropriate in its scope and I hope that the court accepts it.

Sincerely,
Tom Gjerde
President,
Web-Builders.net

MTC–00031551

Gentium
HOMES
January 18, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse;

As a user of Microsoft products, I am pleased to learn that a settlement has been reached between the federal government and Microsoft in the antitrust lawsuit. This settlement, protects consumers, yet also encourages the high tech industry's freedom to innovation.

Instead of wasting precious time and resources (dollars!) on dealing with lawsuits, time is better spent developing new programs. This settlement would allow such activity.

The settlement is good for consumers; the nations economy and the high tech industry .I support this settlement, and urge you to accept the consent decree.

Sincerely,
Kimberly B. Walton
One Daniel Burnham Court, Suite 2OOC
San Francisco. California 94109
Telephone (415) 447–1998
Fax (415) 292–0352

MTC–00031552

Jan-18–2002 13:55 P. 04/04 415 369 0462
BEK GROUP
GROUP
January 18, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse;

This letter regards my support of the settlement of the Microsoft lawsuit.

The Department of Justice and Microsoft have reached a fair settlement to the antitrust lawsuit, which has been going on for more than 3 years costing over 36 million in tax dollars. It is time to move on!

The settlement is fair and I urge you to accept the consent decree. While the settlement is not entirely satisfying to all, it strikes a difficult compromise providing something for everyone.

Sincerely,
Eric Rimes
BEK Group
95 Miana Street, 2nd Floor
San Francsico, CA 94105
Ph: (415) 543 2800
Fax: (240) 359 5141

MTC–00031553

JOHNSON 19046412993 P.01
CARL JOHNSON
(904) 641 2993 (PHONE AND FAX)
carl.johns@worldnet.au.net
11602 Hidden Hills Drive South
Jacksonville, Florida 32225
January 20, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The intention of this letter is so that I may go on record as being in favor of the recent settlement that ended the antitrust dispute between Microsoft and the Department of Justice. I do feel that there should not have been a lawsuit in the first place, but that does not really matter now. What is important is the litigation at the federal level is over, and I support anything that will keep it that way. I feel that Microsoft has been responsible for generating more jobs and more innovative technology than any other company has in the past 20 or 30 years. It appeared to me that the litigation served to penalize Microsoft for their past efforts and overall creativity. In a business where creative solutions and technological progress move very quickly the fact that Microsoft must now share their independently developed technical data, i.e. protocols implemented in the Windows operating system, with their competitors seems very unfair. In essence, Microsoft has to turn over intellectual property that was developed at private expense to their competitors.

The settlement that was reached is reasonable, mostly because it brings an end to the antitrust litigation between Microsoft and the Justice Department.

Sincerely,
Carl Johnson

MTC–00031554

From: Harry A. Thomas
To: Mr. John Ashcroft
Date: l/19/2002 Time: 10:10:36 PM Page 1 of 1
Harry A. Thomas
14354 Pleasant Hill Dr.
Chino Hills, CA 91 709–4828
909–591–7610
iledoc@earthlink.net
January 19, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

This letter is to express my feelings about the proposed settlement that has been agreed to by the United States Department of Justice and the Microsoft Corporation. I am of the opinion that the settlement reached is more than reasonable, and it should be implemented as soon as possible. I feel that further litigation against Microsoft is analogous to ''piling on'', and not in the American spirit. When is ''enough, enough''. During this time of recession, it is clear that we must let our competitive system help restore the economy. Microsoft is willing to change licensing and marketing practices, signaling their cooperative attitude. Since this decision is in the best interest of America and the economy, we need to support the process and let business get back in gear. There is no need to keep Microsoft under the federal microscope any longer, especially since the settlement calls for an oversight committee to monitor Microsoft's compliance with the settlement.

America needs as many innovators as possible right now, and Microsoft is our biggest.

I support the settlement, and hope that it will help restore America's economy to what it was before the antitrust settlement came about.

Sincerely,
Harry A. Thomas

MTC–00031555

J. Basham
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This letter is to give my support to the Department of Justice and Microsoft

settlement. I think the original lawsuit was frivolous and a waste of time and money. I feel it was inspired by the jealousy of Microsoft's rivals more than by any inequitable business practices. Antitrust laws are meant to protect the consumer, and I believe there was no harm done to the consumer in this case. Computer software products are cheaper than they were ten or fifteen years ago. Microsoft streamlined computer programs into nice useable formats and increased the compatibility of computer software. No other firm did this. If they had, we would probably be talking about them. Businesses today are punished for being too successful.

From what I understand Microsoft more than met the demands of the Department of Justice, well beyond what was actually at issue in the original suit. Microsoft has agreed to grant computer makers broad new rights to configure Windows to promote non-Microsoft software programs. Microsoft has also agreed to design future versions of Windows with a device making it easier for computer makers to promote non-Microsoft software. Any further litigation would be harmful to both the economy and the country Let's put this issue behind us. Give your support to the Department of Justice and Microsoft settlement.

Sincerely,
John Basham
10121 Zig Zag Rd.
Cincinnati, Oh 45242–5747

MTC–00031556

FROM : Richard Koenig (360) 422 7108
PHONE NO. : Jan. 19 2002 05:56PM Pl
RICHARD KOENIG
Phone / FAX (360) 422–7108
16674 Mountain View Road
Mount Vernon, WA 98274–8348, USA
Mt. Vernon, January 19th 2002
FAX 1 202 307–1454
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave. NW.
Washington DC 20530

Dear Atorney General Ashcroft:

I am writing you to express my support towards the settlement that was reached between Microsoft and the Departement of Justice.

As a Microsoft customer, and supporter of the recent settlement, I urge that no further action be taken at the federal level. As a concerned citizen, I see, everyday, the need for growth in our economy. As I watch the news, and see the recession in our country, I become concerned with our economic growth and, in particular, our technological advancement. As I believe that the settlement is faire and beneficial to all parties, it is time to go on with business, and let the technology industry focus on advancement.

Since state and federal budget are presently challanged, it does not make sense to spend scares resources on a battle that has already been won. Again, I support this settlement and hope that no more action is taken to delay this process.

Sincerely,
Richard Koening

MTC–00031557

01/19/02 14:41 FAX 360 495 4408
MANSMITH/CB.FHE 01
49 Stillson Road
McCleary, WA 98557
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Last November there was a settlement that was reached between Microsoft and the Department of Justice. I am writing this letter to go on record as supporting that settlement. It has been a long time coming, and now that the dispute has been resolved, America can turn its attention to improving the economy.

The recession that we are in was actually started when the government announced the antitrust suit against Microsoft. The market started to decline, and no one did anything about it. It took an official announcement of a recession before the government finally wanted to get this over with. A healthy Microsoft gave us the best economy in history, and a hamstringed Microsoft gave us a recession. You do the math. I am sure that the committee that has been set up to monitor Microsoft should satisfy everyone in the government who pressed on with the suit. They will be constantly watched, and thus, have to abide by the terms.

This is a win-win settlement. Microsoft no longer has to waste time and money in court and the economy will be allowed to rebound out of this nasty recession.

Sincerely,
J. E. Mansmith

MTC–00031558

Jan 19 02 05:0lp Linda Furr
277–2195
January 19,2002
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 November agreement between Microsoft and the justice Department.

I feel the agreement mandated Microsoft be fair and allow competitive programs to be run within the windows software programs. A committee of technical advisors surely would assure compliance that would be in the publics best interest and bring closure to this case.

Without Windows software that makes using my computer simple, as a senior citizen, I would never be able to navigate through complicated programs and would be left out of the electronic information available to me.

I also feel the settlement would help relieve some of the concerns effecting our stockmarket on which we depend for income as a retired couple.

Sincerely,
Linda G Furr
30 Ridgefield Place
Asheville,NC 28803

MTC–00031559

Saturday, January 19, 2002 05:21:26 PM
FAX COVER SHEET
To: Attorney General John Ashcroft
Fax #: 1–202–307–1454
From: Stu Schwartz
Fax #: 301/654–4648
Fax: 1 page and a cover page.
Stuart Schwartz
7720 Rocton Ave.
Chevy Chase, Md. 20815
January 19, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft

I am a retired businessman, having spent my life in the wholesale and retail market place. I am very aware of the demands of business, and the fine line that separates dominating a field and being a bully. This seems to be the crux of the argument between Microsoft and the Department Of Justice. A settlement was recently reached ending a three-year-long antitrust case against

Microsoft for unfair business practices. I side with Microsoft. Yes, Microsoft dominates the market, but it does so because it puts out a good product—Bill Gates recognized a need for standardized computer software -and filled it. He was quicker and smarter than his competitors.If he hadn't been, they would have overwhelmed him. Why, then, should he end up in court?We are fast approaching a time in this country when success in business is being defined by members of the congress, whose knowledge of business is largely supplied by lobbyists representing the interests of their clients and government agencies, also influenced by lobbyists as well as the Administration. There is a need for scrutiny in any field, but it needs to be more even-handed.

Microsoft has opened up its source codes for its Windows program to both computer manufacturers and competitors; has allowed competing software to be inserted into computers,allowing easier access to non-Microsoft software, and has even agreed to a technical committee to monitor future company activity. This should be more than adequate. However, Microsoft did agree to this agreement. And the Department of Justice, and I think we should honor this settlement. Both parties hammered out an agreement that both parties were happy with. We need to move on. There are more important matters we all have to deal with right now.

Give your support to this agreement. Thank you.

Sincerely,
Stu Schwartz

MTC–00031560

01/19/2002 16:24 9789229150 PAGE 01
Barger Companies
63 Neptune Street
Beverly, MA 01915–4746
Phone: (978) 922–9500
Fax: (978) 922–9150
To:
FAX: Attorney General John Ashcroft
From: Richard W. Barger
Fax: 202–307–1454
Pages: Two
Phone: 202–616–9937
Date: January 19, 2002

Re: Justice Department's handling of the Microsoft Case
Comments: Please see attached letter directed to Attorney General John Ashcroft.

This case should be closed before the government ruins the company the their industry.

Thank you
01/19/2002 16:24 9789229150 PAGE 02
The Barger Companies
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a concerned citizen of this great nation, I am writing to inform you of my thoughts on the settlement between the Justice Department and Microsoft Corporation. I support the settlement, since it will bring this three-year ordeal to an end.

The settlement was reached after extensive negotiations with a court-appointed mediator.Microsoft did not get off easy by agreeing to this settlement. For example, Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with windows.

Also, Microsoft has agreed to license its Windows operating system products to the 20largest computer makers on identical terms and conditions, including the price. Please discontinue any legal action against Microsoft, so the company can move forward in developing new products for the consumer.

Sincerely,
Richard W. Barger
63 Neptune Street, Beverly, Massachusetts 01915 Telephone: (978) 922–9500 Facsimile: (978)922–9150

MTC–00031561

01/20/2002 08:23 1100000000 CDAEMB1ADKMAASSOC
PAGE 01
January 15, 2002
Mr. Michael Coyle
14465 St. Germain Drive
Centreville, VA 20121
Ms. Renata Hesse
Department of Justice
601 D St., N. W., Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I strongly support the settlement between the federal government and Microsoft, and I believe that it could be the first step toward restoring prosperity to the high technology sector in the U.S. Consumers will benefit from the provisions in the settlement that allow Microsoft to decide which products and features it may provide to its customers and how to price them. It's time to do what is best for consumers and for the economy and this settlement seems to move the country in the right, positive direction,

Sincerely,
Michael Coyle

MTC–00031562

Saturday, January 19, 2002 5:13 PM
To: Attorney General John Ashcroft
From: Marcus Huie, (212)472–0851 Page: 1 of 1
515 E 72nd St Apt 22G
New York, NY 10021–4022
January 16, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am in favor of the Microsoft antitrust settlement agreement. The parties worked hard to reach a workable agreement that will accomplish the goal of preventing future monopolistic behavior.The agreement is fair and reasonable, and adequately addresses the essential complaints lodged against Microsoft. I especially like the idea of the creation of a technical review committee, which will oversee Microsoft's business practices. The review committee will be able to monitor Microsoft's compliance with the settlement agreement, and will help address complaints in the event Microsoft engages in any future anticompetitive behavior. Additionally, Microsoft will make it easier for its competitors to compete with Microsoft by granting computer manufacturers the right to replace features of Windows with the software designed by Microsoft's competitors, and by disclosing parts of the internal Windows code to the competition.Continuing the litigation process is not in the public's best interest. I would like to see this case concluded. Thank you for your time.Sincerely,Marcus Huie

MTC–00031563

From : OZONE SYSTEMS, INC. PHONE No. : 801 776 3864
Jan. 20 2002 11:34M P01
1239 West 2600 North
Clinton, UT 84015
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I do not believe it is prudent to punish Microsoft for its own ingenuity and success. The only reason Microsoft has been able to achieve such market dominance is because it puts out a better product than its competitors and therefore enjoys a greater degree of popularity. Free enterprise is one of the fundamental principles this country was established on, and I regret that laws put in place to protect the public interest have begun not only to discourage free enterprise, but to negatively impact consumers as well.

I do not doubt that Microsoft was brought to trial because it had indeed violated antitrust laws. But I do not believe it is necessary to cripple the Microsoft corporation simply because their software is of a higher quality than others''. The settlement proposed last November is, I believe,fair both to Microsoft and its competitors, and I find no reason to throw it out. Microsoft has agreed to allow its competitors to have access to source code and interfaces integral to the Windows operating system so that non-Microsoft software will be able to be introduced into Windows. Microsoft has also agreed to reformat future versions of Windows to the same effect.Microsoft has actually been quite generous in the terms of the settlement.

Sincerely,
Ben Wofford

MTC–00031564

01/28/2002 12:22 9413836025
ROBERT CHALPHIN PAGE 01
1211 Gulf of Mexico Drive, Apt. 702
Longboat Key, FL 34228
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to voice my sentiments about the Microsoft case. Why thiscase ever went to court in the first place is beyond me. Microsoft has donenothing but help consumers. It is not Microsoft's fault that their competitors wereless intelligent and less innovative than Microsoft was. Bill Gates had someamazing ideas and did a great job putting them in the market and making goodmoney from them. That's the American way. I certainly hope that the governmentdoesn't make another mistake like their breakup of AT&T. That was certainly amess and did cause harm to consumers.

Microsoft is conceding a great deal in this controversy so that they can concentrateon future endeavors, not costly legal debates. They are giving their competitorsunprecedented amounts of technology information and will give consumers morechoice in their computer programs. I think this is more than fair, and I am surethat it will promote competition in the computer industry.

Please uphold this settlement and ensure our country's place in the internationalmarketplace.

Sincerely,
Doris Loevner

MTC–00031565

From: Jeffrey R Tidwell
To: Attorney General John Ashcroft
Date: 1/20/02 Time:
4:52:42 PM Page 1 of 2
FACSIMILE COVER PAGE
To : Attorney General John Ashcroft From : Jeffrey R Tidwell
Sent : 1/20/02 at 4:52:40 PM Pages : 2 (including Cover)
Subject : Microsoft Settlement
From: Jeffrey R Tidwell
To: Attorney General John Ashcroft
Date: 1/20/02 Time: 4:52:42
PM Page 2 o f 2
1538 East Lee Street
Camden, South Carolina 29020
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

This letter is to express my endorsement of your decision to settle withMicrosoft in the antitrust case. The settlement will bring an end to threeyears of court conflict that has cost both sides dearly in resources.

Microsoftis one of our nations most pioneering companies and should be able to returnits focus to business. The settlement is equitable, and will open up the ITindustry by allowing companies to have unprecedented access to Microsoft'scode and operating systems. With this information competitors will have abetter chance against Microsoft.

Special interests with anti-Microsoft bias may try to hinder and delay thesettlement and have this case reopened. These interests should be repelledand this case finished at the federal level. I support the settlement, and lookforward to the end of this case.

Sincerely,
Jeffrey Tidwell
cc: Senator Strom Thurmond

MTC–00031566

JAN-20–02 SUN 14:22 MERCER
FAX NO. 18178253368
P. 01
204 Oaklawn Avenue
Nocona, Texas 76255
January 8, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing this letter so that my view on the settlementbetween Microsoft and the Department of Justice can be madepublic. The proposed agreement is fair to both sides, and I fullysupport it.

In fact, the settlement actually imposes restrictions andobligations on Microsoft's products and technologies that were noteven in question in the antitrust lawsuit. Microsoft will have to shareinformation about Windows with its competitors, for example.

However, Microsoft was more concerned with improving the economyand getting back into the swing of things instead of quibbling oversmall details in the agreement.

I am glad that I have this outlet, and please put me on recordas supporting the settlement between the Department of Justice and Microsoft,

Sincerely,
Faye Arnold

MTC–00031567

01/20/2002 04:44 5617474985 PAGE 01
300 N. AIA Apt. M401
Jupiter, FL 33477–3503
Attorney General John Ashcroft
US Department of Justice 950 Pennsylvania Avenue, NW
Washington, DC 20530–000l
January 17, 2002

Dear Mr. Ashcroft:

I am writing in regards to the Microsoft antitrust settlement reached with the Departmentof Justice. I am a supporter of the settlement in so far as I wish to see legal action againstMicrosoft brought to a halt. It is more accurate to say that I have been opposed to theantitrust case from the beginning; I feel that it was entirely unfounded.

I disagree with other people's sentiments that Microsoft is getting off easy. Under theterms of the settlement, Microsoft will no longer enter into any agreements with thirdparties to exclusively distribute or promote Windows technology, except where nocompetitive concerns are present. Microsoft will also document and release to itscompetitors various internal interfaces of the Windows operating systems. Myunderstanding is that this is the first time in an antitrust settlement ever that productsource material has been disclosed.

I strongly urge all those involved to support the current settlement and bring this three-year long suit to a close. No further action should be taken against Microsoft at thefederal level.

Sincerely,
Russell Hoffman

MTC–00031568

JAN. 20'' 02 (SUN) 12:12 EWING ELECTRIC, INC.
TEL:425–776–3711 P.001
EWING ELECTRIC, INC. Electrical Contractors
January 17, 2002
Attorney General John Ashcroft
U.S. Department of Justice
Washington, DC 20530–0001

Dear Mr. Ashcroft,

Microsoft is perhaps the most pioneering company in recent American history.Many people also are not aware of Microsoft's incredible philanthropic givings, some ofthe biggest donations in history. That is perhaps why I was saddened when the antitrustcase was brought against Microsoft.

However, I was delighted to learn recently that a settlement was reached in thiscase. The settlement has many positive points, and will conclude the case at the federallevel. This settlement will allow competitors unprecedented access to view Microsoftcode so they can create better software. Additionally the settlement will allow Microsoftrivals to place software on Microsoft's systems without difficulty. Most significantly Ibelieve the settlement will conclude this case at the federal level that has cost both sidesand our economy too much in time, money, and effort.

It has become apparent that some wish this settlement withdrawn. I feel it iscritical for you to support the settlement to make sure this does not occur and the federalcase is settled.

I also wonder why the people behind this lawsuit lose sight of the fact that BillGates and numerous other Microsoft individuals support so many charities in this world.His foundations feed more people than the government does and he really cares abouteducating our young people and supporting schools. We have here a person who reallycares about the world he and all of us live in. Give us all a break please.

Sincerely,
Donna Sorensen
(425) 778–3773 PHONE
(425) 776–3711 FAX
E-Mail: eeIect@ibm.net
P.O. Box 1238
539 Main Street
Edmonds, WA 98020

MTC–00031569

1–20–2002 4:50PM FROM 000000000000
01/20/02 SUN 18:58 FAX 804 795 2340
Gatewood Stoneman
P. 1
001
January 16, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

This letter contains my comments on the Microsoft settlement.

The settlement is good because it brings to conclusion a case that has been lingering in thecourts for far too long. The specifics of the settlement are positive in that they will settlethe question of unfair competition by sharing information and allowing entrance into Windowsthe Microsoft competitors. The settlement also addresses any issues of retaliation byMicrosoft and ensures compliance with a technical committee. For those reasons I supportthis settlement.

Sincerely yours,
Gatewood H. Stoneman

MTC–00031570

FROM : GRAPHIC BYTES INC FAX NO. : 4048748410
Jan. 21 2002 06:41PM Pl
January 5 , 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

It has always struck me as a bit odd that our government would have goneafter a successful business like Microsoft with as much zeal and enthusiasm as itdid. I suppose that, in retrospect, Microsoft should have been a bit more flexiblewith its Windows operating system (OS) and software than it has, but this isaddressed in the settlement.

The settlement dictates that Microsoft's OS be reengineered to make iteasier for customers and software designers to install non-Microsoft software.The end user could then re-install Microsoft products easier as well. All in all, thesettlement will do many little things such as this to give customers more choices tooptimize their computer's abilities.

I am hoping that this settlement will indeed be the last word on this suit,and that our country can begin to turn its attention to other, more important issues.

I am equally hopeful that there will be no further federal action against Microsoft and that our nation's leadership will a bit more circumspect when contemplating any other lawsuit like this one. Thank you.Sincerely,
Cathey Oldroyd
931 Monroe Drive
Suite 102–197
Atlanta, GA 30308
FROM : GRAPHIC BYTES INC
FAX NO. : 4048748410 Jan. 21 2002 06:41PM P2
P.O. Box 5599
Atlanta, Georgia 31107
January 7, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

After such a long and contentious feud between the Justice Department and Microsoft, I am happy to add my support to the settlement. This settlement is fair to all sides and, more importantly, brings to an end all the bickering and saber rattling that has gone on for the past several years.

I really believe that our government should exhibit more unified support and encouragement to our nation's business community than it has demonstrated through the course of this lawsuit. It might very well be true that Microsoft was a bit more aggressive in protecting its market share than many in our government feel comfortable with. But filing this lawsuit, no matter how well intentioned our government was, betrayed a certain disappointing attitude of intimidation on the part of our government toward the business community at large, rather than the more reasonable position of allowing market conditions to correct any perceived wrongs.

Now that this settlement is in place, I am hopeful that no further government action will be taken, and that we can all get on with the more important priorities in life.

Sincerely,
Bob Oldroyd
648 Cleburne Terrace
Atlanta, GA 30306
404–874–8608

MTC–00031571

Jan 21 02 05:33p Robert J Bergman
352 683 4744 p.1
5003 Abagail Drive
Spring Hill, FL 34608
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to urge the Department of Justice to accept the Microsoft antitrust settlement. The issue needs to be put to rest and the industry needs to move on. The longer that this drags on the worse it is for everyone.

The entire case has been a farce from the beginning. It takes a lot of nerve to ask any company to share its secrets with its competitors. In the settlement Microsoft agreed to document and disclose for use by its competitors various interfaces that are internal to Window's operating system products and people are still saying that Microsoft has gotten off easy. Microsoft is still in one piece, although they have been forced to open their vault of secrets.

Microsoft has given up a lot in order to settle with the government. The government needs to accept the settlement and move on. I do not remember any of the other ''Giants of Industry'', ever being told to do the same. The government has lost sight of the amazing number of industry related people that Microsoft had taken off the bread line many years back.. I am a very honest, sincere, hardworking,and trustworthy person that exercises his right to vote in every election, every year.

Thank you.

Sincerely,
Robert J. Bergman

MTC–00031572

Roy Steffey
35711 Baql Clair
New Baltimore, MI 48047
January 19, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

As a computer software user, I would like to take this opportunity to contact you and let you know what I think of the antitrust lawsuit against Microsoft. Microsoft has been successful for the simple reason that they had the best product on the market at the right time. Consumers were looking for a way to utilize the new technology of personal computers in the easiest way possible. Microsoft provided this ease by''bundling'' its software into its Windows operating system. This was precisely what consumers were looking for. Without this technology provided by Microsoft, we would not have seen the ''p.c.revolution'' of the past 15 years. Most households now contain a personal computer, and this is due to the ingenuity of Microsoft.

This suit has been an unfounded waste of resources by all parties involved in this suit. I believe that while this lawsuit was unnecessary from the beginning, the settlement that has finally been reached is more than necessary at this time. The settlement is reasonable, and will put a stop to any alleged antitrust violations that may occur. There will be a three-person technical committee, which will over see the future business practices of Microsoft to ensure that the terms of this settlement are not violated.Microsoft will not longer engage in retaliatory action against any of its competitors. Finally,Microsoft will design all future versions of Windows with a mechanism that will ease the use of non-Microsoft soft ware within the operating system.

I hope that Microsoft can finally get back to business and that the American technology industry can continue on its way without the meddling interference of politics. Thank you for your time and for allowing me to express my opinion.

Sincerely,
Roy Steffy
Cc: Representative David E. Bonior
Jan. 21 2002 06:11PM P1 PHONE NO.:
FROM: Marie A. Marsh

MTC–00031573

Jan-21–2002 4:47PM GSL Solutions (Fax 813–637–8268) No.0954 P.1
gsl Solutions
Gaining Strategic Leverage
To: Renata Hesse
From: Adam Lombardo
Fax: 202–307–1454 Phone:
Phone: Pages: 2
Re:
Date: l/21/2002
1411 N. Westshore Blvd.—Suite 102—Tampa, FL 33607
phone 813.837.8535 -fax 813.637.8268
Jan-21–2002 4:48PM GSL Solutions (Fax 813–637–8268)
No.0954 P. 2
gsl Solutions
Gaining Strategic Leverage
January 21, 2002
Renata Hesse
Antitrust Division
U.S. Department of Justice
601 D. Street NW, suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse:

As of late, it is commonly known and has been reported and discussed by the media that the United State's economy is in serious trouble. Due to the seriousness of our dire condition, it is important that the U.S explore ways in which to recover from this downfall.

It is because of these reasons that I am writing you today to lend my support for the Microsoft Settlement. The settlement was a fair accord that ended a complex, protracted legal dilemma. The U.S. has gone through enough, and since the September 11 attacks, we need to allow businesses and corporations, like Microsoft, to spur on economic growth to benefit all working Americans,

That is why I support the settlement; it is balanced for all parties involved and the conditions are fair to everyone. Microsoft has agreed to design future versions of Windows that allow hardware manufacturers the freedom to promote non-Microsoft software. They have also agreed to document and disclose Windows internal interfaces for its competitors.

This settlement is fair and will help America get back on its feet. Thank you for your time.

Sincerely,
Adam J. Lombardo
Vice President
GSL Solutions, Inc.
1411 N. Westshore Blvd.—Suite 102—
Tampa, FL 33607
phone 813.637.8535 -fax 813.637.8268

MTC–00031574

JAN-21-'02 MON 13:33 ID: ADVANTAGES B/A HOMES TEL NO:
650–573–1606#456 P01
K.G. TAX CONSULTANCY CO.
675 Mariner's Island Boulevard Suite 105
San Mateo, California 94404–1040
e-mail: kamm@bay homes.com
VIA FAX: 1.200.307.1454
KAMM GHALAMKAR
BS, EA, MBA (Tax)
(650) 573–8200
FAX 573–1606
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft,

I would like the Department of Justice to settle its antitrust lawsuit against Microsoft as quickly as possible. Microsoft should have the continued freedom to innovate and create without government interference. They Are a fantastic company whose potential is being undermined by continued litigation.

Though I believe that Microsoft's concessions in the settlement, especially allowing competitors the access to various internal codes for Windows,are extreme, they aid Microsoft in wrapping up the case in the shortest amount of time possible.

This case has been stretched too far. Please settle the lawsuit and allow Microsoft to return to regular operation.

Sincerely,

Kamm Ghalamkar

MTC–00031575

Jan 21 02 04:42p mbe 8606496706 p.1
278 Main Street
Apartment #F302
West Haven, CT 06516
January l0, 2002
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division, Department of Justice
601 D Street NW, Washington, DC 20530

Dear Sir or Madam:

I am writing to express my opinion on the proposed Final Judgment in the Microsoft anti-trustcase in response to the invitation of public comment on the proposal. I would preface my comment on the proposed judgment by stating that I am not in any way affiliated, other than by usage of their products,with any of the companies mentioned herein. I am also not a lawyer, but I have done my best to comprehend the sometimes confusing Final Judgment.

This out of the way, I will be straight and to the point: I find the proposed judgment to be woefully inadequate, at best. At worst, it leaves the door even more open for the practices that this proposal was intended to prevent and penalize. This phase in the legal process is referred to as the penalty phase for a reason- it generally involves some sort of penalty to the convicted parties. However, the proposed judgment seems to me like even less than the proverbial ''slap on the wrist'' and closer to a slight scowl in their direction. I feel that much more needs to be done to discourage Microsoft from using its current monopoly position to impede the competition and innovation that is what makes a capitalist market system function so well.

I will first address problems that I see in the current Judgment, and will then address major additions that I believe should be made. In Section III.H.2 (the second 2., this section should have been better numbered for referral.. .) I believe that this exception to the requirement allowing non-Microsoft Middleware Products has entirely too much potential to be abused. If the non-Microsoft Middleware Product does not supply a ''functionality consistent with a Windows Operating System Product''but the user still wishes to use it, that should be their choice. If the functionality of the Microsoft Middleware Product is that much better, the end user can choose to use the Microsoft Product instead of the non-Microsoft Product based on its functionality- not a functionality requirement decided upon by Microsoft.

In section 4.B, the Appointment of a Technical Committee (TC) I have several objections both in content and in general. First, in section 4.B.2.a, I believe that not being employed by Microsoft in the past year is far to short of a timeframe to limit this to. I believe that there should be limitation of not being employed in any capacity by Microsoft for at least the last 5 years should be a requirement. Also,in section4.B.3 I firmly believe that Microsoft should not be allowed to select a member to sit on the Technical Committee. This, to me, falls under the description of ''letting the wolf guard the hen-house.''Barring the total exclusion of Microsoft selecting a TC member, I believe the section 4.B.5 should be changed to read as follows: ''If the United States determines that a member of the TC has failed to act diligently and consistently with the purposes of this Final Judgment, the Plaintiff shall select a replacement member in the same manner as provided for in Section IV.B.3. If a member of the TC resigns, or for any other reason ceases to serve in his or her capacity as a member of the TC, the person or persons that originally selected the TC member shall select a replacement member in the same manner as provided for in Section IV.B.3''

Thus, if the TC member appointed by Microsoft to the TC is found to not be acting diligently or in a manner consistent with this Judgment, Microsoft will lose their right to appoint a member to the Committee. Also, I believe that Section 4.B. 10 should be changed to allow public statements by members of the TC that have been approved by the Plaintiff(s),

In Section IV.C. 1, there should be a stipulation made to allow the Plaintiff(s) to review and possibly reject an proposed appointment to the position of Compliance Officer. The Compliance Officer should also be held accountable by the TC for carrying out the duties outlined.

Section IV.C.4.d should be stricken completely from the Judgment, assuming I am understanding it right. Of what use is having the TC if they are effectively gagged? If the TC members cannot testify of what they have found. why are they even there? This to me is almost worse than not having a group in place P.1Jan 21 02 04:43p mbe8606496706 p.2to monitor Microsoft at all- having a group in place that seems to be capable of monitoring and reporting on infractions of the law, but that is forbidden from doing so. This also seems to be in direct conflict with several of the duties of the TC. The TC members are to notify the Plaintiffs of any failure comply with the Judgment. But, from the way Section IV.C.4.d reads these reports, even the actual evidence that the TC found, would not be admissible in further prosecution. Furthermore, if other evidence of legal in fractions were found by the TC, they would not be able to testify about it as well. This section just makes no sense a tall- and moreover seems to almost completely remove any of the usefulness of the TC.

Finally, in Section V.3, I believe that there should not be a limit of a one-time extension of the(hopefully modified and strengthened) Final Judgment. If Microsoft were to continue to violate the Judgment even after the maximum 7 years allotted were up, they should not be allowed to get off scott free to continue leveraging their monopoly and force even more of the taxpayer's money to be spent getting them to stop their illegal practices. As long as it can be legally and satisfactorily demonstrated that they continue to violate the terms of the Judgment, the penalties should be indefinitely renewable.

In addition to what is currently laid out in the Final Judgment, I believe that at least the following additions should be made. First a more effective way of ensuring that competing Operating Systems and software products are more accessible to the end user by making it easier to either obtain a computer from a vendor without an operating system or with a non-Microsoft OS. The Judgment takes a first few small steps towards this by forbidding vendors and Microsoft from entering into exclusive or fixed percent age distribution, promotion or use of the Windows Operating System. However, this just doesn't go far enough-the OS and other proprietary software should be an option that can be added in for a price over the base hardware, not automatically assumed to be what the consumer desires. This way buyers will be more free to choose their operating system, and they won't automatically pay for the Windows Operating System as is the case now with almost all new PC computers. This is not to say that the hardware vendors cannot offer a discount on the Operating System over buying it without buying a computer- as stipulated in the Judgment,there is nothing wrong with Microsoft giving volume discounts on its product like almost any other business.

Next, Microsoft should be prevented from attempting to move the internet towards its own proprietary vision by ensuring that none of its services or products exclude interoperability with services or products not provided or produced by Microsoft. Specifically, attempts by Microsoft to limit access to supposedly free content and services to its own products, as in the recorded case of the MSN site blocking access to users attempting to access it using a non-Microsoft browser. Communications protocols used by Microsoft's products should, while still maintaining necessary security, be published and reviewed to allow other products to interact properly with them and to ensure that Microsoft is not attempting to use these protocols to further leverage its monopoly.

Similarly. the file formats used by Microsoft's products should be released to the public prior to their implementation in released software. Whether by leveraging their monopoly or not,Microsoft's office productivity products have become the standard which most organizations operate under.Microsoft has an observed habit of making changes to these formats which often cripple the ability of competing and occasionally even complementary software to access these files. Requiring release of the details of these formats would allow more level competition. Truth be told, I would also like to see Microsoft be required to produce versions of its productivity applications for competing Operating Systems, but I must concede that I do not have any suggestion as how this could be done both fairly and to ensure Microsoft does not intentionally sabotage the quality of these ''ports''.

Finally, I believe that as an additional penalty I believe that Microsoft should be fined anon-trivial amount in addition to any court costs of these proceedings, and that this find should be used to create a fund for software developers to develop applications

specifically for non-Microsoft Operating Systems. As Microsoft has done much to keep software companies from developing software for competing Operating Systems to further their monopoly, I believe that this would be both and appropriate and poetic penalty.

I have also heard several reports of repeated mention of leniency in penalties against Microsoft being 'for the good of the country', and I submit that this is exactly counter to the truth. Actions such as those that Microsoft has taken- achieving and maintaining a monopoly through i11ega1 practices instead of by competing and producing superior products and services- are completely counter to the principles of this country, not just its laws, and can only end up being harmful to this country. This country has a history of great innovation and creativity. which has been fostered by the open, competitive nature of its economy. By leveraging its monopoly as it has, Microsoft has tried to put itself above the need for innovation and creativity and hence prevented the innovation and creativity that its competing might have produced. Wereal1 fields of business leveraged and dominated by monopolies such as Microsoft, there would belittle, if Jan 21 02 04:43pmbe8606496706 P.3any, innovation. and we would quickly find ourselves left behind as the rest of the world continued innovating and creating. I will not deny that Microsoft is likely an important part of our economy- but how much -better- a part of it would it be if it actually had competition that forced it to compete?From DR-DOS and OS/2 (to name the ones that come to mind) and Apple, Sun, and Linux in the present and into the future, Microsoft has sought to eliminate its competition, not out-perform it. I would urge you to act to strengthen this Final Judgment so that it will actually make a difference, and not only help level the playing field for the competitors Microsoft has wronged, but to help force Microsoft to improve itself and to preserve the foundations that our country's businesses were founded on.

Robert A. Babcock

MTC–00031576

FROM : HONEIN
PHONE NO. : 770 7230163
Jan. 21 2002 11:25AM P1
infrench.com
A selection for the french
no stalgic or french curious
January 18, 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I have been meaning to write you for a while. Being an Arab American, one would expect that I should be writing you about subjects like racial profiling.. . Well, racial profiling is indeed a great concern of mine, but nonetheless, I also feel that the non-settlement of the case against Microsoft Corporation is directly affecting the likes of my company, my colleagues, and various sectors of the economy, including the stock market, that are the basis for refueling our economy.I am sure you remember the financial markets'' positive reaction to the first news that the break-up of Microsoft, originally envisaged by the previous administration, was finally deemed totally unfair and unwarranted. I strongly believe that allowing the settlement of the case to continue to drag is unwise and negate many other efforts undertaken to revive our economy Microsoft could be labeled over aggressive, but this aggressiveness has also contributed to great achievements. We expect more to come from them and from the rest of the IT sector. So please facilitate a quick settlement of the case and help us all focus our attention again on our business.President Bush has promised us ''less Government''. We are extremely happy with federalizing airport security, but please hands off business!

I strongly recommend that your department issues a deadline by which the federal case pending against Microsoft must be settled. I believe that the mere announcement of such a date will impact positively on us all.

Sincerely,
Antoine Honein
Director
Infrench.com LLC, P.O. Box 450193, Atlanta, GA 31145
Telephone: 770–558–1804
Telephone (Toll Free): 1–888–751–8882
Fax: (770) 723–0163
Email: Antoine@infrench.com

MTC–00031577

JAN-21–2002 16:10 FROM MAILBOXES ETC. TO 12023071454 P. 01/02
Fax Transmittal Sheet—
MBE MAIL BOXES ETC.
Hilton Head Island, SC 29928
(843) 842–3171 o Fax (843) 842–3175
If you have any problems with this fax, please contact us.
Date: 1/21/02
To: General John Ashcroft
Fax Number: 202 307 1454 or 202 616 9937
From: Malcolm Strange
Phone Number: 843 671–4337
# of Pages (including this sheet) : 2
Message:
o Copy Service o Mailboxes o Notary
o UPS/FedEx Shipping Services o Fax Service
o Office Supplies o Mailing Services o No-Limit Shipping TM
Etc . .....
It's Not What We Do, It's How We Do It.TM
JAN-21–2002 16: 10 FROM MAILBOXES ETC. TO 12023071454 P. 02/02
151 Greenwood Drive Apt. 3349
Hilton Head Island, SC 29928–4520
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

Microsoft has been a successful company for more than fifteen years because it has created quality products that have been used by millions. The recent decision of the Justice Department to settle in the antitrust case is welcome because it allows Microsoft to focus on business and less on legal matters.

In our competitive free market place it is not necessary for companies to be nice to competitors. The company with the best product usually wins, and more often than not it has been Microsoft. Nevertheless the settlement that is on the table will curb behavior that some companies objected to. This settlement will end any contractual restriction that hurt opponents'' ability to offer software. Additionally this settlement will allow competitors to effortlessly place their software on MS systems.

I believe it is incumbent upon you to see this settlement is put in place and thefederal case is concluded. Microsoft has agreed to this settlement because it would like to return to business not the courts. Thank you for considering my point of view on this issue.

Dear General Ashcroft,

Congratulations on the great job you and your team are doing. Its nice to see the adults in charge again. Larry Thompson,Jay Stephens, Michael Chert off, Ted Olson, Director Mueller, What a Team!! And I'm sure many others.

Sincerely,
Malcolm Strange
cc: Senator Strom Thurmond

MTC–00031578

Jan 21 02 01:50p Sheldon H.Schusler 480–491–4270 P.1
01/21/02 MON 18:33 FAX 800 611 2255 002
1730 East Pebble Beach Drive
Tempe, AZ 85282
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today in regards to the Microsoft settlement issue. I am a supporter of Microsoft and feel that there should be no further action against Microsoft at the federal level.The settlement that was reached in November is both concrete and complete. This settlement specifically details procedures Microsoft has agreed to follow to foster competition. Microsoft must design future versions of Windows, beginning with an interim release of Windows XP, to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non- Microsoft software 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.Microsoft did not get off easy in this settlement.

Microsoft is a company that delivers quahty goods to the marketplace at reasonable prices. Let's keep it that way by allowing this company to focus its resources on designing it's innovative software, rather than litigation. Thank you for your Support.

Sincerely,
Sheldon Schusler
cc: Representative Jeff Flake

MTC–00031579

FROM : A D Fakonas
PHONE NO. : 925 2537936 Jan. 21 2002

01:53PM P1
A. D. Fakonas
56 Via Floreado
Orinda, CA 94563
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I urge you to settle the antitrust case against Microsoft. The issue has been dragged out far too long, to the detriment of the US economy and consumers.In fact, it often felt like the main reason this case was ever brought up was because its competitors were better at navigating the political world.

Although Microsoft's business dealings may have been heavy-handed in the past, they were not detrimental to the consumer marketplace. I, like most(even marginal) computer users, have always had the option to use products from any software vendor. I personally have used both Internet Explorer and Netscape Navigator, and I still use both Microsoft Media Player and Real Networks Real Player. I have both on my computer simultaneously, and both work fine. The fact is that Microsoft has become a dominant force because it has provided superior products at good value. The settlement negotiated in November eliminates Microsoft's ability to force programs and products consumers and manufacturers by requiring Microsoft to allow competitors to place their own programs on Windows. The result is a playing field as level as the competition will ever get.

Please drop the case and settle without further litigation. Everyone has dwelled on the matter long enough.

Sincerely,
A. D. Fakonas

MTC–00031580

JAN-22–02 03:23 AM BILLY HURT
2705279789 P. 01
Billy G. Hurt, Ph.D.
217 Wood Trace
P.O. Box 898
Benton, KY 42025
January 18, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

For the past six months, Microsoft and the Department of Justice have participated in round-the-clock negotiations hosted by a court-appointed mediator, the result of which was a comprehensive settlement. For the past sixty days, the settlement has been under review while the Justice Department debates the fairness of the terms.

The settlement does not let Microsoft off the hook easily. The settlement negotiations were meticulous; in fact, some of the terms reached Cover products and practices not found to be unlawful by the Court of Appeals, Microsoft has agreed to a wide range of obligations and prohibitions, none of which fail to address the complaints of the plaintiff states. For instance, Microsoft has agreed to reformat future versions of Windows in order to support non-Microsoft software, and computer makers have been granted rights to configure Windows so as to promote their own software. Microsoft has also agreed to provide any party acting under the terms of the agreement with a license to applicable intellectual property rights, I do not believe that, with this settlement available, additional intellectual property rights, I do not believe that, with this settlement available, additional litigation is necessary.

Mr. Ashcroft, I am of the opinion that the remaining litigious plaintiff states are driven by greed, not by justice. Microsoft should be rewarded for its ingenuity, not punished for its success. America was touted as the land of opportunity when colonization began; free enterprise was encouraged and fostered. What has the justice system come to when successful entrepreneurs are stripped of their power to line the pockets of political vultures. I urge you not to allow this to become the standard in justice. Endorse the settlement, Mr, Ashcroft, and allow Microsoft to move on.

Sincerely,
Billy G Hurt

MTC–00031581

515 282 9265 1–21–02 02:06 PM WALSH EQUIPMENT
Clifford J. Walsh
6881 NW 54th Court
Johnston, Iowa 50131
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The lawsuits against Microsoft in the antirust case have gone on for far too long. I am appalled that after a settlement has occurred that nine states want to continue litigation. The settlement is more than fair in many ways and actually borders on being too harsh for Microsoft.

Essentially, Microsoft has agreed to improve its relations with software developers and computer makers, disclose technological secrets that they have developed, not enter into third party agreements, and design future Windows'' versions to allow competitors to more easily promote their own products, I hope the settlement and its concessions end up being in the bets interest of the public,

I urge your office to take a firm stance on this settlement and finalize it as soon as possible. Our economy and the IT sector in particular need this to end.

Sincerely,
Clifford J. Walsh
Johnston, IA 50131

MTC–00031582

FROM : E S RUCKER
PHONE NO. : 504 5235996
Jan. 21 2002 02:05PM Pl
1518 1st Street
New Orleans, Louisiana 70130
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I wish to express how happy I am to hear that the Department of Justice finally ended its antitrust lawsuit against Microsoft. This agreement will greatly benefit Microsoft's competitors. They should be thrilled with the outcome of this case.

Microsoft had to compromise much just to get the case over with. It agreed to make available to its rivals, on reasonable and non-discriminatory terms, any code that Windows uses to communicate with other programs. The company also agreed to disclose and document, for use by its competitors, various interfaces that are internal to Windows operating system products—a first in an antitrust lawsuit.

What more could Microsoft's competitors want? Maybe a key to the front door of the company's headquarters would make them happier.

Enough is enough. I hope the federal government never does this to Microsoft again. It would be pure harassment if they would.

Sincerely,
Evelyn S Rucker
Evelyn Rucker

MTC–00031583

FROM : CLUFF PHONE NO. : 12158601401
Jan. 21 2002 04:19PM P1
11 Paddock Way—Southampton—Pennsylvania—18966
January 10, 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 recent settlement between the Department of Justice and Microsoft in the antitrust case. Although this case should have been over long ago, there are some concessions that Microsoft is being forced to make which I would expect most corporate giants to go through at one point in their history I am very cynical about any litigation at all due to nature of it and who sponsored it. But I consider it fairly expected in the natural course of business for any big firm. I do feel that the states pursuing this matter are not serving the best interest of the American Public. Microsoft created a very successful business and has added greatly to he IT sectors development in our country. They are also responsible for numerous other contributions to society.

I look forward to Microsoft being given the chance to focus on business. I support the settlement, and hope to see it implemented as soon as possible.

Sincerely,
Wayne Cluff
Wayne.Cluff@E-RAINMAKERS.COM
cc: Senator Rick Santorum

MTC–00031584

JOHN LASHLEY 520 743 8675 P.01
This ''L Dew Properties, LLC
8655 138th Ave. S.E. 425 271 0182
Newcastle, WA 98059
and
4755 West Sunset Road 520 743 1998
Tucson, WA 85743 FAX 743 8675
cell phone: 425 785 5822
e-mail: whipsails@msn.com

January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave. NW
Washington DC 20530–0001

I would like to register my opinion about the antitrust settlement with Microsoft. I believe it should be settled in the interests of the country and the technology sector. The idea that Microsoft is so superior to other software developers is false. I am attaching the download that Microsoft sent me so that I could ''write'' you. This is the way they interface with their own software—- totally unusable garbage. As both a Windows 2000 user, Internet user, and former AOL, and Apple user, I want to state unequivocally that there is plenty of room for innovation with other companies. It should be easy to provide better products than those produced by Microsoft, and if they are available, I will buy them.

The timeline between the Department of Justice starting this ''witch hunt'' and the troubles in our economy and the stock market are more than just coincidence. It is time for America and innovation to move forward.

Sincerely,
John Lashley
JOHN LASHLEY
520 743 8675 P.02
4755 Sunset Road
Tucson, AZ 85743–9606
January 15, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing to express my opinion of the recent antitrust settlement between Microsoft and the US Department of Justice. The case has been dragging on too long. It seems to be a political showcase instead of principled lawsuit. I am in support of the settlement because I believe it is in best interest of country to end this case. But, I think the concessions Microsoft is being forced to make are too harsh.

Some people have made the mistake of seeing Shunt's work as a load of rubbish about railway timetables.

I do not feel that my rights have been infringed upon as a Microsoft user. In fact I think that Microsoft's; products have been more superior to other vendors. That is why I choose Microsoft's services. The terms of the settlement will definitely be to the advantage of competitors, and I believe I in some ways violate Microsoft's intellectual property rights. For instance, Microsoft will have to disclose internal interfaces and protocols that took time and money to develop. They will also be granting computer makers broad new rights to configure Windows so as to promote non-Microsoft software.

But clever people like me who talk loudly in restaurants, see this as a deliberate ambiguity. A plea for justice in a mechanized society.

These stipulations make no sense for Microsoft as a business, but they are agreeing to do so because further litigation would be even more detrimental not only to Microsoft, but also to the IT sector. Please do what is right for our nation and quell opposition and finalize the settlement. Thank you for your time.

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.

But is suspense, as Hitchcock states, in the box. No, there isn't room, the ambiguity's put on weight. <> '' ‘‘'' ‘‘''

JOHN LASHLEY
520 743 8675
Sincerely,
John Lashley

MTC–00031585

JAN. 21 ''02(MON) 14:14
DIRECTORY DISTRIBUTING ASSOC. INC
TEL:314 592 8791 P.001
RICHARD L. RACKERS
160 Corporate Woods Court
Bridgeton, Missouri 63044
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

It is my understanding that the Justice Department has reached a proposed settlement with Microsoft based on the allegations brought against the company for violation of various antitrust laws. It is also my understanding that you are currently accepting public comment on the proposed settlement. Please consider mine a vote of support for the settlement. While I know that it probably does not go as far as many of Microsoft's competitors would like, I believe that it is a fair and reasonable resolution of the alleged violations. As I understand the matter, the major complaint raised by competitors was the fact that they could not compete in such areas as Internet access within the Windows systems. This settlement allows such competition for the first time by forcing Microsoft to share their proprietary software code with its competitors.

It is important to the economy right now to enter a growth phase and lawsuits such as the Microsoft suit can serve to stifle growth. I believe that the Justice Department and Microsoft have reached a fair and workable resolution, and I hope that you move forward with it as quickly as the law allows. Thank you for your attention.

Sincerely,
Richard Rackers

MTC–00031586

North Fork Tree Farm
1717 NW 414th Street
Woodland, WA 98674
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I'm writing to encourage you to support the recent anti-trust settlement reached by Microsoft and the United States Department of Justice. I feel this shameful lawsuit is something the Justice Department should have never launched against Microsoft, which is only trying to make good software. Indeed, the terms of the settlement go far beyond what was originally called for in the lawsuit merely for the sake of wrapping up the suit.

Examples include Microsoft agreeing to document and disclose for use by competitors many of the various interfaces internal to Windows. This is a first in an antitrust settlement. Further, Microsoft has agreed to allow computer and software makers to modify Windows so Microsoft products can be removed and non- Microsoft products installed in their places Examples include Netscape Navigator, AOL instant Messenger, and RealNetworks RealPlayer.

Overseeing the terms of this settlement will be a technical committee comprised of three software-engineering experts. These experts will also assist in any dispute resolution should a complaint be filed against Microsoft.

For these reasons, I support the recent settlement SO we can put this matter behind us.

Sincerely,
Pat Sweyer

MTC–00031587

FROM
''00 00/00 00: 05 P. 01
North Fork Tree Farm
1717 NW 414th Street
Woodland, WA 98674
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I'm writing to encourage you to support the recent anti-trust settlement reached by Microsoft and the United States Department of Justice. I feel this shameful lawsuit is something the Justice Department should have never launched against Microsoft, which is only trying to make good software. Indeed, the terms of the settlement go far beyond what was originally called for in the lawsuit merely for the sake of wrapping up the suit. Examples include Microsoft agreeing to document and disclose for use by competitors many of the various interfaces internal to Windows. This is a first in an antitrust settlement. Further, Microsoft has agreed to allow computer and software makers to modify Windows so Microsoft products can be removed and non- Microsoft products installed in their places. Examples include Netscape Navigator, AOL. Instant Messenger, and RealNetworks RealPlayer.

Overseeing the terms of this settlement will be a technical committee comprised of three software-engineering experts. These experts will also assist in any dispute resolution should a complaint be filed against Microsoft.

For these reasons, I support the recent settlement so we can put this matter behind us.

Sincerely, Walt Sweyer

MTC–00031588

P. 0. Box 194
Indianola, WA 98342–0194
January 21, 2002

Justice Department
District Court
Washington, DC 20510
Dear Mr. Ashcroft

I am writing you express my trepidation regarding the delay in effecting the settlement reached between Microsoft and the Department of Justice 12 weeks ago. I have been following this issue from the beginning, for three strange years in American history, and it seems like the only consistency in the political arena is having the DOJ and Microsoft butting heads. I side with Microsoft on this issue, because this company has accomplished a lot for Washington State, America, and indeed the world.

It is apparent to me that this settlement will greatly benefit the economy and consumers. This company should be allowed to get back to business and do what it does best: create excellent, reliable and ever more varied products. This company has done so much to impact the technology industry that stifling it now could not possibly serve the best public interest.

This issue should be the last of our worries at the present time. Please support this settlement and close the door to this debate. Thank you for your support.

Sincerely,
Ronald Moore
P.01 206 937 3780 Jan-21–02 11:13A first hill rehab

MTC–00031589

FAX 1–202–307–1454
442 Porter Road
Charleston, West Virginia 25314
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

This letter is to express my unwavering support for Microsoft in light of the recent litigation brought against them by the Department of Justice. I think that this entire lawsuit has dragged on long enough and it is really time for this to end. I have always used Microsoft products and have also admired the company's mission. Microsoft is an industry icon that is being penalized for their outstanding innovations.

In reviewing the elements of the case, it is obvious that Microsoft has made several strides to honor the terms of the settlement. They have gone above and beyond what the settlement required them to do. I think that this is very admirable and quite noteworthy. Microsoft wants this to come to an end so that they can refocus their attention on innovation and rebuilding their employee morale and company structure.

With regard to compliance with the settlement, Microsoft has agreed to allow computer makers to replace Microsoft access features with non-Microsoft software. They have also implemented a uniformed pricelist and have established a three person technical committee to monitor Microsoft's compliance with the settlement. In my estimation, Microsoft is no longer the problem here. The problem is the continual delays of the settlement.

Sincerely, Naji Banna
Page 01 MICHAEL BAKER CORP.
304–769–0822 15:39 01/21/2002

MTC–00031590

01/21/2002 11:17 8183410492
TRAFFIC SCHOOL
PAGE 01
Traffic School
19703 Nordhoff St.
Northridge, CA 91324
Fax
Facility:
From: Brett Elkins
Attn: Attorney General
Date:
Fax#:
Pages:
0 Reply Requested
0 Information Only
Please Support Microsoft Settlement
Phone: 8O0.401.7720
≤Fax: 818.341.0492
01/21/2002 11:17 8183410492
TRAFFIC SCHOOL
PAGE 02
Brett Elkins
651 S Bundy Drive
Los Angeles, CA 90049
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing to you today to express my support of the Microsoft settlement. The settlement has been a long time in the making. Three years have passed since the inception of this case. Over these years, many dollars and much time have been wasted hiring court mediators. Finally in November a settlement has been reached. I believe this settlement to be fair. Most importantly, however, I believe this settlement is in the best interests of our economy and our country.

Under the terms of the settlement Microsoft agrees to license Windows at the same rate to PC manufacturers. This will decrease costs for the consumer. Further Microsoft will now disclose the protocols and internal interface of the Windows system. This will allow developers to design software that is more compatib1e with the Windows system. Users, in addition, will be able to add non- Microsoft software to the system.

The benefits of this settlement clearly outweigh the costs. I hope that you would enact the settlement at the end of January.

Sincerely,
Brett Elkins

MTC–00031591

FROM:
Carl and Joan Cimarosa
FAX No.: 17322554867
Jan. 21 2002 03:19PM Pl
Fax
To: Attorney GEN. Ashcroft
From: Dora Texidor
Fax: 1–202–307–1454 Pages: 2
Phone
Date: 1/21/2002
Re: Microsoft CC:
Urgent For Review Please Comment Please Reply Please Recycle
Comments:
Attached is Letter RE: Microsoft
[Illegible Lines]
FROM : Carl and Joan Cimarosa FAX NO. : 17322554867
Jan. 21 2002 03:19PM P2
Dora/Arthur Texidor, Jr.
1945 S.W. York Lane
Palm City, FL. 34990
January 19, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC. 20530
Dear Mr. Ashcroft,

I am greatly pleased to hear that a proposed settlement has been reached in the Microsoft antitrust case. I fully support the measures listed in that settlement.

Microsoft worked very hard to get to where they did, and should not be punished because they had a desire to make products that work well with each other. Even Bill Gates pointed out that nobody sues Kodak when it invents a new camera that requires a new brand of film, which it also provides.

Microsoft did not get off easy as some news reports suggest. Microsoft has agreed to allow its competitors access to its Windows interfaces and protocol so that they can attach their own non-Microsoft products to Windows. They have also agreed to allow a committee to monitor their compliance with all provisions of the settlement.

I look forward to a swift and fair settlement of this case. Thank you.

Sincerely,
Dora Texidor

MTC–00031592

JAN-21–2002 11:00 PHILIPS 425 487 7672 P. 01/01
Ellen M. Whitten
14620 W. Lake Goodwin Rd.
Stanwood, WA. 98292–7794
January 21, 2002
Attorney Genera1 John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

Now that there is an opportunity for a settlement of the government's lawsuit with Microsoft, I would like to suggest that this deal be finalized at the end of the month. Though some of the claims in the suit have some merit, as a whole this legal action appears to be a ''sour grapes'' attempt by companies that lost business they expected, and it has absorbed more energy than ever warranted. Any further litigation would be excessive.

An obvious problem with the lawsuit is how a company can have so much competition and still be a monopoly. There are plenty of alternatives to Microsoft products. However, as a member of the technology industry, my view is that Microsoft's dominance has a simple explanation: they develop superior software.

Considering how most companies operate, Microsoft's offer to eliminate preferential treatment of computer makers who use or promote their products is among several

major concessions in the agreement. On top of that, forcing Microsoft to allow its competitors to review their internal code is a very invasive rule that at least straddles and probably crosses the line of government interference in the free marketplace.

With the involvement of an impartial technical committee to review compliance, there is no need to press for further disruption of Microsoft's business. Let's move on and allow this company to grow without further headaches from government. Thank you.

Sincerely,
Ellen M. Whitten
TOTAL P.O1

MTC–00031593

0 1 / 2 1 / 0 2 10:54 FAX 2067490225 KINKOS 3RD & MARION 001
kinko's
fax cover sheet
Kinko's Third & Marion 816 Third Avenue Seattle WA 98104
Telephone: (206) 749–0206 Fax (206) 749–0225
Date 1–21–02 Number of pages 3 (including cover page)
to: Name Renata Hesse from: Name Anthony Christopher
Company Company
Telephone Telephone 253–856–8585
Fax 1–202–307–1454 Email anthonyc@blarg.net
Comments: Comment on Microsoft settlement with the Department of Justice
TRY KINKO'S FOR SIGNS, POSTERS AND BANNERS
01/21/02 10:55 FAX2067490225 KINKOS 3RD & MARION
Renata Hesse
Trial Attorney
325 7th Street, NW, Suite 500,
Washington, DC 20530 Date: January 21, 2002

Comments on Microsoft Settlement with the Department of Justice I am not a lawyer, I am a software developer with two decades of experience in the software industry. I am aware of some of the positive and negative impacts of many of Microsoft's products and business practices. I have read the settlement proposed by the Department of Justice. I doubt a line by line criticism of the settlement by someone with my limited knowledge of the law would be worthwhile, so I offer my over all opinions.

The settlement addresses prevention of future misdeeds and does not include any mention of punitive actions against Microsoft. I know our justice system has used the concept of punishments fit to crimes in the past (excuse me if my use of the word crime or other words is common and not legal). I thought our judicial system still made use of such a notion today. To my mind, there is not just the question of the settlement preventing the Microsoft corporation from engaging in illegal practices in the future, but also the larger question; Will it and other corporations be convinced that it is not a good idea to break this nation's anti-trust laws, based on how Microsoft is punished for breaking those same laws in the past ? I thought the appellate court remand of the case to the district court, left the option of punitive remedies open.

The settlement does a good job of saying two things to Microsoft, ''You shouldn't manipulate other companies in exactly the same way you did last time.'' and, ''Feel free to find some other strategy for accomplishing the same thing.'' To a lawyer or judge, it may seem that the first statement should be much stronger. From what I have read of Microsoft's past behavior, I expect them to continue to ignore court orders, pretend compliance with court orders and laws, and to apply their own unrealistic interpretation of agreements, including this settlement, until someone in the justice system does something extreme which impacts Microsoft in a timely fashion.

0l/2l/O2 10:55 FAX 2067490225 KINKOS 3RD & MARION

So, why have some of the states gone along with this settlement? Some inappropriate comments, referring to the events of September 11, 2001, on the part of the judge, and an about face from their Department of Justice leadership led their negotiators and lawyers to believe that the most they would be able to get was some breathing room while Microsoft explores new strategies for abusing its monopoly. One of the things that probably led to such a biased negotiation is that the plaintiffs have some respect for the court and its wishes (for a quick settlement, in this case) while Microsoft does not.

The message corporate leaders are going to get from this is that if they have, or can acquire, a monopoly while the current administration is in power, they can get away with breaking the US anti-trust laws, regardless of whether or not they are found guilty of doing so.

Since the Department of Justice seems to have changed sides, just for truth in appearances, you might ask if it wouldn't prefer to list itself as assistant council for the defense instead of plaintiff in this case. In summary, this settlement would not serve the public interest. It would be a detriment to the public interest. While a legislative body rushing to sign laws in order to appear responsive to the events of September 11 is very bad, comments from judges prompting rushed negotiations in order to appear sensitive and/or competent are almost as bad.

Anthony Christopher
6021 S 238 Pl. #El04
Kent, WA 98032

MTC–00031594

FROM: FAX NO: Mar. 12 2001 04:43AM P1
01/21/02 MON 14:43 FAX 500 641 2253 002
142 Swordfish Road
Manahawkin, NJ 08050
JANUARY 21, 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 Microsoft's antitrust settlement with the federal government. I think this settlement is adequate and addresses the overall concerns of the federal government. Microsoft agreed to not enter into any agreements obligating any third party to distribute or promote any Windows technology exclusively or in a fixed percentage, make available to its competitors, on reasonable and non-discriminatory terms, any protocols implemented in Windows'' operating system products that are used to interoperate natively with any Microsoft server operating system, not retaliate against computer makers who ship software that competes with anything in its Windows operating system, and 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.

Finally, Microsoft has a commitment not only to the consumer, but also to its employees. This agreement if not approved could cause major problems, which would undermine Microsoft's commitment to its employees. Microsoft has been a good corporate employer, and its employees benefit greatly from that, and in turn so do we. I urge you to approve this settlement.

Sincerely,
Vincent Uriarte

MTC–00031595

Jan 21 02 11:49a p.1
Matt Dawson
6127 W 9800 N
Highland, UT 84003
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I find it hard to believe that, after six months of round-the-clock negotiations, nine of the eighteen plaintiff states still refuse to close the case with Microsoft and accept what is, for all intents and purposes, a perfectly reasonable settlement. I do not believe it is necessary to drag the suit out any longer, especially considering the negative impact it has already had on the economy, and the IT industry. Under the circumstances, it is in the best interest of all parties involved to settle the case and move on.

Three years have been spent reaching the decision that is currently under review, and I cannot imagine how much longer it would take before the remaining litigious states would be satisfied. There is more to be lost through needless litigation than there is to be gained in reconsidered settlement. The terms Microsoft agreed to extend not only to policies and products found to be unlawful by the Court of Appeals, but also to some that were not found to be in violation of antitrust law. In this respect, the settlement is not only fair, but also generous. Microsoft has agreed to change future versions of the Windows operating system so that its competitors would be able to introduce their own software directly into Windows. Microsoft has also agreed to provide third parties acting under the agreement with a license to applicable intellectual property rights to prevent infringement issues.

I do not believe it is necessary for the suit to remain open. Microsoft and the Department of Justice have come to an agreement that addresses the complaints of the involved parties and makes generous

concessions as well. No further action is needed.

Sincerely,
Matt Dawson
cc: Representative Chris Cannon

MTC–00031596

Jan 21 02 11:24a p.1
Microsoft
MICROSOFT CORPORATION
123 Wright Brothers Drive #200 Phone: (801) 257–6300
SLC, Utah 84116 Fax: (801) 257–6501
United States Of America Internet: http://www.microsoft.com
MS FACSIMILE
TRANSMITTAL FORM
TO: Attorney General John Ashcroft FROM: Dave Haslam
Company: Bldg/Room:
CC: Phone: 273–6367
Phone: Date &Time: January 21, 2002 11:30am
Fax: 1–202–307–1454 Number of Pages: 2
PRIORITY: xURGENT! 0 FOR REVIEW 0 PLEASE COMMENT 0 PLEASE REPLY 0 PLEASE RECYCLE

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Jan 21 02 11:24a P-2
2218 West Temple View Lane
South Jordan, UT 84095
January 11, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing to address a very important issue; that of the settlement between Microsoft and the Department of Justice. I am asking that you give your support to this agreement, under which Microsoft agreed to give up its intellectual property rights for the interfaces to its Windows operating system, and make it easier for competitors to install non- Microsoft products.

This agreement was reached after three long years. It cost both parties enormous amounts of time and money. Whether or not Microsoft was guilty of unfair business practices and monopolizing the market is a matter of opinion, but Microsoft has made a good faith effort to accede to the demands of the Department of Justice, agreeing to terms that extend far beyond the products and procedures that were at issue in the original lawsuit. Microsoft even agreed to have a three-person technical committee review its actions for compliance with the settlement. Who else would do that? Any further action would be counter -productive.

I urge you not to allow small minds to derail this decision off the fast track. There will always be those who do not accept any sort of compromise, wanting only to destroy, instead of build. Give your support to this agreement. Thank you.

Sincerely,
David Haslam

MTC–00031597

01–21–2002 13:36 8183512484 ABB AUTOCLAVE P.O1
1603 Pershing Avenue
Erie, PA 16509
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing to express my dismay that the judicial process may be impeded by nine of the eighteen plaintiff states in the Microsoft antitrust case. Last November, a settlement was reached between Microsoft and the Department of Justice. The settlement is currently undergoing a period of review and unfortunately, the handful of states that wish to continue litigation have used this time to rally support for their side. I do not wish to see further action taken against Microsoft Corporation.

Microsoft agreed to a wide variety of terms under the settlement, some of which require change, some of which require concessions to its competitors. For example, Microsoft has agreed to reformat upcoming versions of Windows so that the operating system will be able to support non-Microsoft software.

Additionally, Microsoft has agreed to provide parties acting under the terms of the settlement with a license to applicable intellectual property rights. I do not believe these terms are lenient for Microsoft. I think the settlement is thorough and fair. Mr. Ashcroft, in good conscience I ask that you settle this case. It is not in the interest of the public, and quite honestly, the perfect solution is in the hands of the court right now. I urge you to support the settlement.

Sincerely,
Franz & Bernadette Zimmerman
cc: Senator Rick Santorum

MTC–00031598

01/21/02 MON 13:58 FAX 2156384515 ANAMIR ELECTRONICS 001
Vanessa Anne Fiori
1083 South Kimbles Road
Yardley, Pennsylvania 19067
January 10, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing to express my opinion about the recent settlement between Microsoft and the US Department of Justice. Litigation never should have been pursued in the first place, but now that it has I AM GLAD TO SEE IT FINISHED.

Microsoft never infringed on my rights as a consumer. As a software developer for years for a subsidiary of Reuters Plc, I worked with Windows and Apple interfaces, among others, and felt although Microsoft competed heavily with Netscape and all of its other competitors, that its actions were justified in the face of competition Netscape and others were equally aggressive in trying to attain and retain customers, but only the strong survive. In our view, Microsoft continued to innovate at a greater rate than Netscape did.

At any rate, I hope no further litigation takes place and I look forward to seeing Microsoft allowed to roll out new products and services for the tech industry.

Sincerely,
Vanessa Fiori
cc: Senator Rick Santorun

MTC–00031599

215 B Street
Salt Lake City, UT 84103
January 18, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Attorney General Ashcroft:

For the past three years, Microsoft and the Department of Justice have been immersed in antitrust hearings in the federal courts. Recently, a settlement was reached that thoroughly addresses the antitrust infringements Microsoft committed and proposes a solution to the dilemma that presented itself at the case's inception. Microsoft will, under the terms of the settlement, be required to adjust its policies and programs in favor of its competitors, to facilitate interoperability and prevent retaliatory behavior or monopolistic contracts.

Six months of round-the-clock negotiation resulted in a comprehensive settlement, the terms of which not only address Microsoft's antitrust violations, but also extend to products and procedures not found to be unlawful by the Court of Appeals. Microsoft has agreed to document and disclose interfaces integral to the Windows operating system for use by competing software producers. This is an unprecedented requirement in antitrust settlements. Moreover, Microsoft has agreed to provide third parties acting under the terms of the settlement with a license to intellectual property rights that would otherwise be infringed.

Microsoft's compliance with the agreement will be overseen by a three-person committee of software engineering experts, and any third party which feels that Microsoft is not acting in accordance with the terms of the settlement is free to lodge a formal complaint with the technical committee, a Microsoft Compliance officer, any of the plaintiff states, or the Department of Justice.

I do not believe that, with this settlement available, Microsoft remains culpable in the antitrust suit. The remaining litigious plaintiff states should not be permitted to take advantage of Microsoft's current vulnerability. I urge you, Mr. Ashcroft, to allow the settlement to stand.

Sincerely,
Jeremy Carver
01/21/2002 10:48 8012576301 PAGE 01

MTC–00031600

JAN-21–02 MON 11:01 AM BLIXT 702 853 3085 P. 01
14305 Domingo Court
Reno, Nevada 89511
January 7, 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 interest in the recent settlement between the US department of Justice and Microsoft in the antitrust case. The recession has had a devastating effect on our economy and this issue needs to be laid, to rest.

As a Microsoft products and services user, I am happy to see that Microsoft will not be broken up. In fact, I think the settlement as it stands is too harsh and I do not agree with all of the concessions that Microsoft is being forced to make.

I hope that there is no further action taken against Microsoft and I look forward to seeing their business grow as it has for the last decade. I thank you for your time.

Sincerely,
William Blixt
cc: Senator Harry Reid

MTC–00031601

01–21–02 12:47 B OF H TRUST DEPT ID=7176334439 P.01
STERLING FINANCIAL TRUST COMPANY
25 Carlisle Street
Hanover, PA 17331–9934
(717) 637–2201
FAX (717) 633–4439

Sterling Financial Trust Company is an affiliate of Sterling Financial Corporation, partnering with Sterling's bank subsidiaries: Bank of

Lancaster County, N.A., Sank of Lebanon County, Bank of Hanover & Trust Company and First National Bank of North East.

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FAX COVER SHEET
To: Atty General John Ashcroft
To Fax Number: Telephone Number: 1–202–307–1454
From: Rose Diehl
From Fax Number: Telephone Number: (717) 633–4439 (717) 637–2201
Number of Pages (including cover sheet):
Date: 1–21–02 Time:

0l-21–02 12:47 B OF H TRUST DEPT ID=7176334439 P.02
471 Valley View Drive
Hanover, Pennsylvania 17331
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing to voice my opinion regarding the recent settlement in the Microsoft case. First and foremost, this case has dragged on for far too long. Second, the settlement was reached after a long series of negotiations with neutral mediators. This settlement indeed serves the public interest; I don't see how there can be any dispute on that, except from their competitors who won't take anything less than a break-up. Microsoft has created superior products and set the standard for the entire IT industry, they should not be punished for that.

So much of my personal marketability is due to my extensive knowledge of the Microsoft programs that are used in so many businesses. I work in investment banking and nearly all of the software we use is Windows compatible and the software used for general office procedures is all Microsoft as well. Should I have to learn new programs, a large portion of my employable skills would be diminished. Additionally, everything on my home PC is run by Microsoft products. I am not forced to use Microsoft, but glad to. Another part of the settlement involves a great deal of information sharing, with Microsoft practically giving away their coding and interface technology. If that isn't beyond fair, I don't know what else their competitors could possibly expect.

I ask that you please do your part in upholding the current settlement. I'm sure that most Congressional offices run with Microsoft products and would be highly upset if they had to change. This issue spans the entire country, Republicans and Democrats alike. If politicians could agree to settle this issue, our economy and IT industry could move forward.

Sincerely,
Rose Diehl
cc: Senator Rick Santorum

MTC–00031602

JAN-21–02 MON 01:50 PM FAX : PAGE 1
234 Burns Crossing Road
Severn, MD 21144
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

As part of the open 60-day comment period, I would like to share my thoughts on the Microsoft Anti Trust case. This bogus lawsuit has been a terrible waste of tax dollars and government resources. I do believe there are other more pressing matters on which our government should be concentrating. The proposed settlement is a more than reasonable end to this lawsuit and I hope that our Justice Department will make the right decision for our entire country.

Microsoft is responsible for making the technology industry what it is today. Their exceptional products have changed the way people do business and how everyday people communicate with one another. This settlement, while limiting Microsoft's own competitive abilities, will certainly foster competition among the entire computer industry. They are changing the way they do business, allowing computer makers to pre-install competing software on Windows. Microsoft has agreed to share more information with their competitors, even though they spent their own time, money and resources developing the technology. The settlement is a very just solution to ending this lawsuit.

Simcerely
Mark Leary

MTC–00031603

JAN 21 2002 09:51 FR MICROSOFT RECEP #22 425 936 7224 TO 912023071454 P. 01/01
John Held
16329 170th Ave. NE
Woodinviue, WA 98072
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. I work within the technology industry and I think it is time to let the industry get back to business. For over three years government has bogged down Microsoft with lawsuits. It is time to put this issue to rest.

During the period that the government has been trying to break Microsoft up the industry has had some tough times. Most stock is down, many companies have gone out of business, and the industry leader has had to deal with a hostile government.

Microsoft has given a lot of ground to get this over with. They are willing to share some of their trade secrets to competitors; give up their leverage over computer makers by adopting uniform prices; and submit to the oversight of an independent technical committee. They have agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit.

The settlement is fair and should be accepted by the government. I hope you use your authority and influence to help that happen.

Sincerely,
John Held

MTC–00031604

01/21/2002 12:16 Fax 7704281772 SkillCheck Inc. 001
Gerry Weinberg
3861 Wyntuck Court
Kennesaw, GA 30152
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I write to you today to express my support of the settlement reached between the Department of Justice and Microsoft. Although I believe the merits of the case against Microsoft are questionable, I believe that the resolution of this case bodes well for the technology industry.

Developers, consumers, and manufacturers will all see the benefits of this settlement. Developers will now be able to design competing software that is easily interchangeable within the Windows system. Consumers can now redesign Windows to suit their tastes. Similarly, manufactures will be freed of contractual restrictions placed upon them by Microsoft.

To sum, the enactment of the settlement has enormous benefits. Enact the settlement at the end of January.

Sincerely,
Gerry Weinberg

MTC–00031605

Joann Tyson
1701 Palmer Avenue
WinterPark FL 32789–27.54
January 21, 2002
John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing to give my support to the settlement that was reached between Microsoft and the Justice Department. The provisions that were set forth in the settlement are both fair and reasonable for all parties involved. It would be an imprudent decision by the government to reject the settlement and pursue this case still further in court.

Under the settlement, Microsoft will be making a number of specific changes to its products and business practices. For instance, Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price.

Furthermore, Microsoft has agreed to reveal internal information about Windows to the competition. This is a first in an antitrust settlement.

There are many more concessions that hurt Microsoft and help its rivals I am not sure what more the critics could want. Please support the settlement.

Sincerely,
Joann Tyson
407–644–9916
cc: Representative Ric Keller
JAN-21–2002 11:48 PM J. TYSON 4076449189 P.01

MTC–00031606

01/21/42 TUE 08:47 FAX 3602993050 W ROBILLARD 001
5205 Sterling Drive
Anacortes, WA 98221
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. This case has lingered for over three years. It is time to put it to rest. Accepting the agreed terms of the settlement is the best possible solution for the entire technology industry.

In an effort to end the legislation and get on with innovation, Microsoft has agreed to terms in the settlement that were not at issue in the lawsuit. The agreed terms require changes in Microsoft's product design, licensing and distribution practices that will allow more open competition.

For the good of Microsoft and the entire technology industry, I support the terms of the settlement in the Microsoft antitrust case.

Sincerely,
Phyllis Robillard

MTC–00031607

01/21/42 TUE 0 8 : 4 5 FAX 3 6 0 2 9 9 3 0 5 0 W ROBILLARD 001
5205 Sterling Drive
Anacortes, WA 98221
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. This case has lingered for over three years. It is time to put it to rest. Accepting the agreed terms of the settlement is the best possible solution for the entire technology industry. In an effort to end the legislation and get on with innovation, Microsoft has agreed to terms in the settlement that were not at issue in the lawsuit- The agreed terms require changes in Microsoft's product design, licensing and distribution practices that will allow more open competition.

For the good of Microsoft and the entire technology industry, I support the terms of the settlement in the Microsoft antitrust case.

Sincerely,
Phyllis Robillard

MTC–00031608

01/20/2002 22:35 8438563536 ROBERT S HARDMAN PAGE 01
Robert Hardman
542 Marshgrass Boulevard
Mount Pleasant, SC 29464
January 17, 2002
Attorney General John Ashcroft, Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I am in support of the settlement that was reached between Microsoft and the Department of Justice in early November. It is my opinion that the best interests of all American's would be well served by a swift and fair conclusion to this suit. After three long years of litigation, my hope for a swift end is long dead; however, this settlement will at least end this suit fairly.

While Microsoft has had to make some rather harsh concessions with this settlement, such as regulating their licensing agreements with computer makers, they have agreed to its terms. Microsoft realizes it is better for them to make concessions and kick-start an economic recovery than be fully vindicated after a few more years in court. The fact remains that our economy is floundering, and Microsoft is one of America's largest employers: to continue this suit would be a very imprudent decision, especially at this time.

I am pleased that an end seems to be in sight; I urge you to continue supporting this settlement so that we can finally stop this debacle. Do not allow America to ring in another year with this heinous litigation hanging over our heads. Thank you for you time in this case, and for your diligent consideration of my position.

Sincerely,
Robert Hardman
cc: Senator Strom Thurmond

MTC–00031609

JAN-21–02 08:33AM FARMERSINS 6239724634 P.01
18017 N 63RD Drive
Glendale, AZ 85308
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

The reason for this letter is to ask that you continue to back the settlement that was reached between you and Microsoft in the antitrust case.

This revolutionary settlement will change the IT industry in many positive ways. The settlement will end any contractual restriction by Microsoft that may have limited distribution by a third party of other companies'' software.

Also the settlement will require that Microsoft share code, including internal interfaces and the secrets of how their operating systems work so the competitors will be able to manufacture better products.

The settlement also has value because it will finally bring a close to the federal case. This case has drained both Microsoft and the DOJ of valuable time and resources. Please do not vacillate in your support of this settlement.

Sincerely,
Bill Chambless

MTC–00031610

JAN. -21'' 02 (MON) 10:17 GRASSI & COMPANY TEL: 1 212 725 5785 P.01
66 Cannon Boulevard
Staten Island, NY 10306–2812
(718) 351–3024
January 15, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Attorney General Ashcroft:

I am a web designer and, hence, very familiar with the technology market.

I watched with interest the antitrust case brought against Microsoft several years ago. My own personal opinion is that it was unwarranted. Bill Gates is aggressive. But business is aggressive. Competition in the market place is fierce. Furthermore, people buy what they want. Microsoft put out a quality product. Bill Gates was the first to standardize software programs, allowing the technology revolution to reach into every home. If another firm had done it, we would not be talking about Microsoft, but that particular company. However, a settlement was reached, which I was happy for. It is time to quit wasting both time and money,

Microsoft has been chastened, agreeing to terms well beyond what was actually at issue in the original suit.

Microsoft has agreed to share any code or programming that Window uses to communicate with other programs. Microsoft will help companies better achieve a greater degree of reliability with regard to their networking software; Microsoft agreed to a technical committee to monitor future compliance. I think Microsoft has done more than its share of complying with demands from the Justice Department.

I urge you to give your approval to this particular agreement. Thank you.

SincereIy,

Fred Lee

MTC–00031611

TO : PHONE N0. : 12023071454 JAN. 2 1. 2002 9:44AM P 1
FROM : MARILYN GRANT PHONE NO. : 603 4270371
Marilyn E. Stump
P.O.BOX 1591 Conwey, NH03818–1591(603)447–3607
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001 January 11, 2002
Dear Mr. Ashcroft:

I am writing to you today to express my support for the settlement that was recently reached between the Department of Justice and Microsoft Corporation. The settlement reached last November should be enacted with great haste. Enacting this settlement will begin the process of economic rebuilding of the technology industry. The settlement, then, is in the best interests of Microsoft, the IT industry, and the economy in general. The settlement releases contractual restrictions to software developers. Developers that might have been contractually obliged to work with Microsoft only will now be able to work with competitors as well. This guarantees that no third party will be obligated to distribute Windows'' technology exclusively or at a fixed percentage. These stipulations come at a great cost for Microsoft. While I believe antitrust litigation was unnecessary in the first place, I hope that the settlement is enacted quickly. Thank you for your time.

Sincerely,

Marilyn Stump

MTC–00031612

JAN-20–2002 09:18 PM NORTHERNEXTERIORS 585 6879 P. 01
Gretchen Jack
108 Woodlawn Avenue
Clarks Summit, Pennsylvania 18411
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am absolutely opposed to the suit against Microsoft. I own stock in many technology companies including Microsoft and I feel the opposition to Microsoft is often no more than sour grapes. The competing companies are just mad that Microsoft has won out. The fact is that Microsoft has been continuously innovative. Microsoft has agreed to more concessions than were named in the lawsuit in an effort to get out of the court room and get back to creating new products. Information sharing, non-retaliation agreements, and government oversight is enough. Microsoft has created products that we need and use. Their products sell well and that high sales volume has kept prices down for the consumer. I think the government should finalize the lawsuit and that no further action should be taken against Microsoft Corporation. Let them get back to work creating new products.

Sincerely,

Gretchen Jack

cc: Senator Rick Santorum

MTC–00031613

01/20/2002 16:20 12068422370 SEACRAFT PAGE 01
10820 Madison Avenue Northeast
Bainbridge Island, Washington 98110
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington DC 20530

Dear Mr. Ashcroft:

It is an unfortunate that Microsoft was brought into court more than three years ago in the antitrust case. I certainly feel that this case should have never gone to trial. Microsoft has created innovative products that have made computers easier to use for more than twenty years. They should not be punished for being successful.

The reason I am contacting you is because I want you to support the settlement that was offered in this case. The settlement is on the whole fair and balanced, and most importantly it will finally bring this case at the federal level to a close. Both the Plaintiff and Defendant have spent enormous amounts of money and time on this case. Further expenditures will simply be additional waste on both sides. Both sides should settle as soon as is legally possible. The Justice Department must realize that Microsoft has millions of supporters. While not as loud and cantankerous as anti-Microsoft interests, we do exist and want this case ended. Thank you for considering my views on this issue.

Sincerely,

Priscilla Greenless

Let's keep a successful business successful competition is good for the country. Business should not be penalized for being successful. We need Mr. Gates and his innovative ideas. Don't kill the ''fatted calf''! We need him!

MTC–00031614

01/20/2002 18:44 3367780617 JEFF RAY PAGE 01
3735 Squirewood Drive
Clemmons, NC 27012
January 17, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to let you know that I am in favor of the Microsoft settlement. My opinion is Microsoft is not a monopoly, and does its best to serve its customers. Furthermore, the government should limit their involvement in businesses, as it is the people who have the choice, as consumers, as to who they want to support.

The strength and success of any company is held in the hands of its customers. Our free market economy allows companies to prosper by competing for customer loyalty. Microsoft has proven time and again with its products and services that it has a far-reaching customer base. The choice to buy or not to buy is with the people. Too much government intervention should be avoided, and this settlement has already taken over three years!

Additionally, I believe that proceeding with this settlement is in the best interest of business, the economy, and customers. By holding up the settlement any further, the American economy does not have the chance to work its way out of the current recession. The settlement was arrived at after extensive negotiations with a court-appointed mediator, and the Company has agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit. The American people think it is time to move on.

Keeping Microsoft tied up in court is a bad move for everyone involved. Please make this issue the highest priority and let the government settlement stand. I am thankful that I live in a country where my voice and my opinion is important in discerning what is right for the greater good of the people.

Sincerely,

Jeff Ray

MTC–00031615

JAN-21–02 11:25 PM 6196970912 P.0l
City of La Mesa
BARRY JANTZ
Councilmember
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 6 16–9937

Dear Ms. Hesse:

The settlement in the case of U.S. v. Microsoft should be accepted and ratified as quickly as possible. This letter is being written not only to ask you to accept the settlement-but to do so as quickly as possible.

The Microsoft case has been a significant constraint on the national economy. I am sure the courts have heard this argument articulated by many an academic versed in the economy. But, the argument is much more than academic. Small business is feeling this case in a very real way.

It is my understanding that the settlement in this case will become law as soon as the courts accept it. The sooner you can ratify the settlement, the better. Business affected by the case will see positive change right away, as opposed to the next fiscal year or some ''business related time period''. The courts should accept the settlement and work to expeditiously set the wheels in motion for it to be executed. Doing this will allow business to move forward again.

Sincerely,

Barry Jantz

MTC–00031616

FROM : FAX NO.: Jul. 20 2001 05:50am P1
HARNETT COUNTY REPUBLICAN PARTY
P.O.Box 1562
BUIES CREEK,NC 27506
RENATA HESSE
TRIAL ATTORNEY
ANTITRUST DIVISION
DEPARTMENT OF JUSTICE
601 D STREET NW, SUITE 1200
WASHINGTON, DC 20530

DEAR MS. HESSE,

AS THE CHAIRMAN OF THE HARNETT COUNTY REPUBLICAN PARTY AM VERY AWARE OF THE CHALLENGES GOVERNMENT FACES IN TRYING DEAL EFFECTIVELY WITH AMERICAN BUSINESSES. ONE CAUSE OF HiGHER TAXES is THAT TAXPAYERS ARE OFTEN RESPONSIBLE FOR FUNDING GOVERNMENT LAWSUITS.

AS YOU CAN TELL, I AM OPPOSED TO HIGHER TAXES AND BELIEVE THAT THE GOVERNMENT SHOULD REDUCE TAXES AND SPENDING WHENEVER POSSIBLE. THAT IS WHY I WAS PLEASED TO LEARN THAT THE FEDERAL GOVERNMENT'S CASE AGAINST MICROSOFT HAD COME TO A SETTLEMENT AGREEMENT IN THE COURT OF JuDGE KOLLAR-KOTELLY. THIS FEDERAL CASE HAS ALREADY COST THE TAXPAYERS OF THIS NATION UPWARDS OF $30 MILLION. THAT'S A LOT OF MONEY!

I AM PLEASED THAT NORTH CAROLINA IS ONE STATE THAT DECIDED TO SETTLE; THUS, NO FURTHER STATE FUNDS WILL BE EXPENDED FOR THAT PURPOSE. I WOULD LIKE TO SEE THAT RESULT REPLiCATED IN AT THE FEDERAL LEVEL AS WELL. THAT IS WHY I AM URGING THAT THE JUDGE APPROVE THE SETTLEMENT IN THIS CASE. A SETTLEMENT IS IN EVERYONE'S INTEREST.

SINCERELY,
JASON T. LEMONS

MTC–00031617

FROM : FAX NO. : Jul. 20 2001 05:44AM P1
Wake Forest Town Commission
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am a local businessman and an elected official in my hometown. I have been concerned about the impact of national issues on my local community throughout my life, The current recession is no exception. The unemployment rate is skyrocketing in towns across America, consumer spending is down, and Congress can't decide what stimulus the economy needs.

In Wake Forest, I see the effects of this national trend. I believe that the government needs to take certain steps to free up businesses to grow the economy and end the stagnation of the past year. Finalizing the settlement between Microsoft and the federal government would be a giant step in the tight direction.

Virtually every business in Wake Forest uses Microsoft in some form or fashion. In fact, even business owners who work out of their homes rely on these products for their work. I admire the creative ingenuity of our town's business leaders. They create many jobs for our citizens, However, in order to jump start our economy, we need products that are even more user friendly and efficient from Microsoft and their competitors.

Because of this, I request that Judge Kollar-Kotelly approve the settlement. Recessions are tough. We need businesses moving full-speed ahead to turn the corner for the American people.

Thanks for hearing my concerns
Sincerely,
Rob Bridges
Tow Commissioner
401 Owen Avenue -Wake Forest, NC 27587

MTC–00031618

FROM : FAX NO. : Jul. 20 2001 05:39AM P1
Mark Jones
President
NC Federation of Republican Assembiles
January 8, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, St 1200
Washington, DC 20530

Dear Ms. Hesse,

I would like to endorse the settlement between the federal governement and Microsoft because the quicker this issue is resolved because I believe it is the fastest way for the federal government to end its involvement with this case. As leader of a group of conservative Republicans in North Carolina, we believe that citizens-and particularly their businesses-are best served with the government as little involved as possible. I am also happy to see that the state of North Carolina has decided to withdraw its lawsuit against Microsoft.

For the last several years, I have served on the Board of Education in Davis County, North Carolina. During that time, I have gotten a close view of the workings of state and local government plus some activity by the courts. This service has only strengthened my conviction that schools as well as companies do better without government intervention. It is better for students when control and discipline in the classroom is a responsibility of the teacher working with the principal. In much the same way, I feel that companies such as Microsoft do best when left alone by either the state or federal government and when their manager and stockholders are allowed to call the shots. That is why I endorse the settlement as a way to return to that situation quicker.

I understand that in a settlement that both sides will get something and also give up something, and that is as it should be. I hope that Judge Kollar-Kotelly will agree and sign this settlement.

Sincerely,
Mark Jones
130 Bear Creek Church Rd. Mocksville 27028

MTC–00031619

Sent By: The Ayn Rand Institute; 310 306 4925; Jan-21–02 6:06PM; Page 1
Via Fax # (202) 616–9937
To: Ms. Renatta Hesse, Antitrust Division, U.S. Department of Justice
From Dr. Yaron Brook, executive director, the Ayn Rand Institute;
Dr. Onkar Ghate, resident fellow, the Ayn Rand Institute
Date: January 21, 2002
Re: Microsoft Antitrust Case

The Federal Justice Department should drop the antitrust case against Microsoft. If at this stage in the proceedings it is impossible to drop the case, the Justice Department should settle the case on as favorable termS to Microsoft as legally permissible. (If possible, the Justice Department should create a legal settlement more favorable to Microsoft than the one Microsoft agreed to in November of 2001.)

To understand why one needs to understand two points, one general and one particular. First, antitrust laws are non-objective and unjust. Second, Microsoft is guilty of no actual crime. Let us begin with the first point.

The ''actions'' that anti-trust laws prohibit are vague, contradictory, undefined. For instance, antitrust Laws prohibit companies from engaging in ''restraint of trade.'' But what specific actions constitute ''restraint of trade''? If, as is done repeatedly in the business world, a company signs an exclusive distribution agreement with another company, is that ''restraint of trade'' because now other potential competitors are excluded from that area of the market? Or if a company sells a computer to individual X, is that ''restraint of trade'' because competing computer companies can no longer sell X a computer since he has need for only one? No-the CourtS have declared to businessmen-only those ''restraints'' that are ''unreasonable'' are illegal. But which specific ''restraints'' are ''unreasonable''? No definition is to be found in the law. So no company can know before it acts which actions are in law legal and which are not.

Consider another example. The antitrust laws prohibit ''unfair'' trade practices. But again, what counts as an ''unfair'' practice? Is it any business practice that, for instance, causes bankruptcies among some of a firm's competitors, because they cannot find a way to compete with the firm's low prices and/or superior products? Or is it any practice that the administration in power disapproves of! Again, no answer is to be found in the law, so it is impossible for a company to determine beforehand which specific actions the law prohibits.

Take one last example. Under antitrust laws, a company can be charged with ''predatory pricing'' if it sets prices below those of its competitors, because the competitors might as a result go bankrupt. It can be charged with ''monopoly pricing'' if it sets prices that are deemed too high, because then it is supposedly bilking consumers of their hard-earned income. But if it therefore decides to set prices at the level of those of its competitors—it can be charged with 'collusion'' or ''conspiracy'' because now it is said to be no longer ''competing.''

In the nightmarish world of antitrust law, any and no action can be pronounced illegal. There are and can be no definite, objective principles specified in the law-and as a result a businessman has no way to determine, before he acts, whether his action is legal or not. In practice, this means that businessmen are at the mercy of the government. Any moment the government wants to cripple a particular company, it can unleash the antitrust laws against the The Ayn Rand Institute * The Center for The Advancement of Objectivism 4640 Admiralty Way, Suite 404 * Marina Ddel Ray, CA 90292–6617 * U.S.A. voice 310–306–9232 * fax: 310–306–4925 * e-mail: mail@aynrand.org

Sent By: The Ayn Rand Institute; 310 306 4925; Jan-21–02 6:06PM; Page 2/3 company. In logic, a business has no possible defense against a charge of ''restrain of trade'' or ''unfair'' trade policies or ''predatory pricing'' because the charge itself has no objective meaning. The antitrust, laws, therefore, vest the government with arbitrary power.

The result, unsurprisingly, is that when, say, a bureaucrat is disgruntled with a successful company because it has failed to share (i.e., give away) its wealth or support the government's particular programs—or when a government thinks that destroying a powerful company will win it votes with misguided citizens who believe that Big Business is their enemy-or when resentful, envious competitors (like Netscape and Oracle and AOL, in the Microsoft case) can persuade their government representatives to cripple a superior competitor- the brunt of the antitrust laws descend upon that company.

It is no accident that it is America's most successful, most productive, most admired companies-Microsoft, IBM, lntel, Wal-Mart, American Airlines, Standard Oil, etc.-that are subjected to antitrust lawsuits.

As a form of granting arbitrary power to the government, antitrust laws are unconstitutional and un-American. As a means of penalizing the successful for being successful, antitrust laws are a perversion of justice.

Let us therefore now leave to one side antitrust law, under which any action of a company could be considered a crime, and ask whether in actual fact Microsoft is guilty of any crime.

What are the principal accusations against Microsoft?

Microsoft is accused of ''unfair'' competition. But competition refers to the process by which companies utilize their assets and personnel to build better and/or cheaper products. They thereby seek to earn, through voluntary trade, even greater profits. In a free market, there is no such thing as ''unfair'' competition. There are only better and worse competitors. In other words, some companies are better than others at research and development, at structuring long-term, mutually-beneficial business agreements, at marketing products, at keeping good employees happy yet challenged. Microsoft, for example, excels at all these processes-and many more. (The charge that Microsoft is not innovative is particularly disingenuous given its continual upgrades and improvements to its major products; even Judge Jackson had to concede this point.) The fact that Microsoft is one of the greatest competitors the business world has seen is, in a free nation, not a crime but a virtue.

The only ''unfair competition'' that exists is in fact not competition. if, say, the mafia threatens to blow up a shopkeeper's store unless he gives it a percentage of his sales, the mafia is not engaged in competition, albeit unfair. They are engaged in coercion-precisely to prevent voluntary trade and the free market from operating. When Netscape loses sales to Microsoft because Microsoft's browser is better and/or cheaper, Netscape's loss of sales bears no similarity to a shopkeeper's ''loss'' of sales to the mafia. One must never equate the voluntary with the coerced.

Secondly, Microsoft is accused of ''predatory pricing.'' Translated into reality, this means that Microsoft is able to charge prices below those of its competitors, such as Netscape. Some of these competitors, who cannot match Microsoft's low prices, lose market share or go bankrupt. But it is Microsoft's incredible efficiency and productiveness that allows it to undersell its competition yet still make large profits. Again, this represents not criminal behavior but real virtue.

I

Sent By: The Ayn Rand Institute; 310 306 4925; Jan-21–02 6:07PM; Page 3/3

Finally, Microsoft is accused of wielding ''monopoly power.'' This accusation as well is based on equating the voluntary with the coerced.

It is true that Microsoft has a dominant market position in some segments of the software industry and that some of its competitors have gone out of business. But this is because Microsoft has out-competed them; it is more innovative, more efficient, a better marketer, and/or a better employer than other software firms. Microsoft, in other words, has earned its dominant position.

And it continues to earn it: it faces constant competition, even if there are no actual competitors presently in its market. For whenever another entrepreneur can figure out a way to produce similar software at a cheaper price or better software at an attractive price (or some undreamt of product that makes current software obsolete), he is free to enter Microsoft's market. And if he has a sound business plan, he will be able to raise the necessary capital even if he has none: there are thousands of venture capitalists looking for the next Bill Gates. Microsoft's dominant position in the software industry, in other words, must be earned anew each day. So once again, Microsoft is being attacked for its success: in reality it has no monopoly power just brilliant management.

The only monopolies that can in fact exist are government-created ones. Only a government can prevent someone from entering a market and thus eliminate competition. The Post Office, for instance, is a monopoly. There is little doubt that Federal Express could provide better service, more cheaply, and still earn A profit. But the government forcibly prevents it from entering the Post Office's market. The Post Office's dominant market position is unearned: it offers sub-par service but because of government coercion faces no competition. Microsoft's dominant position, by contrast, is earned: it faces constant competition, which it continues to win. Again, do not equate the voluntary with the coerced.

Microsoft is the epitome of American business success: it produces enormous wealth through intelligence and hard work. Imagine the wealth that would exist-for every firm, for every employee, for every shareholder, for every customer-if all companies in America were run by a Bill Gates. The fact that they are not should not lead us to destroy Bill Gate's creation but, all the more, to admire and champion it.

Why should the Justice Department drop its case against Microsoft (or settle it with as small a penalty as possible)? Because antitrust laws are arbitrary laws that penalize virtue for being virtue-as the specific accusations against Microsoft clearly reveal.

Sincerely,
Yaron Brook, Ph.D.
Onkar Ghate, Ph.D.
President and Executive Director
Resident Fellow
The Ayn Rand Institute
The Ayn Rand Institute

MTC–00031620

Erick Andrews
Consultant
508–481–6627
FAX
Atty Renata Hesse
DOJ, Washington, DC
2
21-Jan-02 20:05
ATTENTION: Renata Hesse, Trial Attorney
RE: Microsoft Case
19 South Street
Marlborough, MA 01752
January 21, 2002
Renata Hess, Trial Attorney
Antitrust Division
Department of Justice
601D Street, Suite 1200
Washington, DC 20530
RE: Microsoft Settlement

Dear Attorney Hess:

Please make my following comments known to Judge Kollar-Kotelly of the current proposal to settle the Microsoft case.

The settlement stipulated in the Proposed Final Judgement by the U.S. Department of Justice is a travesty, a transparent sham—a sellout to Microsoft. This proposal offers no relief to foster competition and provide fair consumer choice of basic Operating System software for PC platforms beyond Microsoft's. If allowed to stand, this settlement will do great harm to the computer industry, harm to people who work in this industry on products other than Microsoft's, likely harm to openness of the Internet, and continued harm to users who want choice rather than have an aggressive monopolist dictate to them. As the proposed settlement currently stands it will not accomplish the remedial goals set by the U.S. Court of Appeals. You must agree that these were:

(1) to prohibit Microsoft's illegal conduct and similar conduct in the future, (2) to spark competition in this industry, and, (3) to deprive Microsoft of its illegal gains.

I urge you to impose stronger remedies on Microsoft that have teeth in them and will truly work.

Sincerely,

Erick Andrews, Consultant

[28 years in computer engineering]

MTC–00031621

Jan 21 21 05:03p PISMO BEACH CHAMBER 773–6772 P.1
Pismo Beach
Chamber of Commerce
January 15, 2002
Renata Hesse
Trial Attorney,
Antitrust Division
Department of Justice
601 ''D'' Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

We are writing to support the settlement of the antitrust lawsuit against Microsoft. While our Chamber believes that many of the allegations could be true, it is time to shift our focus our tax dollars to other priorities. There is no shortage of things on which we should be using our resources.

The settlement has a little bit of something in it for everybody while maintaining its overall balance. It is a compromise that enforces guidelines on Microsoft for the future and penalties for past actions. However, it allows the freedom for Microsoft to continue being the successful company it has become over the years and throughout the world. It is time to put this to rest. It is also time to focus on more important issues, of which there are many. Thank you for your time.

Simcerely,

Charles Anderson

Chief Executive Officer

581 Dolliver Street * Pismo Beach, California 93449

Phone (805) 773–4382—FAX (805) 773–6772 * email: pbcolc@fix.net *

www.pismochamber.com

MTC–00031622

Sent by: WOODFIN SUITE HOTELS 858 794 2348; 01/21/02 4:20PM;Jetfax#127;Page I/2
WOODFIN SUITE HOTELS
12730 High Bluff Drive, Suite 250
San Diego, CA 92130
Phone: (858) 794–2338
Fax: (858) 794–2348
FACSIMILE COVER SHEET
DATE: January 21, 2002
TO: Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
FAX#: 202–616–9937
FROM: Samuel A. Hardage
Chairman
Number of Pages (Including Cover Sheet): 2
Sent by: WOODFIN SUITE HOTELS 858 794 2348; 01/21/02 4:21PM;Jetfax#127;Page 2/2
WOODFIN SUITE HOTELS
January 21, 2002
Sent via facsimile—202–616–9937
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
WOODFIN
SUITE
HOTEL

Dear Ms. Hesse:

This letter is being written in support of the settlement in the case of US v. Microsoft. As a civic activist and opinion leader in California, I am writing this letter to let the courts know that polling has shown a majority of Californians do not support the continuation of this case.

One would think Californians have little tolerance for Microsoft. With Attorney General Lockyer and newspapers like the San Jose Mercury News (among the harshest of Microsoft's critics), the appearance of Californians as anti-Microsoft is strong. But recent polling proves that is not the case. A poll done in August of 2001 found that sixty-five percent of Californians believe the case against Microsoft should be settled or dropped altogether. This same poll found the vast majority of Californians (85%) in no way support breaking Microsoft up.

CHASE

SUITE HOTEL

by Woodfin

Attorney General Lockyer does not represent the interests of most Californians.

We do not support the continuation of this case and hope the courts will accept the settlement.

Very truly yours,

Samuel A. Hardage

Chairman

12730 High Bluff Drive, Suite 250 * San Diego, California 92130

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MTC–00031623

fax 415–727–3871
Matthew P. Smyth
Fax
To: Renata Hesse
From: Matthew Smyth
Fax: 202–616–9937 or 202–307–1454 Pages: 7(including cover)
Phone:
Date: 01/21/02
Re: Microsoft Settlement
*Commemts:
Please find my letter attached, and contact me if you do not clearly receive all six pages that follow.
Thank you,
Matthew mps@acm.org
January 17, 2002
Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530
Facsimile: (202)616–9937 or (202) 307–1454
email: microsoft.atr@usdoj.gov

I am writing to oppose the 2001 Microsoft Proposed Settlement, addressing Microsoft's monopoly abuse'', and to ask you to modify it to better address the crime. As stated in the COMPETITIVE IMPACT STATEMENT (CIS)2, in section VIII:

The court's role in protecting the public interest is one of insuring that the government has not breached its duty to the public in consenting to the decree,

Unfortunately, this is not the case—the government has breached its duty to the public by not addressing the complete situation. Microsoft is a convicted monopolist, found guilty of purposefully extending its monopoly through an abuse of their existing monopoly (CIS, Section III, A 2). The goal of the settlement should be to address the antitrust violation, as best described in CIS, Section IV. EXPLANATION OF THE PROPOSED FINAL JUDGMENT (PFJ)3, B. Prohibited Conduct and Anticipated Effects of the Proposed Final Judgment:

Appropriate injunctive relief in an antitrust case should: (1) end the unlawful conduct; (2) ''avoid a recurrence of the violation'' and others like it; and (3) undo its anticompetitive consequences.

The main two factors to be considered are prevention (points 1 and 2) and punishment (point 3). Punishment is designed to attempt to remedy the past actions, and prevention is supposed to prevent further abuses, now and in the future. The proposed settlement neither punishes Microsoft nor offers enough hope of preventing further abuses. I hope you see fit to alter the terms to suitably protect the public and punish Microsoft for their repeated, flagrant abuses.

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The proposed settlement contains oversight into Microsoft's business practices, but insufficiently allows for quick resolution when they breach the imposed restrictions. The CIS, describing the Section IV of the PFJ, states:

Enforcement by the United States or plaintiff States may include any legal actions or proceedings that may be appropriate to a particular situation, including petitions in criminal or civil contempt, petitions for injunctive relief to halt or prevent violations, motions for declaratory judgment to clarify or interpret particular provisions, and motions to modify the Final Judgment.

In other words, if Microsoft breaches part of the PFJ then they can be hauled back into court. That is already an option, and is how we got to this stage—and how we had this case drag on for years. It does not provide enough quick response to the breach since Microsoft will continue to protest their innocence for years if necessary.

Instead, I would propose that Microsoft's new overseers, the Technical Committee (TC), be given the power to inflict financial penalties when a breach of the agreement is committed. Fines would be directed to some counterbalancing force—for example, used to purchase equipment from competitors such as Apple for schools, given to organizations such as the Electronic Frontier Foundation, the Center for Democracy in Technology, or the Free Software Foundation for work against monopolistic practices, or apply the money to a foundation that funds developing applications for a competing operating system such as Linux.

Each fine would be based on a methodology drawn out of the number of TC members that agreed that a breach occurred and their perceived severity of the breach. When a TC member decided a breach occurred, they could impose a fine of up to

$1 million. Each of the other TC members would then have the opportunity to modify the fine with a multiplier—from 10 times to l/1Oth the original fine. Thus, with all three TC members agreeing that a massive, international breach had happened the fine could be up to $100 million with both using the maximum 10 times multiple, and if two of the TC members thought the third had no basis for the fine and used the minimum 1/l0th multiple, the fine could be reduced to $lO,OOO—pocket change for Microsoft. Multiple breaches could be met with multiple fines.

This system of fines would force Microsoft to take the TC members very seriously, and to make them deal with reducing the abuse in day-to-day dealings. In addition, Microsoft should be forced to publish a full page ad explaining each fine in four major newspapers: the San Jose Mercury News, Washington Post, New York Times, and Wall Street Journal. This would make each fine quite public, so Microsoft could not avoid the negative publicity each time they broke the agreement.

The proposed settlement also contains no punishment for Microsoft's previous, egregious, offenses. In order to ''undo [the monopoly's] anticompetitive consequences,''

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two items need to be addressed: the ill-gotten gains and the barrier to entry in the operating system area. Handling the ill-gotten gains is the easy part—add on a fine that is distributed among the players described above in paragraph 3 where fines are discussed. As for the amount of the fine, consider half to three-quarters of the company's current liquid reserves. Assuming that many ill-gotten dollars have been plowed into their business acquisitions and code development, the billions of such a fine might serve to chasten an arrogant company without taking away their entire business.

To reduce the barrier to entry in the operating system, middleware, and office application markets, publishing the Application Programming Interfaces (APIs) is a good first step. However, the other items necessary to create seamless replacements to Microsoft middleware are not addressed. In order to address the leverage Microsoft has developed in office applications through the use of their monopoly, the complete file formats to their office documents should be included in the release of information. Since the goal is to make sure that all systems can interoperate with Microsoft's standards, the file formats are a crucial barrier to entry that couId be removed with minimal pain. The unnecessary efforts to reverse-engineer the formats and the potential for error with such guesswork could be avoided easily by releasing the protocols. For a more complete examination, see the Boder commentary.4

There is no provision in the PFJ for creating any competition in the operating system arena to prevent future abuses. The Justice Department (DOJ) has considered and discarded a structural remedy—splitting the company in two. They also say they have considered variations of licensing the source code to Windows; but based their settlement on whether the restrictions ''... would be imposed promptly following a remedies hearing.'' The decision to craft a settlement based on things Microsoft was willing to accede to immediately points out the great hole in the DOJ argument—if Microsoft approves of a settlement, it is too light a penalty.

There are a number of holes in the settlement that Microsoft can—and given their history, will—manipulate. Microsoft is not restricted from pestering users to reset their computers to the ''(Microsoft) Windows Default'' settings from any changes that an OEM makes, such as the description of the Clean Desktop Wizard: Preservation of OEM Configuration: Subsection III.H.3. prohibits Microsoft from designing its Windows Operating System Products to automatically alter an OEM's configuration choices—such as ''sweeping'' the unused icons the OEM has chosen to place on the Windows desktop—without first seeking confirmation from the user, and from attempting any such alteration before at least 14 days after the consumer has first booted his or her personal computer. Thus, for example, in Windows XP, the Clean Desktop Wizard cannot run at all until 14 days after the first boot. http://www.mpsce.com/dojletter.html page 3 of 6

The danger to system management by the DOJ is that there are holes—there is no restriction on how often the ''sweep'' request is triggered (could be every 5 minutes or on each mouse click) or any requirement that the user may force it to stop asking. Microsoft can simply make a computer uninhabitable with repeated nagging without breaching any section of the agreement, even though it would breach the spirit of the agreement. Eliminating the Clean Desktop Wizard entirely and all Microsoft-triggered ''updates'' or 'tidying'' processes would be the only way to ensure that this allowance could not be abused.

Another opportunity for abuse comes in allowing Microsoft to define who can see their APIs and documentation. The restrictions on the security releases in the PFJ omits individuals who are not in business, ad-hoc organizations who wish to collaborate without any formal grouping such as a Linux compatibility team, and technology advocacy groups who would wish to inspect the code without developing any software, From the CIS:

Subsection III.J.2. permits Microsoft to take certain limited steps to ensure that any disclosure or licensing of APIs, Documentation, or Communications Protocols related to anti-piracy systems, anti-virus technologies, license enforcement mechanisms, authentication/authorization security, or third party intellectual property protection mechanisms it makes pursuant to this Proposed Final Judgment is to third parties that have a legitimate need for and do not pose a significant risk of misusing that information, ... [specifically] (b) having a reasonable business need for the information for a planned or shipping product; (c) meeting reasonable and objective standards established 'by Microsoft for the authenticity and viability of its business;

It is clear that some groups will be eliminated under (b) who do not plan a business use, and that Microsoft can create 'reasonable'' standards under (c) that will still exclude some Linux and Free Software developers. Allowing Microsoft to create the standards and judge ''reasonable business need'' is allowing the fox to guard the hen house. One major drawback of the documentation release as described in the PFJ is the method of dissemination. Numerous times, the MSDN [network] or its future equivalent are described as the optimal way to share the information. However, accessing MSDN documentation currently requires a Microsoft Passport—in other words, identifying yourself to Microsoft and becoming part of their system. In other words, Microsoft is able to monitor who has access to the specifications. They will know your name and contact information and be able to monitor what the user is looking at, which may dissuade some developers from utilizing the documentation. if the information is truly to be available, it should be available without any prerequirements such as a login and password, browsable from any area and posted for free examination.

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JAN.21.2002 3:47PM THERMATEC NO.296 P.6/7

Another area ripe for abuse is the use of Reasonable and Non-Discriminatory (RAND) terms for information release. RAND terms may prevent individuals and ad- hoc organizations from being able to utilize Microsoft interoperation. When described in the CIS:

Section III.I, The overarching goal of this Section is to ensure that Microsoft cannot use its intellectual property rights in such a way that undermines the competitive value of its disclosure obligations, while at the same time permitting Microsoft to take legitimate steps to prevent unauthorized use of its intellectual property.

The challenge is that individuals may not be able to meet the requirements of the licensing conditions. Setting a $10,000 fee for a blanket license may seem reasonable for a public corporation or even a small business who is creating a product, but any individual who is creating software in their spare time would find that an onerous burden. Thus, even ''reasonable'' restrictions would still prevent Microsoft's greatest competitor, the people working on Linux and its associated projects, from mustering the license fees.

The last area I will address is Microsoft's prevention of the creation of alternatives to the Windows operating system. With sufficiently open APIs, a competitor could generate a program designed to replace Windows but the licensing terms of many Microsoft products would prevent the users from being able to utilize the Microsoft product without breaking the law, due to the licensing restrictions. Also, nothing in the PFJ currently allows access to the APIs for someone building an emulator or alternative operating system. In this manner, Microsoft can prevent their monopoly from being attacked while still abiding by the terms of the settlement. See the Kegel commentary for more details on such observations.

In summary, the PFJ is drawn up with a very pro-Microsoft bias and with very little

input from the people it pretends to protect—the public and the people trying to create an alternative to Windows. The goal of the settlement is to punish the lawbreaker and reward the public with a more competitive field of choices, yet the exact reverse has happened. The loopholes and potential for 'creative redefinition'' would allow any tech to find methods to let Microsoft avoid the restrictions. This settlement has been roundly condemned by industry watchers such as Robert X. Cringley6, Dan Gillmor7, and NetAction8, consumer advocates such as Ralph Nader9 and the Attorney General for Massachusetts''', and technology folk such as the Computer and Communications Industry Association'' and the GNU Project12. It is also being slammed around the technology water-coo1ers13, where I hear bitter comments from all sides. Apparently, the bitter feelings extend to others in the DOJ, when Internet News14 found: The DOJ's settlement was brokered by Bush administration appointee Assistant Attorney General Charles A. James, head of the DOJ's antitrust division. But career officials at the Justice Department, who had pursued the case since the http://www.mpsce.com/dojletter.html

JAN.21.2002 3:48PM THERMATEC NO. 296 P.7/7 beginning, displayed their apparent displeasure with the agreement by not signing it.

The question becomes: who is happy about this proposed settlement? Not the public.

Not the pundits. Certainly not me. Aside from Microsoft, it appears no one is.

Matthew P. Smyth
3715 Highland Court
Lafayette, CA 94549
mps@acm.org

1 Complanit: http://www.usdoj.gov/atr/cases/fl700/1763.htm

2 Competitive Impact Statement: http://www.usdoj.gov/atr/cases/f9500/9549.htm

3 Stipulation and Revised Proporsed final Judgment:http://www.usdoj.gov/atr/casesf9400/9495.htm

4 Boder commentary: http://www.ece.cmu.edu/rtb/msdoj/msdojSettlement.html

5 Kegel Perspective:http://kegel.com/remedy/remedy2.html

6 http://www.pbs.org/org/cringely/pulpit/pulpit20011206.html

7 http://web.siliconvalley.com/content/sv/2001/11/02/opiniondgillmo/weblog/index.htm

8 http://www.netaction.org/msoft/winfish2.html

9 http://www.cptech.org/at/ms/mj2kollarkotellynov501.html

10 http://www.boston.com/dailyglobe2/015/business.Microsoft—case—key—to—tech—s—future+.shtml

11 http://www.ccianet.org/papers/ms/sellout.php3

12 http:www.gnu.org/philosphy/microsoft-antitrust.html

13 http://computeruser.com/articles/2101,3,1,1,0101,02.html

http://linuxtoday.com/news—story.php3?ltsn=2002–01–02–002–20-OP-MS

http://www.winterspeak.com/columns/121001.html

http://www.Iamlaw.com/DOJvsMicrosoft/WrapAndFlowMain.html

http://monwy.cnn.com/2001/12/12/technology/microsoft/ and many others: http://www.google.com/search?q=microsoft+settlement

14 http://www.internetnews.com/bus-news/article/0,,3—936241,00.html

http://www.mpsce.com/dojletter.html page 6 of 6

MTC–00031624

Jan-21–02 02:26P Nova Voice Data fax#2 P.01
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TOSHIBA
Microsoft
January 16, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616 -9937

Ms. Hesse,

I have been active in civic issues and various policy debates throughout my community for some time. When I learned that the courts were asking the public to comment on the Microsoft antitrust trial, I felt strongly about sending you this letter. I have followed the antitrust trial from its start almost four years ago. I have never supported the government's case against Microsoft. Now that the courts have a chance to end this waste of taxpayer money by accepting the settlement. I sincerely hope you will do so. My reasons for not supporting the case against Microsoft are simple-I support free enterprise. It is no mystery that the antitrust trial was started because Microsoft's competitors lobbied President Bill Clinton on the issue. Those competitors didn't have the ability to compete with Microsoft in the market place, so they asked the government to step in and help.

This defies every principle our economy was built on. Our strength comes from an open, competitive market. Superior products evolve and dominate their sector. Those products and their makers lose their top spot when another company creates a better product. Asking the government to step in and place inferior companies at the top is not how this country was built.

I recognize that Microsoft's competitors will argue that Microsoft unfairly abused their position at the top to keep them down. I don't agree with that. Antitrust laws developed seventy-five years ago do not apply to the technology industry of today. Microsoft got maintained their position of supremacy because they continued to develop superior products.

The courts have an opportunity to put an end to a very big mistake. I urge the courts to accept the settlement.

Sincerely,
Jim Gibson President

MTC–00031625

JAN-20–2002 01:36 PM MILTON HANER 4252593022 P.O1 FAX COVER SHEET
Send to: Attorney General
From: Milton & Judith Haner
Attention: John Ashcroft
Date: 1–21–02
Office Location: Wash DC
Office Location:
Fax Number 1 202 307 1454
Phone Number: 425–259–3022
fax # Same
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Comments :
JAN-20–2002 01:37 PM MILTON HANER 4252593022 P-02
Milton Haner
1208 48th Street SE
Everett, WA 98203–2900
January 19, 2002
Attorney General Ashcroft
US Department of Justice,
950 Pennsylvania Ave.
Washington, DC 20530–0001

We are writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The suit dragged out long enough and it is time to allow Microsoft and the industry to move forward.

The settlement was arrived at after extensive negotiations with a court-appointed mediator. The terms are fair. Microsoft actually agreed to terms that extend will beyond the products and procedures that were at issue in the suit, even going so far as to divulge some of its software code to other companies that will use it against Microsoft. It is time that the government accepts the settlement and allows Microsoft to return to concentrating on business.

Microsoft has dealt with the government threatening to break up the company for over three years now. It is unfortunate that companies have to deal with such government over regulation. It is time for business to return to normal. Please accept the Microsoft antitrust settlement.

I would like to add that my wife and I were so pleased with your appointment as Attorney General and that we hold you in our prayers as you face all the decisions that are placed before you that God will give you continued direction and wisdom.

We do not know of Bill Gates religious standing, but we do believe that God has blessed him, because of his generosity around the world and here in America, to help various organizations and the education system and encourage you to take this into consideration when you make your decision.

Sincerely,
Milton Haner
Judith Haner

MTC–00031626

Renata Hesse,
Trial Attorney
Suite 1200, Antitrust Division, Department of Justice,
601 D Street NW,
Washington, DC 20530
(facsimile) 202–616–9937 or 202–307–1545

Re: Public comment (Microsoft case settlement) that under the Tunney Act must

be considered before the settlement is accepted.

Dear Mrs. Hesse:

I have been a Software engineer for the last 19 years. I am not working nor have never worked for any of Microsoft's competitors. I would like to respectfully request that you reconsider the grave anticompetitive consequences of the proposed Microsoft settlement by the the Justice Department. The settlement evidently grants Microsoft its operating system monopoly with wording such that it would no longer be illegal for Microsoft to maintain its monopoly. In my view, and that of most of my colleagues, the settlement is a travesty of justice, an ill-advised embarrassment that flings down and dances upon the law and upon all but the moat twisted notions of justice.

If this administration does not allow now that it is capable of acting with forceful determination, then I have no doubt that Microsoft will be emboldened and will push its bullying practices to new heights. I also have no doubt that our government will someday have to revisit this ugly problem. It will then be facing a much more powerful behemoth that has leveraged its way into other market segments, making the search for an effective remedy an almost hopeless task (short of reconsidering a breakup— again). As a software developer I am outraged: Microsoft's continued leverage of their illegal and ill-gotten monopoly on the desktop has now positioned the company to extend its control to the Internet. As a citizen I am dismayed: the continued indifference of this administration will ultimately lead to a monolithic entity controlling all relevant aspects of our cyber- society. As a consumer I am maddened: we will face a world devoid of choice in that arena. In the end, we will all have to pay the price.

I would like to urge this administration to help foster a business environment where healthy competition has a chance to innovate in a truly level playing field— where a nascent company will not be crushed by illegal means because it chose to offer viable alternatives to Microsoft's products— where the reason the Open Source software movement thrives is more than because it presents no definable corporate target for Microsoft to shoot down. I would like to plead with this administration to stop its apparent indifference to the wrong-doings of large corporations and to apply true remedies with real teeth when a corporation has been found guilty of monopoly. I sincerely hope that the currently unfolding Enron debacle will make this administration more sensitive to the fact that tacitly supporting another large company practice, like Microsoft's, by turning a blind eye to its illegal business practices will ultimately carry an enormous price to our society.

You now have a historic opportunity to redress this and apply real remedies that will send the message that illegal business practices will not be tolerated any more.

I urge you to act now, decisively, and with justice on behalf of our future. I want to believe that you will do the right thing. I really wish to thank you for your time and for considering my views.

Sincerely

George Soler
7 hallam St. 3A
San Francisco, California 94103

MTC–00031627

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JOHN F. CIHAK
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REAL ESTATE SUITE 101
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SAN DIEGO, CALIFORNIA 92116
January 18, 2002
Renata Hesse, Trial ATtorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616–9937

Ms. Hesse,

This week, Governor Gray Davis and the California State Legislature will be announcing all of the various public works projects that are going to go without funding during the next fiscal year. I have spent years working in my community and am very concerned about what kinds of projects we are going to lose. I can't sit idly by and watch this happen while our leaders still consider spending millions of dollars on other frivolous projects. That is why I am writing this letter to ask the court to approve of the settlement with Microsoft.

The Microsoft case has already cost Californians tens of millions of dollars. That does not include what we are spending on the federal side of this case. Each time I think about the money, which might be spent should the settlement be rejectred, I think about all the important projects our community is going to lose out on. I am not naive enough to think that if the Microsoft case is settled that we will then get our public works projects. However, I do believe settling the case with Microsoft is a decision which should be made on principle. It is a decision which says that the courts and our elected officials will find a way to resolve issues like this when there's not enough money to fund even the most basic needs.

Sincerely,
John Cihak
Owner Cihak Realty

MTC–00031628

FROM : A D Fakonas January 21, 2002
PHONE NO. : 925 2537936 Jan. 21 2002 01:55PM Pl
A. D. Fakonas
56 Via Floreado
Orinda, CA 94563
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I urge you to settle the antitrust case against Microsoft. The issue has been dragged out far too long, to the detriment of the US economy and consumers. In fact, it often felt like the main reason this case was ever brought up was because its competitors were better at navigating the political world. Although Microsoft's business dealings may have been heavy-handed in the past, they were not detrimental to the consumer marketplace. I, like most (even marginal) computer users, have always had the option to use products from any software vendor. I personally have used both Internet Explorer and Netscape Navigator, and I still use both Microsoft Media Player and Real Networks RealPlayer. I have both on my computer simultaneously, and both work fine. The fact is that Microsoft has become a dominant force because it has provided superior products at good value. The settlement negotiated in November eliminates Microsoft's ability to force programs and products on consumers and manufacturers by requiring Microsoft to allow competitors to place their own programs on Windows. The result is a playing field as level as the competition will ever get.

Please drop the case and settle without further litigation. Everyone has dwelled on the matter long enough.

Sincerely,
A. D. Fakonas

MTC–00031629

The Worcester Foothills Theatre Co., Inc.
MICHAEL WALKER
Artistic Director
MARC P. SMITH
Artistic Director
Emeritus
BOARD OF DIRECTORS
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EILEEN DECASTRO
LEWIS J. DITTELMAN
JAMES DUMAS
DR. BRUCE KARLIN
DR. JAMES LUKES
EVELYN M. MARSHALL
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ELENI PAPADAKIS
JAMES J. PAUGH, III
MEL PELLETZ
DR. MICHAEL POLSENO
PETER A. WEINROBE
*EXECUTIVE COMMITTEE
January 3, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
VIA FACSIMILE

To Whom It May Concern:

I would like to comment on the proposed settlement in the Microsoft case. As the director of a small non-profit agency, I use Microsoft products daily and they have been a great help to me. They have allowed our staff to become more self-sufficient.

Small professional theater groups like the one I run, have small budgets and often are shoestring operations. The proposed settlement will benefit groups like mine, who would qualify to receive Microsoft products,

if the settlement survives in its present state. This would mean that we could spend more money on our productions.

As far as I can tell there has been no consumer harm as a result of any actions taken by Microsoft. Microsoft's innovations have, in fact, have helped many small agencies such as mine. I hope that we end this lawsuit and approve the settlement.

Sincerely yours,
Brad Kenney
Artistic Director
WORCESTER FOOTHILLS THEATRE CO., INC.
WORCESTER COMMON OUTLETS * l00 FRONT STREET * SUITE 137
WORCESTER * MASSAChUSETTS 01608
BUSINESS OFFICE: 508.754.3114 * Box OFFICE 508 754.4018 * (V/TTY) FACSIMILE: 508.767.0676 www.foothillstheatre.org

MTC–00031630

FROM : E S RUCKER PHONE NO. : 504 5235996 Jan. 21 2002 02:12PM Pl
Fax to page 001
1518 1st Street
New Orleans, Louisiana 70130
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I wish to express how happy I am to, hear that the Department of Justice finally ended its antitrust lawsuit against Microsoft. This agreement will greatly benefit Microsoft's competitors. They should be thrilled with the outcome of this case.

Microsoft had to compromise much just to get the case over with. It agreed to make available to its rivals, on reasonable and non-discriminatory terms, any code that Windows uses to communicate with other programs. The company also agreed to disclose and document, for use by Its competitors, various interfaces that are internal to Windows'' operating system products—a first in an antitrust lawsuit.

What more could Microsoft's competitors want? Maybe a key to the front door of the company's headquarters would make them happier.

Enough is enough. I hope the federal government never does this to Microsoft again. It would be pure harassment if they would.

Sincerely, Evelyn S. Rucker
Evelyn Rucker

MTC–00031631

Jan 21 02 03:03p p.1
Kansas Taxpayer Network
PO Box 20050 316–684–0062
Wichita, KS 67208 home.southwind.net/-ktn
Renatta Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street, NW—Suite 1200
Washington, DC 20530
Dear Ms. Hesse,

I am writing in support of the proposed Microsoft antitrust settlement. As Executive Director of the Kansas Taxpayers Network, I have followed this case closely and am embarrassed and distressed that our State attorney general has been a party to it. Like the tobacco lawsuits of the recent past, this is a case that has turned out to be not only a colossal waste of tax dollars, but also a detriment to yet another private industry.

Regulation through litigation seems to have been the underlying theme in this case and those responsible for stoking the embers are none other than Microsoft competitors.

My opinion in this case is not from that of a member of the Microsoft fan club or from that of an enemy for its competitors. My beliefs stem from those of a protector of taxpayers and overseer of the spending of the taxes they're forced to pay. In that position, I do not support the role of the federal or state government in shaping the appropriate market share between opposing companies in any industry. This is not the idea behind the ''rule of law,'' as I understand this concept from the framers.

All things considered, the proposed settlement is not only fair for all parties involved, but the best thing for taxpayers everywhere as it finally puts the case to rest. No more tax funds should be wasted on this litigation. As you review this settlement, I urge you to consider the positive national impact of ending this unfortunate litigation.

Sincerely,
Karl Peterjohn

MTC–00031632

JAN. -21'' 02(MON) 14:25 DIRECTORY DISTRIBUTING ASSOC. INC TEL:314 592 8791 P. 00 1
RICHARD L. RACKERS
160 Corporate Woods Court
Bridgeton, Missouri 63044
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

It is my understanding that the Justice Department has reached a proposed settlement with Microsoft based on the allegations brought against the company for violation of various antitrust laws. It is also my understanding that you are currently accepting public comment on the proposed settlement. Please consider mine a vote of support for the settlement. While I know that it probably does not go as far as many of Microsoft's competitors would like, I believe that it is a fair and reasonable resolution of the alleged violations. As I understand the matter, the major complaint raised by competitors was the fact that they could not compete in such areas as Internet access within the Windows systems. This settlement allows such competition for the first time by forcing Microsoft to share their proprietary software code with its competitors, It is important to the economy right now to enter a growth phase and lawsuits such as the Microsoft suit can serve to stifle growth, I believe that the Justice Department and Microsoft have reached a fair and workable resolution, and I hope that you move forward with it as quickly as the law allows. Thank you for your attention.

Sincerely,
Richard Rackers

MTC–00031633

01/21/02 15:41 FAX 704 597 9183 KINKO'S COPY CENTER 001/001
Glenn J. Haqgerty
5509 Cottage Cove Lane
Charlotte, North Carolina 28215
January 21, 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 concern at the possibility of continuing litigation against Microsoft by the Department of Justice. I am satisfied with the terms reached in the agreement in November of last year, and I believe that further measures against Microsoft would be detrimental to consumers and the economy. i urge you to reconsider your position

I work in real estate, but over the past few years, I have been developing software with Microsoft. I have been able to develop software for real estate appraisers that is not only efficient but also cost effective. I have no complaint against Microsoft and I believe that measures taken with the aim of breaking up or greatly weakening Microsoft are not in the best interests of your constituents. I believe that the settlement reached has done more than enough to ensure fair competition. In my opinion, further federal measures taken against Microsoft would not be productive. Please reconsider your stance on the issues. Thank you for taking the time to review my concerns.

Sincerely,
Glenn Haggerty
cc: Representative Mel Watt

MTC–00031634

JAN 21 ''02 14:45 P.1
Michael W. Thompson
9035 Golden Sunset Drive o Springfield, Virginia 22153
703/455–1539(home)
703/440–9447(0ffice)
703/455–1531 (fax)
mikethompson@erols.com
FAX TRANSMITTAL SHEET
Deliver
To: Ms. Renata Hesse
FAX# 202/616.9937 Number of Pages 2 Date 1/18/02
From: Mike Thompson
JAN 21 02 14:45 P.2
Michael W. Thompson
9035 Golden Sunset Lane
Springfield, Virginia 22153
703/455–1539 703/440–9447(0)
January 18, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW # 1200
Washington, DC 20530
Dear Ms. Hesse:

I am writing to encourage the Department of Justice to approve the settlement agreement in the case of United States v. Microsoft. As a businessman and a taxpayer, I feel it is time to stop the long legal battle between competitors and to allow one of our nation's most innovative technology

companies to get on with the job of providing all segments of our economy the opportunity to run more efficiently.

The proposed settlement is reasonable and it is tough on Microsoft and it seems to be a fair outcome to the issues involved in this case. I hope that the Court will approve the proposed settlement between Microsoft, its various plaintiffs and the federal government.

Sincerely,

Michael W. Thompson

MTC–00031635

JAN-22–2002 01:44 AM
JAN-11–2002 08:40 AS&T SOURCING MERTS P-01
State of New Hampshire
House of Representatives
Concord
January 12, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse:

I write to offer my support for the settlment proposed in the case of U.S. v. Microsoft. As a STate Representative serving the Town of Merrimack, New Hampshire, I believe that although government should protect consumers and make sure they are not taken advantage of by big business, the government's prosecution of Microsoft has been misguided. Microsoft is a very large company and does have an influence in many consumers'' lives; but it is a positive influence that has helped to increase work efficiency and communication.

I am very much a proponent of wisely spending the money that citizens give to government and believe spending has been wasteful in this case. It is time for the government to step back and allow the Microsoft settlement to stand. Too much time, effort and money has been spent reaching this settlement. Further money and time can be better spent elsewhere, especially in these difficult times.

With the current economic situation in mind, the government should support innovation and companies, like Microsoft, that are having a positive impact in our lives and creating jobs and a positive trade flow in the international balance of payments. Please approve this settlement.

Sincerely,

John Balcom

State Representative, Hillsborough 18

1/3/2002 TOTAL P.01

TDD Access: Relay NH 1–800–735–2964

MTC–00031636

Marc J. Mataya
4935 Prentice Place
Charlotte, NC 28210–2917
January 16, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to explain my opinions regarding the Microsoft antitrust case. I feel that the settlement agreement reached between the Department of Justice and Microsoft was fair and reasonable, and was extensive enough for nine states to agree to. Microsoft has been punished for building a better mousetrap, and pricing it lower than the competition. Although I do not agree with every decision that Microsoft has made, I do understand wanting to use you successful product to launch more successful products. Three years of litigation has called this illegal. Obviously, there is a limit to success under free enterprise, and that limit is becoming the industry standard.

Despite my views, I do understand the pleas of the competition, I also feel that Microsoft has gone above and beyond in its concessions. Under the agreement, Microsoft has changed the way it develops, licenses, and markets its software. It 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. Also, Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers, who account for the majority of PC sales.

In short, it is time to put this matter behind us. The sooner this case is settled, the sooner that the focus of the IT industry can return to innovation, rather than litigation. We must make certain that we continue to introduce advanced American technology to the world market, or risk losing our competitive advantage.

Sincerely,

Marc Mataya

MTC–00031637

January 17, 2002
Attorney General John Ashcroft
U.S. Department of Justice
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing your office in support of the settlement reached with Microsoft in the antitrust lawsuit against them. There are a great many companies in the U.S. that operate under monopolistic conditions, and I feel that Microsoft is being used as a scapegoat of sorts.

I understand the basic points of the settlement, and I think that they provide for ample competitive behavior in the future. Uniform pricing for computer makers and increased flexibility in removing Windows-based programs from a user's computer will be beneficial to consumers in several ways.

I can assure the DOJ that Microsoft's success is important to many people beyond the company itself. I urge you to settle the antitrust lawsuit with no additional delay.

Sincerely,

Karen Frisch

920 John Street

Manhattan Beach, CA 90266

MTC–00031638

John Held
16329 170th Ave. NE
Woodinville. WA 98072
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. I work within the technology industry and I think it is time to let the industry get back to business. For over three years government has bogged down Microsoft with lawsuits. It is time to put this issue to rest.

During the period that the government has been trying to break Microsoft up the industry has had some tough times. Most stock is down, many companies have gone out of business, and the industry leader has had to deal with a hostile government. Microsoft has given a lot of ground to get this over with. They are willing to share some of their trade secrets to competitors; give up their leverage over computer makers by adopting uniform prices; and submit to the oversight of an independent technical committee. They have agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit.

The settlement is fair and should be accepted by the govemment. I hope you use your authority and influence to help that happen.

Sincerely,

John Held

MTC–00031639

PO Box 5700,
Mt Crested Butte, CO
81225–5700
Crested Butte
Mountain Resort
To: Renata Hesse—Trial Attorney
From: Wayne Anderson
Fax: 202–616–9937 Pages: 2
Phone Date: 1/21/2002
Re: Proposed Microsoft Antitrust Settlement Cc:
Urgent For Review Please Comment Please Reply Please Recycle
CRESTED BUTTE
COLORADO
January 21, 2002
Department of Justice—Antitrust Division
Attn: Renata Hesse—Trial Attorney
601 D Street NW, Suite 1200
Washington, DC 20530–0001
RE: Proposed Microsoft Antitrust Settlement

Dear Department of Justice:

I am writing to express my concern about the proposed Microsoft antitrust settlement currently being considered by the court. I have worked in corporate IT operations since the early 1990s. I hold numerous industry certifications, including Microsoft Certified Systems Engineer, Certified Novell Engineer, and others. I am the head of my company's Information Systems department, and I work primarily with Microsoft products on a daily basis.

Since I began working in the IT field, my opinion of Microsoft's products and business practices has changed dramatically. I have experienced first hand the poor quality of their products, and I have repeatedly watched competitors with superior technology effectively run out of business by Microsoft's ruthless use of its monopolistic power. It has had a decidedly negative effect on the industry. There is no question in my

mind that strong remedy is necessary to restore competitive forces to many segments of IT.

To that end, I do not believe the proposed settlement goes nearly far enough. The simplest evidence of this is that Microsoft agreed to it. The company has shown by its actions throughout the years that it will fight to the last breath any attempt to interfere with its monopoly. If the company agreed to this settlement, then that clearly demonstrates that Microsoft does not believe the terms of the settlement will have any meaningful impact on its grip on power. If Microsoft doesn't believe the settlement will have an impact, why should we? Any effective remedy is going to have to be imposed upon Microsoft kicking and screaming. I believe that negotiating a settlement with Microsoft is a lost cause. The current settlement should be scrapped, and a much more sweeping one should be pursued in the courts. I hope this will be done without further delay, since time is of the essence in a matter such as this. Thank you.

Sincerely,
Wayne Anderson
Director of Computing
Crested Butte Mountain Resort, Inc.
12 Snowmass Road
P.O. Box A.
Mt. Crested Butte, CO
81225
(970)349–2333 (800)544–848
Fax:(970)349–2250
EMail: info@chat.com
www.crestedbutteresort.com

MTC–00031640

l-21–2002 11:33AM FROM 000000000000 P. 1
01/21/02 12:12 P.001/001
Virginia Society AIA 15 South Fifth Street
Richmond. Virginia 23219–3823
TEL 804.644.3041
FAX 804.643.4607 aiava.org
January 21, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I believe one of the strongest reasons to support a settlement in the Microsoft case is how the agreement will be enforced. The independent Technical Committee; being created has the power to tire unlimited staff. The Committee will reside at Microsoft Corporation site at Microsoft's expense. Furthermore, the agreement specifies the U.S. Justice Department as the sole enforcement authority. To summarize, the settlement agreement provides resources, access, and authority to respond to complaints about Microsoft's compliance. This is an enforcement mechanism with that is bound to work.

It is heartening to see this case finally being settled. The U.S. economy can use a boost and the high-tech industry may be able to provide it.

Sincerely yours,
Beverley M. Dew
Director of Development
Virginia Society of the American Institute of Architects

MTC–00031641

Sent By: DKC Computers, Inc.; 972 642 4942; Jan-21–02 3:OlAM; Page 2/2 DKC COMPUTERS, INC.
1324 W. Church St. Grand Prairie, Texas 75050–5129 (972)
263–4879 Fax (972) 642–4942
January 21, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

The threat of government regulation of the computer software industry is frightening to contemplate. Price controls will stifle innovation. Arbitrary restrictions an packaging will drive costs so high that consumers and small businesses will not be able to afford the advances made in computer technology. Anti-competition rules will destroy America's dominant position in the global market and give foreign competitors a distinct advantage.

Is this the future we want for America's technology industry? I sure hope not. That is why I am writing this letter in support of the negotiated settlement between the U.S. Department of Justice and Microsoft Corporation. I believe it to be in the best interest of the consumer and the high tech industry to end all litigation and let technology innovators get back to doing what they do best-innovating.

Thank you for your consideration.
Sincerely,
Duron K. Cutbirth

MTC–00031643

01/21/2002 09:03 6033667301 WEIRS TIMES PAGE 01
THE WEIRS TIMES AND TOURISTS'' GAZETTE
DEVOTED TO TJE INTERESTS OF LAKE WINNIESAUKEE and VICINITY FAX FORM
This Fax Transmission is being sent to: Renata B. Hesse—Antitrust Division
This Fax is From: Rep. David M. Lawton
Number of Pages including This Cover Sheet: 2
Comments:
Commentary regarding the microsoft settlement for your consideration.
Reply Necessary: YES No x
P.O. BOX 5458, Weirs, New Hampshire 03247–5458
Office Route 3, Across from Funspot
603–366–8463(TlMES)—FAX 603–366–7301
www.weirs.com
PUBLISHED BY THE WEIRS PUBLISHING COMPANY, INC.
HOUSE OF REPRESENTATIVES
CONCORD
January 21, 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:

There is a growing sentiment among economists that we are finally seeing the light at the end of the tunnel of our nation's recession. The markets are improving, and the economic forecast is generally positive. However, state revenues are down and most states will have to consider tough cuts on spending in coming budgets.

One thing that can be done to aid states'' economies is to end the Microsoft lawsuit. I am writing in support of the nine states and the Department of Justice's settlement agreement. It is a fair and reasonable agreement which brings a satisfactory conclusion to this long-running antitrust case.

As the old saying goes, a rising tide floats all boats. And just as a rising tide will float a boat sitting at the lowest point first, so the resolution of this case will help those who have the farthest to rise first.

The technology-driven ''innovation economy'' has created tremendous opportunities for the citizens of New Hampshire. But we must act now to take some of the uncertainty out of economy. I urge you to endorse this settlement agreement which would provide states greater confidence in fiscal planning and would allow entrepreneurs and businesses to get back to the business of creating new and better products for consumers.

Regards,
David M. Lawton
State Representative
Belknap County District #1
603–279–8382
TDD Access: Relay NH 1–800–735–2964

MTC–00031644

01/21/2002 05:58 5084863455 GLAVEY AND GLAVEY PAGE 01
R. S. Halloran Company
370 Harwood Avenue
Littleton, Massachusetts 01460
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530

Dear Attorney Hesse,

I would like to express my support for the proposed Microsoft settlement that is currently being considered by Judge Kollar Kotelly in the federal courts. The case has gone on too long, and has cost the American taxpayer millions of wasted dollars. I'm not sure what, if anything, the consumers of this country have gained by this protracted fight, it seems to me that we would all be better off if the case were settled.

I run a small logging company, and so I am not involved in the daily workings of high-tech industry. However, I do understand fairness in business practices, and respect the role of the federal government to look out for the little guy. In this case it seems that someone got too zealous, and that the case took a life of its own. If the Justice Department has reached a settlement that is acceptable to them, then I say let's not miss this opportunity to end this unfortunate episode,

I appreciate your consideration of my thoughts on this matter, and I ask you to consider: with all that's going on in this world, wouldn't America be better unified if we ended this case?

Sincerely,
Richard S Halloran

MTC–00031645

1/20/2002 10:59 PM FROM: FAX TO: 12026169937 PAGE: 001 OF 002
urgent
facsimile
TO: Attorney General Ashcroft
Fax Number: 12026169937
From: Tara Erickson
Fax Number: 413–280–1296
Business Phone:
Home Phone: 435–615–1170
Pages: 2
Date/Time: 1/20/2002 10:59:30 PM
Subject Microsoft
1341 East Oakridge Road N
Park City, Utah 84098
January 20, 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 exasperation with the court proceedings in the Microsoft antitrust case. I cannot believe that the case has dragged on for this long and that now, when a settlement has finally been reached, some people refuse to accept the terms of the settlement and wish further federal action to be taken against Microsoft. Additional litigation would be entirely counterproductive in this matter, and I do not believe it is wise.

Microsoft has been fairly dealt with in this case, and has actually agreed to terms under the settlement that extend to products and procedures that were not found to be unlawful by the Court of Appeals. Microsoft has accepted the terms and they appear to be more than fair to the plaintiff states, For example, Microsoft has agreed to provide anyone acting under the terms of the agreement with a license to applicable intellectual property rights. Microsoft has also agreed to document and disclose source code, interfaces, and protocols integral to the Windows operating system for use by their competitors.

The settlement is fine; further litigation would be redundant, expensive, and wholly unnecessary. I ask you not to condone the inexplicable litigious behavior of the nine plaintiff states and to allow the settlement to stand.

Sincerely,
Tara Erickson
cc: Representative Chris Cannon
1/20/2002 10:59 PM FROM: FAX: TO : 12026169937 PAGE: 002 OF 002

MTC–00031646

MARK MILLS 2548977092 P.01
Mark M. Mills
1063 FM 205
Glen Rose, TX 76043
Renata Hesse,
Trial Attorney,
Suite 1200,
Antitrust Division,
Department of Justice,
601 D Street NW, Washington, DC 20530;
(facsimile) 202–616–9937 or 202–307–1545
Re: The public comment period in U.S. v. Microsoft

Dear Renata Hesse,

I am writing to voice my objections to the proposed Microsoft Settlement. I cannot see how the proposed settlement can be found to adequately punish Microsoft for its antitrust violations. The settlement contains no penalties and actually advances Microsoft's operating system monopoly.

History will remember this settlement as a mockery of justice. How can one ''punish'' a monopolist by invoking a punishment that expands it's monopoly? The punishment is entirely unfair to those that have been harmed by Microsoft's unfair business practices. Rather than a punishment for the defendant, the settlement punishes the plantiffs.

At a minimum, the settlement 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.

Require Microsoft to make public all present and future document file formats, so that documents created in Microsoft applications may be read by programs from other software developers, 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.

Require Microsoft networking protocols be published in full and approved by an independent network protocol body. This would prevent Microsoft from seizing de facto control of the Internet.

Sincerely,
Mark M. Mills

MTC–00031647

Reed Royalty Public Affairs, Inc. 949–240–0304 1/20/02 7:34 PM 1/2
Reed Royalty Public Affairs, Inc. Sunday, January 20, 2002
Governmental Relations Reed L. Royalty, President
Community Relations 30205 Hillside Terrace, San Juan Capistrano CA 92675–1542
Communications reed.royalty@home.com—fax (949) 240–0304 phone (949) 240–2022
FAX
TO: Renatta Hesse, Antitrust Division
FAX 202 616–9937
PAGES: 2
Reed Royalty Public Affairs, Inc. 1/20/02 7:34PM 2/2
Governmental Relations Reed L. Royalty, President
Community Relations 30205 Hillside Terrace, San Juan Capistrano CA 92675
Communications reed.royalty@home.com -fax (949) 240–0304 o phone (949) 240–2022
January 20, 2002
Ms. Renatta Hesse
Trial Attorney
Antitrust Division
601 D Street, NW Suite 1200
Washington, DC 20530
Via Fax # 202–616–9937

Dear Ms. Hesse:

The case of U.S. v. Microsoft is a waste of tax dollars. I encourage the courts to accept the settlement and bring this unfortunate chapter of our judicial history to a close. I understand that the court is deliberating whether the settlement in U.S. v. Microsoft should be accepted. It is also my understanding that if the court rejects the settlement, the case will continue, forcing some states and the federal government to resume spending on the issue. I hope you will approve the settlement.

I write this letter as an individual, but I am president of a taxpayers'' organization that tries to ensure that taxes and governmental programs are ''fair, understandable, cost-effective, and good for business'' (our mission statement). It is this activity that aroused my interest in U.S. v. Microsoft.

The amount of tax dollars going to special interest lawsuits such as the one against Microsoft has increased dramatically in recent years. Politicians now see these lawsuits as publicity generators (and sources of extorted money) rather than good public policy. The ''demonization'' of productive, tax-paying businesses is a deplorable tool used in the search for headlines. I hope the court will send a message to the politicians and special interests by supporting this settlement.

By the way, I own no stock in Microsoft, and I use a Mac.

Thank you for your consideration.

Sincerely,
Reed L. Royalty

MTC–00031648

** TOTAL PAGE. 001 **
9343 Larch Drive
Munster, Indiana 46321
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As I read the paper and realize the state of our economy, I am a bit disturbed by the recent developments in the Microsoft settlement. After three years of negotiations, it was about time we reached an agreement that helped to get our IT sector moving forward. Now, the technology industry may have to suffer through further discussion of this meticulously planned settlement, while the global market gets more and more competitive.

It is time to move forward and let the technology industry get back to business. All parties involved are ready to use these terms as new guidelines in order to move on. These extremely productive terms include new developments in licensing, marketing, and even design. All of which are beneficial to the consumer, the IT industry and our economy as a whole. Let us support the advancement of our technology industry by stopping any further litigation in this matter. I appreciate your listening and your support.

Sincerely,

Ram Patil
JAN 22 2002 08:10 FR FLAT ROLLING OPER 219 399 2750 TO 912023071454 P.01

MTC–00031649

01/19/1995 21:43 8592522845 LESSON IN LEADERSHIP PAGE 01
John Santone
4838 Hartland Parkway
Lexington, KY 40515
January 19, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I would like to express my opinion that the last three years of lawsuits against Microsoft were wrong and unjustified. Microsoft has made huge contributions to our society by creating jobs and making technological breakthroughs. They have been the cornerstone of the IT Industry and made using computers easy.

I find it ironic that the intention of this case at the outset was to protect consumer rights, but the terms of the settlement only reflect the lawmakers'' and politicians'' concern for competitors of Microsoft. Under the terms of the settlement, Microsoft has agreed to not retaliate against any computer makers or software developers who promote or develop products that compete with Windows operating system products. They have also agreed to disclose their interfaces.

Now, I am not quite sure how those concessions and the other ones will help consumers, but I can very clearly see the benefit for other software conglomerates. I do know that I would rather this settlement become reality than risk further litigation. I think our IT sector and economy cannot withstand having one of our industry leaders on the sidelines now in this recession. I request that your office finalize the agreement.

Lastly, I believe this litigation sent the wrong signal to an industry that was responsible for creating a great deal of the economic prosperity that existed this past decade. You cannot expect companies to invest in new technology if they can expect to be sued for not inventing a design (e.g. bundling browser w/operating system) that suits the Justice Department. Please remember that IBM designed the OS/2 operating system, and AT&T developed UNIX. Both of these giant companies had every opportunity to beat out Microsoft, but they both failed because the Windows design produced a superior product.

Sincerely,
John Santone

MTC–00031650

JAN-22–02 08:46 FROM: RSR REAL ESTATE ID: 7631656 PAGE 1
1 Gunpowder Road
Mechanicsburg, Pennsylvania 17050
January 15, 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 there has been a settlement reached in the government's three-year antitrust case against Microsoft. It pleases me to know that a settlement has been reached in the case. However, I don't feel that there should have been litigation against Microsoft to begin with. I support the company 100% in this case. The government should leave Microsoft alone, and tackle other matters that are affecting America.

However, I feel it is in everyone's best interests to accept the settlement as is, so Microsoft can move forward in developing new products for the consumer. The terms of the settlement are both fair and reasonable, and should be approved by the government in a timely manner. I would like to remind you that Microsoft is not getting off easy like their critics want you to believe.

For example, Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to Windows operating system products. Furthermore, they have agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

Sincerely,
Greg Rothan
cc: Senator Rick Santorum
Representative George W. Gekas

MTC–00031651

01/22/2002 09:07 8286832241 GINGER PAGE 01
VIRGINIA SCRIBNER MALLARD
105 SANDY MUSH ROAD * MARSHALL, NC 28753 * (828) 683–4445
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I'm glad I have a chance, as a citizen, to weigh in with my comments while the federal Microsoft lawsuit settlement is being considered. I urge you strongly to accept the settlement.

The seemingly endless lawsuit now has a chance to come to a close. Microsoft is so eager to get this behind them that the settlement even encompasses matters never addressed in the original litigation. Among the tough provisions are requirements that Microsoft reveal internal Windows'' operating system interfaces to its competitors and give up its intellectual property rights to competitors in certain cases. It's time to end this sad story of government harassment and accept the settlement. I'm hopeful you will realize this in the public interest.

Sincerely,
Virginia Mallard

MTC–00031652

Steven R. Duncan, CPA, CVA
Certified Valuation Analyst
14191 Duffield Avenue NW Monticello, Minnesota 55362
(763)878–0090 Fax (763)878–3066 e-mail sdcvacpa@msn.com
January 21, 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 recent settlement of the Microsoft federal lawsuit. As a follower of the case I feel that the lawsuit should have never happened and was mostly created through the actions of desperate competitors. Now that we have an opportunity, the agreement should be approved and the government should focus on the more important issues our country faces right now. The time and money spent on breaking up a company at the core of the new economy has been excessive to say the least. This has been the reward for starting a business from scratch and revolutionizing the software industry. What Microsoft offers in this deal is more than generous and will allow other competitors plenty of opportunities to sell their products. Access to intellectual property, such as source codes, is a requirement unheard of in the industry, and it is a major concession Microsoft's competitors. Meanwhile, a three-person technical committee will be monitoring compliance of the agreement, which should prove this to be a workable solution. As a taxpayer and a voter, I believe that this deal is in the best interests of the free market and the most effective direction for the government to spend its time. Microsoft will stay intact and be able to thrive, while its competitors will be guaranteed opportunities for their own success. I look forward to your support.

Sincerely,
Steven Duncan
01/22/2002 02:18 FAX 6128783055 S DUNCAN CPA CVA 01

MTC–00031653

January 21, 2002
Attorney General John Ashcroft
Justice Department
950 Pennsylvania Ave.
Washington DC, 20530
Dear Mr. Ashcroft,

Microsoft had been in legal proceedings for the past three years with the Justice Department in the antitrust case. This had been a burden for both parties, and a settlement was past due, so I was very glad to see this settlement come about. I look forward to your support of this settlement. I own a small business unrelated to the technology area. I have been vocal in my support of Microsoft and will continue to use their technology. Anti-Microsoft special interests would like to upset this settlement and re- open this case. Frankly, I believe Microsoft has had enough. The settlement on the table is good; it will allow competitors to more easily place products on Microsoft systems and will give competitors access to Microsoft computer code so they can make better products. Microsoft has been very cooperative in this settlement and taken a conciliatory tone. Let's put this matter behind us and move forward.

Sincerely,
Mike Granfield
Speed Promotion
Mike Granfield
3220 Oak Brook Drive, Waxhaw, North Carolina 28173
Jan 22 02 12:54a Mike Granfield 704–202–6352 p.1

MTC–00031654

01/21/2002 23:08 9037846648 WALKER PAGE 01
Walker G. P. LLC
1841 Fairfax Paris, Texas 75460
Fax 903–784–6648 Ph. 903–784–4919
January, 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I write to you today to express my support of the Microsoft settlement. The Department of Justice has now spent three years toiling over this issue without any resolution. Finally last November a tentative settlement agreement was reached. This settlement should be enacted with haste. It represents a fair mediation between all parties involved.

The terms of the settlement are very fair. Microsoft now agrees to license its Windows software at the same rate to the largest manufacturers of PCs. This make the marketplace much more competitive. Also Microsoft will agree not to retaliate against companies that use, sell, or promote non-Microsoft products. Additionally, Microsoft has agreed to share information with its competitors that will allow them to more easily place their own programs on the Windows operating system. Obviously Microsoft has been generous in resolving this issue. The Justice Department must enact this settlement.

Sincerely,
C.L. Walker

MTC–00031655

01/21/02 22:38 FAX 7042639374 DH LINEBERGER 01
Dottie Lineberger
128 Spring Wyatt Drive
Gastonia, North Carolina 28056
January21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft settlement. The settlement that was reached in November is fair and thorough. I believe the settlement will serve in the best public interest. Microsoft has agreed to carry out all provisions of this settlement. Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft programs that compete with programs included within Widows. Computer makers will now be free to remove the means by which consumers access various features of Windows Media Player, and Windows Messenger. Microsoft has also agreed to be monitored by a technical oversight committee.

This settlement will benefit the economy and consumers. Please support this settlement. Thank you for your support.

Sincerely,
Dottie Lineberger

MTC–00031656

Jan-21–02 08:25P J & G consulting 760 3405248 P.01
Jorge J. Castellanos
P.0. Box 14030
Palm Desert, CA 92255–4030
75625 Dempsey Drive, Palm Desert, CA 92211 U.S.A.
Phone: 760 340–5018 Fax: 760 340–5248
FAX MESSAGE
TO: Attorney General John Ashcroft, DATE: January 21, 2002
COMPANY: US Department of Justice, No. of Pages: One (1)
LOCATION: 950 Pennsylvania Avenue, NW
Washington, DC 20530
FAX #: (202) 307–1454 & (202) 616–9937
PHONE #:
FROM: JORGE J. CASTELLANOS
Dear Mr. Ashcroft:

I am writing to you to voice my support of the Department of Justice settlement of the Microsoft case. While I feel that the terms are a bit harsh, Microsoft has agreed to them and committed itself to ending this case is soon as possible.

There are great many more important things facing America now. Pushing this lawsuit, simply because we happen to disagree with Microsoft is not the American way. We need to be promoting free enterprise and American business. Especially during these times of economic instability. I believe that the terms of the settlement are fair and that the three man technical committee that will be appointed by the government to oversee Microsoft's compliance to terms will be sufficient to deter any further antitrust violations. I strongly believe that now is the time when we should all be focusing on our economic health as well as making sure that we continue to have a good employment picture educational policies. Let's put this unpleasantness behind us and move forward.

Sincerely,
Jorge J. Castellanos

MTC–00031657

January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. It amazes me that the government wanted to break up the technology industry's leading company in the first place. Now that a settlement has been reached, it amazes me that there is a possibility that the government will not accept it.

Microsoft has had so many net positives on the technology industry. They single-handedly made most software compatible and standardized. This does not mean that everyone has to use Microsoft software, just that different software works together. In fact, in the terms of the settlement Microsoft has agreed to give computer makers the flexibility to install and promote any software that they see fit. Microsoft has also agreed not to enter into any agreement that would obligate the computer makers to exclusively use Microsoft software. This will assure the consumers that they are receiving the best software. As a long term computer user I view Microsoft as a National Treasure. They brought the industry out of chaos into order.

The terms of the Microsoft antitrust settlement are fair and should be accepted. Microsoft and the industry need to move forward, the only way to move forward is to put the issue in the past. Please accept the settlement.

Sincerely,
Donald Glassman
481 Sage Drive
Pittsburgh, PA 15243
CC: Senator Rick Santorum

MTC–00031658

JAN-22–02 TUE 8:45 STENSTREAM FINE ARTS P.01
Robert Stenstream Fine Arts
4200 Southwest 7th Avenue Road
Ocala, Florida 34474
January 11, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Attorney General Ashcroft:

This letter is to address the recent settlement reached between the Department of Justice and Microsoft. I want to applaud this settlement, as I think it is long overdue. The lawsuit has stretched on for three years, costing millions of dollars and time on both sides. It is time to put the matter to rest and move on. The company faces more important issues.

Furthermore, Microsoft has agreed to a number of Department of Justice demands; i.e. making their software and codes more accessible to competing firms, disclosing information regarding Windows. There is even a technical committee to monitor Microsoft's compliance with the settlement. I believe that all of this is more than what is required to settle the matter at hand. I am asking that you give your support to this proposed agreement, since many Americans like myself do.

Sincerely,
Robert Stenstream
Owner

MTC–00031659

Jan 22 02 07:5la James D. Ebentier 480–423–0536 p.1
JAMES D. EBENTER
4–J Enterprises
8307 East Bueno Terra Way
Scottsdale, Arizona 85250–6611
(Tel.480–423–0446)
(email-j-jebentier@juno.com)
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

It is obvious to me that Microsoft has been cooperative in settling this antitrust case. They agreed to design future versions of Windows, beginning with an interim release of Windows XP, to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built in to

Windows or to non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time.

This settlement represents a good faith effort on Microsoft's part at bringing forth a viable end to this lawsuit. Now that this is done, let's concentrate on getting the economy back on track and allow the commercial sector to take care of itself.

Sincerely,

James Ebentier

MTC–00031660

825 Powell Road
Lenoir, North Carolina 28645
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to express my support for the settlement and an end to the litigation in the Microsoft antitrust case. The case has gone on long enough.

I am pleased with a number of the terms of the settlement. I most specifically like that Microsoft has agreed to design future versions of Windows in such a way that computer makers, software developers and consumers can promote non- Microsoft software within the Windows operating system. I am also pleased that the settlement will be monitored by a committee rather than solely through contempt of court or other enforcement proceedings which are more time consuming and costly.

I was amazed at the recent write-off that Microsoft had to take for the litigation. We need to leave this case behind, and the settlement offers a viable opportunity to do so. It is time to allow the country to focus on business again. I would hate to see a market replay of the seventies.

I support the settlement-as I understand it, and hope that it is finalized as soon as possible. Thank you for reviewing my comments.

Sincerely,

Stephen Scott

01/22/2002 10:00 8283287338 CARL A. RUDISILL LIB page 01/01

MTC–00031661

01/22/02 TUE 10:26 FAX 5703453600 Greg Pijar 001
Greg Pijar
184 SpittIer Road, Pine Grove, Pennsylvania, 17963
January 17, 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 voice my opinion in regards to Microsoft. I support Microsoft in the three-year-long litigation that has drawn on, and I support the settlement that was reached in November. I sincerely hope there will be no further action against Microsoft at the federal level.

Microsoft has agreed to document lots of intellectual property to its competitors, including various interfaces and interoperability protocols. This will make it so that Microsoft's competition can write software that fits better onto Windows, and therefore runs more efficiently.

This settlement contains many provisions other than the above that will benefit the technology industry as a whole. Please support this settlement so Microsoft can move on from this litigation. Thank you for your support.

Sincerely,

Greg Pijar

cc: Senator Rick Santorum

MTC–00031662

Jan-22–02 11:OlA Mendel Frieman P.01
5506 Greenspring Avenue
Baltimor, MD 21209–4330
January 21, 2002
Attorney General John Aschroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I would like to tell you my thoughts about the recent events in the Microsoft Anti Trust case. This whole issue has been dragged through the mud, wasting precious time and money. Nonetheless, I am glad to see that the Justice Department and Microsoft have come up with some sort of agreement. I just hope that everyone can put their various interests aside for the good of the country. This settlement needs to be finalized so that our country can get on with things. Our country is supposed to be a free enterprise system, but for years Microsoft has been punished for creating superior products and making money in the process.

I don't see how this issue can even be disputed. Microsoft is giving up a great deal just so that don't have to worry with this issue any more. They are giving away their technology secrets so that their less innovate competitors can create products that will be able to compete with Microsoft. They also will be changing their business practices so as not to obligate anyone to have to sell Microsoft's products over anyone else's. Please accept this settlement, it is high time that our computer industry be allowed to move forward. Thank you.

Sincerely,

Mendel Friedman

MTC–00031663

01/22/02 TUE 09:13 FAX 512 327 6384 ALLIED INTERESTS INC. 001
816 Terrace Mountain Drive
Austin, TX 78746
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The issue has been dragged out long enough and should be put to rest. A settlement is available and the terms are fair. The government should accept the settlement and move on. Many people think that Microsoft has gotten off easy, in fact they have not. The settlement was arrived at after extensive negotiations with a court- appointed mediator. The company agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, simply to put the issue behind them. Microsoft will, for example, now share use a uniform price list when licensing Windows.

Microsoft has given up much, now the government needs to stop its over regulation. Microsoft and the industry need to move forward. The only way to move forward is to put the issue in the past. Please accept the Microsoft antitrust settlement.

Sincerely,

Terry Stames

MTC–00031664

JAN 22 ''02 09:35 FR PRUDENTIAL SECURITIES630 571 1259 TO 12023071454 P. 01/02
FAX TRANSMISSION
DATE 1/22/2002
OF PAGES including this cover 02
TO Attorney General
John Ashcroft
US Dept. of Justice
FAX# 1–202–307–1454
FROM Barry Szymczak
PHONE 1–630–571–1259
NOTES My personal feelings opinion has been expressed in attached letter

This information set forth herein was obtained from sources which we believe reliable, but we do not guarantee its accuracy. Neither the information nor any opinion expressed constitutes a solicitation by us of the purchase or sale of any security or commodities.

MGR APPROVAL

JAN 22 ''02 09: 35 FR PRUDENT I AL SECURI TIES630 571 1259 TO 12023071454 P.02/02
10820 Cantigny Road
Countryside, IL 60525–4741
January 12, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am fully against the three years of litigation, which have been brought against Microsoft. Now that a settlement has occurred I think it is ludicrous that 9 states still oppose. Our country is based on majority rules. The fact that nine states can hold up this case, which has dragged out for 3 years, proves there is some political interests and personal gain to be had by the state attorney generals.

Microsoft should be rewarded for standardizing the technology industry and innovating the user-friendliest applications to date. Bill Gates has been innovative and vision oriented; creating something out of nothing—nothing but intelligence and business sense and concern for what people want. The American dream has been reached. Bill Gates should not be penalized for reaching the top. The fact that Microsoft has to disclose internal interfaces violates its intellectual property rights. All companies in America survive on their ability to differentiate products and services. This comes from innovating personal business practices and even technology to make a product better than the rest. Another term of settlement forcing Microsoft into increasing

its relations with computer makers and software developers essentially violates all free market principles, under in which businesses have the right to choose who they work with. Uphold American freedom. I urge your office to look out for the best interest of majority of the American public who clearly want this thing to come to an end.

Sincerely,

Barry Szymczak **TOTAL PAGE.02**

MTC–00031665

01/21/2002 21:45 2164815977 AL LIPOLD PAGE 01
Al Lipold, Attorney at LAw
24913 Pleasant Trail
Richmond Heights, Ohio 44143
Phone 216 692–0577
Fax 216–481–5977
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

As a concerned citizen, I write you with interest in the recent developments in the Microsoft settlement. I find it hard to believe that after three years of negotiations, that the settlement is going under further scrutiny. The terms of this settlement are fair and should be able to speak for themselves.

It is time to let the technology industry get underway and back to business. As we continue to go through a recession, the government continues to delay the very process that will put a kick back into our economy. The IT sector is waiting to use this agreement as a guideline for advancement, and is ready to get back to work. In this highly competitive global market, we need to support our technology industry in any way we can.

Let us support our technology in any way we can. Let us not be the ones to slow down the very process that we initiated.

Sincerely,

Albin Lipold

MTC–00031666

01/22/02 11: 26 919 829 8098 ALLEN & PINNIX 001
ALLEN and PIN-NIX, P.A.
Attorneys at Law
POST OFFICE DRAWER 1270
RALEIGH, NORTH CAROLINA 27602
TELEPHONE: (919)755–0505
TELECOPIER:(919)829–8038
FAX TRANSMITTAL
DATE: January 22, 2002
TO: Renata Hesse, Esq.
COMPANY: Antitrust Division, Department of Justice
FAX: 202.616.9937
FROM: Michael L. Weisel
PAGES: Cover + 2
RE:Microsoft Settlement
COMMENTS:

Notice to Recipent

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service.

Thank you.

01/22/02 11:26 919 829 8098 ALLEN & PINNIX 002
ALLEN AND PINNIX, P.A.
ATTORNEYS AT LAW
P.0. DRAWER 1270
RALEIGH, NORTH CAROLINA 27602
TELEPHONE: (919)765–0908
NOEL LEE ALLEN
JOHN LAWRENCE PINNIX
C. LYNN CALDER
M. JACKSON NICHOLS
D. JAMES JONES, JR. January 22, 2002
MICHAEL L. WEISEL
ALICE S. GLOVER
KENNETH C. DAY
J. HEYOT PHILBECK
ANGELA L. CARTER
ALSO LICENSED IN DISTRICT OF COLUMBIA
Renata Hesse, Esq.
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: Proposed Settlement in Microsoft Litigation

Dear Ms. Hesse:

Let me begin by saying I am by no means an apologist for Microsoft Corporation. In fact, I believe that Microsoft has acted aggressively, perhaps too aggressively, against competitors in the past. More importantly, I believe it is important that certain protections be built in to insure against future anti-competitive actions. However, I agree with North Carolina's Attorney General Roy Cooper that the proposed settlement strikes a reasonable compromise between the ''drastically reduced liability'' held by the Court of Appeals and the wishes of Microsoft competitors for more stringent sanctions against the company.

The settlement provides an enforcement mechanism—including resources, access and authority—to respond to complaints about Microsoft's compliance. It creates an independent technical committee with the power to hire staff on-site and at Microsoft's expense.

For consumers, computer manufacturers and information technology providers, the settlement provides guarantees of flexibility and access to technical specifications. And for all involved, most important, the settlement provides a chance to get back to work at a time when our nation needs to focus on restoring economic vitality and growth. In sum, I believe the settlement recognizes the diminishing returns that are likely to be realized by a prolongation of this litigation. Accordingly, I hope the court will approve the settlement.

Very truly yours,

ALLEN AND PINNIX, P.A.

Michael L. Weisel

mlw/tsr

01/22/02 11:26 919 829 8098 ALLEN & PINNIX 003
Renata Hesse, Esq.
Microsoft Settlement
January 22, 2002
Page 2

MTC–00031667

Monday, January 21, 2002 7:29 PM
To: Attorney General John Ashcroft
From: David R.
Hyster, 2961415 Page: 1 of 2
Fax Name: David R, Hyster
Company:
Voice Number: 2962150
Fax Number: 2961415
60 Woodstream drive
CHESTERBROOK
Wayne, Pa 19087
Date: Monday, January 21, 2002
Total Pages: 2
Subject: microsoft settlement
Name: Attorney General John Ashcroft
Company: Attorney General's office
Voice Number:
Fax Number: (202) 3071454
Note:
Monday, January 21, 2002 7:29 PM
To: Attorney General John Ashcroft
From: David R.
Hyster, 2961415 Page: 2 of 2
60 Woodstream Drive
Wayne, PA 19087–5875
January 21, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

This correspondence is simply intended to ask you, your Department and the federal government to accept, adopt and implement the proposed Microsoft settlement. This matter has gone too long and the settlement is a fair end to a foul ordeal. The plan is a compromise between the parties. As such it is imperfect. It is, however, a functional means to an end desired by all but the most impartial. The plan will open up Microsoft and its Windows systems to its competitors and their products. Microsoft's technology will all but be open to peer review. The government will review Microsoft's business and marketing practices, In essence Microsoft will encourage and support its competitors.

It's time we allow Microsoft to get back in the race. Our American economy is faltering and our nation is in peril. We need Microsoft at full speed. Thank you. I would like to add that the integrity, honesty, maturity, and dedication that you are bringing to the attorney generals office is refreshing and is especially critical to our democratic process during these challenging times. Again thank you for your effort.

Sincerely for renewed American prosperity,

David Hyster

cc: Senator Rick Santorum

MTC–00031668

Jan 21 02 05:25p Chuck/Terri Beck 6025880044 p.1
January 21, 2002
Elizabeth T. Beck
16215 N. 11th Place
Phoenix, Arizona 85022
Attorney General John Ashcroft

US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
RE: Microsoft antitrust lawsuits

Dear Mr. Ashcroft:

I would like to expound on a number of concerns I have in regards to the recent antitrust lawsuits and settlement between the US Department of Justice and Microsoft. First off, I think it is ridiculous that any litigation began in the first place. Microsoft is the cornerstone of our tech sector and has been an extremely powerful asset to our economy, They have created jobs, made technological breakthroughs, and contributed to educational systems.

As a consumer, I do not feel that they have infringed upon my rights at all. I use Microsoft because they deliver consistently better products. Other vendors have not been as innovative and so have not been successful. When competition has produced a better product they have been able to gain market share. Microsoft offers Microsoft-Money on their Windows for free, yet thousands of people are paying good money for Intuit's Quicken because it is a superior product. You cannot punish Microsoft for offering Explorer for free. They merely decided to make it easier for the consumer by placing Internet Explorer on Windows operating systems. The consumer still has the option of using another browser and most of the competitors'' products are also available at no cost. That would be like penalizing Snickers for offering their candy for free from now on in all convenient stores. You would still be able to purchase your favorite candy, as you had intended when entering the store.

Under English definition, monopolistic tendencies are to inflate prices and deliver sub par products. Microsoft has done neither! I urge your office to take a strong stance against all opposition and attempt to give a bittersweet ending to a tragic case of American greed and jealousy.

Sincerely,
Elizabeth Beck

MTC–00031669

Jan 21 02 07:57p Kent Campbell 791–237–0958 P. 1
85 Grove Street, Apt, 202
Wellesley, MA 02482
January 19, 2002
Attorney General John Ashcroft, US Dept. of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

As I read more and more about the recent Microsoft settlement, I get more and more frustrated about the results. I cannot believe that this well- calculated settlement is still being held back. Not only was this agreement part of a well thought out and well-monitored process, but it yielded terms that are beneficiaI to all involved. It is clear that we must support this agreement and get everyone back to business.

Some of these key changes include Microsoft's designing future versions of Windows that will allow for easier installation of non- Microsoft software. Along with this, they have agreed to not enter into any agreement obligating any third party to distribute or promote any Windows technology exclusively. These concessions are clearly a move toward helping all parties involved. Microsoft is obviously working to get the technology industry back to business, and, to help all parties involved in the meantime. This is even further reason to support the terms of this settlement as they are.

Please help to stop any further actions toward this agreement. Let us help get our technology industry back on track and get back to business.

Sincerely yours,
Kent Campbell
CC: Representative Barney Frank

MTC–00031670

From: ANTHONY C. GATTUSO
To: ATTORNEY GENERAL JOHN ASHCROFT
Date: 1/21/2002 Time: 6:44:46 PM Page 1 of 1
161 Sylvia Lane
New Hyde Park, NY 11040
January 21,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

We are writing to show our support of your efforts to settle the litigation against Microsoft. The settlement offers the opportunity to bring an end to the three-year resource drain that this lawsuit has been. That would be of benefit to America.

Instead of facing further litigation that might lead to breaking up AT & T was broken up, Microsoft has agreed to demands made by its competitors for more openness of its internal Windows interfaces and server protocols. In addition, computer makers got what they wanted, flexibility to reconfigure Windows to highlight their marketing needs, and release from exclusive marketing agreements, which are commonly used by many companies, such as Chevy preventing its dealers from also selling Fords, and McDonalds agreeing to sell only Coke soft drinks. We think Microsoft has agreed to give up plenty. The American computer industry would be best put back on track, and the American economy best helped by agreeing to the settlement.

The settlement needs to be finalized so that we can get our focus back on business. Thank you for your leadership on this issue.

Sincerely,
Anthony Gattuso

MTC–00031671

MTS Systems Corporation
PowertraIn Technology Division
4622 Runway Blvd.
Ann Arbor, MI 48108
Tel. 734–9731111
Fax: 734–973–1103
www.mtsptcom
January 21, 2002
Attorney General John Ashcroft
United States Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

The settlement reached between the Department of Justice and Microsoft is very important. The antitrust legislation brought out by the Department of Justice against Microsoft has presented a potential threat to the free market principles of this country and was to a large extent a waste of taxpayers'' money. The settlement is important because it marks the end of it

I believe that the settlement shows the desire of Microsoft to do their part. Microsoft has made many concessions. Microsoft is required to disclose server protocols to ensure that it cannot make Windows desktop software work better with its server software than with that of competitors. In addition, the company agreed not to retaliate against PC manufacturers or software. developers for promoting competing software. Microsoft also agreed to license Windows to computer makers uniformly, rather than offer better pricing only to some. Microsoft has to abstain from engaging in exclusive contracts that would prohibit software developers or PC makers from using competing products.

Providing that the Department of Justice has a mechanism in place to guarantee the implementation of the settlement I believe that it is time this whole deal is wrapped up.

Sincerely,
Mike Dubov

MTC–00031672

Jan 21 02 03:34p Lloyd Mineer 425–423–9611
7212 Upper Ridge Road
Everett, Washington 98203
January 21,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to express my opinion that the Microsoft antitrust case be resolved as soon as possible.

I was puzzled why the lawsuit was brought forth to start. I was first introduced to various browsers for the internet while I was on a job assignment in Canada. My ISP included Netscape as my browser, the ISP was the group who made the choice not Microsoft I was in no way restricted by Windows or Microsoft to what I would or could use.

Netscape performance was inadequate for me, in terms of technical support and product satisfaction. My eventual decision on what I would use was based entirely on service, technical support and product satisfaction. Every product I have received from Microsoft has been superior, by my criteria, to anything purchased from any other supplier

I expect because I live in Washington state the tendency will be to brush off my comments. I do not work for Microsoft, do not have any relatives or friends working for them. However, I do like whatever products I purchase to work well, to be serviced well, and to have excellent technical support so that I may do my job in the most efficient and least hassles as possible. Microsoft has always done that for me. If the guys who are complaining would spend more time in improving their products and technical support they would be better served. I was pleased to hear last November that a proposed settlement had been reached which

provides the best opportunity for resolution so far. I would like it to be implemented soon so that we may put this entire issue behind us.

Jan 21 02 03:35p Lloyd Mineer 425–423–9611 p.2

The proposed settlement does not let Microsoft off easy. In fact, its terms extend to products and business practices that were not even at issue in the original lawsuit. One obligation on Microsoft's part is to disclose source code and interfaces that are internal to Windows operating system products. There is no need to continue litigation; this settlement is already more than fair and reasonable.

I ask that the November settlement be implemented without further delay. It is time to let the IT industry and its leading innovator get back to work. Thanks for your time and consideration.

Sincerely,

Lloyd Mineer

MTC–00031673

01/21/2002: 19:10 2529463108
SEILER ZACHMAN ROBIN PAGE 01 SEILER ZACHMAN ROBINSON & CO., P.A.
Certified Public Accountants and Financial Consultants
P.O.Drawer l628
144 W. 2nd Street
Washington, NC 27889
(252) 946–8052 Phone
(800) 682–0700 Watts
(252) 946–3108 Fax
Dennis W. Seiler, CPA
William M. Zachman, CPA
Tommy J. Robinson, CPA
Kary S. LaBarbera, CPA
David F. Singleton, CPA
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to state that I support the settlement between the Justice Department and Microsoft 100%. I think all of the other states that are holding out should settle and I think no further action should be taken by the Justice Department in this case.

The settlement was reached after extensive negations with a court- appointed mediator. I find the terms to be fair and reasonable for the parties involved. Microsoft has agreed to terms that exceed the charges in the case and they have agreed to the establishment of a three person technical committee, which will monitor Microsoft's compliance with the case. The agreed terms should be enough to keep Microsoft out of court. I hope that the government will discontinue their pursuit of Microsoft, and move onto other things.

Sincerely

Tom Robinson

MTC–00031674

Jan 21 02 04:44p Bonny Becker 1–262–241–4381 p.1
John & Bonny Becker
114 W Miller Drive
Mequon, WI 53092
January 17,2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001 Dear Mr. Ashcroft:

Dear Mr. Ashcroft:

We are strong supporters of Microsoft, and are glad that the Justice Department has settled its three-year antitrust lawsuit against this company. We never agreed with the lawsuit from the beginning, and after more than three years of costly litigation, we hope the case is finally over at the federal level.

Microsoft is a strong company with innovative ideas, and for this it should not be punished. Even so, the company has agreed to share information with its competitors, as well as not to retaliate against those computer makers and software developers that will use this new information to promote non-Microsoft products within the Windows operating system. The business operations of Microsoft will now be watched over by a technical oversight committee, and any company that believes Microsoft is acting in an anti-competitive manner will be able to bring a complaint to this committee. These concessions are sufficient to end this litigation.

We believe it is in the best interest of America to settle this case. Consumers will benefit, the technology industry will benefit, and continuing on with the case will only be a detriment to the nation's economy. Thank you for deciding to settle, it is the right choice for our country at this time.

cc: Representative F. James Sensenbrenner, Jr.

Sincerely,

John Becker

Bonny Becker

MTC–00031675

JAN-2l-02 02:47 PM BEHSHAD BAKHTIARI 3407056 P.01
SHADI D. BAKHTIARI
21620 BURBANK BOULEVARD, UNIT 1
WOODLAND HILLS,CA 91367
TELEPHONE: (818)340–7056
FACSIMiLE: (818)340–7056
FACSIMILE TRANSMITTAL SHEET
TO: Attorney General John Ashcroft FROM: Shadi D. Bakhtiari
COMPANY: US Department of Justice DATE: 1/21/01
FAX NUMBER:1–202–307–1454 TOTAL NO. OF PAGES INCLUDING COVER
PHONE NUMBER: SENDER'S REFERENCE NUMBER: 2
RE: Microsoft Settlement YOUR REFERENCE NUMBER:
URGENT xFOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE NOTES/COMMENTS:
JAN-21–02 02:48 PM BEHSHAD BAKHTIARI 3407056 P.02
21620 Burbank Boulevard Apt. I
Woodland Hills, CA 91367–6467
January 15,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

This letter is to go on record as being a staunch supporter of the settlement that was reached between Microsoft and the Department of Justice. For over three years the two sides fought back and forth, and wasted valuable time and taxpayer dollars. Now that an agreement has been reached, I hope that the American IT industry and the economy will perform better. The settlement paves the way for a stronger IT industry and economy. Microsoft has played a big part in that. They have agreed to turn over internal interface data and source code to their Windows operating system to their competitors. This will allow for increased competition between companies. It will also provide the necessary compatibility between competing software, which will help spur the industry.

This settlement is a great deal for everyone involved. I hope that it will bring an end to further litigation against Microsoft. I support the settlement. It is in the best interests of the industry and the economy.

Sincerely,

Shadi Bakhtiari

MTC–00031676

Jan 21 02 04:53p CHAMBER OF COMMERCE 3615920866 p.1
KINGSVILLE Kingsville
CHAMBER
OF COMMERCE
January 21, 2002
Renata Hesse, Trail
Attorney Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to register my support for the proposed settlement of the Microsoft antitrust lawsuit. If the suit brought by the Department of Justice and several state attorneys general can be brought to an agreeable conclusion, it seems reasonable for the court to take this direction.

It seems as though several concessions Microsoft is being asked to make verge on the violation of their intellectual property right, a system crucial to research and development by all Americans. Should the Court rule against Microsoft and apply further sanctions, it would undermine the patent process, which protects the development of innovations in American industry and technological history.

I am sure that this is not the intent of the Court, but to go beyond the terms of the settlement worked out by the Department of Justice and Microsoft would not be in the best interests of American ingenuity, not to mention consumer satisfaction.

Sincerely,

Peggy G. Hayes, Executive Director

Kingsville Chamber of Commerce

P.O. BOX 1030 * 635 East King * Kingville, Texas 78363

361/592–6238 * Fax 361/592–0866

MTC–00031677

JAN-22–2002 09:46 PM P.01
Jan-11–02 07:58A P.01
State of New Hampshire
HOUSE OF REPRESENTATIVES
CONCORD
January 11, 2002
Trial Attorney Renata Hesse
Antitrust Division of the Department of

Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse:

I am writing to you for the file on public comment in the case of U.S. v. Microsoft in support for the agreement.

I am concerned that the United States government is taking the antitrust legislation too far in this case. As a state representative, I am wary of government involvement in the marketplace. There is a fine line between regulating business and controlling it. That is why I believe that before the Government's involvement increases anymore than it already has. I hope you will end it.

It's true that Microsoft is a large company, but its creativity and invention has worked to help businesses and individuals, not harm them. They are helping Americans to obtain knowledge and pursue their individual goals. This kind of ingenuity should be rewarded, not persecuted by the federal government.

2001 was a challenging year for all of us. I believe there are many urgent issues for the government and judicial system to focus on at this time. Productive companies such as Microsoft should not be one of these.

Thank you for your time and consideration.

Sincerely,
Kevin Chalbeck
State Representative
Rockingham District 8
TDD Access Relay NH 1–800–735–2964

MTC–00031678

From Mark Knoll (734) 482–9439 Tue, Jan 22, 2002 9:18 AM
Page 1 of 2
FAX
TRANSMISSION
Date: 22 January 2002
To: Renata Hesse, Trial Attorney
Antitrust Division, US Department of Justice
Suite 1200
Fax: 202–616–9937/202–307–1545
From: Mark W. Knoll
8500 Ashton Court
Ypsilanti, MI 48198
Fax: 734–482–9439
E-mail:mknoll@mac-email.com
Re: Public comments concerning the proposed settlement of the Microsoft antitrust case.
Number of pages(including cover sheet): 2
From Mark Knoll (734) 482–9439 Tue, Jan 22,2002 9:18 AM Page 2 of 2
Tuesday, 22 January 2002

To whom it may concern:

I write today to express my strong conviction that the proposed settlement to the Microsoft antitrust case is not in the public interest. The remedies contained therein are far too lenient in comparison to the degree to which Microsoft's guilt was proven in court and upheld upon appeal.

The remedies proposed by the ''Track 2'' states represent a much more appropriate starting point than the proposed settlement for reining in Microsoft's anti-competitive behavior, but even these more stringent remedies do not go far enough to restore a level playing field in the computer industry. Microsoft's December 12th, 2001 filing with the Court, in which they object to the ''Track 2'' proposed remedies as being ''punitive,'' indicates just how arrogant Microsoft has become. They were found guilty of illegal behavior and their guilt was upheld on appeal. The trial has now reached the stage where Microsoft's illegal conduct is to punished and Microsoft still maintains they should not be punished at all! Microsoft's willingness to accept the proposed settlement is, in itself, proof that the settlement would do nothing to punish Microsoft.

The final outcome of the trial must accomplish three things:

1) Punish Microsoft for its illegal conduct

2) Compensate victims of Microsoft's illegal conduct

3) Constrain Microsoft from acting illegally in the future. The proposed settlement in its current form addresses none of these issues in a meaningful way. More important than the actual remedies themselves, however, is the compliance mechanism for the final judgment. Microsoft has already shown its willingness to ignore court-mandated behavioral remedies. They have written enough loopholes into the proposed settlement to insure that they can do so again with impunity should the settlement be approved. Whatever remedies the court imposes must be so crafted as to eliminate any wiggle room for Microsoft. It must be clear to all parties at all times whether Microsoft is in compliance or not. For this reason, Microsoft should have no input into the specific makeup of the compliance panel, nor any input into the determination of compliance. The compliance panel must be completely independent and free of Microsoft's influence.

The Court, at the recommendation of the compliance panel, must impose significant penalties for non- compliance up to and including a ''death penalty'' for repeated violations. I suggest a three-strikes- and-you're-out policy. The first finding of non-compliance should be countered with a monetary fine in the billion dollar range, the second with a monetary fine in the ten billion dollar range. The third finding of non-compliance would result in a court-ordered ban on the sale in the US of all software determined to be out of compliance, and the rendering of all contracts to sell such software null and void. I propose as well the incarceration of senior Microsoft officials for contempt of court in the event of three findings of non-compliance.

I respectfully submit that the proposed settlement benefits no one except Microsoft. I urge the Court to reject it and to devise a penalty that will severely punish Microsoft for the massive harm caused by their illegal conduct. The Court has suggested that expediency in resolving this case is in the national interest. A flawed resolution in the name of expediency, however, will be far more damaging to our national interests.

Sincerely,
Mark W. Knoll
8500 Ashton Court
Ypsilanti, MI 48198

MTC–00031679

FROM : FAX NO. : Jan. 22 2002 10:06AM PI
01/20/2002 11:48 919–844–1573 MABRY PAGE 01

Christie Knittel Mabry, Ed&D.
1240 Greystone Park Drive
Raleigh, NC 27615
January 17, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Microsoft Case

As a researcher and college professor, I use technology on a daily basis. Having an integrated easy-to-use software system is a critical for a productive work environment. Microsoft software allows access to a variety of products. The proposed consent decree with the Department of Justice will allow Microsoft to continue developing new products while at the same time giving Microsoft competitors some remedies for access to technical specifications and greater flexibility in installing non-Microsoft products in the windows operating system.

While this settlement does not entirely satisfy any of the parties involved in the lawsuit, it does include important protections for consumers, computer manufacturers and software developers. One important aspect is the establishment of a technical Committee that will monitor Microsoft's compliance with the settlement. A third party who has concerns about Microsoft's compliance will be able to file a complaint.

Certainly trying to reach a compromise is difficult, but it is important to our country to end the litigation and get technology companies focused again on building our economy. Prior to taking my current position, I worked with technology-related businesses. I saw the impact economic retrenchment has not only on companies but also on individuals.

Thank you for consideration of this matter.

Sincerely,
Christie Knittel Mabry. Ed. D.

MTC–00031680

Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

This correspondence is simply intended to ask you, your Department and the federal government to accept, adopt and implement the proposed Microsoft settlement. This matter has gone too long and the settlement is a fair end to a foul ordeal. The plan is a compromise between the parties As such it is imperfect. It is, however, a functional means to an end desired by all but the most impartial. The plan will open up Microsoft and its Windows systems to its competitors and their products. Microsoft's technology will all but be open to peer review. The government will review Microsoft's business and marketing practices. In essence Microsoft will encourage and support its competitors.

It's time we allow Microsoft to get back in the race. Our American economy is faltering and our nation is in peril. We need Microsoft at full speed. Thank you.'

cc: Senator Rick Santorum

I would like to add that the integrity, honesty, maturity, and dedication that you

are (illegible) and is especially crtical to our (illegible)
Thank you for your effort.
Sincerely for renewed American (illegible)
David
cc: Senator Rick Santorum

MTC–00031682

JAN 21 2002 20:39 FR PEPSI BOTTLING CROUP 412 741 2390 TO 12023071454 P. 01/01
1411 Eagle Point Drive
Southpoint, Pennsylvania 15317
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing you this brief letter to urge you to expedite the settlement of the Microsoft case. This case's merits were, I believe, questionable at the outset but no one can question the generosity of the concessions Microsoft has agreed to in order to settle this case.

In return for maintaining its corporate integrity, Microsoft has agreed to revamp its entire marketing philosophy. It will no longer demand Windows software exclusivity in its Windows platforms. In fact it reconfigure Windows to promote other manufacturers'' software. It will share technology with its competitors. It will license Windows systems products to major computer manufacturers at uniform rates and terms. It has, in fact, committed itself to embracing competition from the rest of the industry. I believe this more than adequate to meets its critic's demands. Microsoft is not just a giant in its field; it has been the main engine in the creation of a new international industry. To maim it or hinder its productivity would be folly.

Sincerely,
Heather Geisler
** TOTAL PAGE.01 **

MTC–00031684

Monday, January 21,2002 5:34 PM
To: Attorney General John Ashcroft From: Tony Birdsall,
384–1531 Page: 1 of 1
P.O. Box 970
Ferndale, WA 98248
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing today to urge the Department of Justice to accept the Microsoft antitrust settlement. Microsoft has given up a lot in order to settle the suit and put the issue behind them. I would like to see the government accept the settlement and allow the technology industry to move on.

Many people think that Microsoft has gotten off easy. Truth be told they have not. Microsoft has agreed to allow computer makers to install and promote any software that they see fit while offering Microsoft software at a uniform price. In addition to the agreement with computer makers, Microsoft has agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit. Microsoft has agreed to many concessions simply to settle the issue and move on. The government should accept the settlement and allow Microsoft to move forward.

Sincerely,
Anthony W. Birdsall

MTC–00031688

01/21/02 MON 19:39 FAX 4058481095 001
4637 O'Connor Court
Irving, TX 75062
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

The more I read about the Microsoft settlement the more I get frustrated about its current status. The terms of this agreement are bold steps toward bringing our IT sector together, and should be supported in any way possible. These terms reflect three years of well thought out negotiations, and are truly in the best interest of all involved- Let us help to support this settlement by stopping any further actions against it.

Not only has Microsoft agreed to make changes in licensing and marketing, but has agreed to design fixture versions of Windows that will allow for easier installation of non-Microsoft software. Beyond this, Microsoft has agreed to disclose various interfaces that are internal to Windows operating system products. These concessions are steps toward a more unified IT sector, and definitely promote working together. By doing this, we allow our technology industry to hold its place in this highly competitive global market. Let us help to get this settlement moving so that we can get our economy back on track.

Let us not be the ones to put a stop to the same process that we initiated to begin with. Why fight this battle that has already been one. Let us stop any further actions against this agreement, and get back to business.

Sincerely,
Dean Chittenden

MTC–00031689

01/21/02 MON 19:38 FAX 4058481095 001
FACSIMILE TRANSMITTAL SHEET
TO: JOHN ASHCROFT FROM: DEAN CHITTENDEN
FAX NUMBER: (202) 307–1454
DATE: January 21, 2002
COMPANY: DEPARTMENT OF JUSTICE// ATTY
TOTAL NO. OF PAGES INCLUDING COVER: 2
GENERAL PHONE NUMBER: (303)320–0563
SENDER'S REFERENCE NUMBER:
RE: MICROSOFT YOUR REFERNCE NUMBER:
URGENT X FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE
NOTES/COMMENTS:
Dear Sir:
Please see attached letter.
Thank You
Dean Chittenden
Phone (972) 887–0173
Fax (972) 887–9775
DEAN CHITTENDEN D—CHITTENDEN@EMAIL.MSN.COM 4637 O'CONNOR CT.
IRVING, TEXAS 75062–3740
PHONE: (972) 887–0173 FAX: (972) 887–9775

MTC–00031690

01/22/2002 13:43 5082485012 PAGE 01/01
Bement Camp and Conference Center
P.0. Box 156, 73 Jones Road
Charlton Depot, MA 01509
Phone: 508.248.7811 FAX: 508.248.5012
Web Site: WWW.BementCenter.com
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

First of all I want to thank you for your work these past 13 months during an unprecedented time for our country.

Please know that in addition to President Bush, you have also been in my prayers. You and the Bush team have brought back a sense of honor and decency to our most important political institution, the presidency.

Thank you!!!

I would like to take advantage of this public comment period and give you my thoughts on the Microsoft/DOJ settlement. From the very beginning I was dismayed that a company that has done so many positive things for my organization and me could be interfered with to such a great extent. I have never seen that Microsoft has done any harm to consumers, quite the opposite in fact, I can however vouch for their remarkable contributions to our lives and our economy. lf you look at the marketplace numbers, our economy began a serious downfall with the very beginning of this lawsuit.

I run a nonprofit organization and through Microsoft's programs for non-profit's, we have been able to save a great deal of money and have consequently been able to serve countless more underprivileged citizens in the process. While this settlement is rather detrimental to Microsoft, it is however more than fair and will certainly address the problematic issues alleged in the lawsuit. Microsoft will be giving away a great deal of their source codes, internal interface design and server protocols. They will be giving consumers more choice to use their competitors' products within the Windows operating system and will be making more responsible agreements with OEM's so as to make it more feasible for them to distribute non-Microsoft products.

I sincerely hope that our Justice Department will keep consumer interests in mind when making a decision. This settlement needs to be accepted to ensure that our computer industry will be able to flourish again. Our economy depends on our technology sector; please finalize this settlement for the good of all involved.

Sincerely,
Mark Rourke
Director
Bement Center

MTC–00031691

01/22/02 TUE 09:32 FAX 775 8243766 PMA–SF 001
MARITECH
CORPORATION
January 15, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am quite sure that there have been many people writing you about this settlement that are more directly involved in the business of software and networking than am I. Unlike most of those people, I am writing as a simple business user of software, and have no particular axe to grind one way or the other. However, I am writing to express both my support as well as my perspective on this issue.

Business users like me have for a long time had many options and choices of a wide range of software products to assist our company's productivity and reporting accuracy. Many of us would prefer the relative ease of using products specifically designed for integration into the operating system that we use at our workstations, as well as on the company network. Microsoft has provided this integration-by-design and, while there are many fine software products that are available to perform the same functions, I have always found it simpler to take advantage of Microsoft's integrated software.

What this lawsuit would have done if it had gone on with respect to due use of many Microsoft products is, of course, unclear. However, it would be safe to assume that this software integration would have been one of the first casualties of any court judgment. It is therefore a good thing that this lawsuit has settled and this issue has not seriously affected our business software.

Sincerely,
Michael Snow
SystemEngineer
CC: Senator Harry Reid
MARITECH CORPORATION * 1495 Ridgeview Drive, Suite 110 * Reno, NV 89509
Voice: (775) 824–3777 * Facsimile: (775) 824–3766 * http/www.maritecheervicee.com

MTC–00031692

Jan-22–02 12:18P P.01
120 Bethany Drive
McMurray, PA 15317
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Re: Microsoft

Dear Mr. Ashcroft:

As a concerned citizen of the United States. I am writing to let you know how I feel about the settlement between Microsoft and the Department of Justice. I support the settlement that has been reached in this case.

This settlement is long overdue, since the case has been an ongoing battle by the govemment for three years. It serves no useful purpose to continue with litigation against Microsoft. I believe that this case should not have been brought forth by the Justice Department in the first place. Any further pursuit of this matter will only be a vast waste of time, tax dollars, and human resources.

The settlement is both fair and reasonable for all of the parties involved. Microsoft is not getting off easy in this antitrust case. They have made many compromises in their business practices and with product development. Please accept this settlement on behalf of the American public.

Sincerely
Kathleen Shook
cc: Senator Kick Santorum

MTC–00031693

Jan-22–02 11:21A Westglenn Software 205 423 0199 P.01
westgleni
the business illtelligence company
January 19, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530
www.usdoj.gov

Dear Mr. Ashcroft,

I have been following the litigation that has occurred because of the antitrust suit against Microsoft, and I have come to believe that this issue is digging deeper and deeper into the taxpayers'' pockets. The suit has managed to halt delivery of the advanced technology to the market. The Justice Department and Microsoft have reached a settlement regarding the suit that is designed to be beneficial to both the IT industry and the consumer.

The settlement will end a state of uncertainty in the technology sector and promote consumer confidence. Microsoft has agreed to make all future versions of its Windows operating system to be compatible with non-Microsoft software. Microsoft has also agreed not to retaliate against any computer makers that may ship software that would compete with Windows.

This suit has contributed to the stagnant state of the technology field. Microsoft needs to be allowed to return to innovation, so it can do its part to help the nation move forward. I strongly urge you to finalize this suit so the country may focus on more pressing matters.

Simcerely,
Jeff Trotman
President
Cc: Representative Spencer Bachus
2100 SouthBridge Parkway Suite 260
Birmingham, AL 35209
Tel 205.423.0100 Toll-Free 800.711.5153
Fax 205.423.0199

MTC–00031694

Sent By: GEMINI; 630 694 9460; Jan-22–02 11:46AM; Page l/l
Gemini
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I am pleased to hear that the government has reached a proposed settlement to the Microsoft antitrust case. I hope to see it finalized soon.

Microsoft has agreed to make several adjustments to its products to ensure that competitors can attach their software products to Microsoft Windows. I'm happy because this means that Microsoft will continue to support and enhance Windows! Microsoft has also agreed to allow a neutral committee to monitor their compliance with all aspects of the agreement.

I believe further prolonging of litigation concerning this case can only serve to harm the consumer, the IT industry and the nation's economy. I look forward to a quick and fair settlement. Thank you.

Sincerely,
Ed Baron
Cc: Representative J. Dennis Hastert
Gemeini Graphics, Inc. Gemini Digital, Inc. 860 West Lake Street, Suite 606 Roselle, Illnois
60172–2891 630.894.9430 voice 630.894.9460 fax digital@getgemini.com

MTC–00031695

01/22/2002 10:08 4803801133 DIAMONDWARE LTD PAGE 01/01
DiamondWare
HIGH PERFROMANCE
SOFTWARE
10516 E. Flower AVE
Mesa, AZ 85206
Phone: (480) 380–1122
Fax: (480) 380–1133
Web Site:
wwv.dw.com
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
VIA FACSIMILE: (202) 307–1454
Jan 22, 2002
Re: Microsoft Settlement
Ms. Hesse:

I am writing to express my opinion on the Microsoft Settlement, and indeed on the whole case. First, I do not believe that the case should have been brought. Originally, the case was filed at the urging of its envious competitors. It is important to note that Microsoft's customers and partners did not have a complaint.

First, I will speak for myself as a consumer of Microsoft's products. I remember the old days before Windows had standardized the graphical interface. I think it was even more important that Microsoft standardized hardware device drivers. Installing a new printer was difficult, even for computer experts. There was a dearth of hardware, partly because the vendors had much larger and much more complex job to provide drivers. Clearly, the consumer has benefited greatly from a standardized and easier way in which hardware vendors can provide software to support their hardware.

Second, I am also the CEO of a software development company. At times, our products have become devalued due to a Microsoft product release. Does this mean that I think that the force of government should be wielded to make Microsoft not compete against a small company like DiamondWare? NO!!! I would not want to live in the sort of country that would destroy Microsoft for DiamondWare's sake.

What would that mean for car companies, airlines, pharmaceuticals, food, and all of the

other kinds of goods and services that I consume? In each case, the more successful companies would be held back, for the alleged benefit of the less. My choice among these products would be under attack Stalin's Soviet Union is a good example of the sort of place which fully and consistently attacked the good for being the good.

In conclusion, I urge you to drop the case altogether. Microsoft and its investors have already suffered many billions of dollars of damages due to this specious case If dropping the case is not legally possible any more, then seek to do the least damage allowable by law, and let Microsoft move forward without this threat hanging over their heads any longer!

Thank you.
Keith Weiner
President

MTC–00031696

Sent By: KI Systems, Inc.; 360 668 9884; Jan-22–02 9:33AM; Page 1/2
KI SYSTEMS, INC.
9310—176TH STREET S.E.
SNOHOMISH, WA 98296–5028
TELEPHONE: (425)402–0791
FACSIMILE: (360)668–9861
FAX Cover Sheet
January 22, 2002
TO: Company: Telephone No.:
≤Attorney General John US Department of Justice 1–202–307–1454
Ashcroft
From: Kristi L. LeaMaster Number of Pages: 2 (including this page)
Regarding: Microsoft Settlement
Comments:
Sent By: KI Systems, Inc. 360 668 9864; Jan-22–02 9:33AM; Page 2/2
KI SYSTEMS, INC.
9310—176th Street S. E.
SNOHOMISH, WA 98296–5038
TELEPHONE: (425) 402–0791
FACSIMILE: (360) 668–9864
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, UC: 20530–0001

Dear Mr. Ashcroft:

I was opposed to the government's antitrust lawsuit against Microsoft Corp., but was pleased and surprised when a settlement was finally reached last November.

In my humble estimation, the Justice Department's allegations against Microsoft were entirely unfounded and lacked a basic grasp and understanding of 21st century technology issues. Unfortunately, officials in the previous Justice Department administration insisted upon applying antitrust law that was written over one hundred years ago for ''smokestack'' industries, such as steel and oil, to a 21st century software company. This misguided approach was doomed from the outset and should have never gotten its far as it did.

Finally, three years later, at a cost of untold millions to the taxpayers of America, a settlement has been reached. If not for Microsoft wanting to get this nightmare over with and therefore accepting the government's settlement offer, the government would probably still be suing the company. The states that refuse to sign on to the settlement are being extremely shortsighted.

The settlement is fair, changing the way Microsoft licenses and designs software, and it is a far better alternative to continuing the lawsuit. Please do whatever it takes to see that it gets finalized. Thank you.

Sincerely,
Kristi LeaMaster
President

MTC–00031697

JAN–23–02 12:38 AM P. 01
304 Linwood Drive
Jacksonville, NC 28546
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

I do not believe that the case against Microsoft is merited. The antitrust lawsuit was more political than anything else. Microsoft is not guilty of anti-competitive behavior. Given these sentiments, however, I do support the settlement that was reached as it represents resolution for this issue.

The settlement carries with it many terms; under the settlement, Microsoft agrees to disclose the internal interface of Windows. This will allow developers access into the processing of the system. Users will now be able to reconfigure their operating systems to their liking beginning with the interim release of Windows XP. Additionally, Microsoft will level the playing field in the technology market by adhering to a uniform pricing list when licensing out Windows to the twenty largest computer makers in the nation.

Once more, I voice my support for the settlement. The issue is finally resolved. Moving this settlement forward is the best course of action for our nation. Thanks.

Sincerely,
ss

MTC–00031698

01/17/2002 11:45 13735681942 PERFORMANCE S0FTWARE PAGE 01/02
Fax Cover Sheet
Performance Software, Inc.
611 Route 46 West
Hasbrouck Heights, NJ
Date : January 22, 2002 Time: 12:16 PM
Pages: 2
To :John Ashcroft
Company :US Government
Fax Number :202–3 07– 1454
Phone:
From :Steve Rove11
Phone: 201–288–8100
Fax: 201–288–3001
Subject :Microsoft Settlement

Please see attached.

Thank you.

01/17/2002 11:45 19735601942 PERFORMANCE SOFTWARE PAGE 02/02
Dyna Suite on the web
188 Roule 10 West, Suite 311
East Hanover, New Jersey 07936
(973) 560–1930 phone
(973) 560–1942 fax
www.dynasuite.com
January 20, 2002
Attorney General John Ashcroft
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I am writing in regards to the Microsoft antitrust case. Let me begin by saying that I do not agree with everything that Microsoft has done, but I understand that in a capitalist economy, the market will choose who is granted success. There may be issues of the antitrust case that have merit, but we should fix these problems and move on. The longer this case goes on, the more that lobbyists' concerns are put before the end users.' The Department of Justice and Microsoft have reached a settlement agreement that has already been approved by nine states. This settlement is both fair and reasonable, and the fact is that under the settlement. Microsoft will grant computer makers new abilities to reconfigure Windows to access non-Microsoft software. For software companies, Microsoft has agreed to document and disclose for its competitors various interfaces that are internal to Windows' operating systems products. This will make the software more efficient, and, as mentioned, the hardware makers will be able to access it easier. That will spur competition.

It doesn't make sense to spend scarce resources on issues that have already been resolved. This case has been harmful to the economy and has forced the industry leader to turn their focus from innovation to litigation. It is time to resume business as usual. Let the competitors compete and the leaders lead. The consumers should decide what companies will succeed, not the government.

Sincerely,
Steven J. Rovell
Chief Information Officer
an innovation of Performance Software, Inc.

MTC–00031699

01/22/02 TUE 11:OO FAX 512 327 6384 001
ALLIED INTERESTS INC.
ALLIED INTERESTS INC.
FAX
COVERS SHEET
SEND TO:
FROM: ATTORNEY GENERAL ASHCROFT
JON H. STARNES
COPY SENT:
OFFICE LOCATION: Austin. Texas
REGARDING:
DATE:
MICROSOFT January 22, 2002
FAX NUMBER: 202.307.1454
EMAIL: jstarnaes@jump.net

( ) The original of this transmittal will be sent by: ( ) U.S. Mail ( ) Messenger ( ) Overnight Mail

(X) This will be the only form of delivery of this transmittal.

TOTAL PAGES. INCLUDING COVER: 2
COMMENTS
816 TERRACE MOUNTAIN DR.
* AUSTIN, TEXAS 78746.2843
* 512.327.6318

* FAX 512.327.6384
01/22/02 TUE 11:OO FAX 512 327 6354
ALLIED INTERESTS INC. 002
JON H. STARNES
VIA FACSIMILE–202/307–1454
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I want to encourage the DOJ to accept Microsoft's antitrust settlement. The terms of the settlement appear to be fair and equitable. It is time to stop wasting our taxes and put this issue to rest. Microsoft has agreed to several concessions the DOJ requested and it is time for the government to end this issue. For several years the socialist in our government have been trying to break up Microsoft. The government has spent more time trying to destroy one of America's finest assets than it has spent in trying to locate Bin Laden.

Please accept the Microsoft antitrust settlement.

Sincerely,
ss
816 TERRACE MOUNTAIN DRIVE
* AUSTIN. TEXAS 78746
* 512/327–6310
* FAX 512/327.6304

MTC–00031700

JAN 22 ''09 10:08
FR TRAPEZE SOFTWARE GRP
480 627 3411
TO 12023071454
P.01/02
January 18, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

I am writing to add my comments to the many that your office is no doubt receiving regarding the settlement between the Department of Justice and Microsoft. I cannot help but think that, should this lawsuit have dragged on any further, there would have been serious and damaging repercussions to all other businesses engaged in the IT field. Fortunately, this settlement was reached at a time where such repercussions were thus far at a minimum, and the most serious effects dealt with a faltering of consumer confidence.

Many people have long been annoyed at Microsoft's policy of disallowing any competitive software to be pre-loaded with its Windows OS, but this settlement addresses that issue. It standardizes the licensing arrangements for the 20 largest hardware companies, and thereby generates competition for consumers.

I am writing in support of the settlement, and hope that this sort of litigation does not happen again.

Sincerely,
Lou Borland
Internal Network Engineer
JAN 22 '09 10:08
FR TRAPEZE SOFTWARE GRP
480 627 8411 TO 12023071454 P .02/02
January l8, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–000 1
Dear Mr. Ashcroft,

I am writing to add my comments to the many that your office is no doubt receiving regarding the settlement between the Department of Justice and Microsoft. I cannot help but think that, should this lawsuit have dragged on any further, there would have been serious and damaging repercussions to all other businesses engaged in the IT field. Fortunately, this settlement was reached at a time where such repercussions were thus far at a minimum, and the most serious effects dealt with a faltering of consumer confidence.

Many people have long been annoyed at Microsoft's policy of disallowing any competitive software to be pre-loaded with its Windows OS, but this settlement addresses that issue. It standardizes the licensing arrangements for the 20 largest hardware companies, and thereby generates competition for consumers.

I am writing in support of the settlement, and hope that this sort of litigation does not happen again.

Sincerely,
Viet Vo
Network Engineer
** TOTAL PAGE.02 **

MTC–00031701

JAN-22–2002 12: 27 SENATE LEADERSHIP
502 564 0456 P. 01/01
COMMONWEALTH OF KENTUCKY
DISTRICT OFFICE
204 CAPITOL ANNEX
2534 KEARNEY COURT
FRANKFORT. KENTUCKY 40601
LAKESIDE PARK. KENTUCKY 41017
502–564–3120
859–331–1684
502–564–0456 FAX
859–331–1238 FAX MESSAGE LINE
800–372–7101
Roedn@aol.com E-MAIL
richard.roeding@trc.state.ky.us
RICHARD L.''DICK'' ROEDING, R.Ph.
PRESIDENT PRO TEM OF THE SENATE
January 22, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Dear Ms. Hesse:

It goes without saying that the settlement agreement between the U.S. Government and Microsoft comes at a critical time when our economy and nation most need reconciliation. The proposed settlement requires significant changes in the way Microsoft develops, licenses and markets its software. This settlement is fair. It allows Microsoft to continue innovating in all areas of software development.

When word of the possible settlement in the Microsoft case broke, the market surged. In spite of gloomy economic reports, the news was viewed by investors as a sign that our nation's critically Important high-tech industry could move forward without the continuing shadow of government interference. The fact is that news of an impending settlement lifted the share price of technology companies across the spectrum, including Microsoft's rivals. AOL, Time Warner, Sun, Oracle, IBM—they all saw their stocks jump. Most attorneys are not economists, and the economics of settlement were made clear by the markets. Public sentiment, from consumers to businesses to investors, favors settlement, I congratulate you on developing a strong but fair settlement and support your efforts to create a settlement that is in our nation's best interest. Thank you for your time, and please feel free to contact me if I can be of assistance to you in any way.

Sincerely,
Richard L. ''Dick'' Roeding, R.Ph.
Kentucky Senate President Pro Tern
TOTAL P. 01

MTC–00031702

TO : PHONE NO. : 12023071454 JAN.21.2002
10:00PM P 1
FROM : MILLER PHONE NO. : 805 832 1414
2216 Manning Street
Bakersfield, CA 93309
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mt. Ashcroft:

I have followed with interest the Microsoft and Department of Justice antitrust case. I am appalled that this case was ever brought against Microsoft, But at the same time, I am not surprised. Bill Gates, through Microsoft, has revolutionized the computer industry. I can remember when there was total incompatibility between the hardware boards, and computer software programs. It was terrible. Nothing worked. Bill Gates then came along. Microsoft worked consistently to increase computer board compatibility. Microsoft standardized computer software, increasing software compatibility. No wonder there is jealousy. No one else did this, or could do this. His competitors, seeking to rein the company in, brought suit against the company. The previous administration, with its own peculiar view of what constitutes a successful company, joined the parade.

Microsoft has more than done its share to end this lawsuit and accommodate the demands of the Justice Department. Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software; Microsoft has agreed to design future versions of Windows with the capability to make it easier for companies to install non-Microsoft software; Microsoft has agreed to a technical committee to monitor future adherence. This is more than fair.

I support this agreement and look forward to the end of this case. It is time to put this behind us.

Sincerely,
Bob Miller

MTC–00031703

01/22/2002 11:40 FAX 215 643 6311
Exclusive Ore 01
eXclusive Ore

January 16,2002
A.G. John Ashcroft U.S. Dept. of Justice
950 Penna. Ave. N.W.
Washington, D.C. 20530
Dear Mr. Ashcroft:

I am writing to express my support for the settlement reached in the Microsoft Antitrust Lawsuit last November. The settlement is fair, and it will allow the IT industry to continue to grow while prohibiting any action that might be anticompetitive.

The resolution reached in the antitrust suit has many positive aspects for consumers, as well as hardware and software companies, and should stimulate further economic development in the IT field.

Under the settlement, Microsoft has granted additional rights to both software designers and computer manufacturers which will allow for competing peripheral software components, such as non-Microsoft web browsers and c-mail clients, to be more easily integrated and work better within the Windows OS. Additionally, it allows for computer manufacturers to ship systems with those same competing software components pre-installed with Windows.

While some argue that the settlement did not cut Microsoft deeply enough, I believe that these, along with the other articles of the antitrust settlement, will limit unfair competitive action and allow Microsoft, as well as others, to continue to develop quality products and further economic growth within the lT sector.

Sincerely,
Estelle Brand
Vice President
cc: Senator Rick Santorum
Exclusive Ore Inc. * PO Box 1024 *
Blue Bell, PA 19422 * (215) 643–3110
* www.exclusiveore.com

MTC–00031704

FROM : PRATER-WRITES FAX NO: Jan. 22 2002 09:40AM P1
PRATERWRITES
Turning Information Into Solutions
Sandra J. Prater
14009 N.E. 63rd Court,
Recmond, WA 98052–4561
VOICe 425–883–4725 /
Fax: 425–867–5539
Email: sprater@halcycn.com
January 23, 2002
Attorney Gcncral John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,

I am writing in support of the recent settlement between The Department of Justice and the IT industry. I am happy an agreement has finally been reached. It is a reasonable settlement and clearly a benefit to consumers of technological products.

Under the terms of the settlement, Microsoft has agreed not to retaliate against the competition. Computer makers who ship other software and software developers who design software that competes with Microsoft will also be immunized from retaliation. I am in favor of this. It is in the best interest of the consumers and the economy to allow Microsoft to get back to the business of creating new and innovative technology. Again, I am happy that a settlement has finally been reached. I hope you will support it.

Sincerely,
ss

MTC–00031705

Jan 22 02 08: 18a Ron Stingley 650–631–1009 p.1
36 Wessex Way
San Carlos, California 94070 USA
January 21,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft,

This is to give my support to the settlement between Microsoft and the Department of Justice. I did not support this suit against Microsoft in the first place, and I am disturbed by the tendency of government to interfere in business. If there is wrongdoing, there is an obvious need, but this was a case of competition. Microsoft was just one of numerous tech firms out there producing a product. In this instance, Bill Gates put out a better product, at a lower price. He could have charged much more, but didn't. Bill Gates, through Microsoft, streamlined computer programs into more useable formats, increased compatibility of various computer software programs, and allowed all of us to join the computer revolution. The other firms could not keep up; hence, they sought to have a legal edge. The Justice Department, under the previous administration, fell right into line. We are threatening the tenet of free enterprise if we constantly interfere in business. Some firms succeed. Others do not. This is the way it is in life with all things. Government cannot come in and decide who does or does not succeed.

Further, Microsoft has given away a great deal. Microsoft has agreed to submit to a committee to monitor settlement adherence; Microsoft has further agreed to license its Windows operating system products to the 20 largest computer makers on equal terms; and Microsoft has agreed to give computer makers more accessibility to make Windows so that it promotes non-Microsoft software programs. This is a lot more than any other firm would do.

Put this issue behind us. Any further action will only harm both our economy and our country.

Sincerely,
Ron Stingley

MTC–00031706

JAN–22–02 09:47 AM DAVID L. BANKS 8309319831 P.01
16745 FM 1957
San Antonio, TX 78253
January 21,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft antitrust dispute, The Microsoft Company is an American Dream that all people in this great country have and the opportunity to make come true. I would hope the Government does not discourage this American way of life with further litigation. I support Microsoft in this dispute, and I sincerely hope there will be no further action against Microsoft at the federal level. The settlement that was reached in November is both fair and reasonable. Microsoft has pledged to carry out all terms and conditions of this agreement. Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. Microsoft has also agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows.

This settlement will benefit the entire technology industry. Please support this settlement and allow Microsoft to devote its talent and resources to work, rather than litigation.

Sincerely,
David Banks

MTC–00031707

01/22/2002 11:31 2029555879 KARALEKAS AND NOONE PAGE 01
Law Offices
KARALEKAS & NOONE
1211 Connecticut Avenue, NW
Suite 302
Washington, DC 20036–2603
(202) 466–7330
(202) 955–5879 Facsimile
TELECOPIER TRANSMITTAL
TO: Renata Hesse, Esq.
RECIPIENT'S
TELECOPIER NO: 202/616–9937
FROM: Steve Karalekas
DATE: January 22,2002
EASTERN TIME: 1130a
OPERATOR: Elizabeth
NUMBER OF PAGES TRANSMITTING (including cover sheet): 3
MESSAGE/SPECIAL INSTRUCTIONS:
01/22/2002 11: 31 2029555879 KARALEKAS AND NOONE PAGE 02
KARALEKAS & NOONE
ATTORNEYS AT LAW
1211 Connecticut Avenue, NW
Suite 302
S. STEVEN LARALEKAS
Washington, DC 20036–2603
* ALSO ADMITTED IN MASSACHUSETTS
JAMES A. NOONE+
(202) 466–7330
* ALSO ADMITTED IN PENNSYLVANIA
WILLIAM J. HARDY ++
(202) 955–5879 Facsimile ++
ALSO ADMITTED IN VIRGINIA
E-Mail kn1211conn@kn1211.com
January 22,2002
Via Fax Transmission
Renata Hesse., Esq.
Trial Attorney
Anti-Trust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530
Re: U.S. v. Microsoft
Dear Ms. Hesse:

We write to urge approval by the U.S. Department of Justice of the proposed

settlement agreement in the pending case of U.S. v. Microsoft.

Our law firm represents a diverse range of clients whose businesses rely heavily on state-of-the-art information technology (IT). Microsoft has been a leader in this regard and it is our view that settlement of this protracted litigation will greatly enhance the quality of IT available to our clients and improve the competitiveness of IT companies across the nation.

Settlement of this case is particularly important to the Washington, DC, area where the U.S. Government and thousands of small contractors that provide goods and services to it rely on the best possible IT to conduct their businesses and manage their programs. The uncertainty caused by the Govemment's litigation against Microsoft, in our view, has been detrimental to the critically importantly two-way flow of information between the U.S. Government and those who serve it.

We urge the Department of Justice to approve the settlement agreement and allow Microsoft and its competitors to go back to doing what they do best—keeping America in the forefront of information technology.

01/22/2002 11:31 2029555879 KARALEKAS AND NOONE PAGE 03

Thank you for your consideration.

Sincerely,

S. Steven Karalekas

SSK:emh

MTC–00031708

0l/14/2002 13:51 12487231210 GOODE FINANCIAL PAGE 01
GOODE FINANCIAL, L.L.C.
700 E. MAPLE, Suite 300
TELEPHONE: (248) 723-l200
BIRMINGHAM, MI 48009
FACSIMILE: (246) 723–1210
January 21, 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 between Microsoft and the Justice Department in their antitrust lawsuit. I believe that the settlement is fair, and that Microsoft's concessions will enable everyone to return to normal business operation.

I understand that Microsoft is making several concessions, including added convenience for Windows users to remove and configure different parts of the operating system. These changes should ultimately benefit consumers and ensure fair competition.

Because of these changes, I urge you to settle the Microsoft suit in due fashion.

Sincerely,

Margaret Goode

MTC–00031709

164 Chestnut Hill Lane South
Buffalo, NY 14221
January 21,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington., DC 20530

Dear Mr. Ashcroft:

I am writing to express my views on the proposed settlement arrived at between the Department of Justice and Microsoft recently. In my estimation, the settlement is very excessive for Microsoft but more than fair for the federal and state government. It is time for this case to come to an end.

My reasons for being dissatisfied with the way this suit has been going extend far beyond my concerns for the economy and the IT industry, I am also displeased with the way the government has pursued this. The Government has given the public plenty of reason to doubt the existence of free enterprise. Despite the unfairness of the suit, Microsoft has been very willing to cooperate. They have agreed to uniform prices, disclosure of both Windows' protocol, and sharing internal interfaces in Windows. Microsoft has also agreed to grant intellectual property license to their competitors.

The settlement offers a workable end to this lawsuit, and the possibility for a very strong shot in the economy's arm. I trust that my input and those of others will aid in wrapping up this matter as soon as possible.

Sincerely,

Thomas Ruthven

JAN-22–02 11:51 FROM: EXCELLENCE N. MORTGAGES ID: 7166892546 PAHE 1/1

MTC–00031710

1–22–2002 11:11AM FROM 000000000 P. 1
01/22/2662 11:37 0000000000000 PAGE 01
January 9, 2001
Ms. Renata Hesse
Trial Attorney
Antiturst Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am told you are receiving comments on the proposed Microsoft settlement.

It is important that any agrement reached will be complied with. The three person technical committee that is part of the settlement agreement that will monitor Microsoft's compliance appears to be a good means of achieving compliance. Complaints regarding Microsoft's compliance can be relayed to this committee, the Department of Justice or any of the state plaintiffs that are party to the settlement. This provision of the settlement ought to give all involved a high level of comfort.

Sincerely yours,

S. Neel Brown

MTC–00031711

1–22–2002 11:06AM FROM 000000000000 P.1
January 21, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:.

After having reviewed the ''Key Provisions of the Proposed Consent Decree with the Department of Justice'', I believe that the proposal is fair and, since both Microsoft and the Department of Justice have come to this agreement, I believe the citizens of the United States would benefit if the consent degree were implemented expeditiously.

Sincerely

Joseph Frank Ellmer

26 Croydon Road

Mays Landing. NJ 08330

MTC–00031712

01/22/2002 10:33 FAX 804 7866310 VA HOUSE OF DELEGATES 001
House of Delegates
Telefax Service
Fax(804)786–6310
General Assembly Building
January 22,2002
To: Renata Hesse, U. S. Department of Justice
From: Delegate Gary A. Reese
Fax No.: Long Distance (202) 616–9437
Tel. No.:
City: Washington, DC.
State:

This transmission contains 2 pages, which includes this cover sheet. If you have any problems with this transmission, please contact (804) 698–1558.

Comments:

The original letter was mailed on l/21/02.
01/22/2002 10:33 FAX 804 7866310 VA HOUSE OF DELEGATES 002
COMMONWEALTH OF VlRGlNlA
H0USE OF DELEGATES
RICHMOND
GARY A. REESE
11926 BENNETT ROAD
OAK HILL, VIRGINA 20171
SIXTY-SEVENTH DISTRICT
January 21,2002
Ms. Renata Hesse, Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse

As a Delegate for the 67th District in Northern Virginia, I am writing to encourage you to approve the settlement agreement in the case of United States v. Microsoft.

The centerpiece of Virginia's economy is the Northern Virginia region's high-tech industry. We have been fortunate to attract a diverse and wide-ranging number of technology firms and have insured our area's growth and future prosperity. We need to encourage a continuation of this economic development activity and make certain that we do not impede the success of companies like Microsoft in any way.

I believe the settlement is a fair and reasonable compromise. Furthermore, this setclement is good for the consumer, for high-tech industry, and for our overall economy. If you have any questions, please do not hesitate to contact me.

Sincerely,

Gary A. Reese

DISTRICT: (703)476–4505 * FAX: (703)716–9064 * E-MAIL: DEL—REESE@HOUSE.STATE.VA.US 002

MTC–00031713

JAN-22–2002 12:54 TEMPS LITHO 537 0316 P.01/01
CREATIVE MICRO SYSTEMS, INC.
3825 KENTUCKY AVE N.
CRYSTAL, MN 55427
January 21,2002
Attorney General John Ashcroft
US Department of Justice

950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to take this opportunity during the public comment period to voice my support for the settlement reached last November between Microsoft and the Justice Department. I believe this settlement will lessen the uncertainty in the technology sector of the economy and significantly benefit the overall economy. I believe the Justice Department action by the Clinton administration caused the down turn in the economy.

Although I did not support the commencement of this suit in the first place, a settlement is the best course at this point. The government negotiated a very strong settlement that addresses all the key issues. For example, Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows. The agreement also calls for the creation of a Technical Committee to oversee Microsoft's compliance.

Our company builds computer systems and develops custom computer application for end users.Microsoft products have been crucial in enabling us to rapidly develop competitively priced end user applications. Without their products we be unable to compete in this highly volatile marketplace. This lawsuit has hurt the entire industry. Please support this settlement and take no further action at the federal level.

Sincerely,
Richard Bostrom
TOTAL P. 01

MTC–00031714

l/22/2002 11:46 AM
FROM: Fax deltakappa.com
TO: 12023071454
PAGE: 001 OF 001
deltakappa.com
January 22,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I find it reprehensible that Microsoft's jealous competitors motivated this lawsuit between the Department of Justice and Microsoft. Whatever merits there were in the origin of this case were lost amid the torrent of envy among Microsoft's competitors.

The last time I checked, ours was still an economy built upon the free enterprise system. It is simply not right for a group of companies to use whatever influence they could muster to persuade our government to file a lawsuit against a company based upon that company's success in the marketplace.

One can say what they want about Microsoft's often hard-nosed approach to business, but that is not reason enough to haul them into court. The Settlement addresses the controversial points arising from the original trial three years ago, and ultimately will change the way that Microsoft does business in everything from design and conceptualization of software at the beginning, to licensing at the end.

This settlement recently negotiated at least has the virtue of ending this sideshow of a trial. For that reason alone it should be supported.

Sincerely,
David K. Payne

MTC–00031715

JAN-22–02 TUE 12:33 BNA HUNTSVILLE FAX NO, 2569713360 P.01
200 Hidden Valley Way
Madison, AL 35758
January 22, 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 Microsoft and the Justice Department. I hope that this case will finally be resolved. I am convinced that the Clinton administration targeted Microsoft to pacify the self-serving whining of competitors and their supporting politicians/lobbyists.

It does not seem to me that Microsoft is getting off easy like some would content. The agreement to grant computer makers new rights to configure Windows soas to promote non-Microsoft programs.

and the establishment of a three person monitor committee is very significant in our ''free enterprise'' business society.Microsoft competitors should be very happy—they will not be subject to the above restrictions.

I realize your Justice Department Did not initiate these actions against Microsoft; I hope your administration will conclude this matter quickly and fairly.

Sincerely,
James A. Collins

MTC–00031716

JAN-22–2002 14:20 FROM:BV HEDRICK 7046334243 TO:202 353 8856 P.OO1/OO1
01/22/02 TUE 12:27 FAX 800 641 2265 002
100 Primrose Drive
Salisbury, NC 28147
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

I am writing you today to voice my opinion on Microsoft. I support the Microsoft settlement and feel that this company has been penalized for being successful. I feel this settlement will serve in the best public interest this settlement is complete and thorough. Microsoft did not get off easy,Microsoft has agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit for the sake of wrapping it up.Microsoft has also agreed to be monitored by a technical oversight committee created by the government.

Microsoft is a company that has contributed a pat deal to our society and daily lives. This company should not be stifled. Please support this settlement.

Thank you.
Sincerely,
Melvia Hutchinson

cc: Representative Mel Watt

MTC–00031718

01/22/02 TUE 13:15 FAX 414 328 2233 ROCKWELL SUPPORT 001
FACSIMILE ROCKWELL
SOFTWARE
P. O. Box 351
West Allis, WI 53227
Phone: 414–321–8000
Gen. Fax: 414–321–2211
www.software.rockwell.com
DATE: January 22,2002
TO: A. G. John Ashcroft
FAX: 202–307–1454
FROM: Katherine Tomaszek
TELEPHONE: 414–328–2423
FAX: 414–328–9423
PAGES: 2
Rockwell
Automation
01/22/02 TUE 13:15 FAX 414 325 2233 ROCKWELL SUPPORT 002
ROCKWELL
SOFTWARE
January 22, 2002
A.G John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

As a professional with personal experience in the software industry, I appreciate the role Microsoft has played in the success of the P.C. industry; therefore, the proposed government settlement is a welcome opportunity for all sides to end this agonizing process and focus on business again. The world is a better place because of the incredible contribution of the stable,user-friendly software platform that Microsoft has developed, so any further attempt to destroy this great company would be a mistake that will do severe damage to consumers everywhere.

From my understanding of the agreement, Microsoft has capitulated on several fronts.They are pledging to make it easier for computer manufacturers to mix and match software products on the Windows operating system, while offering a simplified cost structure for its licensing and no obligations to distribute or promote Microsoft technologies. Competing Companies will gain access to the internal interfaces and server protocols of Windows products,with the added opportunity to license its technologies,

With the constant review of a three-person technical committee of software experts,compliance should be eminently verifiable and effective. Hence, there is no need for further action. Please accept this deal and let the I.T. industry get back to developing great products for the public.

Thank you for your assistance.
Sincerely,
Katherine Tomaszek
Rockwell Software
2424 S. 102nd Street
West Allis, WI 53227
Rockwell Software Inc. P.O. Box 351 *
Milwaukee. WI 53201–0351 *
Phone. 414.321–8000 *
FAX: 414.321–2211 * BBS: 216.646–7625 *
Tech Support; 216–646–7800

MTC–00031719

+3604824200 ELMA Y PARCEL 326 P01 JAN 22 '02 11:30
P.0. Box F2
Elma, WA 98541–0628
January 21,2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The issue has gone on long enough and it is time that the government leaves Microsoft alone. Microsoft has been such a net positive to the technology industry and to the economy and yet has to deal with government harassment.

Microsoft has agreed to compromise on all the major issues that were in dispute in the suit. They agreed to give computer makers the flexibility to install and promote any software that they seem fit. They agreed to license Microsoft products at a standard rate to computer makers, no matter what other software they promote. They also agreed not to enter into any agreement that obligates computer makers to exclusively install or promote Microsoft software. Microsoft has agreed to a lot in order to put the issue behind them.

The terms of the settlement are fair and the government should accept them. Microsoft and the technology industry need to move forward and focus their concentration on business, not on defending themselves from more lawsuits. Please accept the Microsoft antitrust settlement.

Sincerely,
John Shooner

MTC–00031720

01–22–2002 08 : 03AM FROM COUNTRY MOTORS TO 12023071454 P. 01
Country Motors
1200 Roverside Dr
Mount Vernon, WA 98273
360–428–5040
http://www.cmvs.com
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The settlement is fair and needs to be accepted. Microsoft is a great company that turns out great products and they should not be punished for it.

The whole issue arose out of jealousy. Other companies could not compete with Microsoft products, not because Microsoft was keeping them from competing but because Microsoft products were so much better. Because of the weakness of Microsoft's competitors Microsoft has had to accepta settlement that goes to far. In the settlement Microsoft has agreed to disclose, to their competitors,various interfaces that are internal to Window's operating system products. Essentially Microsoft as agreed to give up part of their system so other companies can catch up, and people are still saying that Microsoft has gotten off easy.

This issue needs to be put to rest. Microsoft is a great company with great products and is being punished for it. The settlement needs to be accepted and Microsoft needs to be allowed to move forward. In order to move forward this issue needs to be put in the past. Please accept the Microsoft antitrust settlement.

Sincerely,
Terry Minor
1200 Riverside Drive
Mount Vernon. WA 98273
TOTAL P. 01

MTC–00031722

Jan 21 02 07:52p UNIONDALE SCHOOLS 292–5097 p.1
Neville G Georges
787 Center Drive
Baldwin, NY 11510–1103
January 18, 2002
Attorney General John Ashcroft
US Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

Here in North Baldwin, NY many monopolies exist, my cable, for example, is a monopoly for this area. The water and gas service are also monopolies. Continuing Monopolies in these industries is seen as prudent and even useful. Yet, the federal government takes great pains to muzzle and strong-arm Microsoft into renouncing their market position because of their supposed monopoly in the computer software industry.Microsoft rose to its dominant position in the software industry thanks to sound principles of innovation and intelligent marketing. In order for a business to be successful in America, it must have a unique product and a good marketing plan. My concern on the issue lies in the fact that the Department of Justice put itself in the position of chasing successful company for the simple fact that it was more successful than its competitors.In my opinion, Microsoft's competitors used the Department of Justice to do their job for them. In that instead of creating a superior product and marketing plan, they chose to tear down the competitive advantage Microsoft has worked so hard to achieve.

Microsoft should definitely comply with the terms of the settlement as delineated by the Justice Department. This settlement contains a series of provisions, increasing competition and forcing Microsoft to change its business practices. They have agreed to these provisions and this settlement to serve the public interest and to allow this country and themselves to move forward.

Please stand by the decision made on November 6 of last year to let the states settle with Microsoft without further federal intervention.

Sincerely,
Neville Georges

MTC–00031723

JAN 22 '02 15:38 P. 1
872 Lake Jackson Circle
Apopka, FL 32703
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. Microsoft and the technology industry need to move on. A settlement is available and the terms are fair. I would like to see the government accept it and leave Microsoft alone.

Many people think that Microsoft has gotten off easy, in fact they have not. The settlement was arrived at after extensive negotiations with a court-appointed mediator, Microsoft agreed to terms that extend well beyond the products and procedures that were actually a tissue in the suit, simply for the sake of putting an end to the issue. For example, Microsoft will adhere to a uniform licensing agreement and will allow other companies to place their own software on the Windows operating system.

Microsoft, the industry and the government all need to move on. This issue has been dragged out for over three years and needs to be settled. Please accept the Microsoft antitrust settlement.

Sincerely,
Patrick Weld On

MTC–00031724

01/22/2002 15:27 7732383137 ROBERT PETTY PAGE 01
9550 S Winston Avenue
Chicago, IL 60643
January 21, 2002
Attorney General Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

I am happy to hear the federal government and Microsoft reached an agreement in the antitrust case. I believe closure to this long process of litigation can be a springboard for more active competition in the IT industry.

This can happen only if no more action is taken at the federal level and the government does not continue to sue Microsoft.According to the settlement reached with Microsoft, the company will change the way it develops and markets its products. There will be a committee to ensure the company complies with the agreement and competitors will have the ability to sue Microsoft if they think the company is not complying with the agreement. With these guidelines in place, we as people of the United States need to move forward.

For the sake of the IT industry and consumers, we need to allow Microsoft to resume delivering prime technology to the national and international marketplace. This will be in the best interest of our country and our economy.Please to not take more action against Microsoft. Thank very much for your time and consideration.

Sincerely,
Robert Petty

MTC–00031725

01/22/2002 15:44 8476396591 BRYKOWSKI PAGE 01
01/22/2002 TUE 15:30 FAX 800 641 2256 002
60 Lake Zurich Drive
Lake Zurich, IL 60047–2228

January 21, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to express my satisfaction at the settlement agreed to between the Department of Justice and Microsoft Corporation on November 2, 2001.The settlement reached provides that Microsoft disclose more information about its software and an oversight committee created by the government that could ensure Microsoft's cooperation.

This is a just settlement reached through intense negotiations on both sides.After three years of litigation, it is now time to allow Microsoft to continue providing new and innovative services to its'' consumers. Under the new guidelines set forth in the agreement, Microsoft will be able to continue to lead the technology market while also creating competition.Now that this settlement has been reached, I hope that no further action is taken against Microsoft. Thank you for your time.

Sincerely,
Romam Brykowski

MTC–00031726

JAN-22–2002 15:51 P. 01/02
FACSIMILE TRANSMISSION
TO: Renata Hesse
FAX: 202–307–1454
FROM:
PAGES (including cover): 2
DATE:
Mesaage:
JAN-22–2002 15:51 P.02/02
January 14, 2002
Renata Hesse
Antitrust Division
Department of Justice
Fax: (202) 616–9937
Fax: (202) 307–1454

Dear Ms. Hesse:

Please add my support for the recent Microsoft settlement. From everything that I have read, this appears to be a reasonable accord.Our country has been paralyzed for some time now: we have a war going on overseas and we are now officially in a recession. An uplift is needed from some sector of our economy. I strongly believe that the settlement agreed upon will be the vehicle required to spur on new, and much-needed economic growth.

My reasoning is based on past economic performance. Microsoft has been a Goliath in our modern-day economy. They produced much of the gains made during the 1990's and have been the source for thousands of new businesses and hundreds of thousands of new jobs. Once this lawsuit is behind them, they will be able to begin producing the same kind of results for our languishing economy.

This settlement was good for the county. I understand that new Windows design obligations were agreed upon and that Microsoft agreed to share information regarding its windows operating system. I'm pleased to know that this settlement was reached in such a timely manner.

Thank you for listening to my opinions on this issue.

Sincerely, Sincerely, Sincerely,
Tom Feeney Andy Gardiner Jim Kallinger
Speaker of the House Florida House of Representatives District 35
TOTAL P.02

MTC–00031727

01/22/02 12:12 PM 8189901897 Bell Solutions. net Page 1 of 2#1011
Terrence H. Bell, CPA
Address: 15821 Vetura Boulevard
Suite 275
Encino, CA 91436
Phone: 818 990–6363
Fax: 818 990–1897
To: John Ashcroft
Company:
Fax: 202 307–1454
From: Terry Bell
Subject:
Memo:
Microsoft Settlement
Terrence H. Bell
Certified Public Accountant
Terrence H. Bell CPA
Donna Smith. EA
January 9, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft

I write concerning the antitrust settlement between Microsoft and the federal government. I am a Certified Public Accountant and it is in the best interest of my firm, which handles tax issues for small business and individuals, for this matter to be settled expeditiously through settlement. At first, you might not think this lawsuit could have an adverse affect on a business such as mine, however, it has. In fact. it has impacted the entire economy, which of course affects my prosperity. To settle this matter would be a step in the right direction toward getting the economy back on track, and hence stimulating business for my firm and many other companies across the country that are in a similar situation. Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in Windows. It has also agreed to design future versions of Windows, beginning with the next release of Windows XP, to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Micros&I software within Windows. Lastly, Microsoft has agreed not to enter into any agreements requiring any third party to distribute or promote any Windows technology exclusively or in a fixed percentage. If these concessions don't make Microsoft's competitors happy, I don't know what will. There are several more major components of the settlement that I am sure you are familiar with.

The settlement goes above and beyond addressing the main complaints of the government and should satisfy both the government and Microsoft's a adversaries. It is fair and reasonable and should not be allowed to be derailed by a handful of Microsoft's adversaries who will not be happy until Microsoft is broken up, which of course, is completely unnecessary and unjust.

Sincerely
Terrence H. Bell
Certified Public Accountant

P.S. The news conference on 1/22/02 was great!

15821 Ventura Blvd. Suite 275 Encino, Ca 91436 * (818) 990–6363 (800) 890–6343 * (8I8)
990–1897 FAX
Visit us on the web at http://www.bellcpa.com or email us at Info@bellcpa.com

MTC–00031728

01/22/2012 15:38 7756654893 SCHORNSTEIN PAGE 01 1–22–02
ATTEN: Ms. Renata B. Hesse

Dear Ms. Hesse,

Without any reservations, I support the Microsoft settlement.

The benefit to the nation and to the taxpayers is huge. To settle this also is the fair action to take. Consumers will be the largest benefactors, and, as a consumer, I do like the opportunity to express my note to settle with Microsoft Now!

Sincerely,
Marilyn M. Schornstein
6746 S.W. 89 Terr.
Miami, FL 38156

MTC–00031729

Jan 22 02 12:4Op p. 1
Microsoft
MICROSOFT CORPORATION
123 Wright Bros Dr, Suite 200
Phone: (801) 257–6300
Salt Lake City, UT 84116
Fax: (801) 257–6501
United States Of America
Internet: http://www.microsoft.com
MS FACSIMILE
TRANSMITTAL FORM
TO: John Ashcroft FROM: Karen Wadsworth
Company: Attorney General
Bldg/Room:
cc: Phone: 801–257–6387
Phone:
Date & Time:
Fax: 1–202–307–1454 or l-202–616–9937
Number of Pages: 2
Jan 22 02 12:40p p.2
Microsoft Corporation
Tel 801 257 6300
123 Wright Brothers Drive
Fax 801 257 6501
Suite 200
http://www.microsoftcom/
Salt Lake City, UT 84116
2042.S 1300 W
Woods Cross, UT 84087–2382
Microsoft
January 21, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

Over the past three years, Microsoft and the Department of Justice have waged a veritable war in the federal courts. Six months of round-the-clock negotiations were necessary before a settlement could finally be reached, and I still do not think Microsoft; has been treated fairly.

Nevertheless, this has gone on long enough, and I think it's time for the Justice

Department to move on. Microsoft agreed to terms under the settlement that extend to products and procedures that the Court of Appeals did not find to be unlawful. In other words, Microsoft has been generous, and I do not believe the Department of Justice should press the issue. Microsoft has agreed, for example, to license its Windows operating system to twenty of the largest computer makers on identical terms and conditions. Microsoft has also agreed to disclose source code and interfaces to its competitors for their use. The competitors will then be able to introduce their software directly into Windows.

Microsoft is willing to settle on these terms, and I believe it is in the best public interest to do so. No further action needs to be taken on the federal level. This has gone on long enough; it's high time to move on. I urge you to support the settlement.

Sincerely,
Karen Wadsworth

Microsoft Corporation is an equal opportunity employer.

MTC–00031730

ABCO ENGINEERING CORP. ABCO ENGINEERING CORP.
801 Second Avenue S. E.
* Oelwein, Iowa 50662
* Phone 319/283–5652
* Fax 319/283–2600
January 22, 2002
Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Subject: Letter of support for Microsoft Settlement
To all concerned:

The information I have read indicates the settlement is a true compromise. The prime factor is that everyone in the technology field can get back to work. Our economy depends on the free enterprise system working. Everyone benefits from the settlement of this case: the technology industry, the economy and the consumer.

Antitrust laws were designed to protect CONSUMERS. As I see it, this was specific companies in the technology industry endeavoring to protect themselves from competition. The free enterprise system allows any business to succeed or fail—and we must do that in the marketplace.

Though I fail to see the basis for the litigation, I do commend the Court for the settlement proffered.

May God save us from destroying our nation from within!

MTC–00031731

January 15, 2002
Attorney General Ashcroft
US Department of Justice
950 Pennsylvania Ave.
Washington DC 20530

Dear Mr. Ashcroft:

This letter is so that I may go on record as supporting the settlement reached between the Microsoft Corporation and the Department of Justice. I am glad to see that the three years of litigation is over; my only hope is that there will be no further litigation against Microsoft at both the state and federal levels.

The proposed settlement has teeth, and Microsoft is not getting off as easy as I'm sure they had wished. However, the terms of the agreement are fair, and they will help the IT industry become much more competitive. Microsoft has agreed not to strike back at companies that produce, ship, or promote software that competes with Windows. The competitors will now be free to make a profit without worrying about the reprisal from Microsoft.

I am all in favor of this settlement. America's economy needs help, and this settlement is it. I hope that you can convince Tom Reilly, our State Attorney General to see that.

Sincerely,
Prank De Piano
352 Park St. Ste 205
North Reading, MA 01864

MTC–00031732

Lester Associates, Inc.
383 Main Street, Suite 202,
Chatham. NJ 07928–2100
Telephone: (973) 635–2254,
Fax: (973) 635–7449,
Email: info@lester.com
January 21,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

Apparently the settlement reached by the U.S. Justice Department and Microsoft has caused somewhat of an uproar among Microsoft's adversaries who unsuccessfully pushed for a break-up of the company, This is unfortunate, because the settlement addresses and resolves the issues at hand in a very fair and even-handed way for all of the parties involved. Microsoft did not need to be broken up to accomplish this objective.

An example of the settlement going a long way to ''level the playing field'' is Microsoft's unprecedented concession to disclose significant portions of the code for its' Windows operating system to competitors. Additionally, it has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows, Finally, it will no longer retaliate against computer makers who ship software that competes with anything in its Windows operating system. While only one aspect of the settlement, this alone should make Microsoft's competition very happy, as it will make things easier for them to appropriate ideas without actually having to work harder.

Innovation and advancement suffered as a result of the lawsuit. Hopefully the settlement will be finalized soon so we can move forward again.

Sincerely,
Joseph Lester
President

MTC–00031733

FROM : Bill Riddell
FAX NO. : 831 392 1744
Jan. 22 2002 12:02 P1
—L. W. (Bill) Riddell, Consultant—
6 Osio Way—
Del Rey Oaks, CA 93940–55
10—Ph. & FAX 831–392–l744
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing this letter to express my opinions about the settlement that was reached last November between Microsoft and the Department of Justice. I am in favor of this agreement because it brings an end to the three years of litigation that have been plaguing Microsoft, and hampering innovation in the entire IT industry.

Microsoft did not get off easy in the settlement, and they have had restrictions and obligations placed on them that were never even an issue in the initial suit. They have agreed to turn over, to their competitors, interfaces that are internal to the Windows operating system, as well as coding in Windows that is used to communicate with other software. These terms go a little far, but what is done is done. We now need to put all of this behind us and move on.

Although I don't feel this case should ever have begun in the first place, I support the settlement since it squashes the litigation that has been hampering the technology industry for years now. The proposed agreement between Microsoft and the Department of Justice must be approved as soon as possible.

Sincerely,
Lawrence Riddell
Phone 831–392–1744

MTC–00031734

KARL.SIMONE.WOLFS
JAN-–22–2002 04:54 PM
727 796 5736 P.01
To: (202) 307–1454 or (202) 616–9937
Mr. and Mrs. Karl E.Wolfs
2645 Prisco Dr.
Clearwater, FL 33761–3823
DEPARTMENT OF JUSTICE 1/22/02
(727) 796–5736
ATTN. Ms Renata B. Hesse:
Re: Microsoft

Please advise the Attorney-General to accept the Microsoft offer and settle the case. I think $35 million is enough money—do not carry on case at more expense to us taxpayers.

Sincerely,
Karl Wolfs

MTC–00031735

Marcus Dixon
3 Ridgewood Road
Glen Rock, PA 17327–9794
January 22, 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 the Department of Justice has ended its three- year antitrust lawsuit against Microsoft with a strong and binding agreement. It will most certainly have profound implications for all software publishers, the rest of the American

Information Technology industry and consumers. Under the agreement, computer manufacturers were granted new rights to configure systems with access to various Windows features. Microsoft must also design future versions of Windows to make it easier to install non-Microsoft software and to disclose information about certain internal interfaces in Windows.

The government even went so far as to create an ongoing technical oversight committee to review Microsoft software codes and books, and to test Microsoft compliance to ensure that Microsoft abides by the agreement. What more could Microsoft's competitors want? Maybe a front door key to the corporate headquarters would suffice them! America's economy needs a break. This American company, Microsoft, with its world-renowned success, affects a big part of America's economy. I hope never to see another federal government lawsuit against Microsoft beyond this settlement.

Sincerely,
Marcus Dixon
cc: Senator Rick Santorum

MTC–00031736

Carol Trasport
138 Lake Ring Drive SE
Winter Haven, FL 33884–1438
January 21, 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 issue. I feel that the settlement that was reached in November is fair and reasonable, and I am anxious to see this dispute resolved. Microsoft is a great company that offers quality products to consumers. As a consumer, I do not want to feel adverse effects because of this costly litigation battle.

Microsoft has agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, for the sake of ending the court battle. Noteworthy provisions among the many Microsoft has agreed to include: licensing its Windows operating system products to the 20 largest computer makers on identical terms and conditions (including price), thus removing Microsoft's leverage to obtain favorable treatment; and revealing internal information about Windows to competitors, thus helping rival companies write software that works well with Windows.

The settlement is comprehensive and appropriately addresses the issues of underlying the lawsuit. By removing the legal cloud hanging over Microsoft and the industry that depends on it, this settlement will benefit America's economy. Please support it.

Sincerely,
Carol Trasport

MTC–00031737

State of New Hampshire
HOUSE OF REPRESENTATIVE
CONCORD
January 8, 2002
Rep. Marc Pappas
(603)669–6188
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Attorney Hesse,

Please accept this letter as public comment on the case of U.S. v. Microsoft. Although I am unsure of all of the proceedings and technicalities of the decision, I have followed the process enough to know that too much of the Federal government's time has already been spent on this case.

Millions of taxpayer dollars have been spent prosecuting Microsoft and arriving at this decision. Many people have worked diligently on both sides of the case. These people should now spend their time working important problems, investigating harmful companies, not those who benefit consumers.

With war being waged and the economy being so uncertain America needs leaders in all areas, especially technology and computer science. Microsoft is one of these leaders and has accomplished tremendous advances in the past several years. By tying Microsoft up in the courts, or worse, actually punishing them further, the government would only serve to limit technological pursuits and spend taxpayer money.

I have used Microsoft's software and find it the best in the industry. As with any product and/or service improvements are necessary but, I believe that Microsoft attempts these improvements on a regular and timely basis and that further improvements in the computer and technology industry will be enhanced by the regulations of the decision.

Sincerely,
Marc Pappas

MTC–00031738

Pat and Kristin Weeks
Duncanson
Fax 507–524–3163
Phone 507–524–3797
facsimile transmittal
To: Renata Hesse
Fax: 202–616–9937
From: Kristin W. Ducanson
Date:
Re: Microsoft Pages: 2
cc:
Renata B.Hesse
Antitrust Division
U.S.Dept.of Justice
601 D. Street NW
suite 1200
Washington DC 20530–0001

Dear Ms.Hesse

I wanted to take this opportunity to encourage the Dept. of Justice to finalize the Microsoft settlement as soon as possible.

As the mother of four children, farmer and small business owner the recent events of our country have made me take pause to examine the role of our taxpayer dollars in the current United States situation. The lawsuit against Microsoft in nine states and at the federal level has used enough taxpayer dollars found out information it is time to settle and use working Americans dollars in a much wiser manner.

I support the settlement and hope that the Justice Department moves quickly to put an end to this matter.

Thank you for your time.
Kristin Weeks Duncanson
57746 Hwy. 30
Mapleton, MN 56065
507–524–3797
507–524–3163

MTC–00031739

To: Ms. Renata Hesse
Fax #: 1–202–616–9937
From: Phillip W. De Vous
Date: January 22, 2002
Total number of pages (including covet sheet):3 pages

Dear Ms. Hesse:

In line with the provisions for public comment provided for in the Tunney Act, I would like to offer a few comments from the Acton Institute concerning the Microsoft settlement.

I appreciate your time and consideration in reviewing the attached letter. Should you have any questions, please do not hesitate to contact me at (616) 454–3080 or at pdevous@acton.org.

Yours truly,
Phillip W. De Vous
Public Policy Manager
Acton Institute for the Study of Religion and Liberty
161 Ottawa NW, Suite 301,
Grand Rapids, Michigan 49503
Phone: (616) 454–3080
* Fax: (616) 454–9454
January 10,2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D. Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Under the provisions contained in the Tunney Act providing for public comment on the Final Judgment Stipulation and Competitive Impact Statement in the case of United States vs. Microsoft, I am pleased to offer some comments on behalf of the Acton Institute for the Study of Religion and Liberty concerning this important settlement. The work of the Department of Justice in soliciting a wide and varied consultation in this most important legal matter is greatly appreciated.

The primary goal of antitrust law and legislation is to protect consumer interests, in attempting to assure that no one corporation illegally or unethically dominates the market choices that consumers are able to make. In a society of free and open markets the consumer is the primary arbiter of what products and services are chosen and, ultimately, of which businesses remain profitable and viable. In the case of Microsoft, consumers have consistently chosen Microsoft products over those offered by Microsoft's competitors.

As a result of the information communicated by consumer preference, it seems that the Department of Justice has failed to show in the case of United States vs. Microsoft the harm perpetrated on the consumer, thus undermining the very

purpose of antitrust laws designed for the protection of consumer interests. Rather, it seems that powerful competing interests have decided to take the battle for market share out of the free and open marketplace and into the courtroom. This battle for market share is most appropriately decided by the free choice of the consumer, not by judicial fiat.

This lawsuit and the pending settlement if an example of a troublesome tendency of the government to meddle in the processes of the free market. Furthermore, it seems that a regime of increased government regulation on the technology industry will be the inevitable result of this legal settlement. Innovation, creativity, and a level of high risk are the hallmarks of the technological revolution that has marked our nation in the last two decades. Entrepreneurs in this industry know from the outset that the level of risk undertaken and endured in the technology sector is a phenomenal one. Given the fast pace of technological innovation and the need to stay abreast of these innovations, the last thing that should occur in the technology industry is a regime of increased regulation. The proposed independent Technical Committee (TC), which would oversee and evaluate Microsoft's compliance with the settlement terms, is an excellent example of burdensome government intrusion into an industry that requires maximum freedom to innovate and to be creative. This committee's authority to hire unlimited staff, its on-site location at the Microsoft campus and its costs being entirely at Microsoft's expense is an unprecedented and unnecessary enforcement mechanism. Furthermore, it is my opinion that this committee constitutes a completely illegitimate intrusion of the government into the workings of private industry and, in effect, will serve to give Microsoft's competitors an unfair innovative advantage in the marketplace, as they will not be subject to this suffocating regulatory burden.

The final aspect I would like to comment upon, concerning the settlement of the United States vs. Microsoft, concerns the issue of intellectual property rights. As part of the settlement, Microsoft is forced to disclose the proprietary codes and other technical information that enables any Widows operating system to communicate with Microsoft servers and middleware products. These code's and technical information are the result of the research and development conducted by Microsoft. Microsoft alone has incurred the expense and risk associated with the development of these operating systems and middleware products. To set aside Microsoft's right to protect and profit from the product of its labor sets a dangerous precedent for all industries that rely on intellectual property derived from costly research and development. Unfortunately, one serious unintended effect of the forced licensing of Microsoft intellectual property will serve to destabilize the environment in which research and development occurs. By lessening the protections surrounding proprietary information obtained through costly research and development, further technological innovations simply become too risky to undertake, as it becomes unclear whether such costs can be recovered in the marketplace. Such a move will cause great harm to consumers, effectively blocking their demand for further and more advanced innovation in the technology market.

I appreciate the opportunity to offer some reflections on just a few of the matters contained in this multi-faceted settlement. Should I or the Acton Institute be of any further assistance in this matter, please do not hesitate to contact me. I may be reached at (616) 454–3080 or at pdevous@acton.org.

Yours truly,
Phillip W. De Vous
Public Policy Manager

MTC–00031740

SCHOOL BOARD
OF THE
CITY OF RICHMOND
301 NORTH NINTH STREET
RIXHMOND, VA 23219–1927
Telephone: (804)780–7714
Fax: (804)780–8133
MARK E. EMBLIDGE
DISTRICT TWO
SCHOOL BOARD CHAIRMAN
(line illegible)
VIRGINIA LITERACY FOUNDATION
700 EAST MAIN STREET, SUITE 1605
RICHMOND, VA 23219
Office: (804)225–8777
Home: (804)358–8775
Fax: (804)225–1859
January 18, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Sreet NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Over the past several months I have advocated for an end to the Microsoft case. I have written several letters on this subject to various officials. I repeatedly have said that the devastating events of September 11 further damaged our already weakened economy and that the technology sector has been having a particularly difficult time.

I now understand that a settlement is in the works. The summary I have looked at has particulars that cover a gamut of issues from uniform pricing to a redesign of Windows, to intellectual property rights, to a compliance committee. All of these elements contribute to a strong agreement that makes me hopeful that the end is in sight. With our economy showing tremendous weakness, we need to do everything we can to encourage new products being brought to the market to stimulate consumer spending. Everyone involved in this case needs to get out of the courtroom and back to work.

I thank you for the opportunity to express my views.

Sincerely yours,
ss

MTC–00031741

PETRULAKIS JENSEN & FRIEDRICH, LLP
ATTORNEYS AT LAW
FACSIMILE TRANSMITTAL SHEET
TO: Renata Hesse
FROM: George A. Petrulakis
COMPANY: Antitrust Division, Department of Justice
DATE: 01/22/02
FAX NUMBER: (202) 616–9937
1130–12TH STREET, SUITE B
POST OFFICE BOX 92
MODESTO, CALIFORNIA 95353–0092
TEL: (209) 522–0500
FAX: (209) 522–0700
MAILING ADDRESS:
POST OFFICE BOX 98
MODESTO, CA 95354–0098
PJF@PJFLAW.COM
CERTIFIED SPECIALIST, ESTATE PLANNING,
TRUST AND PROBATE LAW, STATE BAR OF
CALIFORNIA OF LEGAL BOARD SPECIALIZATION
GEORGE A. PETRULAKIS
JUOY A. JENSEN
MATTHEW J. FRIEDRICK
TED M. CAORAL
January 22,2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

I encourage the Unites States Federal Court to approve of the consent decree proposed in the case of US v. Microsoft. I do not agree with spending another tax payer dolIar on this case. As a community activist and community columnist who cares about issues, I pay close attention to the wasteful spending which goes on at every level of government. I have read on the Citizens Against Government Waste website about all the money which has been spent on the Microsoft case and am shocked. This case has accomplished very little good for our country.

This is not a time for wasteful spending. Billions are being spent on the war against terrorism. The recession and important tax cuts have greatly reduced the amount of incoming revenue going into the federal government. We should not even consider frivolous spending like US v. Microsoft when there is talk of spending social security receipts to cover the cost of running the government.

This is a strong and positive settlement. Please approve of it and put an end to the wasteful spending.

Sincerely,
George A. Petrulakis, Attorney at Law
Petrulakis, Jensen and Friedrich

MTC–00031742

FROM: ANTHONY P. CAPONE
PHONE NO. : 412 833 4451
3982 Mimosa Drive
Bethel Park, Pennsylvania 15102
January 9,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to use this opportunity to give my views on the settlement that was recently concluded between Microsoft and the Justice Department. I believe this settlement is fair and should implemented as soon as the comment period ends.

Microsoft has agreed to design future versions of Windows that will include a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. With this mechanism, consumers will have the freedom to choose to change their computer's configuration at any time. So if consumers do not like the products made by Microsoft, they will be able to make their feelings known through their actions.

Hopefully with your lead in support of concluding this case, the nine states that have not joined the settlement will change their positions. These states could make better use of their resources, just like the federal government, in settling this case as quickly as possible. Thank you for this opportunity to make my feelings known.

Sincerely,
Anthony Capone
cc: Senator Rick Santorum

MTC–00031743

THE IVERS COMPANY
Providing Financial Services Since 1974
Henry L. Ivers
Teresa Pinkert, Esquire
73 Puritan Road
Swampscott, Massachusetts 01907
(781)596–0991
FAX# (781)–592–7161
FAX COVER SHEET
FAX# 1–202–616–9937
DATE: 1/22/02
TO: Microsoft Settlement
TIME:
FROM: Henry
NO.OF PAGES: 1 Incl. Cover
RE:

DEAR

These 9 Attorney Generals have used the gov't + now they are using the court to further the agenda of businesses that are located in their states. If the truth were known about their political agendas + financial interest it would make Microsoft seem like choir boys, who just work night + day to make what is a great product and have at times tried to market it a bit to aggressively. Okay they have been slapped on the hands + somewhat constrained. To continue further brings the consumer, the economy, + the country no short or long term benefit + its time to move on and not to be manipulated by these 9 states.

MTC–00031744

SENT BY: GEMPLEX;
8708 Snowhill Court
Potomac Maryland 20854
Date: JAN–22–02
To: Attorney General John Ashcroft
U.S. Department of Justice
Phone Number: 7036107280
Fax Number: (202) 307–1454 or (202) 616–9937
From: Gian Dilawari
Phone Number: (301)299–3363

Regards,
Gian Dialwari

VIA FACSIMILE
Attorney General John Aschroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express my concern regarding the status of the Microsoft settlement. We have been through a lot, but now it is time to move on. One area in which we need to move forward is the Department of Justice and Microsoft settlement. The case aaginst Microsoft was finally resolved after three long years of investigation and litigation. Microsoft agreed to a number of demands imposed by the Department of Justice, which has opened up the firm to non-Microsoft products. Microsoft has also agreed to terms which were not even part of the original lawsuit. I believe it is best for our country and economy if we let the current settlement stand. I say this because Microsoft is a very integral part of our country's economy. As CEO of Microsoft, Bill Gates made the technology revolution, standardizing computer software and bringing it down to the average consumer. While Microsoft might have been too aggressive in some of his business practices, Microsoft has been disciplined, and no future good can come of rehashing the settlement further.

I urge you to give your full suppport to ensuring that the settlement remains as is, and allow us to get back to more important issues.

Sincerely,
Gian Dilawari

MTC–00031745

JAN–22–2002 16:18
403 Sandalwood Drive
Evansville, IN 47715
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to voice my support for the settlement that Microsoft reached with Department of Justice in the anti-trust lawsuit against Microsoft. Microsoft is a good company whose success should not be punished. I am glad the matter was resolved and hopeful that no further court action will be taken.

Microsoft made many concessions to bring this case to settlement; some items that I do not believe were necessary. The settlement calls for the establishment of a three-person technical oversight committee that will watch over Microsoft's business operations. Any company can lodge a complaint against Microsoft and the committee will handle the resolution of the dispute. This will allow competition in the technology industry and provide consumers with better choices in the marketplace, which is certainly in the best interest of the public. Microsoft is a great company. They are successful today because of innovative ideas and smart business decisions. It is time to let the people at Microsoft get back to the business of shaping the technology industry. I would like to see the lawsuit settled and bring an end to this costly litigation.

Sincerely,
Mike Schulz

MTC–00031746

2115 Brookhust Avenue
Columbus, OH 43229–1585
January 14, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to urge you to settle the antitrust case against Microsoft. I feel that the case has been going on long enough, and that the terms of the settlement are fair.

Competitors of Microsoft will gain much from the settlement. The internal interface of Microsoft's famous Windows will be opened up to free, gratis. They will be able to license other intellectual property of Microsoft on reasonable and non-discriminatory terms. They will be able to complain to a Technical Committee, which will oversee Microsoft's conduct, and to file a complaint in court if they are not satisfied. I do not see how Microsoft's competitor could have any reason to complain about this settlement.

Please finalize the settlement agreement between the Justice Department and Microsoft. Thank you for your attention.

Sincerely,
Michael Adams

MTC–00031747

Sent By: LEGENDARY SYSTEMS; 5105870901; Jan-22–02 17:04;
Legendary Systems
January 10,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft,

With regard to the lawsuit and subsequent settlement between Microsoft and the government, I am writing to express my full support of the settlement and the necessity for its speedy finalization.

I operate an e-commerce consulting company that utilizes and depends on Microsoft software. We use Microsoft products by choice, simply because they are the best—not because anyone forced us to or because Microsoft is a Monopoly that leaves us no other choices. Microsoft was the first to develop and successfully market a seamless operating system and that is why they are the industry leader. They should not be penalized for this.

I understand the settlement is encountering some trouble because certain adversaries of Microsoft, who opted to not join in on the settlement with everyone else, are attempting to derail it. If they are successful in their attempt, it will be a major set back for the entire technology industry. Continuation of this litigation will only serve to hinder Microsoft's productivity. It will cause collateral damage throughout the entire industry. The settlement will ensure more accessible software and better business practices, enforced by a new Technical Committee.

Microsoft must be allowed to settle this case as it and most of its opponents want to. It is absolutely necessary for the sake of innovation.

Sincerely,
Tony Lee
President

300 Frank H. Ogawa Plaza. Suite 350
Oakland. CA 94612
Telephone:510.587.0900
Facsimile:
510.587.0901
www.Legendary.com

MTC–00031748

01/22/02 19:50 FAX 8139755039
UNIVERSITY VILL 01
U.S. Department of Justice
January 22,2002
Attention: of Ms. Renata B. Hesse

Please put an end to the government's long running legal assualt on Microsoft, which has cost the taxpayers more than $35 million and undermined one of the primary engines of America's economic growth.

The proposed settlement is fair and acceptable.

David Knight
12401 N. 22nd St. Apt. D 607
Tampa, Fl. 33612–3108
FAX number
(202) 307–1454 or
(202) 616–9937

MTC–00031749

Tuesday, January 22, 2002 7:O1 PM 1–516–887–3184 p.01
Attention: Mr. John Ashcroft
Date: 1/22/02
Company: Number of Pages: 2
Fax Number: 1202–307–1454
Voice Number:
From: Jean Donohue
Company:
Fax Number: 1–516–887–3184
Voice Number:
Subject:
Comments:
Tuesday, January 22, 2002 7:O1 PM 1–516–887–3184 p.02
Jean M. Donohue
26 Irving Place
Lynbrook, NY 11563
January 22,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft settlement issue. I support the settlement reached between Microsoft and the government, and I support this company in this three-year-long debate. I hope this litigation against Microsoft can end with the finalization of this settlement.

This settlement is a complete agreement, which Microsoft has agreed to fully uphold. Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers and has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows.

Please support this settlement. The provisions included in this agreement are fair and will benefit consumers and the economy. Thank you for your time.

Sincerely,
Jean M Donohue

MTC–00031750

FROM : QPINKA ENTERPRISES FAX NO. : 520 625 5615 Jan. 23 2002 04:38AM P1
1–20–02
James & Jean Spinka
493 Paseo Chuparosas
Green Valley, AZ 8561
ATTN:
DOJ
Ms. Renata B. Hesse
WE SUPPORT THE MICROSOFT SETTLEMENT
TO DOJ
Jean & Jim Spinker

MTC–00031751

JAN-22–2002 03:30 PM NUEVO MARKET INC 9099281197 P.01
January 22,2002
Ms. Renata B. Hesse
(202) 307–1454
Department Of Justice

Dear Ms. Renata B. Hesse:

Microsoft is doing an excellent job. The lawsuite should never have been started. It was a total waste of taxpayer funds. There has been a settlement agreement. Hold to the agreement.

Sincerely,
Floyd E. Brooks
P. O. Box 54
Perris CA. 92572

MTC–00031752

819 Harmony Lane
Mandeville, LA 70471
January 21, 2002
Attorney General John Ashcroft
Department of Justice
Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

As a supporter and avid user of Microsoft products, I would like to see this antitrust case resolved as soon as possible. I feel that the settlement reached between your office and

Microsoft was fair and reasonable, and that it was extensive enough to correct not only the current problems, but future problems as well. No more action is necessary at the federal level, and would only interrupt the ongoing negotiations between Microsoft and nine states. Microsoft has agreed to change the way it develops, licenses, and markets its products, and has granted broad new rights to software engineers and computer makers. Under the terms of the settlement, they can configure Windows so as to promote non-Microsoft programs that directly compete with the programs already included within Windows Also, Microsoft will document, for use by its competitors, various interfaces in its Windows operating system.

I fear that the states that would continue with litigation are more concerned with return on investment than with consumer protection. I believe that if this case is judged by its merits, then it is easy to see that the problems that brought the lawsuits have been addressed. A technical oversight committee will ensure that Microsoft complies with the terms of the settlement, and the competition will be allowed to sue Microsoft if they feel that they have been treated unfairly. These provisions should avoid future wasting of federal funds, and should keep the complaints sincere. Just as Microsoft is being kept in check, the companies that wish to take Microsoft's market share should be carefully watched. Thank you.

Sincerely,
Daniel Dryer
Jan 22 02 04:56p Fogarty Dryer 985–624–5026 p.1

MTC–00031753

01/22/02 17:58 FAX 6107933607 BARRON 01
Patrick Baron
20 McMullan Farm Lane
West Chester, PA 19382
January 17,2002
AG John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

As a concerned citizen of this great nation, I am writing to give my support to the settlement between Microsoft and the Justice Department. This case has been in litigation for three years now. It is time to bring closure to this case, since there is no monopoly to begin with. Microsoft just develops better products then its competitors.

However, I feel that the provisions of the settlement are both fair and reasonable. For instance, Microsoft has agreed to allow computer makers to remove the means by which consumers access various features of Windows, especially sophisticated software like Microsoft's Internet Explorer web browser, Windows Media Player, and Windows Messenger. They can then replace them with similar software like Netscape and AOL IM.

Furthermore, Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. I ask that the government stop continued legal action against Microsoft.

Sincerely,
Patrick Barron
Cc: Sen. Santorum

MTC–00031754

06/30/1995 01:37 12094774094 GEORGIA PAGE 01
1–22–02
DOJ
Attn: Renata B. Hesse
Re: Microsoft As a taxpayer and consumer I support the Microsoft settlement.
Thank You.
Georgia Schrum
Georgia Schrum
10550 Davis Rd.
Stockton, CA 95209

MTC–00031755

JAN-22–2002 05:24 PM ALLEN SCHAARSCHMIDT 1 610 515 1337 P.01
Allen Schaarschmidt
910 Gall Road
Easton, PA 18040–6522
January 20,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I would like to go on record as supporting the settlement that was reached last November between Microsoft and the Department of Justice. It is about time that the antitrust lawsuit that was filed three years ago has finally been extinguished, and I hope that the nine remaining states that are continuing will follow the lead of the Department of Justice.

The court costs incurred by the Department Justice and the Microsoft Corporation are higher than the GDP of some small countries. Too much time and money have been wasted on this matter; worsening the recession. Microsoft has made a concession that is a first in an antitrust settlement: the sharing of source code and interfaces that are internal to their software with competitors for instance. Additionally, an oversight committee set up by the government will constantly monitor Microsoft. Everything that was needed is now done; let us put this issue behind us and move on.

I support the settlement that has been reached between the Microsoft Corporation and the Department of Justice.

Sincerely,
Allen Schaarschmidt
cc: Senator Rick Santorum

MTC–00031756

JAN 22 ''02 05:39PM LINCOLN LAB GRP 94 P.1
January 19,2002
159 Elsinore Street #8
Concord, MA 01742
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing regarding the settlement that was reached between Microsoft and the Department of Justice. I support the settlement, because the terms are both fair and reasonable for everyone involved.

Microsoft will be making a number of specific changes to their products, and business practices as well. For example, Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. Also, they have agreed to document and disclose for use by its competitors various interfaces that are internal to Windows'' operating system products.

Furthermore, Microsoft has also agreed to the establishment of a three person technical committee that will monitor Microsoft's compliance with the settlement and assist with dispute resolution. I urge the government to terminate their efforts of further prosecution against Microsoft.

Sincerely,
Bob Stock
cc: Representative Marty Meehan

MTC–00031757

JAN-23–2002 03:12PM FROM-K TUCKER CARMEL T-956 P 002/002 F-066
Mr. Renata D. Hesse
(202) 307–1454
January 22, 2002
Dept. of Justice,

It is imperative that you stop the exorbitant government waste of money being spent on the Microsoft lawsuit. As a taxpayer and consumer I support the Microsoft settlement.

Anna L. Loomis
2458 N. Willow Way
Indianapolis, IN
46268–4247

MTC–00031758

Jan 22 02 06:08p lMJOGWDGDODGDOD 6504934303
7420 E Pontebella Drive
Scottsdale, AZ 85262–2727
January 21,2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–000 1

Dear Mr. Ashcroft:

The antitrust case settlement reflects the efforts of intense lobbying efforts on the part of Microsoft's competitors and the lack of concern for the public's best interests from the politicians. The antitrust case has been ridiculous from the beginning. Microsoft has been the leading innovator of technology over the last decade and became successful by developing the best product, not by having monopolistic tendencies.

The terms of the settlement force Microsoft to increase their cooperation with competitors, give up technological secrets to competitors, not enter in to third party agreements for exclusive distribution rights, nor retaliate against competitors who promote or develop new products, and grant broad new rights to computer makers to configure windows so that competitors can more easily promote their own products. These concessions and more make up very harsh terms for a company that played by the rules our capitalist society laid down for it.

Although I think the settlement is flawed, I must support its implementation since I think that further litigation would be even more detrimental to our nation's IT Sector and economy. I urge your office to support the settlement and to what you can to get the nine states that currently want to continue this ludicrous dispute to do so as well.

Sincerely,
ss

MTC–00031759

8730 Lakeshore Lakeshore Drive
Pleasant Prairie, WI 53158
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

I am writing to express my disapproval of further litigation being pursued against Microsoft on any level, federal or otherwise.

After years of legal disputes between Microsoft and the government, a settlement was reached. The settlement seems to be very realistic and was arrived at after intensive negotiations. Microsoft will now share information with its competitors, which will allow them to place their own programs on the Windows system. Additionally Microsoft will license Windows out to the largest computer companies in the U.S. on identical terms, so that there is no possibility of favoritism.

This issue should now be over and Microsoft and the government should now be able to move on and concentrate on the future of our nation, both economically and technologically. I support the settlement, and look forward to the end of this lawsuit.

Sincerely,
Fred White
Jan 22 02 05:14p White Construction cons .414–694–7873 p.1

MTC–00031760

Lakeside Water District
11329 El Nopal
Lakeside, Ca. 92040
January 17,2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

US v. Microsoft is a complex case which I have spent some time trying to learn about. In situations like these, I often defer to individuals more learned than I. I am writing the courts to ensure you are aware of the opinions of Mr. James DeLong, a senior fellow at the Competitive Enterprise Institute. Mr. DeLong's argument was paraphrased in a recent article in the Orange County Register. I would like to share with the courts some of what he said.

About the settlement, Mr. DeLong stated ''Most of all it gets the case done without undue damage''. According to Mr. DeLong, this lawsuit made no sense from the beginning. It focused on Microsoft's monopoly as it relates to processors; specifically, by running only on Intel chips. Yet, Macintosh runs on Motorola chips and is gaining market share each month. Mr. DeLong goes on to say that the real issue is the Internet. And, as we a11 know, Microsoft has nowhere near the Internet dominance of companies like America Online or Yahoo.

The point of all this is-important people like James DeLong not only support the settlement but recognize the absurdity of the case itself. I hope the courts will approve the settlement and end this ridiculous case.

Sincerely,
Frank Hilliker, Board Member
Lakeside Water District

MTC–00031761

JAN-22–02 17:57 FROM:FWMBCC
FORT WORTH
METROPOLITAN
BLACK
CHAMBER OF COMMERCE
January 22, 2002
Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

The Proposed Final Judgment-or settlement-agreed upon on November 6, 2001 between Microsoft Corporation and the U.S. Department of Justice should be accepted by the U.S. District Court as soon as possible. Civil Action 98–1232, The United States of American vs. Microsoft Corporation, reads

like a litany of Microsoft successes not their excesses.

Microsoft products have cornered much of the market because they are the best available. The proposed settlement doesn't lessen Microsoft's consumer appeal, but it does allow consumers added flexibility in use of competitor software.

The settlement needs to bc ratified so the high tech industry can get back to competing in the market. Please end this case and let the market continue to work.

Sincerely,
Devoyd Jennings
President & CEO
1150 S. Freeway. Ste. 211, Fort Worth, Texas 76104 (817) 871–6538 Fax (817) 332–6438

MTC–00031762

From: Sunil Arora
To: Attorney General
Date: l/22/02 Time: 5:18:26 PM Page 1 of 1
RELIANCE TEHNOLOGIES, INC.
INFROMATION TECHNOLOGY DEVELOPMENT, CONSULTING MANAGEMENT
January 16, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

Microsoft could never have achieved its level of success had it not been responsible for developing popular and easy to use software. This lawsuit seems to miss this point and, in essence, penalizes Microsoft for its successes. Now that there is a federal settlement being debated, I wanted to voice my support and urge you to convince Connecticut AG Richard Blumenthal to change his ways and support this wise settlement.

I am relieved that the litigation has ended with a settlement such as this. Even though some of the terms go well beyond the intent of the suit, it is sufficiently fair for both sides to be satisfied. I am nervous about some of the talk of giving out parts of Microsoft's intellectual property, but the bans on retaliatory behavior are palatable, and if they represent a bona fides effort on Microsoft's part, they may be quite beneficial in the long run.

I sincerely hope that we lay this whole sad process against Microsoft to rest.

Yours truly,
Sunil Kumar Arora
Account Manager
RELIANCE TECHNOLOGIES, INC
25 THIRD STREET, 3rd FLOOR
STAMFORD CONNECTICUTUT 06905.
PH: (203) 358–9562, FAX (203) 325–1521
EMAIL: RTIINFO@RELIANCE TECHNOLOGIES.COM
www. RELIANCE TECHNOLOGIES.COM
Microsoft
CERTIFIED A

MTC–00031763

FROM : FEY & GOMEZ, INC. FAX NO. : 515–254–1836 Jan. 22 2002 04:32PM P1
FEY & GOMEZ, INC.
GOVERNMENTAL POLICY SERVICES
5608 Kensington Circle
Johnston, Iowa 501131–1295
Affiliated with FEY, HAUS & ST. CLAIR
January 22,2002
Judge Kolar Kottely
c/o Renata Hesse
Trial Attorney—Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Judge Kottely,

I'm sure you've received a lot of mail on the Microsoft settlement and you've been very busy since the agreement was reached. I just wanted to drop a quick note to let you know that I support the Microsoft settlement. I believe it is a fair and just resolution to a long, drawn-out, and complicated problem.

Why would anyone want to punish someone for being successful? I gather that a lot of heat has been generated against Microsoft because of jealous competitors. Well, this settlement now incorporates a new mechanism that makes it easier for software companies to promote non-Microsoft software into Windows.

The settlement is good and no one was left without a fair deal.

Get this over with, please!

Sincerely,
Thomas H. Fey

MTC–00031764

01/22/02 05:26P P.OO1
USDLA
UNITED STATES DISTANCE LEARNING ASSOCIATION
FACSIMILE TRANSMITTAL SHEET
To: Renata B. Heese
FROM: John G. Flores, Ph.D., Executive Director
FAX NUMBER: 202.307.1454
DATE: January 22,2002
COMPANY: Antitrust Dept. US Dept of Justice
TOTAL NO. OF PAGES INCLUDlNG COVER: 3
PHONE NUMBER
SENDER'S FAX NUMBER: 781.453.2389
RE: The Microsoft Settlement
SENDER'S PHONE NUMBER: 800.275.5162
140 GOULD STREET, SUITE 2008
NEEDHAM MA 02494
PHONE: 800.275.5162 o FAX: 781.453.2389
01/22/02 O5:26P P.002
USDLA
UNITED STATES DISTANCE LEARNING ASSOCIATION
January 22, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
suite 1200
Washington, DC 20530–0001
Re: The Microsoft Settlement

I am writing to you today on behalf of the United States Distance Learning Association (USDLA). Our mission is to provide national leadership in the field of distance learning, specifically to:

* Advocate and promote the use of distance learning;

* Provide current information on distance learning;

* Represent the distance learning community before government policy and regulatory bodies;

* Serve and support the state, consortium and individual organizations that belong to USDLA;

* Provide annual recognition and awards of outstanding achievements in distance learning;

* Serve as a catalyst for the formation of partnerships among education, business, healthcare, and government;

* Achieve a global leadership'' role through liaisons with international organizations;

* Promote equity and access to lifelong learning through distance learning; and,

* Promote diversity in our organization and its programs.

I approach the issue of Microsoft's anti-competitive nature from the perspective of one whose goal it is to expand learning and allow anyone, anywhere, regardless of his or her computer system, to participate in the educational system. Hence, openness and supporting methods to competition are extremely important goals. If a potential distance learner has software that, for whatever reason, makes it impossible to communicate with other, more ''popular'' software, he or she will be shut out from the learning network.

Accordingly, the USDLA supports the remedies that will maximize consumer choice, foster competition and promote interoperability of software products with multiple operating systems, such as the following:

* Microsoft should offer a basic version of Windows to personal computer makers—one that is unencumbered with Microsoft ''add-ons.'' For example, this basic version would make optional any Internet access software, media players, or email applications.

* The software code for Internet Explorer should be made available to other software developers, preventing Microsoft from monopolizing Internet access.

* Some means, such as the suggested auctioning of licenses, should be developed to allow competitors to produce versions of the office software suite to run on non-Microsoft operating systems. In addition, interoperability should be enhanced by the inclusion of ''middleware'' in Microsoft's Windows XP operating system.

The USDLA supports Massachusetts Attorney General Tom Reilly in his efforts to restore competition in the PC operating system market and curb Microsoft's unlawful practices. As the Attorney General states in a recent article in the Boston Globe: ''The Microsoft case always has been about simple, American principles: opportunity, competition, and fair play. Our economy is built on those principles. The future of high technology in Massachusetts demands that we fight for them.''

Similarly, we must fight to preserve the right to lifelong learning for all Americans. Doing so requires that we reject the Microsoft settlement as it stands and seek a more effective and enforceable agreement.

Sincerely,
Dr. John G. Flores
Executive Director
jflores@usdia.org-

MTC–00031765

01/22/02 TUE 18:07 FAX 301 840 1591

ALDEBARON FINANCIAL SOLU 001
January 21, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I would like to take this opportunity to give you my thoughts on the Microsoft Case. I am pleased to see that an acceptable settlement has finally been reached in this case. I also feel that is truly in the best interest of our country and our economy that the settlement be accepted as soon as possible. The settlement is fair and will restore fair competition to the computer industry.

As a software development company, we deal with Microsoft products on a regular basis. I am particularly happy to see that the settlement will allow users to remove any default Microsoft programs from Windows without having to then reinstall the entire operating system. Additionally, OEM's will now be permitted to pre-install non-Microsoft programs within Windows without fear of retaliation from Microsoft. Nor will Microsoft enter into any contracts that would force third parties to solely distribute Windows. Also, Microsoft will be sharing a great deal of their design information with their competitors, namely allowing different server systems to interoperate with Microsoft's systems.

The proposed settlement adequately addresses the issues Microsoft has been accused of, so I ask that you please accept this settlement.

Sincerely,
Chrus Brown
Aldebaron Financial Solutions
15839 Crabbs Branch Way
Rockville. MD 20855
Phone (30I)670–0858
Fax (30I) 840–1591
www. sympaq.com

MTC–00031766

FROM : ARNOLD AND BETTY CIRTIN
FAX NO. : 9163159035 Jan. 22 2002 02:06PM P1
Dr. Arnold Cirtin, CPA
Professer Emertius of Accounting
2017 Archer Circle
Rocklin, California 95765
Telephone and Fax (916) 315–9035
E-mail aclrtin@prodigy.net
January 21, 2002
Attorney General John Ashcroft
Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530
Dear Attorney General Ashcroft:

I respectfully request that you approve the settlement that was reached as a result of the Microsoft litigation. This litigation has been a heavy burden on one of America's finest companies. One product alone, Windows, has enabled millions of us to productively use computers in our businesses and homes, which we would not be able to do otherwise. The settlement has dealt with the concerns of those who feel that Microsoft has unfairly dominated the market; consequently, the federal action should be brought to a close quickly. To continue this case into the future would be to place unnecessary roadblocks in the path of one of America's most innovative industry leaders.

I support the settlement and hope it is accepted as soon as possible.

Sincerely,
Arnold Cirtin, CPA, Ph.D.

MTC–00031767

From:MINIUTEMAN PRESS. 912 356 9895 0l/22/2002 16: 58 #942 P .0O1/O01
January 17,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsvlvania Avenue. NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am writing you today to express my opinion in regards to the Microsoft anti-trust dispute. I support Microsoft in this dispute, and I favor the settlement reached in November. This settlement is complete and thorough, and I am anxious to see this dispute resolved permanently.

Microsoft has agreed to carry our provisions in this agreement, such as: designing future versions of Windows to provide a mechanism to make it easy for computer makers, consumers, and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built into Windows or to non-Microsoft software. Microsoft has pledged to create more opportunities for competing companies.

Microsoft is a company that delivers quality product to the marketplace. I have used Microsoft's products for years now, and I hope I will be able to enjoy these products for years to come. Please do your part to stop litigation against Microsoft. Thank you for your support.

Sincerely,
Anna Gounaris

MTC–00031768

Jan 22 02 09:26p NICOLS 1919 596 1074 p. 1
210 Robbins Road
Durham, NC 27703–9748
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

My name is Betty Nichols. I reside in Durham, North Carolina. I want to encourage the Justice Department to act on the terms of its settlement agreement with Microsoft as soon as possible.

While I do not understand every detail of the settlement agreement, I understand that Microsoft has agreed to open its systems to greater competition by allowing computer makers to offer competitive products within the Windows operating system. I also understand that Microsoft agreed to allow removal of some of its products from the Windows systems. These are significant concessions. I believe that Microsoft has gone the extra mile to settle this case, and they should be allowed to comply with the terms of the agreement rather than continue to waste time and money in court.

I would sincerely like to see this matter brought to a close as soon as possible. I appreciate your time and attention.

Sincerely,
Betty Nichols

MTC–00031769

Jan-23–02 08:37A P.01
3531 Middle Cheshire Road
Canandaigua, NY 14424
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

This is to address the recent settlement between the Department of Justice and Microsoft. This agreement should stand. Enough is enough. It has gone on for three years, costing enormous amounts of time and money both to taxpayers and Microsoft. We need to put this issue behind us and move forward.

I think Microsoft has been more than fair in agreeing to the requests of the Department of Justice. Microsoft has agreed to allow computer makers to ship non-Microsoft product to a customer; Microsoft has agreed to design future versions of Windows, making it easier to promote non-Microsoft software within Windows. Microsoft has agreed to an oversight committee. This is much more than I think any of Microsoft's competitors would do. What happened to free enterprise in this free country?

I urge you to give your approval to this agreement and let us, and Microsoft, get back to business.

Sincerely,
Janice Adams

MTC–00031770

Sent, by:Thornton Jan-23–02 08:48am from 904 725 7969–202 353 8856 page 1/ 1
Fax 1–202–307–1454 or 1–202–616–9937
Subj: MICROSOFT SETTLEMENT
Date: 01/22/2002 5:25:39 PM Eastern Standard Time
From: TomBat2
To: microsoft.atr@usdoj.gov
cc: TomBat2
Dear Sirs:

I feel strongly that Microsoft innovation in computer operating systems has been the driving force behind the rapid expansion of computers into almost every business and home. Some business practices, while structured to further the growth of their company, have not hurt the consumer. To the contrary, their continuous innovations have consistently expanded the usefulness of computers at continuously lower cost.

The antitrust suit may have had some merit relatively to their competitors but little or no value to consumers. The antitrust proceedings seem to have the tone of a vendetta rather than rational legal proceedings.

The time has come to end it.

Sincerely,
Thomas and Beverly Thornton
Jan 23, 2002

MTC–00031771

USC/Canterbury
Canterbury Consulting Group
January 21, 2002
Attorney General John Ashcroft
U.S. Department of Justice

950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:
Public response is important to the settlement of the lawsuit against Microsoft. I am writing in support of this settlement. I think it is in the best interest of the industry to settle this issue and move forward to solve the economic problems that face our industry and country.
In the future I hope that all litigation brought against technology companies, including forcing companies to release source code to third party software developers, is carefully scrutinized and fair. There exists a big difference between those companies that invest tremendous resources over many years to develop unique products— and those who simply copy the work of others.
Sincerely,
Patricia Bednarik
President
USC/Canterbury Corp.
801 Compass Way, Suite 205,
Annapolis, MD 21401
410–573–2022
* 888–472–4721
* Fax 410–573–5228
USC/Canterbury Corp. is a wholly owned subsidiary of Consulting Group, Inc.
Jan 23 02 08:41a USC/Cantwrbury 410–573–5229 p.1

MTC–00031772

01/23/2002 09:37 4137743525 FRANKLIN CTY SHERIFF
160 Elm Street
Greenfield, MA 01301
January 18,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:
The more I read about the recent developments in the Microsoft settlement, the more I get annoyed that it is being further scrutinized. After three years of negotiating, it is clear that this sett1ement was part of a well thought out process that yielded a fair and reasonable agreement. It is time to support this and get back to business.
As our economy continues to falter, it seems more and more imperative to support our technology industry. Microsoft has obviously done so by working hard to get the IT sector back on track. By making changes in licensing, marketing and even design, Microsoft has taken a bold step toward uniting our IT sector. Also, as an anti-trust settlement first, Microsoft has agreed to disclose various interfaces that are internal to Windows'' operating system products, All of this will be monitored by a committee to ensure that Microsoft follows procedure. If these concessions are not a clear signal of cooperation, I do not know what is.
I urge you to help support this more than fair agreement, by making sure that no more actions are taken against it. It is time to support our IT sector and get them back to focusing on innovation and not litigation.
Sincerely,
RussWissman

MTC–00031773

FROM : KEENER HOME & OFFICE FAX NO.. : 919 571–0802 Jan. 23 2002 08:28AM P1
Katherine 0. Keener
2428 E. Lake Drive
Raleigh, North Carolina 27609
January 23,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft,
I am writing to voice my support for Microsoft in the antitrust dispute that has gone on for three years. This litigation is a waste of the government's valuable time and the financial resources of its citizens. Other matters more pertinent to the health of the national economy should be addressed.
I support the legal settlement reached in November. I believe this settlement is fair to all concerned parties and will ultimately benefit the whole economy and consumers. Further litigation will not!
This settlement wil1 also benefit the technology industry and companies attempting to compete with Microsoft. The company will start to share more information with other companies, including certain internal interfaces in Windows and protocols implemented in Windows, on reasonable and non- discriminatory terms. Microsoft has also accepted to be monitored by a technical oversight committee created by the government.
I urge you to support the settlement so Microsoft employees can fully devote their resources to performing their jobs. It is time to move on to other issues.
Thank you for your support.
Sincerely,
Katherine O. Keener

MTC–00031774

JAN -23–82 WED 6:53 STI P.01
6809 Connecticut Trail
Crystal Lake, IL 60012–3127
January 22, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:
I wish to express my frustration at the fact that it has taken three years for the U.S. Department of Justice to complete its antitrust lawsuit against Microsoft. My hope is that our nation's economic climate will be greatly improved from this computer giant returning its full focus back to innovation.
Microsoft has agreed to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non- Microsoft software within Windows. This will make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time.
Microsoft does not get off easily. The settlement came after extensive negotiations with a court-appointed mediator. The parties agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit, to the benefit of Microsoft's competitors. I think Microsoft's competitor cannot complain for any valid reason.
Therefore, any further federal lawsuits against Microsoft would be considered by most to nothing more than pure harassment. Free enterprise should reign supreme in our American homeland.
Sincerely,
Linda J. Dool

MTC–00031775

Jan 23 02 08: 18a KENNA HOLMES 8137591789 P.1 V & R INSURANCE AGENCY
P.O. Box 1536
Plant City, FL. 33564–1536 * 503D Martin Luther King St.
Plant City, FL. 33566
1–813–752–2065
* Fax 813–759–1789
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
January 21, 2002
Dear Mr. Ashcroft:
I am writing to express my full support of the recent antitrust case settlement between Microsoft and the US Department of Justice. Microsoft has been extremely helpful to the IT sector's growth over the years. It has even been helpful in weeding out inefficient companies that were run poorly. Yes, Microsoft at times exhibited aggression, but that is what our country dictates as necessary to achieve success in a free market.
Under the terms of the settlement Microsoft will be required to tone their marketing tactics down. They have agreed to disclose technological codes and protocols that will allow competitors to develop and promote products that are compatible with Windows'' operating systems. They have also agreed to design future Windows'' versions so that competitors can more easily promote their own products.
Please stop opposition from further hurting our country. We want this thing to come to an end ASAP.
Sincerely,
Ray Rollyson

MTC–00031776

Jan-23–02 08:17A SHELBY LAW P.01
January 21, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Aschroft,
I am greatly pleased to hear that the Department of Justice has announced a proposed settlement for the Microsoft antitrust case. This case has been mired in court going on four years now; the settlement should be finalized so that technology providers can concentrate on IT development without the burden of further pending litigation.
This settlement ensures that Microsoft will grant competitors extensive nights to reconfigure Windows so that they can promote their own—or Microsoft's competitors''— products on Windows. This

represents just one of Microsoft's many changes in it business practices, slowly agreed to over many months of negotiations with a court- appointed moderator.

With your support, I'm sure this case can be finalized soon for the good of the IT industry and the nation's economy. Thank you.

Sincerely,
Marilyn Law

MTC–00031777

JAN-23–2002 07 : 42 NORM COLONNA NAM P. 01
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am the National Sales Manager of Konica Computers. I know computers. I have tried every computer system there is: Linux, Gateway, you name it. But after many tries with other companies, I now use Microsoft exclusively because it works. Its software is superb. I can buy a Microsoft computer with the complete package, Word, Adobe Acrobat, Excel, without having to run all over the place and go through the hassle of integrating different software. I do not condone the antitrust case against Microsoft. The suit was is expensive and time consuming. Microsoft's competitors had difficulty competing in the market place, hence brought suit against the company hoping to limit Microsoft's reach.

A settlement has been reached, and I want this settlement to stand. Any further action is ridiculous and a waste of taxpayer time and money. Even the federal judge who handed down the decision knew it was time to end this suit. We could go on forever, examining every little item and accomplishing nothing except giving in to those jealous souls who wish nothing but ill for Microsoft simply because they aren't as successful, aren't as good.

I support the Microsoft settlement. Thank you.

Sincerely,
Norm Colonna
National Sales Manager

MTC–00031778

01/23/2002 00:58 425–353–7786 DE ORJG ZIMMERMAN PAGE 01
Dorothy Zimmerman
8703 54th Palce W
Mukilteo, WA 98275–3131
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

This letter is to show my support for the settlement that was reached between the Microsoft Corporation and the Justice Department, I see no reason to drag the antitrust issue out any longer than it already has been. The sooner that this settlement gets implemented, the better.

The settlement was agreed to after extensive negotiations with a court-appointed mediator. Microsoft has agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit. This was done for the sake of ending the litigation so that Microsoft could get back to producing innovative products

However, they might not be completely Microsoft's innovations anymore. The settlement requires them to turn over to their competitors data and code that are internal to the Windows operating system.

It is not fair to make a company give up their intellectual property, I support the settlement, but only because it ends the suit.

Sincerely,
Dorothy Zimmerman
425–353–7786

MTC–00031779

Jan 23 02 00:29 Bellamy (704) 554–8126 p.1
Joanne Bellamy
3919 Highview Road
Charlotte. NC 28210
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to you today to express my support of the settlement reached between the Department of Justice and Microsoft. The inception of this case by the federal government marks the initial decline in the technology industries seen in recent years. Despite modest recoveries last year, the IT sector has flailed in direct relation to this litigation Process. The settlement of this case, conversely, would certainly increase confidence in the industry. Given the state of the economy at the present this would he the best path to follow at this tune.

Furthermore, the details of this settlement encourage important change in the industry as well. Microsoft has agreed to make protocols implemented in the Windows operating system products to be disclosed to its competitors. This will be available to competitors on ''reasonable and non-discriminatory'' grounds. Thus, competitors will now have the information necessary to develop software that is increasingly compatible with the Windows system.

Thank you so much for your concern regarding this issue.

Sincerely,
Joanne Bellamy

MTC–00031780

Jan-23–02 12:28A
Gonzalo H. Iglesias
66 Gables Boulevard
Weston, FL 33326
9543857311
gamaweb@msn.com
January 22, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft

The Justice Dcpartmcnt and Microsoft have been tied up in a court battle for the past three years, and for the past six months, negotiations have taken place under the supervision of a court appointed mediator. Microsoft has, I think, been dealt with fairly in the settlement, and I do not believe further litigation is neccessary. Unfortunately, nine plaintiff states involved in the case do not agree. They are currently seeking to overturn the settlement and bring further suit against Microsoft. This matter has been pending for far too long, unfortunately to no one's benefit except the highly rewarded lawyers to the detriment of thc consumers like myself. Therefore I feel that it is about time for the case to come to a quick conclusion. I believe Microsoft has the right to remain in control of its own software, but I believe that terms of the agreement are beneficial because they allow more freedom on the part of the user.

By comparison, I look at other major Companies Ford, Mercedes Benz, Bacardi.... etc. We could all say that these other companies hold a monopoly as well... Will all these companies be required to comply with policies being asked of Microsoft? Under the terms of the settlement, Microsoft will be required to disclose source code for use by its competitors. Microsoft has also agreed to reformat future versions of Windows so that the operating system will support non-Microsoft software. Now, computer users whose computers run on Windows will have the ability to configure Windows as they see fit. I am pleased that the suit did not result in Microsoft's division into smaller parts. and I believe that this settlement is in the best interest of both computer makers and the consumer.

Mr. Ashcroft, I do not believe further litigation IS at all necessary Such litigation will only increase not only the governments costs which in the end is the taxpayers, like myself. Pushing the issue any further would be totally counterproductive and would be, I believe, ultimately detrimental to the economy, the technology industry, and the American people. I urge you to support the settlement.

Sincerely,
Gonzalo H. Iglesias

MTC–00031781

JAN-22–2002 11:06 PM G L YOUNG 937 5488832 P.01
FAX TRANSMITTAL FROM
Gary Lee Young
3685 West Drive
Greenville, Ohio 45331
Fax: 937/548–8832
fax to DOJ
direct to Ms. Renata B. Hesse
city & state
fax# 202 367 1454
today's date 1–22–02
no. of pages including cover
sheet 1
from: Gary Ser Young
comments:

I support the Immediate Settlement of the Microsoft Case

MTC–00031782

01/22/02 TUE 22:46 FAX 17622166 Rudy A. Masry 001
17 leawood Drive
BriarCliff Manor, NY 10510
January 22, 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 opinions regarding the Microsoft antitrust case. I feel that the settlement reached between the Department of Justice and Microsoft is fair and reasonable, and has been extensive enough for nine states to approve. Further federal action is unnecessary, especially while Microsoft is involved in negotiations with the remaining states to reach a conclusion.

Microsoft has agreed to change the way it develops, licenses, and markets it software. Software engineers and computer makers will be allowed to configure Windows so as to promote non-Microsoft programs that compete with those programs already included within. Also, Microsoft agreed to stop retaliating against companies that produce or promote software and hardware that competes with Microsoft products.

The settlement not only addresses the issue that brought about the case, but provides for future problems as well. A technical oversight committee will ensure that Microsoft complies with the terms of the agreement, and the competition will be allowed to sue Microsoft directly if they feel they have been treated unfairly.

I believe that the longer uncertainty surrounds this case, the longer that innovation will stall. We must allow the industry and the economy to move forward, and I believe this settlement is the vehicle to do it.

Sincerely,
Ally Masry

MTC–00031783

FROM : Jim Tamm PHONE NO. : 650 345 9386 Jan. 22 2002 08:58PM P1
Ryan Tamn
2118 Lyon Avenue
Belmont, CA 94002
January 17, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I ardently support the settlement reached between the Dept. of Justice and Microsoft. Protracted litigation has served only to stagnate the economy. The tech industry has shown decline in direct correlation with the federal government's pursuit of this case. I do not believe this to be coincidental.

Incidentally, the settlement should increase the productivity in the tech industry. Although Microsoft has made many concessions through the process, such as its agreement to license Windows at the same rate to the top twenty PC makers, they have done so in the attempt to resolve this issue.

And resolving this issue is in everyone's best interests.

Enact the settlement at the end of January.

Sincerely,
Ryan Tamm

MTC–00031784

01/27/1997 05:06 814–238–5885 CDG INC PAGE 01
16 Cedar Lane
State College, PA 16801–6705
January 22, 2002
Attorney General John Ashcroft
United States Department of Justice
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to express my support for the recent antitrust settlement between Microsoft and the US Department of Justice. Although I do believe its marketing tactics have been a bit too heavy handed at times, I have worked daily with its products and those of its competitors for many years and know from experience that the foundation of its industry leadership rests, not on marketing, but on the superiority of its products. I am a Microsoft supporter who thinks that its products and services have contributed greatly to American economic strength at the end of the Twentieth Century. Microsoft's leadership in standardizing the technology industry has produced benefits, to both consumers and to its competitors, which far exceed any detriment attributable to its past marking approaches, I have no doubt that the settlement is in the best interests of the public since it does not break up Microsoft, but does temper its ability to isolate other vendors.

Under the terms of the settlement Microsoft has agreed to disclose internal interface technology and codes for server interoperability. They have also agreed to design future Windows versions so that consumers, software developers, and computer makers will be able to promote more easily their own products. These stipulations and more on Microsoft's behalf will protect consumers' rights as well as competitors' latitude to operate in this market.

Our economy is in recession and we are fighting an ongoing war on terrorism. Surely our government should be focusing on other more pertinent issues. It's time to settle this case as soon as possible. Thank you.

Sincerely,
John C. Flohr, Ed.D
cc: Senator Rick Santorum

MTC–00031785

01–22 02 21:55 W F STEVENS
PAGE 1 OF 2
TO: ATTORNEY GENERAL—JOHN ASCROFT
FAX 1–202–307–1454
SUBJECT: Microsoft Settlement
FROM: WILLIAM F. STEVENS
FAX 334–826–3046
01–22 02 21:55 W F STEVENS
T: 334 826 3046
P:02
January 13, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

I am very happy about the settlement that has been reached between Microsoft and the Department of Justice. The required changes in Microsoft's business practices will restore fair competition and prevent future antitrust violations. But most importantly, the settlement will allow the IT industry to concentrate on business now.

The agreement mandates a number of specific changes. For example, Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows operating system. Microsoft has also agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. In addition, Microsoft has agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft programs that compete with programs included within Windows.

This settlement is in the best interest of the public and the economy. The recession has had a horrible effect on state budgets and the federal budget, and it is important that the technology sector be allowed to concentrate on business as soon as possible.

Sincerely,
William Stevens
1645 Mayfair Court
Auburn, Alabama 36830

MTC–00031786

JAN–22–2002 09:52 PM THE BOLDUC FAX MACHINE 201 444 7140 P.01
Bruce Bolduc
147 John Street
Ridgewood, New Jersey 07450
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington; DC 20530
Fax—1–202–307– 1454

Dear Mr. Ashcroft:

Litigation is expensive, very expensive. The amount of money spent in both pursuing and defending the issues surrounding the US vs. Microsoft lawsuit is astronomical. Taxpayers will bear the brunt of the cost on this suit, and that will seriously mitigate the consumer benefit of the letters. According to the terms of the settlement, Microsoft must operate under the supervision of an outside technical committee and disclose parts of windows code to competitors. These points of the settlement force Microsoft to open its business dealings and research to third parties. These two points in the settlement alone are enough punitive action to compensate for any unethical practices Microsoft may be guilty of. Yet, the settlement goes much deeper, proof that this suit has been in court for too long.

The terms of the settlement are more than fair to the plaintiffs in the case and are the result of extended litigation. The Department of Justice must see that the proposed settlement is not derailed; too much time and money have been spent in arriving at this point.

Sincerely,
Bruce Bolduc

MTC–00031787

01/22/2002 20:05 7023636710 PAGE 01
FAX TO: 1–202–307–1454
ATTN: MS. RENATA B. HESSE

I support the settlement that the DOJ made with Microsoft and believe the court cases should now be stopped.

Wayne Strube
702–369–6710
Jan 23, 02

MTC–00031788

01/22/2002 19:44 8506784571 SAM DAWSN PAGE 01

7 Kristin Circle Niceville, FL 32578
January 21 ,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

I am a firm supporter of Microsoft. I feel that this antitrust case must be halted. Microsoft is a first class company that has done nothing but add productivity and capital to this nation. The Government had no business pursuing this suit in the first place. I feel that the settlement that has finally been reached must be accepted so that we can finally get back to business as usual in this country.

I feel that under the circumstances the settlement is fair, I would rather see the suit dropped but since that is unlikely a good settlement is needed. Microsoft will be held accountable to a three-person oversight committee that will monitor Microsoft's compliance with the terms. Microsoft has also agreed to design all future versions of Windows to be compatible with the products of its competitors. I feel that this settlement goes above and beyond the necessary restrictions and anyone who chooses not to accept the terms is clearly pursuing this case for personal political gain.

Please ensure that this case is put to rest with all possible haste. Free enterprise is a priceless commodity that we enjoy in this nation. Litigation like this eats away at the very fabric that holds this nation together. Thank you for considering my position.

Sincerely,
Samuel Dawson
cc: Representative Jefferson Miller

MTC–00031789

FROM :
FAX NO. :
Jul. 21 2001 02:08AM P1
Walter Israel
Architectural and Design Lines
January 8, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite1200
Washington, DC 20530

As a small businesswoman who depends upon Microsoft products for efficiency at work and at my home computer, I am happy that the federal government is now pushing for a settlement in its case against Microsoft. I hope that Judge Kollar-Kotelly will agree so everyone can get on with their business.

As a former member of the North Carolina Board on Parks and Wildlife, I have had dealings with a large government entity, I know what can happen when issues like lawsuits keep going on forever and forever. They drain resources and energy from employees whose time should be spent on other things. And lawsuits always end up costing the taxpayers money—as this one has.

That is why I hope the judge will see fit to accept this settlement and let everyone get back to work . Thanks for your kind consideration of my position.

Sincerely,
Walter Israel
Owner
6041 Wilkinson Boulevard, Belmont, NC 28012

MTC–00031790

JAN–23–2002 10:03 AM DEL.JAY O'BRIEN 804 643 1860 P.01
COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND
JAY O'BRIEN
7003 CLIFTON HUNT COURT
CLIFTON. VIRGINIA 20124
FORTIETH DISTRICT
COMMONWEALTH OF VlRGlNlA
HOUSE OF DELEGATES
RICHMOND
COMMITEE ASSIGNMENT
MINING AND MINERAL RESOURCES (CO. CHAIR)
PRIVILEGES AND ELECTIONS
EDUCATION
GENERAL LAWS
CORPORATIONS, INSURANCE AND BANKING
DELEGATE JAY O'BRIEN
FAX COVER SHEET
To: Renata Hesse
Organization: Department of Justice
Date: 1 23 02
Fax Number: 202 616 9937
Comments: pg. 1 of 2
Thank you
If you have any problems with this transmission, please call us at 804–698–1040.
DISTRICT (888) 508–3921 RICHMOND (804) 698–1040 E–MAIL
DEL_OBRIEN@HOUSE.STATE.VA.US
JAN–23–2002 10:04 Am DEL. JAY O'BRIEN 804 643 1860 P–02
COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND
FORTIETH DISTRICT
January 2I, 2002
COMMITTEE ASSlGNMENTS
MINING AND MINERAL RESOURCES (CO. CHAIR)
PRIVILEGES AND ELECTIONS
EDUCATION
GENERAL LAWS
CORPORATION INSURANCE AND BANKING
Reneta Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW Suite 1200
Washington, DC 20530
V/A FACSIMILE– 202. 616. 9937
Dear MS. Hesse:

I am in agreement with the proposed settlement reached between the federal government and Microsoft Corporation. This settlement is the appropriate step toward fostering continued economic growth and common business sense in the competitive marketplace. As a representative of Northern Virginia area, I am well aware of the economic benefits that the technology boom has benefited to our area, Microsoft is a proven leader in the entrepreneurial spirit and the technology field. The company has enabled other computer companies to benefit in the computer and technology boom.

The settlement is a fair and reasonable compromise. Microsoft created a superior product than its competitors and is not responsible for the inner turmoil and troubles of other companies. The relentless investigation that the US Attorney's office has waged against Microsoft in the past years is unreasonable and needs to end with this compromise. The time has come to end the lawsuit and reach an amicable decision.

The proposed settlement is tough, yet reasonable, and a valuable tool in bringing stability back to our economy. It is my hope that the Court will approve the proposed settlement between Microsoft and the United States Attorney's office.

Sincerely,
Jay O'Brien
Member, House of Delegates
DISTRICT (888) 808. 3921
RICHMOND (804) 608–1040
E–MAIL. DEL OBRIEN@HOUSE STATE. VA. US

MTC–00031792

01/23/02 WED 07:35 FAX 3154462632 KEYBANK NOTTINGHAM 001
Key Bank
215 Tecumseh Rd
Syracuse NY 13224
315–446–8091
315–446–2632 fax
FAX
To: Renata Hesse
From: Kevin Holmquisst
Fax: 202–616–9937
Pages: 2
Phone:
Re: U.S. v. Microsoft
cc:
Urgent X For Review Please Comment Please Reply Please Recycle
Comments:
Thank You!
Kevin
01/23/02 WED 07:36 FAX 3154462632 KEYBANK NOTTINGHAM 002
January 21, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Division
601 D Street NW, Suite 1200
Washington, DC 20530
Re: U.S. v. Microsoft
Dear Ms. Hesse,

I am writing you to express my support of the settlement of the above listed case and I hope you will as well. Below are some of the reasons that I support this settlement. More than $30 million in taxpayers money has been spent on this case, and our economy is now officially in recession, so I believe that the last thing that we need is more regulation and litigation of an important American industry like high-tech. No consumer as been harmed as a result of any of the actions taken by Microsoft to date. Actually, consumers have had tremendous benefit as a result of microsofts innovation which as led to lower prices and better products. A few large companies such as AOL Time Warner and Oracle should stop their fight in court, and compete in the marketplace where this fight belongs. This settlement is in everyone's best interest, including the taxpayers and the

consumers. The very last thing that America needs is government lawyers and bureaucrats looking over the technology industry trying to micromanage it. This settlement is most appropriate, because it addresses only the items upheld by the courts.

Thank You for you consideration of this matter

Sincerely,
Kevin Holmquist
Manlius Town Councilman
Relationship Manager, Key Bank N.A.
315–446–0542
315–682–4647

MTC–00031794

FROM: FAX NO.: Jul. 21 2001 02:33AM P6
JAN–10–2002 10:40 SMITH SETZER & SONS 828 241 3160 P.01/02
NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
STATE LEGISLATIVE BUILDING
RALEIGH 27601–1096
REPRESENTATIVE MITCHELL SETZER
POST OFFICE BOX 416
CATAWBA, NORTH CAROLINA 28809
HOME (828) 241–3570
OFFICE (828) 241–3161
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street, NW Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

As one of the younger members of the North Carolina General Assembly, I have a strong interest in how government interacts with technology so that we as legislators may make the best use of our technological resources for the benefit of our citizens, especially our young people.

It is for this reason, that I have support for many years, the concept that we must promote the use of technology, it is important that we do not interfere with it at any level of government, state or federal. That is why since 1999, I have been greatly troubled by the federal government's attempt to bring about harsh penalties against Microsoft in what I consider an unwarranted antitrust case.

There is certainly no one—even the legal team on the other side—who could make the claim that Microsoft has done any harm to even one single consumer. In addition, without consumer harm, is there really a reason to bring an antitrust case? There is not in my judgment.

However, in order to bring the federal lawsuit to an end as well as North Carolina's state litigation, please let Judge Kollar-Kotelly that I strongly support the settlement, and I hope this entire process will move along quickly. That way Microsoft can get back to the business of innovation and coming out with new products—at which they are excellent. Also, government attorneys can get back to more worthy cases.

Thank you for your kind consideration of my comments.

Sincerely,
Mitchell Setzer
State Representative

MTC–00031795

Jul. 21 2001 02:300M P1
FROM: FAX NO.:
01/22/02 10:02 1 919 793 0036 P.01
Conway Brooks
Wake County Repubilcan Party
January 18, 2OO1
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 U Street NW, Suite 1200
Washington, DC 20530
Fax: 202–616–9937

Dear Ms. Hesse:

As the Vice Chairman of the Wake County Republican Party, I know a thing or two about public opinion. Let me tell you this—the public wants the courts to approve the settlement between Microsoft and the federal government and they want it approved now!

In my work as Vice Chairman of the Wake County Republican Party, part of my job is to be aware of public sentiment on important governmental, societal, and other public policy issues. Based on the response of our members on this issue, I can tell you that a significant segment of the American populace is concerned about the consequences of dragging out this lawsuit any longer. For one, it may hinder technological innovation in the marketplace. Who wants to innovate when doing so will get you sued?

Also, the extension of this lawsuit may cause litigious lawsuits between corporate entities to become even more of a cottage industry in America. We have enough lawsuits already that drain enough money out of the United States economy. We need to discourage these lawsuits in the future.

Finally, people across American are worried about the economy, and believe that government needs to work with business, not against it. By settling this lawsuit, government will demonstrate a willingness to work as a partner in, not an opponent to, business. This will enable Microsoft to continue to provide businesses with products that make their operation more efficient.

I ask Judge Kollar Kotelly to approve the settlement.

Thank you,
Conway Brooks
1st Vice Chairman

MTC–00031797

Fax NO. : Jul. 21 2001 02:09am P2
North Carolina General Assembly
House of Representatives
State Legislative Office Building
Raleigh, NC 27601–1095
REPRESENTATIVE REX L. BAKER
40th DISTRICT—ALLEGHANY, ANNE, STOKES, SURRY AND WATAUGA
OFFICE ADDRESS: ROOM 808
RALEIGH, NC 27601–1088
TELEPHONE: (818) 738–5707
(818) 715–7588 FAX
HOME ADDRESS: 2108 SLATE ROAD
KING, NC 27021
E–MAIL: BAKERLA@HS.NCCA.STATE.NC.US
COMMITTEES:
AGRICULTURE
ALCOHOLIC BEVERAGE CONTROL
APPROPRIATIONS
NATURAL AND ECONOMIC RESOURCES
SELECT COMMITTEE ON THE TOBACCO SETTLEMENT
STATE PARKS AND PROPERTIES
TRANSPORTATION
TRAVEL AND TOURISM
January 11, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

As a member of the House Appropriations Committee of the North Carolina Genenal Assembly, I am painfully aware of the high and escalating cost of government despite the fact that our citizens and businesses are experiencing terrible economic times in our state. One cause of higher taxes, which has been particularly felt in North Carolina, is that our state has lost a number of lawsuits and the taxpayers have had to pick up the tab.

As you can tell, I am adamantly opposed to taxes in whatever form and work had in each session of the legislature to reduce taxes and spending whenever possible. That is why I was happy to see that the federal government's case against Microsoft had come to a settlement agreement in the court of Judge Kollar-Kotelly. I know that this case has already cost the taxpayers of this nation $30 million, not to mention lesser sums in the 18 states that also brought the original lawsuits.

I am pleased that North Carolina is one state that decided to agree with the settlement and now no more state tax money will go in that direction. I would like to see the same thing happen in the federal case as well. That is why I am strongly urging that FROM : fax NO. : Jul. 21 2001 02:09am p3 the judge to agree to the settlement in this case. Both sides will come away with gains and losses. That is how a settlement should work and that is only fair.

I appreciate the opportunity to comment on this issue.

Sincerely,
Rex L. Baker

MTC–00031798

State of Washington
House of Representatives
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Re: Comments on the Microsoft Proposed Settlement Agreement

Dear Ms. Hesse:

The proposed settlement of US v. Microsoft case represents a fair compromise that promotes greater industry competition without destroying Microsoft. The settlement guarantees a series of reasonable modifications. Other companies, including Microsoft's competitors, will have greater access to computer desktops. Computer manufacturers, not Microsoft, will determine what software will be offered with new machines using the Windows operating system. At the same time, the settlement

avoids broad new government regulations that could hinder the tech industry and prevent Microsoft from making important investments in critical research and development activities.

The uncertainty generated by this case has threatened America's global leadership in high-technology. In the face of new economic concerns at home, this settlement is needed to help revive the industry that has driven the new economy. I congratulate the Justice Department on its efforts to reach a fair and reasonable settlement.

Sincerely,
State Representative Al O'Brien
State Representative Lynn Kessler
State Representative Mary Lou Dickerson
State Representative Kelli Linville
State Representative Toni Lysen
State Representative Jeanne Edwards
State Representative Geoff Simpson
State Representative Aaron Reardon
State Representative Bill Fromhold
State Representative William Grant
State Representative Jeff Gombosky
State Representative Val Ogden
State Representative Sharon Santos
State Representative Brian Sullivan
STATE REPRESENTATIVE
40th DISTRICT
JEFF MORRIS
State of Washington
House of Representatives
PACIFIC NORTHWEST ECONOMIC REGION PRESIDENT
TECHNOLOGY, TELECOMMUNICATIONS & ENERGY
CHAlR
FINANCE
SELECT COMMITTEE ON COMMUNITY SECURITY
January 21, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Re: Comments on the Microsoft Proposed Settlement Agreement
Dear Ms. Hesse:

The proposed settlement of US v. Microsoft case represents a fair compromise that promotes greater industry competition without destroying Microsoft. The settlement guarantees a series of reasonable modifications. Other companies, including Microsoft's competitors, will have greater access to computer desktops. Computer manufacturers, not Microsoft, will determine what software will be offered with new machines using the Windows operating system. At the same time, the settlement avoids broad new government regulations that could hinder the tech industry and prevent Microsoft from making important investments in critical research and development activities.

The uncertainty generated by this case has threatened America's global leadership in high-technology. In the face of new economic concerns at home, this settlement is needed to help revive the industry that has driven the new economy. I congratulate the Justice Department on its efforts to reach a fair and reasonable settlement.

Sincerely,
Jeff Morris
State Representative
40th District

MTC–00031799

JAN–23–02 WED 11 :28 AM HELLER
NEV 702 342 0222
P. 01
January 23, 2002
o
TO: U.S. Department of Justice
202 307–1454
202 616–9937
Attn: Ms. Renata B. Hesse

I support the proposed settlement of the Microsoft lawsuit. Stop spending taxpayer money on more frivolous legal maneuverings. You've spent too much already. This whole case stinks to high heaven and sets an uncalled-for bad precedent for

American technology and its innovators.
R. E. Heller, Sparks NV

MTC–00031800

Jan 23 02 11:32a
George Harter
480–860–2025
P.1
George Harter
9140 North 104th Place
Scottsdale AZ 85258
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

The antitrust case settlement serves the best public interest and I hope your office finalizes it as soon as possible. While I disagree with litigation against Microsoft in the first place and think that this who case has been a waste of time and an infringement of Microsoft's rights as a free enterprise, the settlement seems the only way to allow all parties to move forward. Under the terms of settlement it is good that Microsoft will not be broken up.

The terms merely force them to disclose interfaces and protocols to competitors, design future windows versions so that software developers can promote their own products form within, and form three-person team to monitor compliance with settlement. These concession and more seem to favor competitors not consumers, but tat just verifies the opinion I had al along, that this case was politically driven from the start.

Please suppress opposition to the settlement and make this thing a reality. It is in the public's best interests for a settlement to occur.

Sincerely,

MTC–00031801

FROM : P. R. T. & ASSOCIATES INC.
PHONE NO. : 419 499 4515
Jan. 23 2002 01: 07PM Pl
P.O. Box 548
Milan, OH 44846
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

This letter is to give my support to the agreement reached between Microsoft and the Department of justice. In my opinion, this antitrust case should never have happened. The government, guite frankly, should never have gotten involved; the Department of Justice was dragged into this action against Microsoft by both Microsoft's competitors, and the previous administration's definition of justice.

I wonder if anyone in the government really realizes the wonderful things Bill Gates, through Microsoft, has done for this country, and the world. Does anyone remember what it was like before Microsoft? What a mess our technology was. Nothing worked together. Bill Gates made possible a uniform software program package. You didn't have to go to ten different programs to accomplish one simple task. Microsoft's rivals, unable to compete, resorted to political means to bring Microsoft to heel. It is tragic our government so easily acquiesced.

In this agreement, Microsoft has greed to grant computer makers new license to make Windows as to promote non-Microsoft software programs; Microsoft has agreed to design future versions of Windows with a mechanism to make it easier to promote non-Microsoft software; Microsoft has agreed to help companies achieve a better degree of reliability with regard to their networking software. This is much more than any other company would do. I think Microsoft should be congratulated for trying to end this suit and get back to business.

Give your support to this agreemcnt. Let's put this behind us and get back to business.

Sincerely,
Elaine Thornton

MTC–00031802

01/23/02 WED 12:57 FAX 414 328 2233
ROCKWELL SUPPORT Facsimile 001
Rockwell Software
2424 South 102nd Street
West Allis, WI 53227
Facsimile
Rockwell
Automation
To Attorney General Ashcroft
From Rich Ryan
Location Dept of Justice
Location Rockwell Software
Tel Tel 414.328.2400
Fax 202–307–1454
Fax 414.328.9400
Pages 2 Date 1/23/02
Allen-Bradley
DODGE
ROCKWELL SOFTWARE
RELIANCE ELECTRIC
11/23/02 WED 12:57
FAX 414 328 2233
ROCKWELL SUPPORT
January 22, 2002
Richard C. Ryan
president
rockwell software
Rockwell Automation
2424 South 102nd street
West Allis. WI 53227.2106 USA
Tel 414 320.2400 Fax 414 328 9400 1
email rcryan@software rockwell com
Attorney General John Ashcroft US
Department of Justice

950 Pennsylvania Avenue, NW
Washington DC 20530–0001

Dear Mr. Ashcroft:

I would like to submit my support for the Microsoft settlement negotiated with the Justice Department last November. After the completion of this 60-day public comment period, it would only seem fair that the terms agreed upon with the help of a court mediator, be accepted and implemented.

The important role Microsoft plays in the IT industry should be appreciated The agreement is a very generous deal that is far preferable than further action that would break up the company and further disrupt the PC industry.

MIcrosoft has agreed to share or license its intellectual property with its rivals and promote interoperability with its server software in the interest of fostering more competition in the software market. An independent committee will monitor its compliance with the settlement. From my perspective as someone in the industry, this closely monitored plan will create a wider market for software products from a variety of competitors. Please make sure to commit to this opportunity and not make the mistake of continued litigation. Thank you for your time.

Sincerely,
Rich Ryan, President
Rockwell Software

MTC–00031803

CRAIG W. SUDBRINK
402 Monmouth Drive
Greensboro, NC 27410
January 23, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

My name is Craig Sudbrink. I am a resident of Greensboro, NC. I appreciate the opportunity to comment on the Justice Department's proposed settlement of the Microsoft antitrust litigation. Please include me among those supporting the settlement.

I am sure that not everyone is happy with the proposed settlement, and that many of Microsoft's competitors will not be happy until they have put Microsoft out of business through litigation rather than competition. However, if you look at the concessions made by Microsoft, most specifically the agreement to open competition within their Windows systems, you cannot help but support the compromise reached. I hope that you proceed with the settlement as it is in the best interests of the American public and the economy.

Thank you for your time and attention.

Sincerely,
Craig Sudbrink
cc: Representative Howard Coble

MTC–00031804

01/23/02 10:41 FAX 206 546 2205 DR BRUCE RYAN
Bruce H. Ryan
1841 N 184th Street
Shoreline, Washington 98133
January 23, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I write you today in regards to the Microsoft settlement issue. I support the settlement that was reached in November, and I sincerely hope there will be no need for further action against Microsoft.

This settlement was reached after extensive negotiations. Microsoft has agreed to carry out all terms, including terms that extend well beyond the original issues of this lawsuit. Microsoft has agreed to share more information with other companies, such as various internal interfaces in Windows and any protocols implemented in a Windows operating system product. It will also change licensing agreements to make them more advantageous to hardware manufacturers.

This settlement will serve in the best and greatest public interest. Please support this settlement so Microsoft can focus all their resources on designing innovative software. Thank you very much.

Very Sincerely Yours,
Bruce H. Ryan

MTC–00031805

Jan-23–2002 09:34 SPECIALTY FOREST PRODUCTS 2539390902 P. 01/01
FAX TRANSMITTAL
DATE: Jan. 23, 2002
TO: Ms. Renata B. Hesse
FROM: Vic Lindstrom F
IRM: U.S. Dept. of Justice
Number of pages 1
FAX #: 202–307–1454
SUBJECT Microsoft

This letter is to advise the DOJ that my wife and I support the Proposed Microsoft Settlement and would as a tax payer, ask the dept. of Justice to approve the Settlement.

Sincerely,
Victor Lindstrom

MTC–00031806

01/23/2002 11: 32 3184423307
HILLHARRIS
HILL, HARRIS & COMPANY DISTRlBUTORS BUILDERS HARDWARE BUILDING SPECIALTIES
(318)442.3303
1504 METRO DRIVE
FAX (318)442.3307
P O BOX 13268
ALEXANDRIA, LA 71315
DATE: JAN 23/02
TO: D.O.J.
ATTN: Renata Hesse
REF: Microsoft

I agree with & support the recent Legal Settlement with Microsoft. I hope you will finalize it as soon as possible.

J.C. Harris

MTC–00031807

Jan-23–2002 11: 46 312 460 2426 P. 01/01
195 N. Harbor Drive # 2003
Chicago, IL 60601
January 23, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I would like to offer some thoughts on the Microsoft antitrust case. I believe that there was merit behind the complaints that brought about the original lawsuits, but that was three years and countless dollars ago. Microsoft has made an antitrust precedent in the concessions it has agreed to, and protocol has been proposed under your settlement to deal with future problems. I do not see any benefit from future federal action against Microsoft, and hope that this matter will soon be behind us.

There will always be those lining up to take as much market share from Microsoft as they can, and as long as you allow this case to proceed, there is nothing to stop them. Microsoft has already agreed to grant broad new rights to software engineers and computer makers. It has even allowed them to configure Windows so as to promote non-Microsoft programs that compete with the programs already included within Windows. Although it may seem unreasonable to allow your own successful product to be used as a springboard to launch the competitions'' products, Microsoft has agreed in an effort to settle this issue sooner, rather than later. Would it seem as reasonable if Microsoft was involved in a more traditional industry? Imagine if Burger King could not penetrate McDonald's market share. Would we mandate that McDonald's allow its customers to order a Burger King Whopper at its own restaurants?

We must recognize that Microsoft has shot itself in the foot, be it a small hole, in an effort to end this witch-hunt. I see no reason that we can't allow the IT industry and the economy to move forward. I hope you will use your position to do what is right, and ensure that our country maintains its position as the world technology leader.

Sincerely,
Michael Holan

MTC–00031809

Kathie M. Graham
2469 Ridgecrest Avenue
Orange P&k, FL 32065–6235
January 23, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I would like to express my views regarding this antitrust case. I feel that the settlement agreement reached between Microsoft and your office is fair and reasonable, and is sufficient to close this case at the federal level. Nine states have approved the agreement, and Microsoft is negotiating with the remaining states to reach an agreement. Under the Settlement, Microsoft has agreed to change the way it licenses; develops, and markets its software. Computer makers, consumers, and software engineers will be allowed to configure Windows so as to promote non-Microsoft programs. Most importantly, Microsoft has agreed not to retaliate against anyone that develops or promotes non-Microsoft software.

A technical oversight committee will ensure Microsoft's compliance with the terms and conditions of the agreement, and competitors will be allowed to sue Microsoft directly if they feel they've been treated unfairly. These concessions should keep this

matter from ever reaching the federal level again, and will force Microsoft to become a more responsible industry leader.

Although these conditions may go further than Microsoft may have wished, it recognizes that settling the case sooner, is better than later. The competition should be granted access to the market, but Microsoft should also be allowed to enjoy the fruits of its labor.

I believe that your settlement provides the middle ground.

Sincerely,
Kathie Graham

MTC–00031810

SimplySay
4400 E Broadway Blvd.
Suite 200—
Tucson Arizona 85711–
520.323.3280—520.320.4177fax
FACSIMILE TRANsMlTTAL SHEET
TO:
ATTORNEY GENERAL
JOHN ASHCROFT
COMPANY: US Department of Justice
FAXNUMBER: (202) 307-I454
PHONE NUMBER:
RE: Microsoft Settlement
From: Armand Sperduti
DATE: l/23/02
SENDER'S FAX NUMBER: (520)3204177
SENDER'S PHONE NUMBER: 520.323.3280 EXT.
JANUARY 23,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I am writing in regard to the litigation against Microsoft. Although this is a serious and complex issue, it is important that the needs and the rights of the software consumer, both personal and corporate, are kept in focus. The cost of implementing software solutions is dominated by the cost of evaluating, installing and supporting the software, then training the users, not by the cost of the software itself.

Microsoft arrived at the top of the industry primarily by having an astute sense of what the customer wanted. They then delivered products that met those needs. People didn't switch from WordPerfect to MS Word, for instance, because it was cheaper or bundled, but because it did what people wanted and worked well.

I am in support of this settlement. I am hoping that this will be the end of it. We all are better off with this behind us. Additional litigation will only benefit Microsoft's competitors at the expense of the consumers.

Sincerely,
Armand Sperduti
V.P. Engineering
4400 E Broadway Blvd. Suite 200
Tucson Arizona 85711
520.323.3250—520.320.4177 fax
AUTHENTIX Fax:520–3204163

MTC–00031811

FROM : Charles Russell
PHONE NO. : 717 391 2840
Jan. 23 2002 01:08PM PI
CHARLES H. RUSSELL
1488 Marietta Rue.
Lancaster, PA 17683–2446
717.391.2840
January 23, 2002
Atty. General John Ashcroft
us Dept. of Justice,
950 Pennsylvania Ave. N. W.
Washington, DC 20530–0001

Dear Mr. Ashcroft,

Microsoft has been amongst those great American technology companies that have helped America become the world's leader in software. The antitrust case brought against Microsoft three years ago by the Justice Department was certainly a disappointment, however I am pleased to see a settlement was agreed to in this case.

''Unfortunately the settlement has not been satisfactory to some. Anti-Microsoft elements have been attempting to get this settlement removed because it is deemed not destructive enough to Microsoft. However, the settlement is good and will create positive changes. The settlement forces Microsoft to disclose code and interfaces to competitors , a never-before-taken step. With this information, non-Microsoft firms will be able to design and create more choices in software for the consumer. For the anti- Microsoft elements this does not suffice because they would like to see Microsoft face a more injurious verdict.

The purpose of the case was not to harm Microsoft, but to create more competition. This should be and is reflected in the current settlement. Ending this case now is imperative.

Sincerely,
Charles Russell
cc: Senator Rick Santorium

MTC–00031812

A Fax Message
TRINITY
Date: January 23, 2002
To: Attorney general Ashcroft
c/o Renata B. Hesse Antitrust Division
Succeed with Trinity.
Company: US Department of JustIce
Fax #: (202) 307-1454
From: George LaVenture
RE: MICROSOFT SETTLEMENT
NOTES:

Attached are my Tunney Act comments regarding the proposed Microsoft Final Judgement and Competitive Impact Statement.

My contact information is below if you have any questions,

PRESIDENT & CEO
Trinity Consulting Inc.
(506) 485–8642 voice
(506) 481–2361 fax
mail to:glayancura@.com-inc.ner
http: //www.Trinlty-Inc.net
Taking care of business (TCB)
TRINITY CONSULTING INC,
346 BRIGHAM STREET
MARLBOROUGH, MASSACHUSETTS 01762
(508) 486–8842
TRINITY CONSULTING INC.
346 BRIGHAM STREET
MARLBOROUGH, MASSACHUSETTS 01762
(608) 486–8842 (VOlce)
(608) 461–2361 (fax)
WWW.TRINlTY-INC.NET
22 January 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, District of Columbia 20530

Dear Mr. Attorney General,

I am writing to provide my thoughts during the 28 November 2001 to 28 January 2002 TunneyAct publiccomment period on the Microsoft antitrust case [United States of America vs MicrosoftCorporation CivilAction No. 98–1232 and State Of New York ex. rel. Attorney General ELIOT SPITZER, et al.MicrosoftCorporation Civil Action No. 98–1233 proposed Final Judgment and Competitive Impact Statement.

As I read the proposed Final Judgement and Competitive Impact Statement, MicrosoftCorporation hasagreed to specific behavioral measures that would provide greater openness and access to technical information as well as contractual and economic freedom for IAPs, ICPs. ISVs, IHVs and OEMs that either: provide a Microsoft Corporation operating system with their product, develop and/or provide applications and or middle ware that run on a Microsoft Corporation operating system, or choose to develop and/or provide competing operating systems, products, applications and/or middleware.

These actions seem satisfactory to stimulate competition while maintaining intellectual property rights and fostering Innovation.

More Importantly, the prescribed enforcement authority, combined with the proposed TechnicalCommittee and Microsoft Internal Compliance officer, provides the government, and therefore consumers, adequate means and measures to ensure Microsoft Corporation's compliance.

Unlike the nineteenth century marketplace of Standard Oil, an era that witnessed the genesis of the corporation where direct competitors were assimilated and controlled, and unlike the slow-growth marketplaces; of 1980s IBM and 1970s ATT, today's technology marketplace moves rapidly and the rate of change will likely increase. We are living in an age of technological revolution cited by Federal Reserve board Chairman Alan Greenspan for an unprecedented growth in productivity. This atmosphere has, as evidenced most recently and notably by the 1999 ''Internet Bubble'', created product cycles so short that goods and service can be obsolesced while sales and markeing strategies are still on the whiteboard.

With this in mind, I believe the proposed behavioral measures and controls provide a fairer, more level playing field optimized to foster continued growth while ensuring competition and stimulating Innovation.

After all, that's the goal Isn't It? A better deal for the consumer.

It is my opinlon that the settlement between Microsoft Corporation and the federal government addresses and remedies, in a very satisfactory way, all of the government's antitrust claims againstMicrosoftCorporation. Therefore it should be instituted with all due speed.

Sincerely,
George M. LaVenture
President & CEO

cc: Representative Marty Meehan

MTC–00031813

Assemblyman George H. Winner, Jr.
Minority Leader Pro Tempore
New York State Assembly
Room 446
Legislative Office Building
Albany, New York 12248
Phone; (518) 455–4538
Fax: (518) 455–5922
ASSEMBLYMAN WINNER
@oo2
GEORGE H. WINNER. JR.
Assemblyman 127th District
THE ASSEMBLY
STATE OF NEW YORK
ALBANY
MINORITY LEADER PRO TEMPORE
COMMITTEES
Rules
Ways and Means
January 23, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse:

When word of a possible settlement in the Microsoft case broke, the markets surged. In spite of gloomy economic report, the news was viewed by investors as a sign that out nation's critically important high-tech industry could move forward without the continuing shadow of government interference.

The proposed settlement requires significant changes in the way Microsoftdevelops, licenses and markets its software. This settlement is fair. It prevents Microsoftfrom abusing the strength that it derives from its operating system, but also allows thecompany to continue innovating in all areas of software development.

I congratulate you on reaching a fair settlement that will serve in our nation's bestinterest. It will be very difficult for anyone to reject a settlement that benefits consumers,the technology industry, and the economy as a whole.

Very truly yours,
George H. Winner, Jr.
Minority Leader Pro Tempore
ALBANY OFFICE: Room 446. Legislative Office Building,
Al aany. New York 12248.
(518) 455–4538.
FAX (518) 455–5922
DISTRICT OFFICE: 228 Lake street,
P.0. Box 589.
Elmi a. New York 14902.
(607) 734–8580.
FAX (607) 737–0377

MTC–00031814

ADE
80 Wilson Way
Westwood, MA 02090–1806
Phone: 781–467–3500
Fax: 781–467–0500
Fax Cover Page
To: 12023071454
From: Chris Corayer
Comments:
Sent at: 01/23/02 11:28:31 AM
Total Number of Pages (including cover): 3

I am writing to oppose the current settlement proposed. In my opinion it will change little, if anything.

What I would rather see happen is the following:

(1) ALL file formats should be documented and open, This will allow FULL compatibility withcompeting office suites such as Sun's Staroffice. Full compatibility will by it's very nature forcecompetition into the marketplace, The MS product suite will have to prove to its userbase that itis worth spending the money to buy said product when there are other products out there that canreadwrite their format, This should apply to file formats other than just the office products.

(2) Full disclosure/documentation of protocols. This would allow such things as the SAMBAgroupto allow full windows features on UNIX/BSD/LINUX machines and allow simple integration ofthose machines into a windows based network.

(3) In the rare case where Microsoft may claim security risks, I would respectfully point out thatmany of the other UNICES, like FreeBSD and the different Linuxes, do not seem to have manyproblems with full disclosure. In any event, it should not be sufficient for Microsoft to claimsecurity and not furnish information, They should be forced to PROVE that something would becompletely rendered vulnerable if certain protocols were fully documented. This process shouldbe overseen by at least half of Microsoft's competitors who should be able to determine if thiswere the case.

(4) Microsoft API's should also be fully documented, This will prevent such things as company Abeing put out of business should Microsoft decide to implement a similar program that uses''undocumented features'' to make the Microsoft product run better or more stable.

(5) No bundling should be allowed in a default install. There SHOULD be an option to installadditional software during the install process, but this should not be the default option. Mostother OS's allow a simple base install. This will not generally include web browsers, multimedia,or instant messaging clients.

(6) No exclusive licensing on the boot loader, Microsoft should not be allowed to require thatonlyWindows be installed or that the only option shown upon booting be Windows. There shouldalsobe safeguards in place to prevent retaliation by Microsoft on this point.

The first two points I consider absolutely critical. The internet was based on fully documented,and freely available protocols, Microsoft's Active Directory is a minor modification of LDAP andKerberos. Both of these are widely used protocols, but they will NOT work with the Microsoftversions, This prevents competition. The Office Suite is so engrained in the corporate sector thatthere will not be any competition until competitors can make a fully compatible product. Thiswillnot happen until the file formats are fully documented.

The remaining points are optional. I include the third just in case exceptions for security areallowed. I am however willing to make allowances if there is some property that Microsoftlicensed from another party and the license does not allow use in another product or similarsituations. The fourth point I made is much like the browser issue. For a while Netscape wouldcrash often. Certain instant messaging clients were very unstable.

The fifth point is simply to promote users to try non MS software. The option to install InternetExplorer would be available during the install, but it would no longer be mandatory. I includethisdue to recent events where Microsoft's website was made inaccessible to users who used thecompeting Opera web browser. Behavior such as this makes me extremely suspect of anyguarantees by Microsoft regarding their behavior without outside oversight.

The final point is one that was already in the proposed settlement. Ifeel that this requirement be kept in any future proposal.

Thank you for your time.
Christopher Corayer
Information Services
ADE Technologies
77 Rowe Street
Newton, MA 02466
p.617.831.8043
f.617.243.4443

MTC–00031815

January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

It amazes me that there has been such a prevalent attitude in our governmentthat sees virtue in punishing those that are successful, and rewarding those that are not.

This upside down attitude of ''redistribution'' was never more tragically obvious than inthis questionable lawsuit against Microsoft. Any company as successful as Microsoftmust do everything it can to protect its position of strength. The governmenterroneously sees this as dominance, rather than strength. With that redefinition comesan entire new set of problems that now create a case against Microsoft for ''unfaircompetition.''

That Microsoft tightly controls the use of its product—even with its OEMs—issimply good business. It is not unfair business. There have been many competingsystems that have come and gone. They have fallen out of favor not because ofMicrosoft's dominance per se, but rather because of Microsoft's superior products andservice.

Please do not misunderstand me. I do not march lock-step with Microsoft, but forme, if the government can go after Microsoft with such evangelical zeal, then thegovernment can go after any IT business. This settlement, therefore, is good andshould hopefully end the hostilities. I am totally in support of that.

Sincerely,
Vicki Hengen
President
cc: Representative Jeff Flake
1860 West University, Suite 108 Tempe Arizona 85281
(480) 902 0600 fax: (480) 902–0577
internet: www.dbwebnet.net

MTC–00031816

Scott Mason
110 Carol Rose Drive
Beaver Falls, PA 15010
January 19, 2002
Attorney General John Ashcroft
US Depertment of Justice
960 Pennsylvania Avenue, NW
Washington, DC 20530–0061

Dear Mr. Ashcroft;

I am writing you today to voice my opinion in regards to the Microsoft settlement issue. I believe the settlement that was reached in November is fair and reasonable, and I am anxious to see this three- year dispute resolved.

Microsoft is a good company that has benefited the economy and consumers. This settlement will also allow Microsoft to benefit the technology industry. Under this agreement, Microsoft must design future versions of Windows, beginning with the interim release of windows XP, to provide a mechanism to make it easy for computer makers, consumers, and software developers to promote non-Microsoff software within Windows. A technical oversight committee created by the government to monitor compliance to this settlement must a/so monitor Microsoft. This settlement will benefit the public by allowing MIcrosoft to focus its precious resources on designing and marketing its innovative software.

Thank you for allowing me to comment.

Sincerely,
Scott Mason
cc: Senator Rick Santorum
Representative Melissa A. Hart

MTC–00031817

January 23, 2002
Ed Loo
3613 Park Hill Drive
Coma, CA 92881–8440
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I would like the Justice Department to settle its antitrust suit with Microsoft Corporation as soon as possible. Microsoft has done the world a tremendous favor with its technological contributions and Innovations. I feel the case is being unjustly prolonged by competitors who are envious of Microsoft's success and market position.

The concessions in the settlement are fair and good enough to allow Microsoft to resume normal operations, I believe giving other companies limited access to certain internal Windows code will allow for better development of non-Microsoft programs that run within the Windows operating system and should minimize future threats of Microsoft's alleged monopolistic position.

Please end the lawsuit and let Microsoft return to normal business operations. Our country needs to focus on business again. If the government would think about this, they would see that they are basically biting the proverbial hand that is feeding them. How many billions of dollars has Microsoft contributed to the US Treasury through Just payroll and income taxes?

Thank you very much for your time and consideration, I sincerely hope you take into consideration the big picture of this ludicrous lawsuit brought by some over zealous and greedy individuals and states seeking to line their own coffers.

Isn't it ironic that those who have filed suit against Microsoft are probably using Microsoft's products . . Windows, Word, Excel, PowerPoint . . to file their legal briefs ??

Sincerely,
Ed Loo

MTC–00031818

Dragonfly Capital
To: Attorney General John Ashcroft
From: Don Millen
FAX NUMBER: 202–307–1454
Re: Attached
TOTAL NO. OF PAGES INCLUDING COVER:
SENDER'S REFERENCE Number: 704–342–3491 xl00
YOUR REFERENCE NUMBER:
X URGENT
700 EAST BOULEVARD, SUITE ONE .
CHARLOTTE, NORTH CAROLINA 28203
JAN-23–2002 11:50 FROM:DRAGONFLY CAPITAL 7043429750 TO:2025149082 P.001/002
220 Alondale Avenue
Charlotte, NC 28207
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to discourage you and the Justice Department from any further litigation against Microsoft. Microsoft has been the bedrock of the information technology revolution in the United States and has enabled consumers across the socio-economic spectrum to achieve productivity and efficiency gains unimaginable even 20 years ago. I strongly encourage you to put this case to rest and enact the settlement as soon as possible.

The settlement has many stipulations that will benefit the IT industry. The release of Windows XP marks the beginning in a line of changes that further benefit consumers. Windows XP is designed so that individuals can delete and add different programs into the system with greater ease. No longer will users have to have different Microsoft programs on their desktop if they are using Windows. For the benefit of its competitors, Microsoft has even enabled individual users to delete Internet Explorer at their own discretion (this act, in itself, is irrational from a business standpoint). It is my personal opinion that users of technology products appreciate the ease of use that Microsoft's products provide and that they will freely select other products if they believe they would receive more benefit. After all, isn't this what a market-based economy is about?

I believe the newfound autonomy of consumers will be beneficial. I would hope that the U.S. Government would resolve the Microsoft issue as quickly as possible.

Sincerely,
Don Millen

MTC–00031819

AIS TECHNOLOGY
N80 W114824 Appleton Ave
Menomonee Falls, WI 53052
January 23, 2002
Attorney General John Ashcroft
US. Department of Justice
950 Pennsylvania Avenue, N.W,
Washington, DC 20530–001

Dear Mr, Ashcroft:

It pleases me that the U.S. government and Microsoft have finally reached a tentative settlement agreement in the antitrust lawsuit. It is my hope that this ordeal will be resolved once and for all at the conclusion of the sixty-day public comment period.

If my memory serves me correctly, the settlement is fair. In fact, Microsoft capitulated to terms that go beyond the scope of the products and procedures at issue in the lawsuit. Most significant is Microsoft's agreeing to divulge its patented code for the Windows operating system to its competitors I understand this has never been done before in an antitrust settlement. While only one of many measures in the settlement, it will have a hugely positive effect on increasing competition.

It is my hope that the settlement Is finalized as soon as possible. Thank you.

Sincerely,
Nicholas Oliver
Systems Analyst
CC: Representative James Sensenbrenner

MTC–00031820

Roger Little
288 Concord Drive
Freeport,IL 61032
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to express my complete support for Microsoft in this case. Microsoft in my estimation in an ambitious and aggressive company that continues to press for improved and increased innovation. This sort of fortitude is crucial to the success of any company and Microsoft personifies this fortitude.

I was unhappy that a suit was filed against Microsoft to begin with so you can just imagine how displeased I am that there are still states who wish to pursue litigation against Microsoft. Microsoft has made significant strides to prove their willingness to comply with the settlement proposed by the DOJ. They have already agreed to design future versions of Windows that will enable computer makers, consumers and software developers to promote non-Microsoft software within windows. They have also made an unrecorded agreement to disclose internal Windows interfaces to its competitors. Competitors will also benefit by Microsoft's agreement to share their intellectual property by granting license to third parties.

A close review of the these strides, shows a company willing to bring closure to this case even at the risk of limiting its own competitiveness. Considering Microsoft's many efforts at complying with the settlement proposed by the DOJ, please make the decision necessary to end this lawsuit

and help bring relief to our struggling economy.

Sincerely,
Roger Little

MTC–00031821

RODOPI BILLING SOFTWARE
January 22, 2002
Attorney General John Ashcroft
US Justice Department
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

Even though there is an underlying perception among consumers that Microsoft has been a little less than responsive to their needs, the government's lawsuit against Microsoft was overly ambitious. If the lawsuit had succeeded in its intent of breaking Microsoft apart into smaller, more malleable pieces, the ability for consumers or IT companies to get the full range of the Microsoft product line would have been seriously compromised.

Having said that, I believe that the settlement reached between Microsoft and the Department of Justice is reasonable and addresses most of the serious concerns that many have had. It creates strong new demands for fairer licensing arrangements for hardware companies and an anti-retaliatory framework for software companies as well. I am hoping that the public will endorse this settlement through this public review process, and that we can all put this episode behind us.

I am further hopeful that no further federal action will be taken, in that I believe that it's important to move on. These are my personal views and do not necessarily reflect the views of the company I work for. Thank you for this opportunity to express my support of the settlement.

Sincerely,
Arthur R Ekroos
Executivc Vice President

MTC–00031822

TATUM CIO PARTNERS, L.L.P.
January 28, 2002
Attorney General John Ashcroft
US Department of Justice
930 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

This is to give my approval to the recent settlement between Microsoft and the Department of Justice. In my opinion, this suit should never have been brought. I am from the mainframe generation. I remember how hard it was. There was no compatibility between software programs or different hardware. Nothing worked. Bill Gates came along and changed all that.

Bill Gates standardized computer programs onto more useable formats, increased compatibility of computer software programs, making this country the dominant force in the computer industry. Ad for this he was punished. Punished by the government, and punished by his competitors, who could not compete in any other way. We tell our kids to be the best and brightest, yet when they do succeed, the government is looking over the shoulder. This is wrong.

Microsoft has led my industry with many advances beyond computer compatibility . Scalable operating systems, office applications, e-Commerce, and Internet navigation immediatly come to mind. They have become the leader in areas that required consensus in order to proceed along its path; which provided benefits to my industry and strengthened our competitive position. It wasn't too long ago that multiple and conflicting infrastructure products created an impossible technical environment. I feel without Microsoft's efforts in these key areas the resulting chaos would raise the cost and frustration in doing business. Microsoft deserves the recognition and profits associated with their success.

With this agreement, Microsoft has agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit. Microsoft has greed to its Windows operating system products to the 20 largest computer makers at identical prices; Microsoft has agreed to grant computer makers new rights to configure Windows so as to promote non-Microsoft software programs; Microsoft has agreed to a technical committee to monitor future adherence.

Enough is enough.

We have to put this behind us and move forward. Give your support to this proposals.

Sincerely,
Bernard Goldband
Director

MTC–00031823

FROM: J.P. WEIST BAY CITY, MICHIGAN
TO: MS. RENATA B. HESSE

I support the government settlement of the Microsoft settlement.

It is time to say that is it. No more waste of our tax money—Enough is Enough.

Thank you

MTC–00031824

TO: DOJ
MS. RENATA B. HESSE

I SUPPORT THE MICROSOFT SETTLEMENT!

Sincerely,
Don Lucha
2030 Sinclair N.E.
Grand Rapids, MI
(616) 361–5079

MTC–00031825

1341 College Point
Winter Park,FL 32789
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am aware that a settlement has been reached in the Justice Department's three-year case against Microsoft. I support the settlement even though I don't believe that the government, MY GOVERNMENT, should have even recognized the complaints of their competitors in the first place. I think it is in the government's, and our best interests to accept the settlement and move on to more important matters.

If It wasn't for Microsoft, I would not be as computer literate as I am today, and I'm just an ordinary citizen who has had no training, no schooling in use of a computer. I know that there are gazillions (my word for lots and lots) of middle aged and older Americans who have had to learn to use this technology on their own. Microsoft products made it easy, non-threatening and affordable. Their products caused the huge number of purchases of personal computers and associated items, that drove our country's economic success and increased productivity in the 90's. 1 think it is sad that they are being penalized for America's success.

The terms of the settlement are reasonable, despite my objection that this case should not have been brought to court in the first place. Microsoft is making changes to prevent any future antitrust practices. It has agreed to establish a three-person technical committee which will monitor Microsoft's compliance with the settlement. Microsoft will use a uniform price list when licensing Windows out to the largest 20 computer makers in the United States. They have agreed to document and disclose for use by its competitors various interfaces that are internal to Windows' operating system products

I ask that the government stop spending my resources to penalize Micorsoft's success and agree to the settlement terms.

Nancy Braden
cc: Representative Ric Keller

MTC–00031826

208 N. CHURCH STRET
Nazareth. PA 18064
To: Dept of Justice
From: Evelyn Huth
FAX 202–307–l454 or 202–616–8837
Date: January 23, 2002
Re: Microsoft Settlement Case
cc:
o Comments: See attached letter.
JAN–23–2002 10 : 20

I WOULD HOPE THE RECENT ANTITRUST SETTLEMENT BETWEEN THE JUSTICE DEPARTMENT & MICROSOFT ARE ACCEPTED. FROM NEWSPAPER ACCOUNTS, I BELIEVE THE SETTLEMENT IS REASONABLE & EXCEEDS THE FINDINGS OF THE RULING BY THE APPEALS COURT. MICROSOFT HAS HELPED BRING ITS COMPANY INTO AN NEW ERA. PROLONGED ARGUMENTS SIMPLY DELAY PROGRESS.

I, FOR ONE, SEE MICROSOFT BEING PUNISHED FOR BEING INNOVATIVE & FEEL THE SUITS AGAINST THE COMPANY STIFLE THE INVENTIVE SPIRIT & THE SPIRIT Of FREE ENTERPRISE WHICH HAVE BEEN HALLMARKS OF THE AMERICAN WAY OF LIFE.

I SEE OTHER COMPANIES BECOMING MONSTROUS MONOPOLIES, BUT THEY DO SO WITH NO RECRIMINATIONS. TO ME, THIS SMACKS OF DISCRIMINATION AGAINST MICROSOFT.

PLEASE LET US ALL GET ON WITH INVENTION, INITIATIVE, & HOPE FUTURE.

SINCERELY,
MRS. EVELYN L. HUTH
209 N. CHURCH ST.
NAZARETH, PA 18064

MTC–00031827

John and Marion Tasso
163 Cannon Boulevard
Staten Island, NY 10306

January 22, 2OO2
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am asking that you give your approval to the settlement between the Department of Justice and Microsoft. This agreement was hammered out between the two parties, and I think if the agreement is good enough for them, it should be good enough for us. We do not need to waste any more taxpayers' money. It is time we got past constantly rehashing judicial decisions. When does it stop? Why even go to court., if we don't abide by the decision? We are also trying to get past an economic recession, why cripple the one company that will help us get out of it?

Microsoft has agreed to many of the conditions imposed by the Department of Justice. Microsoft has agreed to a technical committee to monitor its future adherence; Microsoft has agreed to help companies achieve a greater degree of reliability with regard to their networking software; and Microsoft has agreed to grant computer makers new license to configure Windows to promote non-Microsoft software programs. This is more than fair.

Give your support to this agreement. Thank you.

Sincerely,
John Tasso

MTC–00031828

IHI TURBO AMERICA
P.O. Box 22E Shelbyville, IL 62565
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I have never been one to agree with any type of monopolistic practices within on organization. This is why at the beginning of the case against Microsoft; I felt that the main complaints were justifiable. I however became quite dissatisfied with the turn that this lawsuit took.

I am thankful that the government realized that such a breakup would have drastic results for the IT industry, the economy and for consumers and redirected the lawsuit and eventually proposed a settlement. Though I find some of these terms of a bit harsh for Microsoft in that they are being asked to release its internal protocols, interfaces and intellectual properties, I am very pleased with Microsoft's willingness to comply. I think Microsoft's willingness has been slighted by the States wishing to continue litigation.

I am writing to give my complete support to Microsoft in this matter and hope that Microsoft's compliance to the terms of the settlement is duly noted. Putting this matter to rest will do the economy, the IT industry, Microsoft employees and software consumers a world of good. I appreciate your office's prompt decision to end litigation as soon as possible.

Sincerely,
John Selby

MTC–00031829

SEMAR
689 Lakeshore Drive
P.O. Box 128
Lake Junaluska, NC 28745
January 22, 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 the Microsoft settlement. I feel that the Department of Justice reached a fair and reasonable agreement, which nine states leave already approved. I do not understand what more Microsoft should do to appease the states continuing with litigation. The concessions the corporation has already made have set new precedent regarding antitrust cases, and have set provisions to handle future problems that may occur.

Under the current agreement, Microsoft will change the way it develops, licenses, and markets its software. Microsoft will grant software developers and computer makers the ability to configure Windows so as to promote non-Microsoft software that competes with programs included within Windows. Also, Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to Windows operating system products. It appears to me that Microsoft has, more or less, opened its doors for the competition to launch their products through its existing inventions.

I do not see what further litigation at the federal level will gain for the consumers. As a taxpayer, I cannot justify allocating scarce recurses on a problem that has already been solved, and fear that the states continuing with litigation see this lawsuit as a revenue builder and nothing more. I hope you will see fit to judge this case by its merits, and not by political and legal trends. Thank you for taking the time to hear my thoughts.

Sincerely,
Vergil Daughtery

MTC–00031830

ALFRED W. CRUMP, JR.
ATTORNEY AT LAW
520 WASHINGTON STREET
P.O BOX 1498
READING, PENNSYLVANIA 19603
TELEPHONE (610) 376–8784
FAX (610) 376–2853
January 22, 2002
Attorney General John Ashcroft
U.S. Dept. of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Re: Microsoft Settlement

Dear Mr. Ashcroft:

I am writing in support of the settlement of the Microsoft litigation which is now pending. It is my belief that Microsoft has done this country a great service by their innovative products. Software development, from my layman's knowledge, appears to be a low entry cost product which requires substantial individual knowledge and creativity as opposed to great cap out lay (as opposed to Chip Manufacturing).

Certainly, I, in no way, want to condone any monopolist practices by corporations, however, in Microsoft's case, I cannot see how they should be forced to share their creative processed with companies who would be taking advantage of Microsoft's initial hard work and creativity.

I think a majority of Americans are tired of this litigation and that we should get on with the real business of America and allow Microsoft's creativity to continue. There certainly are many other knowledgeable and creative people out there who can compete if they so desire, however, they should not be able to take advantage of Microsoft's initial innovations.

A Plot against Microsoft appears to be focused on college campuses,including my son's, who feel that Microsoft is the ''evil doer''. Microsoft, because of the great wealth it has created, has replaced or is the current representation of ''corporate America'', which, in one's youth, one loves to vility.

However, the majority of Americans want Microsoft to be praised rather than be condemned or penalized.

I remain...
Very truly yours,
Alfred W. Crump, Jr.
AWG/via
cc: Senator Rick Santorum

MTC–00031831

Renata B. Hesse
Antitrust Division
U.S. Department of Justice, Suite 1200
601 D Street NW
Washington, DC 20530–0001

Ms. Heese:

I am strongly opposed to the settlement proposed in the Microsoft antitrust trial. What is contained In that proposal provides neither adequate oversight and review to prevent recurrences of such actions in the future nor adequate penalties for those of the past.

Microsoft has been found to be a monopoly and to have used that position to illegally increase their fortunes at the expense of competitors, their own OEM customers, and the American public.

The proposed settlement seemingly accepts that Microsoft has behaved illegally, requires no meaningful compensation for their victims, and requires that they behave very slightly differently in the future—and then only on specific and enumerated products. This sort of settlement will do little to discourage Microsoft from similar activities in the future and will do nothing to keep them from using their vast financial resources to circumvent it.

The proposed settlement does not apply to any and all products. of any sort whatsoever, designed, manufactured, or marketed by any company either partially or wholly owned by Microsoft, its heirs, successors, or assignees, past, present, and future—it should. It does not require full and open disclosure of all APIs and file formats to developers of products which might compete with Microsoft products—It should. It does not prohibit the predatory practice of releasing Microsoft products which ''cripple'' competing products—it should. It does not prohibit software licenses which prohibit (or seriously restrict) packaging of non-Microsoft products by OEMs—It should.

It does not prevent them from using their nearly absolute control of the end-user computer Interface to sell other Microsoft products and services—it should. Finally, the proposed settlement seems to allow Microsoft to provide second-hand computers to under-financed school systems and supply them with Microsoft software. This is amazingly inadequate for several reasons: First, there is absolutely no shortage of used computers in this country. I've worked for computer manufacturers and can assure you that used computers are next to impossible to give away to school districts— they want current models. Private individuals, corporations, and government agencies scrap thousands of functional two or three- year-old computers daily and many of them end up in landfills because no home can be found for them.

Second, although the development cost of software is high, the manufacturing cost of the distribution media is negligible. The out-of-pocket cost to Microsoft for operating system and application software CDs is only a few cents each. Lastly, the concept of a settlement which requires that Microsoft's punishment for monopolistic acts be to actually extend the monopoly to include new victims who have escaped it in the past because of their lack of funds verges on the surreal.

Please find a settlement that protects us from Microsoft and is so painful to them that they never think of acting illegally again.

Respectfully,
Ran Ralston
23704 El Tom Rd. #5–285
Lake Forest, CA 92630

MTC–00031832

SMITH HELMS MULLISS & MOORE, L.L.P.
Attorneys at Law
2800 Two Hannover Square
Raleigh, North Carolina 27601
PO Box 27525 (27611)
(919) 755–8700
direct: 919–755–8713
fax: 919–755–8800
Mack.Paul@smithhelms.com
January 16, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

North Carolina's Attorney General recently agreed to the settlement that has been reached in the Microsoft antitrust case, and I hope the federal court will follow suit and allow this long-running matter to be put behind us.

I strongly believe the settlement provides adequate guarantees against illegal and unfair behavior by Microsoft. The settlement protects computer makers, software companies and consumers. The establishment of a technical committee to monitor Microsoft's compliance provides further protection.

It is my personal opinion that this proceeding has, from the beginning, been more competitor-driven than consumer-driven. The long history of Microsoft and its products has been one of better services and lower costs for consumers. Never has any consumer harm been proven in this lawsuit.

The government should now be satisfied that competitors will be protected against improper actions by Microsoft, thanks to this settlement.

Sincerely,
SMITH HELMS MULLISS & MOORE, L.L.P.
Mack Paul
ATLANTA CHARLOTTE GREENSBORO RALEIGN WILMINGTON

MTC–00031833

William B. Cooley
P. O. Box 416
Jackson, N.C. 27845
Ms Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Northampton County where I live and grew up, is one of the most economically distressed areas of North Carolina. As the former Mayor of Jackson, our county seat, I know first-hand the economic challenge we face.

As our nation's economy becomes more heavily dependent on computers, I am concerned that my home county may fall even farther behind. I believe that we must focus on closing the ''ital divide.'' But companies such as Microsoft, and its competitors, will not be able to do that if they continue to spend their time and considerable resources battling in the courts rather than developing new products and service for a wide range of customers.

For that reason, I believe it would be wise public policy for the federal courts to approve the pending settlement in the Microsoft antitrust cast. Our state's attorney general has accepted it, for many of the same reasons outlined above.

With our nation facing unprecedented challenges at home and abroad, American business needs to focus on serving the customer, not fighting in the courtroom. I hope the federal court will enable this to happen in this matter.

Thank you for your attention.

Sincerely,
William B. Cooley

MTC–00031834

Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
RE: Microsoft proposed settlement

Dear Ms. Hesse:

I have read a summary of the settlement and it seems to be very equitable. The provision that the twenty largest computer makers will be able to obtain Windows under the same terms conditions and price is very fair.

I think the time has come to settle this case and look forward to hearing that good news in the near future. This industry is very competitive. But Microsoft has been a leader in this industry for quite some time. They are not going away and I believe they will comply with the terms laid out.

Yours truly,
G. Baker Ellett
3305 Patterson Avenue
richmond, VA 23221

MTC–00031835

Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Subject: United States v Microsoft Settlement

I am concerned that the penalty phase of this case may create a furthering of the monopoly that Microsoft has been found guility of. I am concerned that pushing the penalty phase for convienience, is not using the best in judgement. I am concerned that if the penalty is established by those terms negotiated by Microsoft that a president will be established for future monopoly cases involving other companies inclined to establish their own monopoly.

I believe that Microsoft should be held accountable to methods now and still being used by restricting computer manufactures to putting on only their operating system software when you purchase a computer. I believe that the computer and the installed software should be priced out as separate items. The consumer should have the knowledge of both the price of the software being offered, and have the option of installing whatever operating systems that is desired.

Microsoft should be required to provide specifications of the present and future document file formats publicly, so that all makers of software can write applications compatable with Microsoft operating systems. The specifications, of networking protocols, must also be provided to and approved by an independent network protocol body.

As an owner of MedScripts a concern of mine is patient confidentiality, it is because of this issue that we do not use the internet exployer of Microsoft in our business. We type medical chart information for physicians. I have noted that the Center for Strategic and International Studies indicated that the use of Microsoft software does pose a national security risk. With the various acts security breaches being done on an international level—this security risk is a concern of mine.

Thank you for your consideration when settling this case.

MTC–00031836

SEI INVESTMENTS
195 N. Harbor Drive # 2003
Chicago, IL 60601
January 23,2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I would like to offer some thoughts on the Microsoft antitrust case. I believe that there

was merit behind the complaints that brought about the original lawsuits, but that was three years and countless dollars ago. Microsoft has made an antitrust precedent in the concessions it has agreed to, and protocol has been proposed under your settlement to deal with future problems. I do not see any benefit from future federal action against Microsoft, and hope that this matter will soon be behind us.

There will always be those lining up to take as much market share from Microsoft as they can, and as long as you allow this case to proceed, there is nothing to stop them. Microsoft has already agreed to grant broad new rights to software engineers and computer makers. It has even allowed them to configure Windows so as to promote non-Microsoft programs that compete with the programs already included within Windows, Although it may seem unreasonable to allow your own successful product to be used as a springboard to launch the competitions'' products, Microsoft has agreed in an effort to settle this issue sooner, rather than later. Would it seem as reasonable if Microsoft was involved in a more traditional industry? Imagine if Burger King could not penetrate McDonald's market share. Would we mandate that McDonald's allow its customers to order a Burger King Whopper at its own restaurants?

We must recognize that Microsoft has shot itself in the foot, be it a small hole, in an effort to end this witch-hunt. I see no reason that we can't allow the IT industry and the economy to move forward. I hope you will use your position to do what is right, and ensure that our country maintains its position as the world technology leader.

Sincerely,

Michael Holan

MTC–00031837

333 North Madison Street
Joliet, IL 60435–8595
815 725–7133 Tel
PROVENA
Saint Joseph Medical Center
Foundation
January 23,2002
Ms. Renata Hesse
U.S. Department of Justice, Anti-trust
601 ''D'' Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I appreciate this opportunity to submit comments regarding the settlement of the United State's anti-trust case against Microsoft.

I am a Microsoft consumer for several years and have been generally pleased with the performance of this company's products. Even more though, I am continually amazed with the advancements made the entire the computer industry over the last several years. These advancements are quickly becoming an integral part of most American's professional and personal lives.

While there is certainly a need for the government to protect consumers from monopolies, I do not believe our current laws can be honestly applied to the technology industry. This industry is one that is based on constant innovation and therefore changes very quickly. Since the government began its case against Microsoft the changes within this industry have made much of the original case out of date.

While I am not an attorney, my belief is that since the federal government and Microsoft have worked out this agreement it is one built on compromise. Generally, when two sides are required to compromise their positions to some degree the results are at least equitable.

I have no doubt that settling this case is the best for all involved, most importantly consumers.

Sincerely,

Jackie Lewis

MTC–00031838

GREG G. JONSON & ASSOCIATES, PC
CERTIFIED PUBLIC ACCOUNTANTS
5310 Markel Road, Suite 208
Richmond, Virginia 23230
Telephone (804) 282–0687
Fax (804) 282–0265
Frank Y. Yannis, CPA
Greg C. Jonson,CPA
Michael A. Hamway, CPA
January 23,2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I have had a chance to review a summary of the key provisions of the Microsoft settlement. I understand that they include a provision in which Microsoft has agreed to license its Windows operating system products to the 20 largest computer makers on identical terms and conditions, including price. Another provision would grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows.

To me, these are examples of an agreement that ''has teeth''. I hope that this settlement will be adopted and this lawsuit will be put to rest.

Sincerely yours,

Greg G. Jonson. CPA

MTC–00031839

NORTH CAROLINA REPUBLICAN PARTY
Bill Cobey
Chairman
Linda Daves
Vice Chairman
January 23,2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax: 202–616–9937

Dear Ms. Hesse:

As the Chairman of the North Carolina Republican Party, I have to be prepared to make tough decisions every day. I have to be constantly concerned with campaign strategy, issue debates and new fundraising strategies for the party. I'm glad to know that I have Microsoft products at my disposal each and every day to maximize my efficiency in dealing with these and other matters.

I've been involved in public service for a long time, having served the University of North Carolina at Chapel Hill at Athletic Director and as a member of Congress from North Carolina's Fourth Congressional District. Over the years, I've seen what improved technology can do for a staff.

For example, data processing technology makes the creation and mail merging of a document so efficient that it barely takes longer to write a letter to one hundred people than it does to write a letter to one person. Spreadsheets, business presentations and planning documents make meetings operate more smoothly and increase the level of comprehensive communication between everyone involved in a project. Microsoft has consistently led the way in technological innovation. From their Windows suite of products to their constant innovative program updates, Microsoft quite simply has produced the software that have been successful for American business and American families.

I'm not an attorney by trade, and I'm not familiar with every bit of legal minutia present in the federal government's antitrust case against Microsoft, but it seems to me that if both parties have agreed to a settlement, that settlement should be approved. The American economy is too dependent on technological innovation to drag this lawsuit out any further. I request that Judge Kollar Kotelly to approve the settlement.

Sincerely,

Bill Cobey
Chairman
1410 Hillsborough Street
* Post Office Box 12905
* Raleigh, North Carolina 27605
(919) 828–6423
* Fax : (919) 899–3815
* www.ncgop.org

MTC–00031840

Judy Napier
3300 Riverglade Road
Powhatan, Virginia 23139
January 18, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am told that comments on the proposed Microsoft settlement are to be directed to you. Thank you for the opportunity to do so.

The proposed settlement stipulates that Microsoft could not penalize computer manufacturers who distribute software that competes with Microsoft's operating systems (including Windows XP) and middleware (i.e., Internet browser, instant messaging tools, media player, and email utilities). These manufacturers would be entitled to uniform licensing terms, with some flexibility for volume discounts and marketing allowances. Computer manufacturers could fully ''monetize'' their control over the boot sequence and desktop configuration of computers by installing or promoting non-Microsoft products and services. They would be free to remove or

replace any Microsoft middleware. I believe this means guaranteed flexibility for computer manufacturers who equip their products with any Microsoft operating system.

The last thing the technology industry needs now are government lawyers, bureaucrats and judges watching over the industry, attempting to micromanage it which is exactly what Microsoft's rivals lobby for on a regular basis. In this economy we need to market to operate freely, which is when it operates at its best.

Sincerely yours,
Judy Napier

MTC–00031841

W. THACKARA BROWN JR.
8835 Glass Pond Ct
Ocean Isle Beach, NC
28469
January 18, 2001
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft atr@usdoc.gov

Dear Ms Hesse

The US Department of Justice's antitrust lawsuit against Microsoft has been allowed to go on too long, and I believe it begins to smack of excessive use government power in the private sector. Accordingly, I want to express my hope that the proposed consent decree now before the court will be approved quickly.

I have extensive experience in the private sector working with government. I was the Public Relations/Public Affairs for a major pharmaceutical company for nearly 26 years. I know, firsthand, that government can be a constructive partner with business, but I also know that it can be a destructive force.

Microsoft clearly is dominant in the software industry today, but there is no guarantee that it can maintain that dominance. The information-technology industry, like so many industries, has seen dominant companies falter and fail before in a marketplace as dynamic and fast-changing as this one is, it can and, most likely, will happen again

This very dynamism, in fact, is the most compelling argument for settling the case. It is far better for America for these companies to fight each other in the marketplace, than in the courtroom. It is through the marketplace, not the regulatory arena, that new software will be developed and new innovations introduced to benefit both business and the individual consumer The proposed settlement apparently provides for extensive safeguards against inappropriate behavior by Microsoft. Further, the company has agreed to accept and abide by these specific and far-reaching provisions.

In view of these facts, I hope the court will act quickly to resolve this matter, end the litigation and allow those involved to concentrate their efforts on reenergizing this vital industry.

Let's get back to building America for the future!

Sincerely,
W. Thackara Brown Jr.

MTC–00031842

23-Jan-02 11:19 page 1/2
1/23/2002
Comments directed to the Microsoft Anti-trust hearings.
Renata Hesse
Trial Attorney
Suite 1200
Antitrust Division

I would like to take issue with the proposed settlement between the DOJ and Microsoft. If I understand it correctly, it provides: * No real remedies for the monopoly behavior that Microsoft has exhibited. * Seemingly makes it legal for them to continue such behavior in the future. * Provides some penalties which would only increase Microsoft's foothold as a computer monopoly.

It would seem to me that any settlement with Microsoft should contain the following provisions:

1) Microsoft should be required to publish the document file formats and specifications for the files used within their programs. This will allow other program developers to create software that can access these files, thus preventing Microsoft from developing software applications that can lock in companies to using only Microsoft applications.

2) Microsoft must also publish the protocols it wishes to use on the Internet thus keeping the internet open for all users and prevent the ''takeover'' by Microsoft by using its own protocols. An example of this is my local library. At the moment I can only access the on-line capabilities of the library by using Microsoft's Internet Explorer browser. The library uses Microsoft software to create its web pages. Those web pages can only be accessed with a Microsoft browser, thus locking other browsers out and locking people into using Microsoft software.

3) Microsoft must be prevented from tying its software in to the sales of computers. I have many copies of Microsoft's Windows operating system that I was forced to pay for because the computer manufacturers were forced by economic and other means to sell the systems with their computers. The software and the computers must be available separately and priced commensurate with the value of each.

If I understand what I have read in the news, one of the ''penalties'' of the settlement is that Microsoft is to provide 1 billion dollars worth of software to educational institutions. The facts of this are that a) the cost to Microsoft of a (line illegible) software to schools will only provide a further monopoly in the training of future computer users in Microsoft software. Thus the cost to Microsoft for this penalty will be very low and it will provide major benefits to Microsoft in advertising, and future sales of their software.

I feel very strongly that the DOJ has failed in its attempt to bring a resolution to the problems of Microsoft. It appears to me that they have played right into Microsoft's hands and this is a dream settlement for Microsoft. As a consumer who has been harmed by these issues, I hope that the DOJ will reconsider the settlement.

Thank you,
Bruce Marshall
8736 Bliss Road
Bellaire, Ml 49615

MTC–00031843

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COMMITTEE ASSIGNMENTS:
COURTS OF JUSTICE
CORPORATIONS, INSURANCE AND BANKING
SCIENCE AND TECHNOLOGY
MILITIA AND POLICE
MINING AND MINERAL RESOURCES
January 23, 2002
Renata Hesse, Trial Attorney
Antitrust Division
United States Department of Justice
601 D Street, NW, Ste. 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing to advise you of my support for the proposed settlement agreement between the United States federal government and the Microsoft Corporation, and to encourage you to approve this settlement agreement.

This proposed settlement agreement would be of tremendous benefit to consumers in Virginia and other states. The dispute between Microsoft and the federal government needs to be concluded as quickly as possible, and a fundamental part of this settlement agreement should be recognition that Microsoft should be empowered to decide which products and features it offers to the public and how those products are priced. This is in the interest of competition, and bringing the best possible products, at the lowest possible price, to consumers.

As you know, Virginia is a technology friendly state, and technology companies have flourished within the Commonwealth over the past several years. We need to do everything we can to encourage a continuation of this important economic development activity, and we need to make certain that we not impede the success of companies like Microsoft in any way.

Again, thank you and I hope you will act favorably on this request.

Sincerely,
TERRY G. KILGORE, MEMBER
VIRGINIA HOUSE OF DELEGATES
FIRST DISTRICT
NOT PAID FOR AT GOVERNMENT EXPENSE

MTC–00031844

01/23/02 10:38 FAX 614 476 9939 DIVERSIFIED SYSTEMS
001
DSInc.
DIVERSIFIED SYSTEMS, INC.
''Diverse IT Solutions for a Diverse IT World''
700 Taylor Road,Suite 150
Gahanna,OH 43230
614–476–9939 ph
614–476–9672 fx
Facsimile Transmittal
To: J. Aschroft

Fax; 202 616 9937
Company: A G
Pages: 2
From: Homer Beard
Date: 1–23–02
CC:
xUrgent xFor Review xPlease Reply
MESSAGE Thank you for your consideration
Homer Beard
CONFIDENTIAL
01/23/02 l0:38 FAX 614 476 9939
DIVERSIFIED SYSTEMS
002
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am taking a moment to write to you to express concern about settlement reached between your office and Microsoft in the antitrust case. I fear that there are groups that would like this settlement withdrawn and see this case continue. You should avoid the advice of these groups and finalize the settlement.

Under this settlement Microsoft will disclose its information about internal interfaces within Windows, which will give competitors unprecedented access to Microsoft code. This will create more openness and competition in the IT industry. No other software company has ever agreed to share so much information as Microsoft has in this settlement. There clearly is no reason to continue this case.

I am in favor of the proposed Microsoft settlement, and I hope that it is finalized quickly. There are many more important priorities with which to deal, and prolonging this case would be folly. I am hoping that you agree and will stand behind your settlement.

Sincerely,
Homer Beard 1/23/02
6539 Rugosa Avenue
Reynoldsburg, Ohio 43068

MTC–00031845

WBDC Worcester Business Development Corporation
January 22, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington. DC 20530
VIA FACSIMILE

Dear Attorney Hesse:

I have served in municipal government for a number of years, and as a former local public official, I am often one of the first people to hear what is on the minds of our citizens. I can tell you that it is not the proposed settlement in the Microsoft anti-trust case. People today are concerned about the economy and about their-job.

The Hi-tech industry plays an important role in the Massachusetts economy. We need to reach a conclusion in this case, so that our already fragile economic state is harmed no further. We need to put people back to work in the Hi-tech sector.

I urge the Justice Department to support the proposed settlement reached in this case. There has been no harm to consumers.

Sincerely,
Craig L.Blais
Executive Vice President
Phone 508–755–5734
339 Main Street Suite 200
Worcester. MA 01608
FAX 508–755–9639

MTC–00031846

p.1 (508) 755–9639 WBDC Jan 23 02 10:42a
Tallahassee, Florida 32312
January 21, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D. Street NW, suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse:

I believe that this country is becoming far too litigious. Lawsuits destroy our innovative spirit and, especially during economic times such as these, hinder the ability of corporate America to grow and create jobs for our citizens. The lawsuit against Microsoft is just one example of overzealous litigation. Suing a corporation for its innovation and capitalistic pursuits does nothing but deter other companies from investing in new technologies. Rather, we need to foster market solutions to issues affecting the technology industry. Such solutions will foster growth in the economy and create jobs; conversely, litigation such as that against Microsoft has the exact opposite effect.

Companies like Microsoft are built by innovative ideas coupled with the willingness to invest in the promotion of those ideas. The lawsuits against Microsoft appear to have been initiated by its competitors, which could set a dangerous precedent for using the courts to circumvent the legislative process. While I do not believe Microsoft should have been sued in the first place, I support the settlement reached between Microsoft and the Justice Department as a means to end this litigation. Closure on the litigation is beneficial to the entire technology industry. Thank you for the opportunity to relay my thoughts on this matter.

Very truly yours,
Jason L. Unger

MTC–00031847

Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Sheet NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoj.gov

Dear Ms. Hesse:

I write in support of the proposed settlement in the Microsoft antitrust case. It is time to resolve this matter so the high-tech industry can return to what it does best: develop innovations that improve productivity and economic growth. The agreement that has been negotiated provides far-reaching changes in how Microsoft develops, licenses and markets its software. But the settlement also would enable Microsoft to continue developing new versions of Windows that feature new and integrated technologies. The settlement also takes significant steps in assuring that competitors of Microsoft and computer-makers will be able to compete successfully and use non-Microsoft products.

On a personal note, I agree with many of DOJ's assertions in the case, but at what point does the cost of the investigation and the restrictions placed therein become a greater punishment? It is my sincere hope that the courts will accept this settlement and resolve this matter quickly.

Sincerely
Jaimey Sexton
President
Telephone Strategies Group
1081–102 Wirewood Drive
Raleigh, NC 27605
Phone: 919–420–9320
FAX: 919–828–6589 member AAPC

MTC–00031848

learn something
January 21,2002
Renata B. Hesse
Antitrust Division
601 D Street NW. Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse,

As a small business owner, I employ several people. Recently, I had to lay off some staff, which last year did not seem possible. But, as I'm sure you are aware, the once raging high-tech economy is now barely limping along.

I think that the never-ending lawsuit against Microsoft has contributed to the slowing of the economy as innovation and funding have dried up. Microsoft is a huge player in my industry, and when they clinch up, uncertain of what this lawsuit is going to do, the entire tech world is slowed, virtually frozen in place wondering what comes next.

That is why I hope the court will accept the terms of the agreement on the table now. It seems fair to me. Microsoft will now grant hardware companies new rights to configure Windows so they have the freedom to promote non-Microsoft products within Windows programs. This was a good sign from Microsoft. Moreover, I don't think that the Government needs to be in the technology industry. If some companies—like AOL Time Warner—cannot compete, that is their own detriment, and Uncle Sam does not need to do their work for them. My business will be in much better shape if this lawsuit is settled, and I will be able to hire more people and contribute to the economy.

Sincerely,
William J. Crumpacker, III
CEO
2457 Care Drive
Tallahassee, FL 32308 USA phone: (850)385–7915
fax: (850)365–7964
www.learnsomething.com

MTC–00031849

COLONEL DICK BLACK (USA RET.)
20978 FLATBOAT COURT
STERLING, VIRGINIA 20185
THIRTY-SECOND DISTRICT
COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES RICHMOND
January 22, 2002

COMMITTEE ASSIGNMENTS: COURTS OF JUSTICE TRANSPORTATION LABOR AND COMMERCE CLAIMS MINING AND MINERAL RESOURCES
Renata Hesse
Trial Attorney
U.S. Department of Justice
601 D Street, NW #1200
Washington, DC. 20530
By fax: (202) 616–9937

Dear Ms. Hesse:

I urge you to approve the proposed settlement agreement in the case of United States v. Microsoft. Continued uncertainty surrounding this litigation has caused shock waves within the technology community that are impacting the economy.

I have received numerous complaints from the public regarding the Microsoft antitrust case. The public does not understand why Microsoft has come under judicial attack. I have not heard from a single individual urging continuation of the lawsuit.

As the most highly visible high-tech company in America, Microsoft is a bellwether for the health of the industry. The antitrust lawsuit could not have come at a worse time. A number of technology firms in or near my district have experienced financial distress unconnected with Microsoft. However, their difficulties are aggravated by the immense uncertainties surrounding that company. Prompt settlement of this case is crucial, not only to Microsoft, but to the industry as a whole.

I understand that the proposed terms of the settlement are fair to all parties. I support the settlement as written and urge immediate finalization of the case now pending before the federal court.

Sincerely,
Richard H. Black
Virginia
House of Delegates
32nd District
bly/cc: E. David Foremen, Jr.
DISTRICT: (703) 406–2851
* FAX: (703) 450–2076
RICHMOND: (804) 698–1032
* E-MAIL:
DEL—BLACK@HOUSE.STATE.VA.US

MTC–00031851

98 Shoreline Drive
Ware, MA 01082
January 21, 2002
Attorney General John Ashcroft
US Deportment of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

It has come to my attention that the US Department of Justice, and Microsoft Corporation have reached a settlement in the three-year antitrust case. I would like you to know that I support the settlement, and also support Microsoft in this. The government needs to leave them alone, and move onto other matters like investigating the Enron fiasco. Microsoft has agreed to make a specific number of changes, because of this; settlement. For instance, they have agreed to document and disclose various interfaces that are internal to Windows' operating system products. Also, they have agreed to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers, and software developers to promote non-Microsoft software within Windows. Clearly, this settlement is more than just a slap on Microsoft's wrists. It will end the suit, and I support it.

Sincerely,
Richard Galaska

MTC–00031852

January 23,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

Please accept this letter as an indication of my full support for the settlement that was recently agreed to by Microsoft and the Justice Department with regard to their antitrust lawsuit. Settling this matter in order for Microsoft and the rest of the industry for that matter to begin innovating again is in everyone's best interest.

My understanding of the settlement is that Microsoft did not get some sort of secret ''sweetheart deal.'' On the contrary, the software company has in fact agreed to terms that extend beyond the products and procedures that were actually at issue in the three-year lawsuit. After three years, one would think that all the parties would know what issues are at stake, and Microsoft's competition should have no justification for asking for even more than what was litigated over for the past three years. Therefore, a breakup of Microsoft, as some in the government strove for, is not necessary. As its stands, Microsoft will disclose for use by its competitors various lines of code for Windows products. I understand this is unprecedented in an antitrust settlement. It also agreed not to enter into any agreements obligating any third party to distribute or promote any Windows technology exclusively or in a fixed percentage. Lastly, Microsoft has agreed not to retaliate against computer makers who ship software that competes with anything in its Windows OS.

It seems to me that the settlement covers all of the bases and should therefore be implemented.

Sincerely,
John Hunt
President

MTC–00031853

David A. Hayes
7241 Lighthouse Lane NE
Olympia, WA 98506
January 23,2002
Attorney General John Ashcroft
US Department of Justice,
950 PennsyIvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my support for the proposed settlement of the antitrust lawsuit against the Microsoft Corporation. The company's impressive ability to innovate and serve the consumer with affordable, quality products does not warrant the extensive legal action that we've seen over the last three years and should be ended at once.

The deal provides Microsoft's competitors with several openings in the marketplace that should satisfy the industry. The company has pledged to treat computer makers equally, regardless of their software preferences, by offering identical pricing to the top twenty hardware manufacturers and eliminating any contract stipulations that would obligate the distribution or promotion of Windows technologies. Considering these terms, and additional implementation of a three-person technical committee to review compliance, the government should accept this generous offer.

Please finalize the agreement at the end of the sixty-day public comment period at the end of this month. The economy and the consumer will greatly benefit from the decision to let the software industry get back to business once again. Thank you.

Sincerely,
David A. Hayes

MTC–00031854

ATS
Advanced Technical Solutions, LLc
Providing network solutions that work!
POBox 469—
Hurricane WV 25526
Phone 304–757–6542
Toll Free 1–877–479–5438
www.atsnetworking.com
January 21,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Penna. Ave, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Some of the main complaints against Microsoft may well have been justifiable in the beginning, but the course of the lawsuit made it quite clear that resolving these complaints quickly became secondary to punishing Microsoft for its successes. When the rhetoric started escalating to include threats of breaking up Microsoft, the entire matter crossed the line.

Potentially, a breakup of the size and importance of Microsoft could have had devastating effects upon the IT industry, as well as our national economy. To force consumers and IT businesses to triple source their software needs at painfully higher anticipated prices to cover the inevitable administrative costs of running three companies could have brought the computer revolution to a screeching standstill overnight.

Thankfully, cooler thinking prevailed and the lawsuit came to a screeching halt, rather than our economy. The resulting settlement has the advantage of ending the hostilities, as well as addressing most of the original complaints leveled against Microsoft. That Microsoft will need, for example, to be treating its OEMs and third party software developers with more openness and flexibility is a good thing.

I am therefore writing in support of the settlement and hope that it is found to be acceptable throughout the balance of this legal process.

Sincerely
Brian Sims
MCSE, MCT

MTC–00031855

TAMPA (813) 621–0855

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ORLANDO (407)856–4076
KEARNLEY
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P.O. BOX 76009 .
TAMPA, FLORIDA 33675–1009
FAX (813) 623–1437
9625 ALONZO ROAD
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14-Dec-2001
Renata B. Hesse
US DOJ/ANTITRUST DIVISION
601 D Street NW
Washington, DC 20530–0001)
Tel: (xxx) xxx-xxxx
Fax: (202) 616–9937
RE: Microsoft Settlement—Do not go lite!

Dear Renata Hesse,

I wanted to make you aware of the opinions from industry regarding the irreprable harm Microsoft has done to the computing world. They have been blatently anticompetative, destroying any competition they could using their OS monopoly and continually expanding into new areas by leveraging their OS: Web Viewing, Web servers, Music(Media Player). No one can compete in any area if Microsoft simply bundles their product with their Operating System for free at first, they stave out all competition then charge because they are the only viable player in the market.

They were blatently apathetic at the charges leveled at them by the court, they were mocking and even faked an exhibit in order to show removing Internet Explorer from a Windows computer was harmful.(Even though any computer expert knows it isn't).[There were different icon layouts on the computers during the video, showing it had been cut and another computer used instead of the original.]

It is clear, without stiff penalties and controls on their future actions a company like this will not deviate from it's illegal ways. I urge you to consider a breakup of Microsoft into at least two companies: Operating System, and Office. This would at least stop some of the leveraging they are doing in those two areas which they control.

Respectfully,
David Secret
MIS Director
Kearney Development Co., Inc.

MTC–00031857

BROWN ASSOCIATES 001
J. Crozier Brown, P.E.
6915 Lupton Drive
Dallas, TX 75225–1739
214–373–8710
2I4–373–1220 Fax
January 23,2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Re: Microsoft Settlement

Dear Attorney General Ashcroft:

The government is unwarranted in its pursuit of antitrust violations with regards to the Microsoft Corporation. Microsoft has attained its position of dominance in the technology industry by offering consumers quality products. Microsoft production of user-friendly software has enabled the technology industry to grow quite substantially. This is in spite of the fact that the previous Attorney General and Administration spent more on the persecution of Microsoft than on the pursuit of terrorists who were actively attacking American interests around the world. The settlement, however, is welcome in that it provides an end to this persecution Anyone who thinks Microsoft got off easy in this dispute is mistaken. Microsoft has made numerous concessions throughout this process. Microsoft has agreed to disclose the internal interfaces of its Windows operating system. This allows developers to substitute non-Microsoft software for Microsoft software at their discretion. This will allow for increased competition for Microsoft competitors. Obviously, Microsoft is going to great lengths to settle this dispute. It is in the best interest of this economy that we let this settlement stand.

Sincerely,
J. Crozier Brown, P.E.
cc: Representative Richard Armey

MTC–00031858

Date: Wed, 23 Jan 2002 08:31:48 C800 (PST)
From: Bruce Timberlake <bruce@brtnet.org>
To: Microsoft.atr@usdoj.gov
Subject: Microsoft Settlement

I am writing to voice my concern, in accordance with the Tunney Act, over the proposed Microsoft settlement. I am a user and supporter of free and open source operating systems like Linux, FreeBSD, and openBSD, and of open source applications like OpenOffice, KDE, and Gnome. I am convinced that not enough effort is being spent really ensuring that Microsoft is (1) punished for their outrageous and damaging monopolistic practices in the computer industry, and (2) prevented by airtight legal terms from being able to stray down that path again. It is tough to do given the nature of the computer industry: rapidly changing, and not necessarily easily understood by the average person. Nor, possibly, by those who must make the final decisions. I hope that once the key elements of an acceptable settlement are repeated over and over by those of us in the industry, they will be incorporated.

I am all for capitalism, and the best company/product/idea becoming successful in the marketplace on its own merits. But when the playing field isn't equal, due to marketing, ''backroom'' negotiations, unequal licensing terms for- manufacturers who may not ''toe the line,'' etc, then the best company isn't necessarily the one that wins. The best company might have never had a chance fron the beginning.

I don't want to pretend that I have all the answers, or even many of them. But as a part-time programmer, I think a few key ideas have to be part of the settlement, and they must be written it straightforward, airtight langauge, so that Microsoft cannot ''figure out a way around them'' at any point in the future:

1. All file formats—past and present as of the date of the settlement)— ever used by any Microsoft operating system or program, and specifically any member of the office suite (Word, Excel, Powerpoint, Outlook), must be made completely and immediately available as ''public knowledge'' in a way that does not require any money or identifying information to be given to Microsoft by any person, company, or organization that wants the information.

2. A1l file formats created and used after the date of settlement by any Microsoft or subsidiary company's operating system or program, and specifically any member of the office suite [Word, Excel, Powerpoint, Outlook), must be made comp1etely available as ''public knowledge'' no later than the date the product is available to manufacturers for bundling onto computers, and in a way that does not require any money or identifying information to be given to Microsoft by any person, company, or organization that wants the information..

3. All APIs used to communicate between any Microsoft products (operating systems and/or applications) shall be completely divulged to enable the complete and unrestrained interaction of non-Microsoft operating systems and/or applications, or replacement of Microsoft operating systems. This shall specifically include the exchange and SMB protocols. This information will be made available as ''public knowledge'' in a way that does not require any money or identifying information to be given to Microsoft by any person, company, or organization that wants the information.

No computer manufacturer who offers Microsoft operating systems pre-installed on their computers can. be penalized in any way (through fee increases, contractual obligations, etc) if they wish to offer alternative operating systems for customers whc desire one either in place of, or in addition to, a Microsoft operating system.

There are many other issues that I don't feel competent to suggest a remedy for, but which I would like to state as a concern anyway:

The oversight committee needs to have the staffing and authority to report to the public what Microsoft is doing to ''make good'' on the terms, and the ability to truly punish Microsoft in some fashion if it does not comply with both the letter and the spirit of the settlement. One idea proposed by Ralph Nader seems especially appropriate:

''The level of fines that would Serve as a deterrent for cash rich Microsoft would be difficult to fathom, but one might make these fines deter more by directing the money to be paid into trust funds that would fund the development of free software, an endeavor that Microsoft has indicated it strongly opposes as a threat to its own monopoly. This would give Microsoft much greater incentive to abide by the agreement''

I also heartily agree with and endorse the GNU Foundation's suggestions some of which mirrors my own ideas at the opening of this letter:

1. Require Microsoft to publish complete documentation of all interfaces between software components, a11 communications protocols, and all file formats. This would

block one of Microsoft's favorite tactics: secret and incompatible interfaces. The rule must be: if they cannot publish the interface, they cannot release an implementation of it.

2. Require Microsoft to use its patents for defense only, in the field Of software. 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 wrinlkle into it (or into the functionality it gives access to), such that the rest of us are not allowed to implement it.

3. 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. To close, I would like to quote the summary by the Computer and Communications Industry Association of the DOJ settlement compared to that ordered by the DC Circuit Court of Appeals:

''The settlement being prepared by Charles James (l) 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 Circuit's unanimous opinion affirming Microsoft's guilt, thus 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 anti-trust settlements.''

Thank you for taking the time to read this.

Bruce Timberlake
3636 Cheshire Avenue
Carlsbad, CA 92008
bruce@brtnet.org

MTC–00031859

TO: D.O.J./ATTN: MS RENATA B.HESSE
AT TELEPHONE NUMBER (OR FAX NUMBER):202 307 1454
FROM:
RE: Microsoft Settlement
NICK PAVIA & ASSOCIATES AT FAX PHONE NUMBER: 805/496–8806
PER YOUR REQUEST
OTHER:
THIS IS TO LET YOU KNOW THAT WE APPROVE AND SUPPORT THE MICROSOFT SETTLEMENT.
NICK PAVIA
DOROTHY PAVIA
TEL NO. Jan 23.02 12:18 P.01

MTC–00031860

From: Zoltan Ness
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
fax l-202–307–1454
Subject: Microsoft Settlement

I am opposed to the proposed Microsoft Settlement. It is not a true penalty for Microsoft. Giving away software that costs Microsoft little beyond distribution, yet is counted at full price, reduces the penalty to literally a penny or less per dollar. Each copy costs less than one dollar to distribute, but claimed worth is hundreds of dollars for some of the software. It also serves to further Microsoft's monopoly into an industry (education) which has traditionally had a healthy, competitive mix of personal computer alternatives (Apple, for example).

Rather than a having to live with the legal consequences of it's anticompetitive behavior, Microsoft would be given a less than token penalty AND given a DOJ mandated reason to extend it's monopoly into one of the few remaining strongholds of desktop OS competition.

Thank you for your consideration,
Zoltan Ness

MTC–00031861

January 23, 2001
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 ''D'' Street, NW, Suite 1200
Washington. DC 20530–000l

Dear Ms. Hesse,

This letter is written in support of the proposed settlement among Microsoft, the federal government, and nine states. It is offered under the provisions of the Tunney Act. I am president of Incremax Technologies Corporation and president of the New York chapter of the International Association of Microsoft Certified Partners, a group of independent companies selling solutions based primarily upon Microsoft software. I endorse a settlement to this long-running suit because it is good news not only for consumers, but also for the economy, which has been negatively affected by the uncertainty generated by the dispute. The proposed settlement already has considerable teeth, placing unprecedented oversight and restrictions upon Microsoft and the future conduct of its business.

Continued anti-trust action will extend the uncertainty already endured by key sectors of this country's economy. In addition, it will risk the over-regulation (and potential crippling) of an industry that already responds very well on its own to the marketplace. (In this light, I find it ironic that as I write, Microsoft is again been sued by rival AOL Time Warner in an effort to subdue Microsoft in court rather by competitive, free-market means.)

The elements of the Microsoft settlement are sound, benefiting U.S. constituents far better than continued litigation could ever bring about.

Sincerely,
Kerry P. Gerontianos
Ilncremex Technologies Corporation
575 Lexington Avenue,
New York, NY 10022
Phone 212.888.1900
Fax 212 888.1050 E.mail
info@incremax.com
Web Site www.Incremax.com

MTC–00031862

FROM : RABBI MARC BROWNSTEIN, DD FAX NO. :
Jan. 23 2002 05:05pm P1
13703 Waverly Crest court
Cypress, TX 77429
January 22, 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 inform the Attorney General of my ardent support for the antitrust settlement against Microsoft. Three years have passed since the inception of this legal dispute. Over these years, countless federal resources have been squandered over the issue. An issue that, in my opinion, should never have been an issue in the first place. The government need not have the authority to persecute successful companies. It adds insult to injury when taxpayer dollars are wasted in the process. Further, Microsoft has made many concessions during the process. Microsoft is willing under the terms of the settlement to disclose protocols and design interfaces that are internal to the Widows system. This allows competing developers to design new software that are increasingly compatible with the Microsoft system. In addition, Microsoft has agreed to license the Windows system at the same price to many computer manufacturers. Obviously Microsoft is willing to make concessions in order to resolve this issue.

I believe the Attorney General should echo these sentiments with a hasty enactment of the settlement.

Sincerely,
Barbara Brownstein

MTC–00031863

FROM : Global Bay Inc. PHONE NO. : 2124252324 Jan. 23 2002 05:07PM Pl
1443 Pinewood Street
Rahway, NJ 07065
Phone: 732–882–1222
Fax: 212–202–4966
http:/www.globalbay.com
email: info@globalbay.com
Global Bay
January 23, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

I would like to express some of views regarding the Microsoft antitrust case. I have always disagreed with this case, and frankly feel that Microsoft is just bearing the brunt of the blow from companies that cannot match the superiority of Microsoft's products. I might feel differently about Microsoft if it had achieved its success purely by malicious behavior, but it did not. Microsoft built a better mousetrap and priced it lower than the competitions''. I thought that was the goal of business.

The concessions called for in your settlement make antitrust precedent. Nevertheless, it is worth it to end this case

sooner rather than later. Under your settlement, Microsoft has agreed to allow software engineers and computer makers to configure Windows in ways that promote non- Microsoft programs that compete with those programs already included within Windows. This sounds good for the average consumer, but is it fair to Microsoft? Imagine if McDonald's had to allow customers to order a Burger King Whopper at its restaurants if they wanted one, just because no one was going to Burger King. What if every Coke had to come with a sample of Pepsi inside, just because Coke has loyal drinkers? Would these situations be fair? Would we allow them? As long as Microsoft is willing to give up some of its market share and competitive advantage, there will always be more hands reaching out. It seems that the American Dream has changed into something for nothing, and now is backed by law. We need to realize that sometimes product lines fail. Just because the companies worked hard, doesn't mean that they deserve success. Such is capitalism.

Sandeep Bhanote
CEO
CC: Congressman Jerrold Nadler

MTC–00031864

BlazeConnect Inc.
520 N. Main, Cheboygan, MI 49721
Tel.: 231–597–0376,
Fax: 231–597–0393
January 23, 2002
Greetings,
Subject: U.S. vs. Microsoft

In regards to the ruling of the anti-trust case against Microsoft and the proposed settlement I have several thoughts and comments I would like to share. First of all I am pleased to see that Microsoft was found to have a monopoly. I am, however, not pleased with the proposed settlement. I am not pleased because although on the surface it seems like a good solution underneath it is lacking. I have read a great deal of other opinions regarding what should really be done. In my opinion breaking up the company or forcing them to disclose their intellectual property regarding file formats or the API is not the answer. The best thing I can think of is to use the laws that are already on the books, perhaps with some modification, to empower the end user. To put it simply the end user needs to have real choices. The first example that comes to mind is the analogy of ordering a pizza. Let's suppose for a minute that you do not care for anchovies on your pizza. On a Friday night you are working late in your office and you pick up the phone to order a pizza. You select the toppings you want but when the person on the other end of the line reads those choices back to you they add anchovies to the list. You remind them you did not ask to have anchovies put on your pizza. The friendly voice replies that although you do not wish to have anchovies put on your pizza they must be included because the company that supplies anchovies requires that they are included with every pizza. Then you are told that even if they do not include the anchovies you will still be charged for them. I am quite certain you would find this situation unacceptable. Now let's put this into the perspective of the computer industry. I recently purchased a new Dell laptop. My operating system of choice is Linux for various reasons. When I contacted Dell to order the computer I was told I had to purchase a version of Microsoft Windows as well as a Microsoft Office suite with the laptop. I did not argue because I understood the reason behind it. This is the reason something needs to be done about the power Microsoft has over the OEMs. My chosen profession is in the computer industry, I will not even begin to pretend to know anything about the laws in the various states or of this great nation. However, I believe this kind of business practice can be classified as racketering. Even if I am wrong on this count this practice has to he stopped, I believe the only true settlement is to simply stop Microsoft from forcing OEMs to bundle their products in order to get the OEM licens- ing. As a small time programmer it would be nice to have free access to the MS Office file formats and the programming API for Windows itself but this choice should be left up to the Microsoft Corporation, not the government. If a legal precedent such as this is set now who is to say that in a few years Pepsico isn't going to accuse Coca Cola of having a monopoly. If this were to happen and they were indeed found to have a monopoly who is to say the settlement wouldn't include Coca Cola disclosing their secret formula? In closing, my opinion is that the playing field needs to be leveled. Give the consumer a choice as to whether they want Linux or Windows, Microsoft Office or Lotus SmartSuite. Let the consumer decide who will dominate the computer market. I may be completely wrong but I feel that if the OEMs such as Gateway, Dell and Compaq are allowed to decide for themselves how they want to sell their products a settlement will be found on its own with little or no government intervention.

Greg Abur
Secretary Treasurer

MTC–00031865

JAN-23–2002 02:42 PM P.01
Virginia Linstrom
127 Alameda Avenue
Fircrest, WA 98466–6204
January 18, 2002
Attorney General John Ashcroft
US 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. Microsoft has agreed to many concessions in order to put the issue to rest. The settlement is fair and I hope that you will agree to it.

Some say that Microsoft has gotten off easy; in fact they have not. Microsoft has agreed to give computer makers a wide-ranging flexibility to install and promote any software that they see fit. It has also agreed to license its Windows operating system products to computer makers at a uniform price no matter what other products the maker promotes. In fact, Microsoft has agreed to terms that extend well beyond the products and procedures that were actual1y at issue in the suit. Microsoft has agreed to many concessions in order to settle the issue. The terms are fair and I would like to see the settlement accepted.

Sincerely,
Virginia Linstrom

MTC–00031866

Philip Wise
STATE REPRESENTATIVE
Ninety-Eighth District
Statehouse: (515)281–3221
e-mail—phllip.wise@legis.state.ia.us
HOME ADDRESS
503 Grand Ave
Keokuk, Iowa 52632
Home: (319) 524–3643
House of Representatives
State of Iowa
Seventy-Ninth General Assembly
STATEHOUSE
Des Moines, Iowa 50319
COMMITTEES
Education, Ranking Member
Appropriations
Commerce & Regulation
January 23, 2002
Renata B. Hesse
Antitrust Division
United States Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse:

As a senior member of the Iowa House of Representatives who has focused on education and economic development policy, I have followed with considerable interest the proposed settlement in the Microsoft case. I am vitally interested in the creation and deployment of technology that empowers consumers and encourages business expansion. I believe such technology deployment has potential to foster growth in the non-metropolitan areas of the State of Iowa, which is the type of district that I represent.

It is my judgment that the proposed settlement in the Microsoft case is good for Iowa. I am writing, therefore, to lend my support to that settlement and to ask for your assistance in bringing about resolution of this case.

Respectfully submitted,
Philip Wise

MTC–00031867

FOUNDING FELLOW
American Society for Laser Medicine & Surgery
FOUNDING MEMBER
Gynecologic Laser Society
MEMBER
International Society for Laser Medicine & Surgery
MEMBER
NEW YORK ACADEMY OF SCIENCES
MEMBER
AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE
MEMBER
Sigma Xi, The Scientific Research Society of North America
MEMBER
Association for the Advancement of Medical Instrumentation
PRESIDENT

American Board of Laser Surgery
MEMBER
Surgical Staff, St. Barnabas Medical Center, Livingston, NJ.
FORMER MEMEBR
Medical staff, St. Luke's Hospital Milwaukee, Wisconsin
SENIOR Member Institute of Electrical and Electronic Engineers
SENIOR Member
American Society of Mechanical Engineers
LISTED
Who's Who in the World
Who's Who in Founders of Science & Technology
Who's Who in Optical Science & Technology
JOHN C. FISHER, Sc.D.
Consultant in Laser Medicine & Surgery
417 Palmtree Drive, Bradenton, Florida 34210 U.S.A.
941–756–2316
Fax 941–758–3617
January 23, 2002
Ms. Renata B. Hesse,
U.S. Dept. of Justice,
Washington, DC
Dear Ms. Hesse:

As an informed taxpayer, I am writing you to urge that the Dept. of Justice approve the proposed settlement with Microsoft and nine states, that was put forth on November 06, 2001.

The $35,000,000 which the Microsoft lawsuit has cost American taxpayers to date is excessive. Microsoft's competitors, who brought the suit in the first place, are simply interested in the destruction of Microsoft as a means of eliminating competition at taxpayers'' expense. In the interests of a healthy economy, valuable technology for all users of computers, and ending the waste of tax dollars, I urge you and the D.O.J. to accept the proposed settlement.

Sincerely yours,
John C. Fisher, Sc.D.

MTC–00031868

COMMENTS: MICROSOFT SETTLEMENT CONCERNS
Samuel Davis
4325 South Park Avenue
Dothan, AL 36301
January 2, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

Please allow me to cast my vote in favor of the recent settlement between the Department of Justice and Microsoft. I realize that this was an open case when you took over the Justice Department, and for that reason you were not afforded a great number of options in dealing with it. I believe the middle ground that you have staked out with Microsoft adequately addresses the concerns of all the parties involved, and I feel you should be applauded for reaching the agreement. A compromise such as this is obviously not going to make everyone happy. However, Microsoft's agreement to open competition within its Windows operating systems to non-Microsoft technology is a significant concession and should allow everyone a fresh start in the competition. I hope the settlement moves forward soon, and brings an end to the case. Thank you for your attention.

Sincerely,
Samuel Davis

MTC–00031869

Digitech Services,Inc.
PO Box 118
Glasgow, KY 42142
(270) 659–0241 Office
(270) 659–0083 Fax
DSI
Technology @ Work
January 9, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:

I am writing to inform you I am lending my support to the settlement reached between Microsoft and the Department of Justice regarding the antitrust suit. I believe that is suit has brought about the stagnated state of our economy and particularly the IT industry. It is necessary that the settlement is dealt with the way it IS. rather than continuing litigation.

This suit has been going on for the past three years. To continue any further litigation means a further delay in the revival of the economy and the industry. The settlement is fair and reasonable and was arrived after extensive negotiations. Not settling the case now will mean additional atrophy of time and money.

I strongly recommend that you finalize this settlement, and help to ensure the renaissance of our economy and industry. This unfair use of the American taxpayers' money cannot continue any further. To prevent this from continuing, all proceedings at the federal level must be stopped

Sincerely,
David Ogles
President

MTC–00031870

104 Garrison Road
Chelmsford, Massachusetts: 01824
January 14, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

Microsoft has finally reached a settlement with the Department of Justice in regards to the antitrust suit, and I am writing this letter to voice my support for that settlement. The litigation between the two sides lasted for over three years, cost both sides millions of dollars, and assisted in knocking our economy down into a recession.

Although Microsoft did not get off all that easy in the settlement, I am in favor of most of the terms, and feel that the economy stands to greatly benefit from this agreement. Microsoft has agreed to document and disclose for use by its competitors various interfaces that are internal to Windows' operating system products. I feel that this goes too far, and forces Microsoft to turn over their intellectual property. However, I am in favor of the terms of the settlement that forbid any retaliation from Microsoft against other computer companies that either promote or produce software that competes with Microsoft's. This will encourage competition and help improve the IT industry. I am in full support of the settlement that was reached. It can bring an end to this tiresome suit, and that cannot come soon enough.

Sincerely,
Ted Staplin
cc: Representative Marty Meehan

MTC–00031871

Bob Ellis Inc.
2417 Bayfront Parkway
Orlando, Florida 32806–7337
Tel: (407) 859–5883..
Fax 859–5350..
Cell 247–3072 rellis1@cfl.rr.com
January 23, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Ave.
Washington, DC, 20530
Dear Mr. Ashcroft,

I am pleased to know that the federal government has reached a settlement with Microsoft. After three years of litigation, the settlement is fair to both sides and should be beneficial to consumers. The agreement is extremely comprehensive and mandates many adjustments in the way Microsoft carried out their business in the past. Microsoft has agreed not to enter into any agreements obligating any third party to distribute any portion of Windows exclusively. Also, the company has agreed not to enter into agreements relating to Windows that obligate any software developer to refrain from developing or promoting software that competes with Windows. Finally, the government assured compliance by negotiating for the creation of a Technical Committee to monitor Microsoft's compliance.

I believe Microsoft and Bill Gates have done tremendous good for the United States. Their products are used by millions of citizens and help make the economy stronger and more efficient. I commend you for your efforts to settle this case and hope no further action will be taken on the federal level.

I must say that I am very happy that Bill Gates is an American and that he was not a citizen of another foreign country as if he was, we would be sending checks from the United States to that county to purchase the excellent products that Bill Gates and Microsoft has delivered to our good citizens.

Sincerely,
Robert M. Ellis, President
\jak
CC: Representative Ric Keller

MTC–00031872

January 22, 2002
Dept. of Justice

It is ridicalous to think that Bill Gates, (Microsoft) is causing any problem. He has done more for the technology business that any other person.

His proposed settlement is excellent + is far more than he should be required to do. Support the proposed settlement of the Microsoft lawsuit.

Richard E M Kowa
5607 E 72nd St.
Indpls; In 46250

MTC–00031873

15311 Kingswood Lane
Sherman Oaks, CA 91403
January 23, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express interest for settling the antitrust lawsuit Microsoft. I have been following the case with interest, and I believe that the settlement reached in November will amicably resolve the matter for both the government and Microsoft. The terms of the settlement are fair, ard Microsoft is making important concessions in order to get on with their business. Sharing internal Windows codes with its competitors will continue to expand the marketaplace for different programs, while maintaining Microsoft's market position for its operating system. Also, developing new features for users to remove the programs they wish levels the playing field more for competition. I urge you to settle the case against Microsoft as quickly as possible and not pursue further litigation.

Sincerely
Sanda Brown

MTC–00031874

Sutherland Insurance & Realty Company
Realtors : Insurance
TELEPHONE 828/ 693–9084
CORNER OF FOURTH AND CHURCH
317 NORTH CHURCH STREET
POST OFFICE BOX 40
HENDERSONVTLLE NORTH CAROLINA 28793
''In the Land of the Sky''
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Let me begin by saying that providing a platform for the average consumer to express opinion is a wonderful way to judge whether a settlement provides consumer protection. As an American taxpayer and Microsoft supporter, I feel that this case has gone on too long. I do not agree with every decision that Microsoft has ever made, but do feel that Microsoft earned its way to the top by producing quality products at reasonable prices. My feelings might have been different if Microsoft had acted maliciously, but I do think it is wrong to punish a corporation for building the mousetrap that almost everyone wants,

Microsoft has agreed to grant broad new rights, which will, in everyday language, open its inventions to be used as launch pads for the competitions' products. For instance, Microsoft has agreed to grant broad new rights to software engineers and computer makers to configure Windows so as to promote non-Microsoft programs that compete with programs included within Windows. Also, Microsoft will disclose for use by its competitors any protocols implemented within Windows products that are used to interoperate with any Microsoft server.

I cannot see what will be gained by further litigation, especially at the federal level, I fear that if this debacle persists, we may run the risk of slowing innovation to the point that advanced American technology may lose its competitive advantage in the world market. We must protect this valuable industry that creates jobs, exports, and economic revenue. In my opinion, the sooner we put this matter be-hind us, the better.

Sincerley Yours
Earl L Phillips
Broker-Realtor

MTC–00031875

179 Great Northern Road
North Troy, VT 05859
January 22, 2002
Attorney General John Ashcroft
US department of Justice
950 Pennsylvanian Avenue, NW
Washingotn, DC 20530

Dear Mr. Ashcroft:

After a long, tedious expenditure of time and money by both the Microsoft Corporation and the US Government, there is a settlement on the table in the antitrust suit filed by the Department of Justice. Personally, I did not think the case should have been brought to trial, but it was, and I am happy to see that an agreement has been reached. In the settlement, Microsoft will not break up. Microsoft is a good company. They are profitable and they bring good products to the market. We are making it hard for businesses to succeed anymore. We lament the loss of jobs and pour money into unemployment benefits, but deny companies the opportunity to succeed and provide jobs. Microsoft has agreed to the terms of the settlement in an effort to finally close the case and get it behind them. They have agreed to more conditions than were charged in the suit. I want to urge you to let the settlement stand and to close the case. We should let Microsoft get on with innovation and growth. It would be wrong to take any further legal action against Microsoft.

Sincerely,
Patricia Ferguson

MTC–00031876

January 18, 2002
Attorney General Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft,

As a computer and software reseller, our company is in the ''front lines'' of dealing with the public. This lawsuit against Microsoft has created much uncertainty in the minds of many of my customers and clients, and has had a negative impact on my business. I was relieved to see that the lawsuit has settled.

While a few of the terms of the settlement are, in my opinion, harsh for Microsoft, many of the terms are good for consumers, giving them more flexibility in choosing various options for their software needs. This is particularly obvious in the provision that affects distribution of licenses to OEMs, who will have more opportunities to pre-install programs that aren't made by Microsoft. Consequently, I will have more options to sell different kinds of software and more effectively customize and install what my customers want.

I am in support of this settlement and hope that it is sustained through this review process,

Sincerely,
Damo Porrill
System Administrator
CC: Representative Spencer Bachus

MTC–00031877

JEFF LAMBERTI
STATE SENATOR
Thirty-third District
Statehouse: (515) 281–3371
HOME ADDRESS
2621 NW 17th Street
Ankeny, Iowa 50021
Phone: H–(515) 965–1067
O–(515)965–1200
F–(515)–964–8796
jeff.lambert@legis.state.ia.us
The Senate
State of Iowa
Seventy-ninth General Assembly
STATEHOUSE
Des Moms. Iowa 50319
COMMITTEES
Appropriations, Chair Judiciary, Small Business, Economic Development & Tourism State Government, Vice Chair, Ways & Means, Transportation Infrastructure and Capital Appropriations Subcommittee, Vice Chair
January 23,2002
Ms. Renata B. Hesse
Antitrust Division
U. S. Department of Justice
601 D Street, N. W., Suite 1200
Washington, D. C. 20530–0001

Dear Ms. Hesse:

As Chair of the Iowa Senate Appropriations Committee, I am required to pay particular attention to current economic conditions. Like many other states, Iowa is struggling with a weak economy. As a result, we are facing significant budget shortfalls, and cuts in critical services.

Despite these challenges, we are optimistic about the future. We believe that the solution to our budget woes is a growing economy. Because of this, we are pushing an aggressive growth agenda this legislative session.

That is why I am encouraging the court to accept the strong but fair settlement you and your colleagues have negotiated in the Microsoft antitrust case, I believe the settlement will have a positive affect on the economy.

In fact, we saw evidence of this, as the markets rose when the news of a possible settlement broke some time ago.

I believe this matter has gone unresolved for far too long. I believe a settlement will be positive news for the over 600 software businesses and related enterprises located in Iowa.

Sincerely,
Jeff Lamberti

As an attorney, I have followed this matter with interest, and I support the Department

and the nine Attorneys General in a settlement of this matter.

State Senator JL/ae

MTC–00031878

Mrs. Nels Turnquist
5394 N. Via Sempreverde
Tucson, AZ 85750
January 23, 2002
To: US Department of Justice
Attn: Ms. Renata B. Hesse
Fax# (202) 307–1454 or # (202) 616–4937
Re: Proposed settlement of Microsoft lawsuit

I wish to inform the Department of Justice that I as a taxpayer and consumer, strongly support settlement of the Microsoft lawsuit.

Sincerely,
Margaret Turnquist

MTC–00031879

GENERATIONS L.L.C
To: Ms Renata B. Hesse
From: Alvin L. Childers
Fax Number: (202) 307–1454 or (202) 616–9937
Date:
NOTES/COMMENTS:

I Support the Microsoft Settlement
8601 SE CAUSEY AVENUE,
SUITE 7—PORTLAND, OREGON 97266
PHONE:(503) 652–0750—
FAX: (503) 652–1691

MTC–00031880

IOWA STATE UNIVERSITY FOUNDATION
Memorial Union Alumni Suite
2229 Lincoln Way
Ames, IA 50014–7164
Telephone: 515–294–4607
Fax: 515–294–9402 or 515–294–4648
Date: January 23,2002
January 22,2002
Ms. Renata Hesse
Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

Like so many Americans, I am an investor in the stock market and have been financially hurt by the downturn this past year. As an individual investor, I have made every effort to do my part to prevent an even greater drop in the markets by maintaining my holdings without over-reacting.

While we enjoyed a relatively minor upswing recently, the markets once again dropped following the national media attention of the Enron bankruptcy. In the face of so much negative news, it is getting more and more difficult for investors to optimistically believe the markets have hit the bottom and are in a recovery.

From an economic standpoint, you have the ability to send a message which can only be construed as good by the media and the American public. I am referring to the Microsoft lawsuit. A proposed settlement in this case is before you. Most of the parties involved in this case are in agreement to settle this case based on the proposal presented. Please take this opportunity to do your part and sign on to the proposed settlement. By putting and end to this lawsuit, you allow the tech industry the chance to move forward. You will also create much needed optimism for a turning point in our times of economic struggles,

Thank you.
Sincerely,
Keith Fortmann
4815 Grand Avenue
Des Moines, Iowa 50312
515 255–8328

MTC–00031881

RPM MATERIAL HANDLING CO.
A California Corporation
8530 Avenida Costa Norte
* San Diego, CA 92154
* (619) 661–1575
* FAX (619) 661–1574
619 East Ross Avenue
* El Centro, CA 92243–9797
* (760) 352–8811
* FAX (760) 352–3776
Renata Hesse
Department of Justice, Antitrust Division
Via Fax 202–616–9937

To whom it may concern:

I am writing this letter to express my support of the settlement being examined in the Justice Department's case against Microsoft. Though the events of September 11 are not the reason this settlement should be accepted, I firmly believe September 11 must play a significant role in your deliberation.

The tragic events of September 11 unified this country in a way generations before World War II never even saw. It helped all of us realize what is important in this world and that we are all ''Americans''. For the first time in modem American history, we saw principle rule over politics once again.

Principle over politics is why I believe the court should settle the Microsoft case. Our economy is sagging...the tech industry is flat...in reality, we all know Microsoft is not a monopoly...and the people of this country are tired of their tax dollars paying for this case. US v. Microsoft was the politics of special interests being put above the principle of good policy.

In the post-September 11 world, we don't have a lot of room for politics any longer. US v. Microsoft is not good for this country. I sincerely hope you will accept the settlement and end this case.

Sincerely,
Rick Otis
President and CEO
www.rpmmhc.com
Materials Handling Equipment / Sales / Rentals / Leases / Parts / Service
CLARK NISSAN FORKLIFT DREXEL Linde

MTC–00031882

January 23,2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

As an employee for a large midwestern hospital, I see first hand the benefits of technology everyday. Whether it is computerized laser surgical tools or sophisticated medical record software packages, my employer relies everyday on constant innovation within the technology field to better serve our patients and community.

The pervasive nature of technology continues to astound me. . . it seems as if virtually everything we encounter has some kind of microchip inside. Is it any wonder then, that one of the largest computer companies in the world being involved in a major lawsuit would have an extraordinary impact on virtually every segment of our economy? As I understand it, there is a settlement before you that could bring closure to this matter very quickly. While I agree it is vitally important to protect consumers, it is also important to do what is prudent to protect our economy and to continue technological innovation, research and investment.

The settlement before you addresses the concerns of the original complaint. All interested parties have approved it. Please give the settlement your final approval and help get the economy moving again.

Sincerely,
Terri Hasselman
Director of Major Gifts
Mercy Foundation
1111 6th Avenue
Des Moines, IA 50311

MTC–00031883

JACK E. NICKEL
STEPHEN L.NICKEL
(A Partnership of Professional Law Corporations)
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Renata Heese
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530
FAX: 202–6 16–9937
January 23,2002
RE: Public Comment on U.S. v. Microsoft

I am extremely displeased with our government's expenditure of over 30 million dollars in taxpayer funds on the Microsoft case. The settlement should be completed because consumers are protected instead of companies: exactly the way our federal antitrust laws were designed to work.

Hopefully, this settlement will be approved and we can move on to other matters. Our economy is showing signs of regaining strength. Bringing this case to an end would assist in a needed economic recovery. Please approve the settlement in the interest of taxpayers and consumers.

Thank you,
Stephen L. Nickel

MTC–00031884

IMAGEFILM
George Kennedy

3469 Hyacinth, Suite B
Baton Rouge, Louisiana 70808
January 22,2002
Renata Heese
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530
FAX: 202–6 16–9937
RE: Settlement of U.S. v. Microsoft

I fully support the proposed settlement in the U.S. v. Microsoft case. The legal wrangling has gone on long enough and the time to end the battle is now. The settlement, while not perfect, addresses the specific concerns and findings of the court. Consumers will be protected through close monitoring of all future Microsoft activities and business practices.

Technology companies like Microsoft, along with many other companies, provided the biggest boost to recent economic growth. I strongly believe that the next wave of technological advances could come as a result of the final resolution of this case.

Sincerely,
George Kennedy

MTC–00031885

The Beychok Group
MICHAEL
BEYCHOK
POLITICAL COMMUNICATIONS
DIRECT MAIL
225.819.1712
FAX 225.819.8914
15324 Lockett Lane
Baton Rouge, LA 70810
January 22, 2002
Renata Heese
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530
FAX: 202–6 16–9937
RE: Settlement of U.S. v. Microsoft

I am in full support of the settlement proposed in the U.S. v. Microsoft case. I believe that the time has come for this legal battle to come to an end.

The settlement may not be perfect, but it does address the findings and concerns of the court. It also has mechanisms to protect consumers through close monitoring of all future Microsoft activities and business practices.

Microsoft and other technology companies provided the biggest boost to recent economic growth. I think that the next wave of technological advances could come as a result of finishing this case.

Sincerely,
Michael Beychok

MTC–00031886

January 23,2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington D. C. 20530

Dear Ms. Hesse:

I am in favor of the settlement in the case against Microsoft Corporation. I believe that the fact that Microsoft may not retaliate against competitors is important in a case that has gone on for months and years producing a great deal of ill will. Another positive aspect of the settlement is that Microsoft has agreed to design future versions of Windows so that consumers can add non-Microsoft software. These are examples of why this settlement should work.

Sincerely yours,
Cythia Faillace
6101 Inkberry Place
Glen Allen, Virginia 23059

MTC–00031887

Jan 23 02 03:28p Northwestern Mutual Agent
319–363–5517
JEFFREY A. BEAN
January 21,2002
Renata Hesse
Trial Attorney
Antitrust Division, U.S. Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

The United States and Microsoft have agreed to a settlement proposal of the Microsoft anti-trust case. As you know, the Tunney Act allows members of the public to comment on the proposed settlement before the court accepts it. I am most appreciative of this opportunity.

I am financial representative with one of the nation's leading investment and insurance companies and keep constant watch on events which have potential to impact our financial climate. I have watched the Microsoft case with great interest and was pleased to learn a settlement was on the horizon.

The last several years provided Americans with a time of unprecedented economic growth. While there is not one single reason for this growth, the substantial growth of the technology industry was a contributing factor. Unfortunately, these years of growth have been followed by a significant downturn. Again, we cannot fault one single thing or event for this decline; however, the Microsoft anti-trust case has been a contributing factor.

We are now looking forward to an economic recovery that will hopefully bring about several more years of prosperity and growth. It is essential that we give the markets and the economy every advantage.

Settling the Microsoft case is a positive action that will undoubtedly be felt in the markets. I look forward to seeing this case be brought to its conclusion.

Sincerely,
Jeffrey A. Bean
120—23RD STREET DRIVE SE
CEDAR RAPIDS, IOWA 52403
319–862–0007

MTC–00031888

MORRIS H. WEINSTEIN
P.O. BOX 1120
15548 Hwy 190
OPELOUSAS, LA 70570
(337) 948–3939
January 23,2002
Renata Heese
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax: 202–616–9937
Re: Settlement of U.S. v. Microsoft

The time has come to settle this long and expensive lawsuit. From what I have read in the papers, this is a fair settlement. Microsoft may not like it and the government may not like it, which means it is probably a good compromise. Thirty million dollars of hard-earned taxpayer dollars have been spent and now we have a chance to end it. We should end it, I know I would like to see all of these computer companies and software manufactures quit bickering in court and get back to competing in the market. When that happens we all win.

Thank you.
Sincerely,
Morris II. Weinstein
MHW/bd

MTC–00031889

Hal P. Kilshaw
6673 Pikes Lane
Baton Rouge, LA 70808
January 23,2002
Via Facsimile 202–616–9937
Renata Hesse
Antitrust Division
United States Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20530–0001
RE: Microsoft Settlement

Dear Ms. Hesse,

I am writing in support of the revised proposed Final Judgment in United States v. Microsoft Corp.

I have always been a strong supporter of the Justice Department's use of its antitrust powers to regulate anticompetitive behavior in the marketplace. Your use of that power has led to a proposed settlement in the Microsoft case that is fair to all parties. It is now time for this issue to be resolved so that the technology industry can become an even more vibrant force for economic growth in our country.

Thank you for the opportunity to express my views on this issue,

Hal P. Kilshaw

MTC–00031890

January 23,2002
Dominion
Dominion Resources, Services, Inc.
East Case Street
Richmond VA 23219
Mailing Address
P O Box 26666
Richmond, VA 23264
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Regarding the proposed Microsoft settlement I offer the following comments.

Compliance with the terms of the agreement is crucial. But I believe that the

compliance committee set up in the agreement is a good solution. First, they are technically qualified to make judgements. Second, complaints need not be brought to this committee's attention. They can also be lodged with the Department of Justice or any of the states that agreed to this settlement.

Thank you for the opportunity to comment.

Sincerely yours,

Crystal H. Smith

MTC–00031891

Jayne Victor
2351 South Rolfe Street
Arlington, VA 22202
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

I am told that comments on the Microsoft settlement may be directed to you. I am not a computer expert, but the settlement appears most acceptable because Microsoft has made several significant concessions including the following. o Microsoft has agreed to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time. o Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows.

These show good faith on the part of Microsoft in wishing to end this litigation.

Sincerely,

Jayne Victor

MTC–00031892

TOM BOLVIN
8422 GROVEDALE DRIVE, SUITE 202
ALEXANDRIA, VIRGINIA 22310
FORTY-THIRD DISTRICT
COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND
COMMITTEE ASSIGNMENTS:
EDUCATION
GENERAL LAWS
TRANSPORTATION
MINING AND MINERAL RESOURCES
January 23,2002
Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am in agreement with the proposed settlement between the United States federal government and the Microsoft Corporation. I would like to encourage you to approve this settlement agreement and resist further efforts to continue this dispute.

This proposed settlement agreement is the correct step in promoting continued economic growth in a competitive marketplace and would greatly benefit the consumers in Virginia as well as other states. Microsoft is a proven leader in the technology field and has produced many superior products.

This settlement is a fair and reasonable compromise. The dispute between Microsoft and the federal government needs to be concluded as quickly as possible and come to an end with an amicable decision.

We need to encourage economic growth and stability, and this settlement is a valuable tool in achieving this. I would encourage the Court to approve the proposed settlement between Microsoft and the United States federal government. I appreciate the time taken to consider my views on this issue.

Sincerely,

Delegate Tom Bolvin
District (703) 719–7301
FAX: (703) 971–4502 or
RICHMOND: (804) 698–1043
EMAIL: TOMBOLVIN@EROLS.COM
WEBSITE: WWW.TOMBOLVIN.COM

MTC–00031893

LOS ALAMITOS AREA CHAMBER OF COMMERCE
January 23, 2002
Ms. Renata Hesse
Antitrust Division
Department of Justice
601 D Street, NW
Suite 1200
Washington, DC 20330

Dear Ms. Hesse:

I am writing on behalf of the Los Alamitos Area Chamber of Commerce to support the proposed settlement agreement that has been reached between Microsoft and the Department of Justice. While we believe that many of the charges raised by the Department of Justice in the lawsuit could be true, it is time to shift our focus and our limited resources to other priorities. The proposed settlement contains something in it for all of the parties involved in the lawsuit while maintaining its overall balance. It is a fair compromise that put into place guidelines for Microsoft's future activities while imposing penalties for its past actions. Most importantly, it allows the freedom for Microsoft to continue to innovate and develop new products and applications.

Please support the proposed settlement. It is time to put this issue to rest.

Sincerely,

Connie Pedenko
Chief Executive Officer
3231 Katella Avenue o Los Alamitos, California 90720 o 562/5986659 o Fax 562/598–7035

MTC–00031894

January 23,.2002
Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530

Dear Ms. Hesse:

We are writing in response to the court's request for public comments in the United States v. Microsoft case. It has been six years since the federal anti-trust lawsuit was opened against Microsoft, and over that time we have seen new frontiers develop in the technology marketplace, including new operating systems and the ever-evolving introductions of Windows 98, Windows 2000, and Windows XP operating systems.

Those intent on the demise of Microsoft have proposed penalties be imposed by the Court upon Microsoft that range well into the absurd. Some, like the break-up proposal, were thrown out. Meanwhile continued litigation against the software maker in both the U.S. and in Europe, lingers and consumes societal wealth. But most significant at this time is the settlement agreement between the federal government and Microsoft that remains to be approved by the Court.

Embarrassing hyperbole by Microsoft's competitors has plagued this case and public discussion of it, seeking mainly to serve the self interests of those competitors, and not consumers. As the case has ground on, prices have fallen, choices have expanded, and consumers have become better and better off.

A defining characteristic of the ''New Economy'' is that nearly anyone can enter. The financial barriers to entry are low and the main costs of entry now are inspiration, innovation, and hard work. Microsoft competes daily, with varying degrees of success, with brick-and-mortar companies as well as thousands of web-based businesses and online services.

The stated goal of federal anti-trust legislation is protecting consumers from harm. However, in this case, anti-trust action is not needed to maintain competition. The government has not outlawed any of Microsoft's many unsuccessful ventures; rather this case sought to moderate those successes Microsoft has achieved only through much trial and error. Greater government intervention in the New Economy is not merited; a free and competitive marketplace is due consumers,

We are including with this transmission a copy of our recent magazine cover article, ''Antitrust's Greatest Hits,'' authored by David B. Kopel and Joseph Bast and published in
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Reason's November 2001 issue. It discusses the Microsoft anti-trust case in greater detail as well as in the context of historical anti-trust actions against Standard Oil and AT&T. We urge the Court to approve the proposed settlement agreement between nine states, the Department of Justice and Microsoft.

Best regards,

Adrian T. Moore

Vice President for Research, Reason Foundation

Executive Director, Reason Public Policy Institute

Attachment: Reason article on anti-trust.

Antitrust's Greatest Hits

The foolish precedents behind the Microsoft case By David B. Kopel and Joseph Bast

New developments in the antitrust face-off between Microsoft and the U.S. Department of Justice keep on coming. On August 17, Bill Gates'' company failed in its efforts to delay

any more action in the case until the Supreme Court decides whether to consider Microsoft's request to dismiss the suit. That was bad news for the company, since the next major step would be to decide what ''remedies'' will be imposed. Then, on September 6, the DOJ announced that it would no longer seek a breakup of the company—and, more surprisingly, that it would drop its claim that Microsoft had illegally ''bundled'' separate programs. But the other charges remain, and it is clear that Microsoft's enemies will surely urge the court to impose every possible restriction on the company's ability to adapt to changing conditions-particularly the di- minishing importance of the personal computer and the growth of Web-based computing.

It has been six years since Microsoft introduced Windows 95, the operating system that, by ''bundling'' itself with a Web browser, prompted the government's first antitrust suit against the company in 1997. Put another way, six years have gone by without Microsoft suffering any penalty for its supposed misconduct-unless, of course, you count the expenses and negative publicity it has incurred fighting the Justice Depart- ment. When Windows 95 debuted, Microsoft's critics and competitors made many predictions of the unpleasant things that would happen if the company kept doing business with- out new restraints. It's past time to see whether those predic- tions have come true.

It is also past time to take an even longer historical perspec- tive: to look at the government's earlier adventures in anti- trust and see how they compare with the Microsoft case. The results are very telling—not just with regard to Microsoft, but to antitrust law in general. Indeed, when one looks closely at the ground-breaking government actions taken against Stan- dard Oil, the Aluminum Company of America, and AT&T, it becomes clear that something other than preventing harm to consumers-the stated goal of federal antitrust legislation- is the motivating force behind applying the law. Misinterpre- tation of these cases lies behind the claim that Microsoft, unless punished, crippled, or otherwise injured, will achieve a ''chokehold on the Internet'' or somehow undermine the entire computer industry.

What follows is a medley of what might be called antitrust's greatest hits and an analysis of how the lessons of history are being misapplied to the Microsoft case.

The Oil Standard

From 1906 to 1911, antitrust authorities prosecuted Standard Oil, a case that culminated with John D. Rockefeller's company being forcibly broken up into several smaller businesses. The Microsoft wars have often been compared to the Stan- dard Oil case, and the analogy is apt-though not in the way it is usually intended.

Like Microsoft, Standard Oil was pilloried for practices considerad legitimate when used by other companies. Since Standard Oil was such a high-volume customer, railroads gave it special discounts in exchange for planning shipments in ways that enabled railroads to use their lines and railcars most efficiently. Standard Oil's competitors complained bitterly about these discounts (called ''rebates''). which the railroads kept secret from other oil companies.

Also like Microsoft, Standard Oil may have harmed its competitors, but it helped its consumers. Rockefeller's chem- ists developed 300 different byproducts from oil and created production and distribution processes far more efficient than those of other companies, allowing it to underprice them and to buy many of them out.

Standard Oil began in 1870, when kerosene cost 30 cents a gallon. By 1897, Rockefeller's scientists and managers had driven the price to under 6 cents per gallon, and many of his less-efficient competitors were out of business-including companies whose inferior grades of kerosene were prone to explosion and whose dangerous wares had depressed the demand for the product. Standard Oil did the same for pe- troleum: In a single decade, from 1880 to 1890, Rockefeller's consolidations helped drive petroleum prices down 61 per- cent while increasing output 393 percent. He eventually built

Standard Oil of New Jersey into a trust composed of 18 com- panies operating under a single board of directors. Standard Oil used resources with legendary efficiency, introducing many new labor-saving devices to its factories and locating sophisticated facilities at key points in its distribu- tion system. Yet Rockefeller paid wages well above the market level, believing that high wages, and good working conditions would save money in the long run by averting strikes and by encouraging loyalty among employees. Before Standard Oil revolutionized oil derivatives by lowering prices and improv- ing quality, the high prices and limited supplies of whale oil and candles prevented all but the wealthy from being able to work or entertain after dark. Thanks to Standard Oil, fami- lies could illuminate their homes for just one cent per hour. And he saved the whales.

The federal government filed suit against Standard Oil in 1906 for violating the Sherman Antitrust Act, and in 1909, the company was found guilty; the Supreme Court affirmed the finding in 1911. Standard Oil, claimed the courts, evinced an ''intent and purpose to exclude others'' -demonstrated, ironi- cally, by its many mergers, acquisitions, and business alliances. No one brought forward evidence of consumer harm, and the Misinterpretation of former antitrust cases lies behind the claim that Microsoft, unless punished, crippled, or otherwise injured, will achieve a ''chokehold on the Internet.'' government never showed that Standard's specific actions, as opposed to its alleged intent, were illegal.

For several decades following the verdict, economists and legal scholars viewed the Standard Oil case as a classic example of ''predatory pricing ''-a monopolist's attempt to underprice its competitors out of the market so it could raise its prices later. In fact, just as the threat of new entry into the operat- ing system, browser, and applications markets has kept Micro- soft from ever exercising its supposed ''monopoly power,'' so did new sources competition keep Standard Oil from rais- ing its prices. Neither the federal district court nor the U.S. Supreme Court found that Standard Oil's practices made kerosene prices higher than they otherwise would have been. If Microsoft Windows actually were a monopoly (that is, essential for anyone who wants to use a computer), the proper price would be about $900 a copy. Microsoft doesn't price this high because it knows that if it does, consumers will flock to Linux and Macintosh, and other companies would enter the operating system business, with products much cheaper than $900.

There's one more important parallel between the Standard Oil and Microsoft cases: Technological change made the Standard Oil decision obsolete by the time it was resolved. Of course, the Microsoft case hasn't resolved itself yet, but as we'll see, changing technologies are changing market conditions in the software world as well.

The oil business was opening fields in states such as Kan- sas, Oklahoma, Louisiana, California and especially Texas, where Rockefeller had failed to invest. All those fields were far away from the Ohio/Pennsylvania/New Jersey corridor that was the base of Standard Oil's power. Also, the national kero- sene market had declined, as home lighting shifted from kerosene lamps to coal-generated electricity and as fuel oil replaced coal and wood as the major fuel for home heating. In 1899, kerosene had accounted for 58 percent of all refined petroleum sales, and fuel oil for 15 percent. By 1914, kero- sene had plunged to 25 percent, and fuel oil had risen to 48 percent.

Rockefeller was slow to switch from kerosene to gasoline, and with only 11 percent of the nation's oil production in 1911, Standard Oil could never hope to dominate the new market. Throughout the energy business, new technologies and new efficiencies were creating new and stronger competi- tors from industries previously distinct from the oil indus- try Those competitors were far more powerful than the kero- sene companies Rockefeller had defeated decades before. Some observers have noted that in the years after Standard Oil was broken into smaller regional companies, the stock prices of those smaller companies rose, leading to speculation that breaking up Microsoft might have a similar positive effect on the total value of Microsoft stock. This is a misreading. Nearly all oil companies'' stock went up in that period, not because of the breakup but because of rising demand and technological breakthroughs. Nor did the breakup have any discernible impact on oil production or oil prices.

The government's victory against Standard Oil had a long term effect on the oil industry that is seldom discussed by those who see parallels with the Microsoft case. Only six years after losing the antitrust case. Standard Oil dramatically changed its attitude toward Washington, moving from hos- tility or avoidance to a very warm embrace. Company chief A.C. Bedford served as chairman of the War Services Com- mittee, an agency created to mobilize the nation's supplies of gasoline and diesel fuel for military use during World War I. After the war, federal control never retreated, transforming what economist Dominick Armentano has called ''a virtual textbook example of a free and competitive market'' into ''what had previously been

unobtainable: a governmentally sanctioned cartel in oil.'' The legacies of this transformation include higher prices for consumers and the ''energy crisis'' of the 1970s. Deregulation in the 1980s finally restored some measure of competition to the industry.

The Standard Oil case teaches some important lessons about competition, innovation, and antitrust law. We see the difficulty antitrust has dealing with highly innovative com- panies. We witness the vagueness of antitrust law, which al- lows prosecution on the basis of alleged intent rather than specific actions. And we see how the Standard Oil case ulti- mately failed to benefit consumers or investors. Instead, it laid the groundwork for collusion between industry and govern- ment, bringing about many of the very ills the ''progressive'' proponents of antitrust said they were fighting.

Too Good to Be Allowed

In 1937, the U.S. government filed suit against the Aluminum Company of America, alleging over 100 violations of antitrust law. The government lost the case and appealed. The matter was finally decided eight years later, in 1945. This case is re- markable because it held that a company could be prosecuted under antitrust laws for being too efficient and responding too quickly to consumer demand.

The Aluminum Company of America (later Alcoa) grew out of the Pittsburgh Reduction Co., founded in 1887 by Charles Hall, the man who discovered and patented the tech- nology for producing commercial quantities of aluminum. At the time, aluminum ingots sold for $5 a pound. By the time of the antitrust suit, the price was down to 22 cents per pound. Alcoa dominated its industry from the start. It not only invented nearly all the tools and techniques required to lower production costs and raise the quality of the aluminum it produced, but also played a major role in creating markets for the new metal. While many companies entered the busi- ness of fabricating products out of aluminum and collecting and recycling used aluminum, none attempted to compete with Alcoa by producing virgin aluminum ingots. This was not because Alcoa restricted access to inputs such as electricity or aluminum bauxite, both of which the courts ruled were available to potential competitors in ample supply. Nor, by the time of the suit, did Alcoa deny others access to the manu- facturing techniques it had patented: Those patents had ex- pired in 1910. Alcoa was dominant because, as Armentano summarizes the situation, ''users of ingot or sheet, and ultimately the consumers of fabricated products made from aluminum by Alcoa, were being served at degrees of excel- lence, prices, and profit rates that no one could equal or exceed.''

The lower court found Alcoa innocent of all counts of anti- competitive behavior, even while acknowledging that it con- trolled 90 percent of the market for virgin aluminum ingot. (The other 10 percent was imports.) District Court Judge Francis G. Caffey reasoned that the Sherman Act forbade activity aimed at monopolizing markets, but did not outlaw the common business practices of companies that held domi- nant market shares due simply to the absence of competi- tors.

The appeals court agreed with Judge Caffey that the gov- ernment had failed to show that Alcoa engaged in anti-com- petitive behavior or charged higher prices than it should. But Judge Learned Hand, writing for the majority of the federal Court of Appeals, held that Alcoa's de facto monopoly was itself a violation of antitrust law. Alcoa, he wrote, ''insists that it never excluded competitors; but we can think of no more effective exclusion than progressively to embrace each new opportunity as it opened, and to face every newcomer with new capacity already geared into a great organization, hav- ing the advantage of experience, trade connection and the elite of personnel.''

One is reminded of those police officers who sometimes pull over drivers late at night for moving at exactly the speed limit and staying in the middle of their lanes, on the grounds that this kind of careful conduct may be evidence of over- compensation by a drunken driver.

Having found no evidence of specific actions that were il- legal, the court could hardly remedy the situation by restricting Alcoa's ongoing business practices. Nor, since the judges recognized the firm's outstanding efficiency and service to consumers, did it seem right to break up the company. In- stead, the court settled for prohibiting the company from bidding for government aluminum plants which had been built to meet World War II military needs, and which were being sold off. Those assets were subsequently sold to Rey- nolds Metal and Kaiser Aluminum.

In 1948, Alcoa and the federal government asked the fed- eral District Court for New York to reconsider the 1945 de- cision. Alcoa sought to be relieved of the scarlet M-for-mo- nopoly that effectively criminalized its common business practices: the government, on the other hand, wanted to force Alcoa to divest some of its holdings. The district court, un- der the direction of a different judge than in 1937. once again found the government's case without merit, and this time ruled that Alcoa was not a monopolist.

A Real Monopolist

Besides Standard Oil, the case most touted by advocates of the Microsoft prosecution is the 1982 breakup of AT&T, which was overseen by federal judge Harold Greene. But while both cases involve information technology, there are important dif- ferences.

AT&T was indisputably a monopoly. From the beginning, the company lobbied for, and won, government protection against competition. It maintained its market share thanks partly to an array of legal prohibitions on other companies entering any part of the telephone services market, be it lo- cal or long-distance service—or even selling telephones and other equipment that could be attached to a phone line. The company's first president stated its strategy succinctly: ''If there is to be state control and regulation, there should also be state protection to a corporation striving to serve the whole com- munity...from aggressive competition which covers only that part which is profitable.'' Obviously, Microsoft has not called for similar protections from its competitors, nor is it today similarly protected.

Another difference: The AT&T divestiture undid acquisi- tions from decades before, in which AT&T had swallowed local phone operating companies. Microsoft, by contrast, has ex- panded primarily through internal growth. Because AT&T had capital and employees dispersed all over the United States to serve its customers, it could therefore divest itself relatively easily of the local telephone companies. These were then or- ganized into seven ''Baby Bells'' to provide regional phone ser- vice. Microsoft, with its capital far more centralized and with much less need to have people ''on the ground'' in geographi- cally defined areas (except for sales), would be far more ad- versely affected by such a legal order.

The settlement that led to the AT&T breakup also liberated the company from a 1956 antitrust consent decree that pre- More than half a decade after the first loud warnings about the awful world to come if Microsoft isn't stopped, the company's critics have been proven wrong at almost every turn. vented it from entering and competing in non-regulated businesses, such as data processing. In exchange, AT&T vol- untarily acceded to divestiture. Thus, the AT&T breakup was a consensual step toward deregulating a part of the economy that had long been regulated under the public utility model. A Microsoft breakup, by contrast, would represent a major increase in the government's intervention in this part of the economy.

At any rate, the AT&T breakup has been far from a com- plete Success. One part of the agreement created a competi- tor in the long-distance market, free to introduce new tech- nologies. This seems to have been relatively successful, with AT&T moving into cable, wireless, and other data transmis- sion arenas and competing with a variety of businesses around the globe. (Of course, AT&T doesn't always compete success- fully, as demonstrated by its huge stake in the floundering cable-modem system Excite@Home, which has been teetering on the verge of bankruptcy for most of this year.)

Much of the old AT&T was left behind as the local Bell companies, which were forbidden to manufacture telephone equipment or design new telephone products. The theory was that keeping these Baby Bells from equipment manufacture and design would prevent them from using their profits from local telephone service to subsidize new businesses. Instead, the arrangement created local phone monopolies that have been slow to innovate or to let competitors into their captive markets. Lucent, the technology company formed out of the breakup, is itself mired in financial and legal troubles. Judge Greene's supervision of the telephone companies continued from 1982 until 1996, when an exasperated Con- gress finally dissolved the consent decree. In the intervening period, hundreds of applications for waivers-usually by local Bell companies wanting to sell or license a new technology- sat on Judge Greene's docket for an average of four years. Antitrust is sometimes said to be superior to formal regu- lation, in that antitrust does not

require continuing govern- ment oversight of the company business. But the AT&T case demonstrates that enforcement of antitrust laws can gener- ate as much or more intervention. Like the Standard Oil case, the AT&T case reveals a pattern of government control ex- panding over time, first to manage prices and avoid ''un- healthy'' competition. then approving and disapproving of mergers and acquisitions, and ultimately ruling on whether to allow innovations in products and services.

The Microsoft Panic

And Microsoft? If the assault on this company is to do more good than the partly successful breakup of AT&T-let alone the utterly unjustified wars on Standard Oil and Alcoa-then one would at the very least expect the suit's rationale to survive the passing of time. But it hasn't. More than half a decade after the first loud warnings about the awful world to come if Microsoft isn't stopped, the company's critics have been proven wrong at almost every turn.

In the year before the introduction of Windows 95, Micro- soft announced it would start its own online service, to be called Microsoft Network (MSN). An icon for MSN would appear on the screen of every computer that shipped with Windows as an operating system; this was expected to be a huge advantage for gaining customers. At the time, Microsoft had a market share of exactly zero in the online services busi- ness. AOL promptly ran to the federal government to com- plain that Microsoft's plan was ''anti-competitive.'' Technol- ogy journalist Steven Levy wrote an article in Newsweek warn- ing that because of MSN, ''One day, dollar bills may be re- placed with Bill Dollars, and a piece of every online transaction could go through Microsoft's bulging coffers.''

In Upside magazine, Gary Reback, Brian Arthur, and other devoted Microsoft critics wrote, ''It is difficult to imagine that in an open society such as this one with multiple information sources, a single company could seize sufficient control of in- formation transmission so as to constitute a threat to the underpinnings of free society. But such a scenario is a real- istic (and perhaps probable) outcome.'' Business Week wor- ried that Microsoft might ''leverage'' its operating system dominance to ''corner'' markets such as ''networking, home software, and online services. In short, it might largely take control of the information superhighway.''

Later, a group of Microsoft's competitors-Netscape, Oracle, Sun, and MCI-urged government action so that Microsoft would not ''gain control of the Internet,'' arguing that suppressing Microsoft would ''ensure the accessibility and affordability of information technology and the Internet.'' Netscape's Jim Clark offered a similar warning regarding Microsoft's Web browser, Internet Explorer: ''If Microsoft owns the browser as well as the operating system, there will be no Yahoo!, no Infoseek, no Excite, just Bill standing at the gate, pointing out where he wants go. Microsoft will be the one and only ''portal'.'' Sun's Scott McNealy fretted: ''How are you going to compete if Microsoft won't put you on the Microsoft Shopping Center- which will be the opening screen of everyone's computer?''

Ohio Attorney General Betty Montgomery warned that unless Microsoft was stopped, it would turn the ''information superhighway'' into a ''toll road.'' In 1997, the misnamed Council for a Competitive Electronic Marketplace warned that with Windows, Microsoft would be able to capture customers for online services for products such as insurance, banking, real estate, and local entertainment. A year later, an advocacy group called ProComp (which had been created to promote restrictions on Microsoft and is funded by Microsoft's busi- ness rivals) warned of ''the very real potential that Microsoft will become virtually the sole gateway to the digital market- place.''

Similar warnings were made when Windows 98 made its debut with Channels (a soon-to-fail version of a ''favorite links'' list). As late as April 2000, after AOL announced it would choose Netscape as the AOL browser, the Department of Jus- tice was warning that Microsoft might ''add proprietary fea- tures to its Internet Explorer browser to tighten its control of the main on-ramp to the Internet for millions of consumers.'' The government did not abolish MSN, nor did it suppress Channels, nor did it outlaw ''bundling.'' While the pressure of the antitrust case may have forced Microsoft to stop en- forcing some terms in contracts with some of its business partners, and may have distracted the company's leaders from producing new and better products, those setbacks were surely minor in light of Microsoft's supposedly immense market power. Microsoft's sinister power has had years to grow since the DOJ filed its suit. So what happened?

Windows 95 made its debut with the MSN icon intact, and MSN went on to become the most expensive failure in Micro- soft's history. The network's content was weak, the interface was horrible, and the installation routine was lengthy and error-prone. Meanwhile, AOL made its interface better and better, and marketed itself incessantly through free sign-up disks and by paying computer manufacturers to include an AOL icon on the Windows desktop screen.

Microsoft Network no longer exists as an online service. It has been replaced with a free Web portal, similar to the Ya- hoo! or Excite portals. Microsoft's Internet service provider currently serves about 5 million customers. AOL has 35 mil- lion.

The fuss over Microsoft Network shows that antitrust ac- tion was not needed to maintain competition, even though MSN was on every desktop of every Windows 95 computer. MSN was an inferior product, so it failed. The same events illustrate the power of technological change to eliminate in-cipient monopolies. The growth of the Internet made online services much less important than they used to be.

Despite MSN's failure, however, allowing Microsoft to compete in the market for online services produced enormous benefits for consumers. When MSN was introduced, AOL was charging $54.20 for 20 hours of use a month. MSN was priced at $19.95 for that same amount of time. Thanks in part to the competition created by MSN, AOL eventually dropped its price to between $19.95 and $24.95 for unlimited use, and most other online services and Internet service providers followed suit. The same story of falling prices and rising usage has been repeated in virtually every area where Microsoft's entry was predicted to reduce competition and harm consumers. After a brisk start. Microsoft sold its much-touted Side- walk sites, which operated as local entertainment guides. Its real estate site, HomeAdvisor.com, trails Homestore.com and is being forced, like many other e-commerce sites, to recon-figure its business strategy. The Microsoft Expedia travel site was spun off into anothe company, and is now owned by USA Networks, not Microsoft, Microsoft's automobile Web site is doing pretty well, but hardly has chokehold on its market. But the fact that Microsoft neither dominates nor even still attempts Chicken Littles from warning that Microsoft's new XP operating system-scheduled for release in late October-will take over digital commerce.

Why No Monopoly?

One easy conclusion is that Microsoft's ownership of Win- dows and Internet Explorer is not enough to give it control of online commerce. Microsoft competes with traditional brick-and-mortar companies as well as Web sites, with other portals and online services that have millions of users, and with companies specializing in e-commerce. Even though Microsoft supplies the starting point for much Web surfing, the rest of the Net is just a click away.

More fundamentally, the idea that a Web browser could be used to control Internet content was hardly believable in the first place. One might as well believe that Sony would be able to control television programming if it sold 40 percent- or even 95 percent—of new television sets in the United States. A browser, like a television, is just a tool for reaching content. A television or a browser that interferes with access to con-tent is, by definition, an inferior product. It is not going to have a viable economic future, much less become a market leader.

In 1997, Microsoft executive Nathan Myhrvold said the company wanted to get a ''vig'' (a bookie's share) of every Internet transaction that used Microsoft software. But this was unrealistic. The Internet vig was possible only in theory, not in the real world. Stanford economist Robert Hall offers the following scenario for what would happen if Microsoft made the attempt: ''Yahoo! will ally with a manufacturer of cheap small computers and a national Internet service provider to produce an entire system that is Yahoo!-branded, defaults to the Yahoo! portal, but also provides access to the entire Internet with an open standard browser such as Netscape or Opera. The hardware would be cheap enough to be given A close look at antitrust's greatest hits-the cases of Standard Oil, Alcoa, and even AT&T-reveals a pattern of arbitrary rulings, disregard for consumers, and political interference with the administration of justice.
away, like cellular phones or cable boxes, and all of the profit will be made advertising, monthly fees, and transaction fees.''

Bill Gates had hoped his company could at least make money from banks which used Microsoft software for online banking. That too failed, as banks ditched Microsoft

network- ing software, and instead offered banking services via the World Wide Web.

What about Web servers the computers that serve up the Internet's content to Web surfers? Could a company le- verage a huge marked share for its browsers into control of the market for servers? As it happens, one business tried to do precisely this. The company was Netscape, during its period of early dominance on the Web. But Netscape offered mis- erable support for developers and priced its product extremely high-thus creating an opportunity for Micosoft and other competitors. Today, the leading Web server software is Apache, a Unix-based program, which is free, and which is on 63 percent of servers. Microsoft's MS is second, with 20 percent. Netscape's Enterprise has 7 percent.

Even if Microsoft achieves a high share in the server op- erating system market, it is likely to have little market power, because barriers to entry are low. Server software, including the operating system, carries out a limited range of functions. The software provides only the simplest user interface, which is the source of much of the complexity in full operating sys- tems.

And what if Microsoft were the only browser company in the world? Could it then introduce a browser with Microsoft- only features and force the rest of the world to buy Microsoft server software, by making IF incompatible with every other company's Web server? An allegation to this effect was made in the spring of 2000 by the Department of Justice, although the court never heard evidence on the subject. According to the allegation, Internet Explorer included proprietary exten- sions of Kereboras (a security program that prevents hack- ers from entering a Web site) that work best with the Micro- soft Web server.

The first practical obstacle to such a strategy is that the users of Internet Explorer would be cut off from any Web site that did not fall in line with Microsoft's program. This would be major competitive defect, to say the least. Older versions of Internet Explorer and any remaining copies of other browers on the market would still be able to gain access to those sites. An immediate market would emerge for new browser able to reach Web sites that did not adopt Microsoft's server software. Major Web sites, particulary portals, would give away such browsers to ensure their sites could be reached AOL as owner of Netscape, would be in particulary good position if Microsoft altered Inter- net Explorer to make it incompatible with AOL and other Web sites. Microsoft's hold on the browser market could never be strong enough to let it extract significant value from the server side, despite Microsoft's important roles in providing both a browser and server software. Individual users would not have to play a major role in opposing Micro- soft. A few key Web sites-valued in the stock market at tens of billions of dollars—could do it on their own.

Ignorant Elites

Because the Internet is still developing so rapidly, reporters and politicians are easy prey for manufactured panics. It would be much more difficult to create such a fright over a more fa- miliar product, such as automobiles. Nobody would believe today that if General Motors opened its own chain of filling stations. GM would take over all American transportation. But on the Internet, folks who can't tell the male end of a dongle from a TCP stack are often suckers for silly claims about chokeholds.

Merely asserting that a company is a ''monopolist'' has al- lowed many of Microsoft's competitors to get a free ride from reporters and policymakers who ought to know better. For example, Jim Barksdale, then CEO of Netscape, said this to Congress in 1998: ''I was struck by the fact, in the response of Mr. Gates to the question about whether or not he was a monopoly, he talked about how short-lived the products were, and we all understand that. That doesn't negate whether or not it's monopoly though. Even if it went away six months from now, it is monopoly today. ''The hypocrisy of Barksdale's claim is astonishing-since Netscape's browser at its height held a larger market share than Microsoft ever had for Web browsers or for operating systems.

The scaremongers appear not to have suffered any loss in credibility, Steven Levy, the writer who warned that we'd all be using ''Bill Dollars'' by now because of the Microsoft Net- work, is still sharing his expertise with Newsweek's readers. In June 2000 he penned a cover story advising Bill Gates to ca- pitulate to most of the government's demands. Similarly, Sun's Chairman Scott McNealy applauded Judge Thomas Penfield Jackson's Microsoft breakup order as a tool to ''protect Inter- net technologies from becoming the proprietary presence of any one company.''

A close look at antitrust's greatest hits -the cases of Stan- dard Oil, Alcoa, and even AT&T —reveals a pattern of arbitrary rulings, disregard for consumers, and political interference with the administration of justice. The much shorter history of the Microsoft case has exposed the same injustices, along with the series of embarrassing exaggerations and falsehoods espoused by Microsoft's critics. Where are Microsoft Network, Channels, and Sidewalk today? All have disappeared, become irrelevant, or been radically transformed by competition and changing technology. The internet remains free and decen- tralized, and for good reasons Microsoft cannot ''leverage'' its dominance in a few markets into control over Internet ac- cess or content. To claim otherwise might sell newsmagazines or flummox congressman—but it is hardly realistic.

David B. Kopel (david@i2i.org) is the director of the Center on the Digital Economy at the Heartland Institute. Joseph Bast (jbast@heartland.org) is president of the Heartland Institute. This article is adapted from Antitrust After Microsoft: The Obsolescence of Antitrust in the Digital Fra. Copyright o2001 by The Heartland Institute and David B. Kopel.

MTC–00031895

Wednesday, January 23, 2002 10:45 AM
Dan Cohen 415–285–2591
Daniel E. Cohen, Esq.
1329 Rhode Island St
San Francisco, CA 94107—
415.637.5013
dcstpaul@yahoo.com
January 23, 2002
Ms. Renata Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

Too many times, our nation has chosen to miss opportunities to move forward. Today, many business leaders and state attorneys general want to put the Microsoft litigation behind us and target our financial resources elsewhere. Please count me among those urging you to settle the Microsoft lawsuit.

I am ununemployed dot-commer whose company was the recipient of Microsoft venture capital funds. They believed in our efforts to bring voicemail to the Internet. However, when faced with the choice of making a further investment that might bring on anti-trust backlash as they moved into the telecomm world, they chose to pass on the investment and our company falled.

Microsoft will be forced to make some painful sacrifices by this settlement. They must open their code to their competitors and even agree to an oversight board on their actions. While these may be painful steps, I believe they will bring certainty to the marketplace and allow Microsoft, and other technology investors, to make decisions based on facts, not fear.

MTC–00031896

January 23, 2002
Ms. Renata Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

I am the President of a talent, movie and television development corporation that specializes in telling up-lifting and positive stories. I believe that this is how I can best compete in the marketplace of ideas here in Hollywood.

Competition is just as important in the world of technology. I have worked on many celebrity promotions with dot-coms, some of whom who are no longer with us. I know the importance of competition in the marketplace, and I believe fair and open competition in the marketplace of ideas is what is needed to bring our economy back into shape. That's why I'm writing to urge you to support the Microsoft Settlement. The settlement will eliminate Microsoft's practice of signing exclusive contracts with their partners. Let's get on with our economic lives. There are so many other stories that have to be told.

Sincerely,
David Goldstein
President
Shoebox Entertainment
6555 Debs Avenue,
West Hills, CA 91307—
voice: (818)730–6442
email: dgoldstein@socal.rr.com

MTC–00031897

CANTON TEXAS
Chamber of Commerce
January 24, 2002

Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

I have personally been involved in the internet technology in the immediate and regional business community. Also, have observed with much interest and wonderment about the reasoning behind the government's attempt to get involved in private enterprise. To me, it is a total additional waste of taxpayer money for the government to pursue any further their attempts that results ONLY in millions of dollars in unnecessary legal fees. Please, Court, accept the negotiated settlement dismiss the remaining lawsuits and let us get back to our business where technology has become so important.

Sincerely,
Joe Collins
President
315 First Monday Lane
Canton, Texas 75103
(903) 567–2991
Fax: (903) 567–5708
Web: www.cantontx.com

MTC–00031898

Jan Johnson Yopp
506 Robert Hunt Drive
Carrboro,NC 27510
January 22, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
Re: Microsoft Case

Dear Ms. Hesse:

I am writing in support of the proposed settlement in the U.S. v. Microsoft case. As a college professor and a parent. I know the importance of having software that is easy to use, integrated, affordable and reliable,

Microsoft has a reputation for developing products that are easy for consumers and students to use. As an educator, I know how important it is to encourage new idea and innovation. The proposed settlement agreement in the U.S. v. Microsoft case will allow the company to continue its leadership as an innovative designer of software products. At the same time it will provide remedies for Microsoft competitors who will have access to information about technical specifications about the Windows operating system. Competitors will also be able to ship software that competes with software in the Windows operating system and not fear any legal action from Microsoft.

Settlement of this case would be an important step in encouraging technology companies to get back to the business of developing innovative software products. A strong technology industry could provide a much need boost to the overall economy and in turn a good job market for my students.

Best wishes as you deal with this important issue.

Sincerely,
Jan Johnson Yopp

MTC–00031899

January 22, 2002
Renata Heese
Antitrust Division—Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
RE: Settlement of U.S. v. Microsoft

I am writing in support of the settlement proposed in the U.S. v. Microsoft case. The time has come for the legal fighting to end. Although this settlement is not perfect, it does address the concerns of the court and consumers. I believe it would also help stimulate the economy. Microsoft and other technology companies have provided a boost to the economy in the past, and the next wave of technological advances is sure to give the economy another much needed boost.

I think it's time to let Microsoft and its competitors fight it out in the open market rather than in court.

Sincerely,
Nancy Meyers Marsiglia

MTC–00031900

Virginia House of Delegates
VIRGINIA HOUSE OF DELEGATES FAX COVER SHEET
TO: Renata Hesse
Organization: U.S. Dept Justice—Antitrust Div.
FAX Number: (202)616–9937
Phone Number: ( )
Local Long Distance -x-
Number of Pages including this cover sheet: 2
From: Delegate Watkins M. Abbitt, Jr.
Room Number: 804
Telephone Number: (804) 698–1059
Comments:
If you have any problems with this transmission, please call the House Fax Center at: (804) 698–1558
Our Fax Number is (804) 786–6310
WATKINS M. ABBITT, JR.
POST OFFICE BOX 003
APPOMATTOX, VIRGINIA 24522
FIFTY-NINTH DISTRICT
COMMONWEALTH OF VIRGINIA
HOUSE of DELEGATES
RICHMOND
COMMITTEE ASSIGNMENTS:
LABOR AND COMMERCE (CO-CHAIR)
GENERAL LAWS
TRANSPORTATION
MINING AND MINERAL RESOURCES
January 23, 2002
Renata Hesse
Trial Attorney
Antitrust Division
U. S. Department of Justice
601 D Street NW #1200
Washington, DC 20530
By Facsimile: (202)616–9937

Dear Ms. Hesse:

As the State Delegate from the 59th House District in Virginia, I am writing to encourage you to approve the settlement agreement of the United States v. Microsoft.

Virginia has been fortunate to attract a diverse and wide-ranging number of technology firms over the past 10 years, and with those firms choosing to come here, we have ensured our area's continued growth and future prosperity. Being a technology -friendly state put Virginia on the map with the emerging IT industry in the 1990s and as IT flourished, our state reaped benefits as well. We embraced the new economy and it responded. The government should not be an inhibitor, but an enabler of consumers, entrepreneurs, and the marketplace.

Technology empowers individuals, both here in the Commonwealth and, of course, beyond our borders. It gives individuals opportunities to participate in an economy which they may never have thought possible. It opens the door to the opportunity for so many who may have never have gotten the knock on the door in the past. Many women in business are maximizing the power of the IT economy with their thoughts and ideas, and many children who may have gotten left behind are empowered with the learning and teaching potential of the Internet.

More than half of all Internet traffic travels through Virginia. The proposed settlement is tough, yet reasonable, and a valuable tool in bringing stability back to our economy. It is my hope that the Court will approve the proposed settlement between Microsoft and nine plaintiffs in the anti-trust case against it, including the federal government.

Sincerely,
Watkins M. Abbitt, Jr.

DISTRICT: (804)352–2880—RICHMOND: (804)698–1059

MTC–00031901

01/23/02 15:21 TEL 3154760420 Peerless Press 01
Peerless Press, Inc.
January 23, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: U.S. vs Microsoft

Dear Ms. Hesse:

I am writing to you to let you know that I am in support of the settlement of the case of the U.S. vs Microsoft for the following reason:

I work for a small business which uses and depends on a lot of Microsoft software in our computers to help run our business better and more efficiently. In my opinion, there has been no consumer harm as a result of any actions taken by Microsoft. In fact, Microsoft's innovation has led to tremendous benefits for consumers. such as better products and lower prices. Antitrust law is supposed to be about consumer harm, and on that key issue, the government has failed to show any harm whatsoever.

Given that the economy is now in recession, the last thing we need is more litigation and regulation of the high-tech industry. Settlement of this case is in everyone's best interests—the technology industry, the economy and consumers.

I, as a concerned consumer, can only hope that the agreed upon settlement would be left in place. Further litigation can only cost the taxpayers more money and would it really be able to provide a better solution?

Thank you for taking the time to read my letter and hopefully your consideration.

Sincerely,

Susan C. Letterman
1112 East Fayette Street
P.O. Box 6638
Syracuse, New York 13217–6638
315–476–6051
Toll Free: 877–476–6051
Fax: 315 476–0429

MTC–00031902

01/23/02 WED 14:04 FAX 319 398 5228 C.R. CHAMBER 001
Cedar Rapids Area
CHAMBER OF COMMERCE
January 23,2002
Renata Hesse
Trial Attorney
Antitrust Division
U.S. Department of Justice
601 D Street, NW Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

The grim economic realities of the last year have been endured by all of us. I am the President and CEO of the Cedar Rapids (Iowa) Chamber of Commerce and have found that the challenges of this new economy have been driven home in the last few months as employers have shut down completely or cut costs drastically.

My experiences with the Cedar Rapids Chamber of Commerce have emphasized lessons I learned when I served as Speaker of the House in the Iowa Legislature. The actions of government officials can have unintended and far-reaching consequences. Government also has opportunities at times to provide great benefit with its actions.

Government has an opportunity in the anti-trust case against the Microsoft Corporation to be fiscally responsible while at the same time sending a signal to start-up technology companies and other businesses that they can and should take business risks again without the threat of government intrusion.

Iowa, like the nation, is trying to restart an economy. Iowa also remains focused on attracting and retaining young people to our state. It's time to remove the uncertainty this case has caused to loom over the business world. Settling the Microsoft case is best for our economic health and it appears that the agreement offered is a good one.

Sincerely,
Ron Corbett
424 First Avenue NE
PO Box 74
Cedar Rapids, Iowa
52487–4880
Phone: (319(5317
Fax: (319) 398–5228
www.cedarrapids.org

MTC–00031903

Jan 23 02 12:04p p.1
January 23, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

This letter is being written in support of the settlement currently being considered by the federal court in US v. Microsoft. Specifically, I would like to let the court know that I believe the settlement puts in place a very strong enforcement method to ensure Microsoft does not further violate antitrust laws. I realize that some of Microsoft's competitors are arguing that the enforcement methods are not strong enough and I totally disagree.

From my understanding of this agreement, there are vast amounts of resources and tools available that will ensure any future violations by Microsoft are immediately investigated and acted upon. It seems that any complaint about Microsoft's compliance with the settlement is sure to be dealt with. But this is not the biggest reason we can be assured no violations will occur.

The settlement's creation of a Technical Committee is a very good idea. Because the committee has an open amount of positions available, the public is assured that it will be well staffed. More importantly, this committee is independent and will reside on the Microsoft campus. There is no way Microsoft will be able to commit any harm with this sort of situation in place.

I am writing this letter because those opposed to the settlement are arguing that there is not a strong enough safeguard to prevent Microsoft from committing future wrongs. As you can see from my statements above, that is simply not the case.

Sincerely,
Kelley Klassen
6988 Beagle Street
San Diego, CA 92111
(858) 385–5604

MTC–00031904

FROM : STEIN FINANCIAL PHONE No. : 425 7451289 Jan. 23 2002 11:55AM P1
STEIN FINANCIAL SERVICES
William A. Stein, CLU ChFC
Registered Investment Advisor
Christopher N. Stein
Registered Representative*
16300 MILL CREEK BLVD, STE 204—
MILL CREEK, WA 98012—
(425) 742–6694—
FAX: (425) 745–1289
January 23, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing you regarding the Microsoft case and the settlement. I am a business owner, shareholder and customer of Microsoft. In fact I am writing you this letter using Microsoft Word. I do not type but this software has allowed me to learn. This is just one of the many software products we use in our business. Microsoft products have made all Americans more productive and have contributed a great deal to the success of our economy. There competitors could not handle this so they use the courts to compete and now we taxpayers cover the costs.

American business is based on free enterprise, why should Microsoft not be allowed to market their product without sharing their secrets. Does Coca Cola have to give away their formula? The current settlement, which I believe will limit Microsoft is fair. They have agreed to share their sources codes and interface design and not enter into any obligatory contracts, thus allowing third parties to offer other products on computers. I am an independent businessperson, I run my own company, and Microsoft products have allowed me to build a successful company using their products and innovations. Please uphold the settlement for the good of our economy and the computer industry. It is time to put an end to the waste of taxpayer money and this controversy.

Sincerely,
William A. Stein, CLU, ChFC
Registered Investment Advisor

MTC–00031905

JAN-23–2002 13:56 LABI 225 929 6054 P. 01/01
Louisiana Association of Business & lndustry
POST OFFICE BOX 80258
BATON ROUGE, LA 70898–0258
(225) 928–5388
FAX(225)929–6054
www.labi.org
January 23, 2002
FAX LETTER: 202–616–9937
Ms. Renata Heese
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
RE: Settlement of U. S. v. Microsoft

Dear Ms. Heese:

I am writing in support of this proposed settlement.

I deeply appreciate the efforts of our government in pursuing antitrust activities and believe that this settlement would be a positive development in this quest.

I know that the government and Microsoft lawyers have fought diligently in this important case. As a business leader, I would like to see the case resolved so that private industry can return to competing in the marketplace.

The technology sector of our economy is looking for a signal to get moving again. The settlement of this case can provide the right signal that competition is alive and well through innovation and hard work and not continued litigation.

Please know that I appreciate your consideration of my views on this important matter.

Sincerely,
Daniel L. Juneau
President

MTC–00031906

JAN-23–2002 WED 02:ll PM CITY OF NEW MADRID FAX NO. 1573748402 P.01
New Madrid Chamber of Commerce
PO Box 96
New Madrid, MO 63869
573/748–5300
fax: 573/748–5402
Fax Transmittal
Date: 1/23/02
TO: Renata Hesse, Department
Fax: 202–616–9937
From: Margaret Palmer
Subject: Microsoft Public Comments
Number of pages including cover sheet: 2
JAN-23–2002 WED 02:ll PM CITY OF NEW MADRID FAX NO. 1573748402 P. 02

NEW MADRID, MO
Chamber of Commerce
560 Mott Street
P.O. BOX 96
New Madrid, Missouri 63869
Office (573) 748–5300
Fax (573) 748–5402
Toll Free (877) 748–5300
January 23, 2002
Ms. Renata B, Hesse
Antitrust Division
U.S. Department of Justice
Fax: 202–616–9937
RE: Comments on the Microsoft Proposed Settlement Agreement
Dear Ms. Hesse,

On behalf of the New Madrid Chamber of Commerce 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.

We feel if Microsoft is in agreement and all other parties are in agreement then what is the hold up. Lets all get on with business as usual.

Sincerely,
Margaret Palmer
Executive Director
Oldest American City West of the Mississippi
Incorporated 1803

MTC–00031907

JAN-23–2002 11:03 AM WALTER OUSTERMAN 510 655 2797 P. 01
1/17/2002 12:20 PM FROM: Fax No: 15106352797.....131 PAGE: 003 OF 003
21 Lincoln Avenue
Piedmont, California 94611
January 17, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
Dear Mr. Ashcroft:

Opposition to the Microsoft settlement is absurd. The settlement is a fair and reasonable conclusion to the issue. Microsoft has made many concessions to their competitors. Anyone desiring further litigation is showing greed and irrationality.

Microsoft has given up much in this case. They have agreed to license Windows at a uniform price. They have agreed to disclose their; internal interface designs. They have agreed to contract restrictions. They have even allowed for the creation of an advisory board. Microsoft has also agreed to not to retaliate against companies that use, sell, or promote non- Microsoft products. Enough is enough.

The settlement offers the country an opportunity to get past this lawsuit and move on to more important issues. I support the settlement and look forward to seeing this lawsuit come to an end.

Sincerely,
Walter Ousterman

MTC–00031908

FROM :GEORGEHAAS#2853 FAX NO. :8314399599 Jan. 23 2002 12:08PM P1
FAX
Date:
January 23, 2002
Pages: 3 (incl. cover)
FROM: George Haas
Fax: (831)439–9599
TO: Renata Hesse
Trial Attorney, Antitrust Division
U.S. Department of Justice
601 D Street. NW, Suite 1200
Washington, DC 20530
Fax:(202)616–9937 or (202)307–1454
Subject: Microsoft Antitrust Settlement Public Comment
Message:
Attached are my comments for your consideration.
FROM :GEORGEHAAS#2853
FAX NO. : 8314399599 Jan. 23 2002 12:08PM P2
January 23, 2002
Renata Hesse
Trial Attorney, Antitrust Division
U.S. Department of Justice
601 D Street NW., Suite 1200
Washington, DC 20530
Fax: (202)616–9937 or (202)307–1454
Re: Microsoft Antitrust Settlement
Dear Ms. Hesse:

Microsoft must be stopped. Their continuing predatory, monopolistic practices are a deadly threat to innovation in the computer industry. Ultimately, without the influence of competition the incredible advances in computer technology that we have continued to see will stop.

Microsoft will no longer have any incentive to innovate. Microsoft has never shown the ability, or inclination, to develop new technologies. Their modus operandi has been to copy popular products, make slight variations to avoid obvious patent violations, and then give them away for free with their operating system, thus killing the competitor. Every one knows this, but few have the resources to combat them. Since the ''Justice'' Department has given up the fight, it is critical that the States' case prevail, before the damage Microsoft inflicts on society becomes irreparable. It is already too late for many vibrant companies that have been laid waste, as follows: Borland and Lotus created spreadsheets that revolutionized business. Microsoft copied that idea and gave it away for free with their operating system. Now there is no longer a spreadsheet industry, there is only Microsoft.

Apple's Macintosh Operating System was brilliantly intuitive and proved to the world that personal computers could be useful to the common man. Microsoft brazenly stole that concept, re-designed DOS around it, gave it a new name, then strong-armed PC makers into installing Microsoft operating systems. Now Apple clings to a 5 per cent market share, and only exists at the mercy of Microsoft.

There are two reasons why Microsoft allows Apple to survive. One is because if Apple was killed, then there would be no question that Microsoft is a monopoly. The second is that, if Apple was gone, Microsoft would have no one to steal ideas from any more. Now victorious over all of the software industry, Microsoft moves on to the Internet. By giving away Explorer for free, they have all but eliminated Netscape. This is an obscene travesty. It makes a mockery of the anti-trust laws.

Now Microsoft has its sights on Sun's Java, Apple's QuickTime, Linux and the list goes on. The sad part is that Java and Linux are designed to make the Internet a platform for everyone to use freely, sharing ideas that would benefit all Internet users, ultimately leading to a more efficient on-line community. Microsoft would subvert this whole concept by bastardizing this on-line software to operate only on Windows. By doing this they would eventually eliminate independent on-line programming and all potential Internet competition.

FROM :GEORGEHAAS#2853
FAX NO. : 8314399599 Jan. 23 2002 12:08PM P3

Microsoft never stops to consider the cost of damage done to consumers through the loss of opportunities that alternative resources could provide. Nor do they consider the damage done to economies all over the world that will never have the benefit of potential productivity gains that would have occurred in a truly free marketplace.

There are some resources, services, and industries, e.g., oil, gold, the postal service, or rail lines, that are strategically too important to be controlled by a single corporate entity. The Internet is that kind of resource. It is already too late for the software industry. Please save the Internet from this scourge.

Finally, please consider the threat to national security if the world comes to rely on Microsoft operating systems, carrying a vast majority of the world's email correspondence. They have never proven that they can be made secure from virus attacks, or from their own design flaws. Nor has Microsoft ever proven that it can be trusted.

Thank you for your time and consideration.

Cordially,
George Haas
20 Fred Court
Scotts Valley, CA 95066
Fax: (831)439–9599
email: haas@got.net
cc: Congressman Mike Honda

MTC–00031909

01/23/2002 16:40 CITY SECRETARY OFFICE -> 918889194018
NO. 008 002
OSCAR G. ORTIZ. MAYOR
FELIX A. BARKER. MAYOR PRO—TEM
COUNCIL MEMBERS:
CRAIG HANNAH
THOMAS J. HENDERSON
TOM GILLAM, III
REV. RONNIE LINDEN
BOB BOWERS
ROSE MITCHELL CHAISSON
ROBERT E. ALLEN
STEPHEN FITZGIBBONS
CITY MANAGER
CAROLYN DIXON
CITY SECRETARY
MARK T. SOKOLOW
CITY ATTORNEY
Energy City
City of Port Arthur Texas
January 23, 2002
Renata Hesse
Trial Attorney

Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

The Court has an opportunity to end one of the most misguided and wasteful lawsuits in the history of the United States by dismissing the remaining lawsuits against Microsoft Corporation and accepting the proposed settlement.

The cost of the lengthy litigation has now exceeded $30 million and is rapidly rising as each day passes. Any financial judgement against Microsoft will be so diminished by legal and administrative fees that very little will actually find its way to the consumer.

The proposed settlement puts an end to the wasteful use of taxpayer dollars and requires Microsoft to make substantial financial and proprietary concessions.

Though this settlement may not appeal to Microsoft's competitors, it certainly has great appeal to those of us who would like to see the continuance of the technological advances made by one of America's great success stories.

I am writing to ask that the Court accept the settlement and let Microsoft and the rest of the high tech industry get back to developing innovative products in a truly competitive atmosphere.

Sincerely,
Oscar G. Ortiz
Mayor
P.O. Box 1089
PORTARTHUR, TEXAS 77641–1089
409/983–8115
FAX 409/983–8291

MTC–00031910

FROM: Bionomix FAX NO.: 6262290847 Jan. 23 2002 04:20PM P1
23 Jan 02
fax: 202–307–1454
To: Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
Re: The Microsoft Settlement

I am the Director of Scientific Computing at a small bioinformatics company in Pasadena CA. The views expressed here do not necessarily represent those of my employer.

I have read the Revised Proposed Final Judgement (PFJ) at http://www.usdoj.gov/atr/cases/f9400/9495.htm

Under the Tunney Act, I would like to submit the following comment regarding the PFJ in the DOJ vs. Microsoft case.

In my company, we are studying protein structures to try to develop new cures for diseases. We would be unable to do this were it not for the incredible development pace and high quality of free software development, as represented by the gnu/linux operating system and tools, the apache web server, the perl and python programming languages, the SAMBA server, etc. Our programmers participate in the development of free software, and our company hopes to release a molecular modelling tool under a public license.

Section III(J) (2) of the PFJ contains some very strong language against entities involved in the creation of free software. Specifically, the language says that Microsoft need not describe nor license the 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, ...''

Likewise, Section III(D) explicitly lists ''ISVs, IHVs, IAPs, ICPs, and OEMs,'' - businesses as defined in Sect VI—as being the only recipients of API and protocol disclosures. Both of these clauses exclude entities producing free software—entities like academic faculty, national labs, students, hobbyists, etc.

But, in my opinion, the ONLY remaining challenge to Microsoft's stranglehold on PC software and innovation is coming from these non-''business'' entities.

Thus, the exclusion of free software producing entities from this remedy excludes the only entities that challenge the monopoly.

Certainly this is clear to Microsoft, or this language would not be present in the remedy. For the remedy to have any impact, the API disclosures must be made universally, e.g., on a simple website explaining the API's, file formats, whatever—for anyone to see. This also simplifies the process for Microsoft, since every simple disclosure of their API's need not be accompanied by a contract and team of lawyers.

Without disclosures to the free software community, the only challengers to the monopoly, the remedy is meaningless.

Thanks for your attention.
Jeff Regan
626–229–0834
Bionomix
1110 E Walnut Suite 300
Pasadena CA

MTC–00031912

Date: January 23, 2002
Attention: Ms. Renata B. Hesse
Department of Justice
(202)-307–1454
From: Mr. and Mrs. John D. Simpson
P.O. Box 5864
Carmel, California 93921
Fax: 831–624–7470
Home Phone: 831–624–5858

As taxpayers and consumers we support the Microsoft settlement. Let's stop wasting taxpayer money and get this thing settled. This settlement is only fair.

Sincerely,
Mr. and Mrs. John D. Simpson

MTC–00031913

01/23/02 19:04 FAX 703 757 7658 01
J.M. McLaughlin
January 18, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

We are writing to say we agree with the proposed settlement between Microsoft and the Department of Justice. We feel the terms of the settlement are just. Microsoft has maintained their huge market share by investing heavily in their Windows operating system and charging competitive prices, which are a benefit to the consumer. This has resulted in a standard in the computer industry that otherwise would have been difficult to achieve. This has been critical to the efficient management of computers in businesses and development of cost effective, robust application software.

Future progress in the computer industry will be further hampered if the settlement terms are thrown out and judicial proceedings continue. We feel that now is the time to give Microsoft the opportunity to make good on their promises and resolve any uncompetitive practices that were identified in the suit.

Sincerely,
Joe and Pam McLaughlin

MTC–00031914

Steve Sukup 515–299–9646 P.1
Fax
To: RENATA HESSE DOJ.
From: CHAD OLSEN
RE: MICROSOFT SETTLEMENT
Pages: 2 (INCLUDING THIS ONE)
Date: 23 JAN 2002
Steve Sukup
515–298–9646 p.2
Chad F. Olsen
300 South Fifth Street
Guthrie Center, IA 50115
23 January 2002
Renata Hesse
Trial Attorney, Antitrust Division
U.S. Department of Justice
601 D Street, NW, Suite 1200
Washington, DC. 20530

Dear Ms. Hesse,

The Department of Justice and Microsoft deserve praise for their work in settling the Microsoft anti-trust case. The federal government and the nine states that joined the settlement know that settling this case is good for the nation's economy. As the owner of a business that depends on a high level of consumer confidence I am very aware of our fiscal health.

The government's pursuit of Microsoft over the last several years has had a real impact on the technology industry. Evidence of this is found in slow software sales and the sinking value of technology stocks. The negative results of this case are not limited to the technology industry.

Many Americans have their retirement or saving funds wrapped up in some sort of 401(k), IRA or pension fund, and many of these funds are partially dependent on technology-based stocks. When the governments case against Microsoft gained steamed and threatened a break-up, tech stocks crashed, and Americans from all walks of life saw the value of their savings and retirement funds plummet.

The feeling of uncertainty created by a bearish stock market quickly affected other areas. Consumers stopped spending money, hurting small businesses like mine. Workers felt the tightening, too, when corporations stopped hiring new employees and/or laying off existing ones.

Additionally, all reports that I have read indicate that this settlement is an equitable agreement that provides tough remedies for the portions of the complaint that have been upheld in court.

Please support the Microsoft settlement

Sincerely,

Chad F. Olsen

MTC–00031915

01/23/2002 15:32 FAX 4257789645
CB BAIN EDMONDS 002
8719 238th Street Southwest Apt. B7
Edmonds, WA 98026
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The issue needs to be put to rest and Microsoft needs to be able to move on. The terms of the settlement are more than fair; Microsoft has agreed to give up a lot. The government needs to agree to the settlement and stop harassing Microsoft.

This government over regulation is a slap in the face to the free enterprise system. Microsoft is simply a better company than its competitors. Because of personal agendas and the influence of uncompetitive companies this entire issue arose. Now Microsoft has had to agree to terms that extend well beyond the products and procedures that were at issue in the suit, simply to put the issue behind them.

After three long years this case needs to be wrapped up. Many investors have been hurt and in turn this has had an adverse effect on our ailing economy. The government is supposed to work for all the people not for a few special interest groups. Please accept the Microsoft antitrust settlement and allow Microsoft to return to business.

Sincerely,

Alberta Nielsen E-Mail
mickeynielsen@mns.com

MTC–00031916

SENT BY: KEYCORP CORPORATE TAX : l-23- 2 : 18:36 : KEYCORP CORP TAX-202 353 8856: # 1/1
Post-it Fax note
7671
To ATTORNEY GENERAL JOHN ASHCROFT
SUBJ: MICROSOFT SETTLEMENT
Fax #1202 307–1454
Paul Castle
4185 Laurell Lane
North Olmsted, OH 44070–2511
TEL (440) 734–0732
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

As a computer user and supporter of Microsoft, I have followed the antitrust case and the negotiation and settlement process. I would like to see the current settlement agreement remain, because I believe it creates the most optimal compromise for all parties involved.

Microsoft is sharing its software and its know-how with the computer industry. And it has agreed to the creation of a committee that will oversee the company's compliance with the terms of the settlement agreement and resolve disputes as they arise. I see this as an equitable solution to this complex issue. Moreover, I believe that both Microsoft and the government have important work to tend to, and this case should be put behind all of us. Microsoft is an important contributor to the technological and economic success of America. The company has taken great steps to improve its performance in the market, and I believe that it can now devote more of its resources to technological innovation and improvement. The current arrangement is in the best interest of the industry and the American public and should remain in its current form. Thank you.

Sincerely,

Paul E. Castle

MTC–00031917

From: Mirriam Schwartz
2417 Vista Lane
Anacortes, WA 98221
To the U.S. Dept. of Justice
Attn. Ms. Renata B. Hesse

I urge the D.O.J. to approve the Microsoft Settlement now.

Mirriam Schwartz

MTC–00031919

Jan 23 02 04:31p HRROLD E. YARNELL, JR 1–818 883 5714 p.1
01–23–02
DEPARTMENT OF JUSTICE
ATTN: MS. RENATA B. HESSE
RE: MICROSOFT SETTLEMENT

I, HAROLD E. YARNELL, JR. SUPPORT THE MICROSOFT SETTLEMENT AND URGE DOJ TO SETTLE THAT MATTER.

THE ANTITRUST ACTION AGAINST MICROSOFT BY COMPETITORS IS OUTRAGEOUS AND NOT IN THE PUBLIC INTEREST

HAROLD E. YARNELL, JR.
4156 MATISSE AVE
WOODLAND HILLS, CA 91364–5337

MTC–00031920

01/23/2002 19:12 4258619863
CERTAPRO PAINTERS
PAGE 01
12809 NE 32nd Street
Bellevue, WA 98005
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

Dear Mr. Ashcroft:

I want to contact you to ask for your support of the proposed settlement of the Microsoft anti-trust case. Though the legal action had some merits, the government expense of three years in court over this matter has surpassed its benefit, so it's time to bring it all to an end.

With technology changing so rapidly, no one can possibly hold a monopoly on the software industry, so it's not worth splitting it apart. Microsoft has used some very aggressive tactics against its rivals, yet the bottom line is that there is a choice out there and the consumer isn't clamoring for it. However, despite the vindictive nature of the proceedings, Microsoft has come to an agreement after the involvement of a court-appointed mediator, which led to a variety of gestures that outdo even the Justice Department's original complaints. It's time to accept this deal and allow for this settlement to take root. These proposed terms should allow for a more wide-open market and for Microsoft's competitors to have their chance, without the disruption of breaking up a company that has revolutionized the PC industry. I appreciate your attention to my feedback.

Sincerely,

Max Decker

MTC–00031921

Jan 23 02 01:06p Parallel 21, Inc. 8085482125
PARALLEL 21
internet application developer
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530–0001

Dear Mr. Ashcroft,

The antitrust suit brought about against Microsoft was worth pursuing because it was a learning experience for both sides of the table. I would have preferred that the lesson was a bit less expensive, but that is water under the bridge. Now we have an opportunity to show what we learned. The settlement reached between Microsoft and the Department of Justice was is a good conclusion to this case, but pursuing further litigation will only delay the advancement of technology. The case must be closed; the taxpayer cannot go on picking up the expense of an uneconomical situation.

The settlement instructs Microsoft to provide information regarding the development of software products to its competitors. Microsoft is also to refrain from retaliating against computer makers that may ship software that would compete with the Windows OS. I believe that these provisions and others in the settlement provide good guidelines for Microsoft to be a responsible leader of the IT industry. The suit must demonstrate what not to do as a big business, but Microsoft should not be shrouded in litigation for providing the consumer with superior products. I strongly urge you to make certain that this settlement is confirmed.

Sincerely,

Alika Reppun
Director

MTC–00031922

FROM : MARY ALICE
FAX NO. : 619 6593705 Jan. 23 2002 03:14PM P1
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing in support of Microsoft and settling your office's antitrust case against the company. Allowing Microsoft to move on with business is good for the consumers, the company itself, and the economy as a whole—and the economy needs all the help it can get right now.

I have been following the case, and I think that the terms of the agreement are amicable to all involved parties. Microsoft's concessions provide ample room for the growth of competition, and users will have more freedom of choice than ever in regard to what programs they choose to run. Instituting uniform pricing for computer manufacturers will also create a healthy balance and foster competitive spirit for software programmers.

I urge you to settle the Microsoft suit without any additional delay. Their success is important to individual consumers, as well as the American economy itself.

Sincerely,

Mary McBride

MTC–00031923

Jan-23–02 02:58pm From-Alpha Engineering +3607381040
T-121 P. 001/001 F-357
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 Final Judgment is not in the public interest, and should not be adopted. The Proposed Final Judgment as written allows significant anticompetitive practices to continue, and would inhibit the emergence of competing Windows-compatible 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 does not require Microsoft to release documentation about the format of Microsoft Office documents. This provision could be a vital key to enabling competitive software products in the marketplace.

Duane Foster
PO Box 695
Bellingham, WA 98227

MTC–00031924

01/23/02 17:59
NO.024 001
Alba International
P.O. Box 111
North Aurora, IL 60542
January 18, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 ''D'' Street NW., Suite 1200
Washington, DC 20530
Via Facsimile
(202) 616–9937

Dear Ms. Hesse:

The public is allowed to comment on the ''First Judgement Stipulation and Competitive Impact Statement in the case of US v. Mircrosoft. I respectfully request that courts approve of this settlement, thereby ending the case against Microsoft and allowing them to get back to business.

As to the case, I don't think Microsoft is a monopoly for a few different reasons: Microsoft currently has ninety percent of market in operating systems. Yet that number decreases each year. Linux and open source-software command more market share with each generation of new computer users. I believe Microsoft's dominance is not a result of monopolistic ways, but rather of providing the most simple version of a complex product. As consumers become more sophisticated, Microsoft will continue to lose market share. But don't punish Microsoft because people choose their product.

Even though Microsoft has a large share of the market, consumers are not harmed by pricing or service. The relative price of Windows right now is less than one fifth the price of an operating system in 1989. By definition, a monopoly harms consumers with unfair pricing. In addition, Microsoft maintains the highest standards in customer service and continues to bring innovative products to market, These are also contrary to traditional monopolistic practices.

Whatever the issues, the government has dealt with them in the settlement. Therefore, please support the settlement.

Sincerely,

Bob Arundale
Vice President

MTC–00031925

Jan 23 02 05:37p Dave Thomas
209–577–4420
p. 1
The Risk Takers
P.O. Box 576626, Modesto, CA 95357 (209) 577–4373
January 23, 2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
ViAFACSIMILE
(202) 616–9937

Dear Ms. Hesse:

I am writing the courts to counter some of the arguments made by Microsoft's competitors that the proposed settlement does not go far enough in punishing Microsoft. I believe that the settlement is extremely fair and should be supported. I also believe that accepting the settlement is much better than the alternative; continued litigation.

I have reviewed a paper written by Robert Hahn of American Enterprise Institute and agree with his arguments on this matter. Mr. Hahn gives compelling economical reasons for the country and the Court to choose to accept this settlement rather than go through even more litigation. One reason to accept the settlement is that Plaintiff's may lose some of the concessions Microsoft gave in the settlement. To end this case, Microsoft was willing to compromise on important issues. Rejecting the settlement may jeopardize those concessions. Mr. Hahn also makes the point that they are too many working Americans who have a stake in this settlement. The millions of people who work for independent software and hardware companies selling computers with Microsoft products, all have something to gain from this settlement. Continuing their economic uncertainty through prolonged litigation is unfair and irrational.

The final point is that the settlement truly addresses the acts ruled to be anticompetitive by the Court of Appeals. Those issues introduced by Judge Thomas Penfield Jackson that may not be addressed in this settlement were primarily vacated by the Court of Appeals. The real problems-that conduct found to be anticompetitive by the Court of Appeals-are dealt with in the proposed settlement. In other words, the settlement is comprehensive according to prior judgments.

The Court should approve the settlement in the case against Microsoft. It is in the best interest of this country.

Sincerely,

DAVE THOMAS
Owner
THOMAS INSURANCE SERVICES, Inc.
Unique, Personalized Brokerage

MTC–00031926

Jan 23 02 07:13p Gary Pearce 9197878031 p. 1
JAN-18–2002 16:05 ZOOM CULTURE 919 960 0032 P.01/01
Billy Warden
2647 St. Mary's St.
Raleigh, NC 27609
919–881–2029
billywarden@mindspring.com
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov

I have the good fortune to be located in one of the nation's most dynamic high-tech centers, the Research Triangle of North Carolina. Through my experience in journalism, politics and advertising, I have seen the importance of competition and innovation in the information technology industry.

This is why I strongly believe that it would be in the best interest of our nation's overall economy for the courts to approve the pending settlement in the Microsoft antitrust case. Microsoft may well have stepped over the line as a fierce competitor. The courts have ruled that it did. Now, through the efforts of a court-appointed mediator, this settlement has been negotiated.

The U.S. Justice Department has concluded that the settlement protects consumers and competitors alike from continued anti-competitive actions by Microsoft. The Attorney General of North Carolina and other states have reached the same conclusion. Accordingly, it is my hope that the settlement now will be finalized and approved by the court. Further litigation of this matter is not in the best interests of consumers or of our economy generally.

Thank you for attention.

Sincerely,

Billy Warden

MTC–00031927

JAN-23–2002 WED 07:20 FM FROM:
FAX: PAGE 1
JAMES VICTOR CONNAUGHTON
January 23, 2002
Renata Heese
Trial Attorney

Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
WASHINGTON DC 20530
FAX: 202–616–9937
RE: Settlement of U.S. v. Microsoft

I am active in the technology business and I am writing in full support of the settlement of this case. My company uses technology more and more each and every day.

I believe that strong competition in the computer and software business leads to better products for consumers and businesses. This proposed settlement corrects the findings found by the court and protects the consumer.

I think approving this settlement will send a clear message to the technology sector of our economy. The message will be that competition is alive and the place to compete is in the marketplace, not the courtroom.

Sincerely,

JAY CONNAUGHTON

929 SOUTH HARRISON COVINGTON, LA 70433

PHONE: 985–875–0031

MTC–00031928

JAN-23–2002 WED 07:18 PM FROM: FAX: PAGE 1
people who think innovative ADVERTISING
985.809.1975 fax 985.809.1991
to Renata Heese
from Jennifer Connaughton
date 23 Jan 02
pages to follow 1
January 23, 2002
Renata Heese
Trial Attorney
Antitrust Division'
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530
FAX: 202–6 16–9937
RE: Settlement of U.S. v. Microsoft

I am active in the technology business and I am writing in full support of the settlement of this case. My company uses technology more and more each and every day. I believe that strong competition in the computer and software business leads to better products for consumers and businesses, This proposed settlement corrects the findings found by the court and protects the consumer. I think approving this settlement will send a clear message to the technology sector of our economy. The message will be that competition is alive and the place to compete is in the marketplace, not the courtroom.

Sincerely,

MTC–00031929

Jan 23 02 06:44p
Gary Pearce
9197878031 p.1
4500 Council Drive
Raleigh, NC 27610
919–571–1914
jpark4173@aol.com
Parker & Associates
January 19, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
Microsoft.atr@usdoc.gov

Dear Ms. Hesse:

As an individual who enjoys and depends very much on the computer and on user-friendly computer software, I write to express my personal hope that the federal courts will approve the settlement I understand is pending in the Microsoft antitrust matter. Microsoft certainly has been an aggressive competitor. Perhaps the company has stepped over the line at times. However, this case now has dragged on for more than three years. During that time the stock market has dropped precipitously, as I am painfully aware. Many information technology companies have gone under and our economy has fallen into a recession. It has left many here in the Triangle area of North Carolina unemployed, a number of them in my church congregation.

Continued litigation cannot resolve these problems. Continued warfare in the courtroom cannot restore the strength of our economy. It is time to bring this matter to a close.

The proposed settlement will require Microsoft to change its ways. And we don't have to take Bill Gates' word for it. The settlement will set up an independent committee to monitor Microsoft's compliance with the agreement.

North Carolina Attorney General Roy Cooper has agreed to the settlement. I have great confidence in Attorney General Cooper's judgment in this matter, having worked with him closely in other matters. Therefore, I join with him and with other citizens in calling for a speedy resolution of this matter and approval of the agreement.

Thank you,

Joe M. (Joe) Parker

Highway Safety Consulting

MTC–00031930

174 N Highland Avenue
Norristown, PA 19403–2974
January 20 ,2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

It is my opinion that the Microsoft anti-trust case be resolved as soon as possible. Its harmful side effects are already becoming evident in our slowing economy. In any case this lawsuit was wrong to begin with. The settlement that was reached last November should be implemented as fast as possible so that this matter can be put behind us.

This settlement does not let Microsoft off easy, though it fair and reasonable. It should be more than Microsoft's competitors ever hoped for. Under this settlement, Microsoft has agreed to terms that extend to products and business practices that were not even at issue in the original lawsuit. Additionally, they will have access to source codes and interfaces that are internal to Windows operating system products. There are many more restrictions and obligation within this settlement, and all of them will be subject to the oversight of a Technical Committee, which will monitor Microsoft's compliance.

Put simply this settlement is good, The settlement should be implemented as soon as possible. The settlement is more than adequate to satisfy the requirements of the lawsuit. The settlement provides the first opportunity to resolve this fiasco. Please direct your efforts towards accomplishing this goal. Thank you,

Sincerely,

Michael Bieloski

cc: Senator Rick Santorum

MTC–00031931

FROM : ROBERT FRIEDRICH
FAX NO. : 718–343–3365 Jan. 23 2002 10:24PM P1
Robert Friedrich 264–52 Langston Avenue
Glen Oaks, NY 11004–1043/
718–343–4273
January 23, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

I am writing to express my views regarding the recent antitrust lawsuit between Microsoft and the federal government. After three long years of court battles, I was pleased to hear that a settlement was finally reached. I sincerely hope that no further legal action is being considered on the federal level.

Under the agreement, Microsoft has agreed to design future versions of Windows, beginning with an interim release of Windows XP, to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time.

Considering the many terms of the agreement, I see no reason for the federal government to pursue further litigation against Microsoft on any level. Not only would it be a waste of time and money, but also redundant. It is also about time we allow MS to continue to innovate and produce new products.

Please support the agreement.

Thank you.

Sincerely,

Robert Friedrich

MTC–00031932

JAN-23–02 08:12 PM P.01
FAX
To: Attorney General John Ashcroft
From: Byron Fosler
Fax: 1202 307–1454 Pages: 1 + Cover
Phone: Date; January 23,2002
Re: Microsoft Settlement CC:
JAN-23–02 08:12 PM
January 18, 2002
P.02
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

The settlement that has been reached between Microsoft and the Department of

Justice is fair. Any antitrust violations that Microsoft may have been guilty of in the past will be halted with the creation of a three-man oversight committee, which will monitor Microsoft's business practices. I believe that with this provision in force, any further questions of the suit should be put to rest.

I believe that Microsoft is a good company, which contributes a great deal of capital to our economy. This is one of our best and brightest companies and we need them to be operating at full strength during these times of economic instability. With this settlement, I think we can get back to business and remedy some of our economic problems, especially within the technology sector, which has been placed on hold for the last three years.

I am pleased that a fair settlement has finally been reached and that we can shift our focus to other issues. Thank you for the time and consideration that you have put into this issue. I believe that you have made a prudent decision by settling. Please continue to support American business with all of your future decisions.

Sincerely,
Byron R. Foster
212 W. Washington
#1704
Chicago, IL 60606

MTC–00031933

01/23/2002 l6:27 9072483740
THE LOFLANDS
PAGE 01
U. S. Department of Justice
Attention Ms. Renata B. Hesse
(202) 307–1454

This is to let you know that we support the Microsoft settlement in order to stimulate our country's economy and help stop government's millions of dollars in waste.

Tandy O. Lofland
Mary Aileen Lofland

MTC–00031934

JAN. 23. 2002 7:05PM NO. 1823 P. 1
Jonathan Hartley
1114 South Gaylord St.
Denver, CO, 80210
Work:(303) 741 8597
Home:(303) 777 8925 F. A.O. Thanks.
Cell:(303) 475 6780
E-mail:jonathan.hartley@slb.com
Renata B. Hesse,
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
23 January 2002
Re: US vs. Microsoft, proposed final judgement

Renata B. Hesse,

I appreciate the great amount of work that has gone into producing the proposed final judgement to date. However, the settlement in its current form seems to overlook several important issues, and Microsoft has a history of exploiting loopholes such as these to leverage and increase its monopoly position, to the great detriment of consumers, parallel technologies, and the computing industry as a whole.

Penalized OEMS

I am very happy to see the measures in section III.A.2 which prevent Microsoft from penalising OEMS who choose to ship dual-boot or multiple operating system PCs. However, this restriction contains a very significant loophole, in that it does not protect OEMs which would like to ship PCs without any Microsoft operating system installed (eg. A pure Linux system.) This significantly contributes to stifling any other operating system from gaining a significant foothold in the marketplace, regardless of the merits of functionality, price or reliability that other operating systems may have to offer.

End User License Agreements

Additionally, I would to see steps taken to prevent Microsoft end- user licence agreements from prohibiting my choice of using non- Microsoft operating systems or products. The PFJ as currently stated does not prohibit this, which unfairly prevents competing operating systems or products from attempting to interoperate with Microsoft products, and simultaneously curtails end-users'' freedom of choice. Sincere thanks for this opportunity to express my views.

Jonathan Hartley
Senior Software Engineer
SchlumbergerSema,
Denver, USA

MTC–00031935

01/23/02 21:16 FAX 01
Kathy Grinaway
I Cedar Road
Wilkes Barre, PA 18705–2209
January 18 , 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Attorney General:

I write you today with concern over the recent developments in the settlement between the Department of Justice and Microsoft. This settlement has been scrutinized for over three years, and is ready to be implemented. By delaying this process, we only slow down our own technology industry. As they concentrate on litigation, the competition concentrates on innovation.

Microsoft has come a long way to prove that they are willing to work with the competitor. They have agreed not to enter into any agreements obligating any third party to distribute or promote any Windows technology exclusively. They have also agreed to make changes in licensing, marketing and even design. These concessions are bold moves in the technology industry and are nothing but helpful to our entire IT sector. Help get our technology industry back on track. Please help stop any further government litigation and let our industry focus on innovation. I thank you for your help.

Sincerely,
Kathy Grinaway
cc: Senator Rick Santorum

FROM: D GIOSSO CONSTRUCTION PHONE NO. : 650 595 3453 Jan. 23 2002 04:56PM P2
1925 Brittan Avenue
San Carlos, CA 94070
Attorney General John Aschcroft
US DOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530
January 25. 2002

Dear Mr. Ashcroft:

I am an ardent supporter of the Microsoft Corporation and I would like to see the settlement. that has been reached in the government's antitrust suit accepted by all the suing parties including the state of California in which I am a constituent. I feel that Microsoft is a good company who has been unfairly targeted in this suit. The acceptance of this settlement is essential to the well being of this nation. We need the full contribution of this company working to its greatest advantage in order to aid our economy.

The settlement is reasonable and will allow Microsoft to remain intact, under the terms of the settlement Microsoft will divulge certain internal codes and interfaces to their Windows operating system that were up until now considered trade secrets. Microsoft will also design all future versions of Windows to acommodate the products of their competitors and make it easier for these products to be used in conjunction with Windows. And finally, from here on out Microsoft will be accountable to a three-person technical committee, appointed by the government to monitor the business practices of Microsoft in future and ensure their compliance with the settlement,

The issues that were originally brought in the suit have been met and exceeded, any reluctance to accept this settlement are clearly politically motivated for the personal gain of those politicians involved. If they are not placated by this settlement then it is clear that they are not really interested in solving this case, they simply want to keep their names in the news. This is a flagrant waste of the taxpayers'' money, which sould be allocated to more important issues. Thank you for your time and for allowing me to express my opinion

Sincerely.
Theresa Giosso

MTC–00031938

Jan-24–02 07:40 PSI/POLICE ACADEMY
315 492 1521
P.01
1754 Patterson Road
Marietta, NY 13110
January 23, 2002
Ms. Renata Hesse
Trail Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: United States vs. Microsoft

Dear Ms. Hesse:

Given the current state of the economy in the State of New York following the terrible events of September 11, it seems inappropriate for the federal government to be taking action to limit private enterprise. It is further disappointing that over $30 million in taxpayer funds have already been spent on this case. The sooner this case can be settled the better for all involved. It seems very

inappropriate for the federal government to be regulating the technology industry,

Thank you for your time and consideration.

Sincerely,

Richard H. Flanagan

Post-It Fax Note 7671 Date 1/24/02 # of pages 1

To Renata Hesse From Richard Flanagan

Co./Dept. Co.

Phone # Phone # 315/498–6046

Fax # 202–616–9937 Fax #

MTC–00031939

1–24–2002 8:34AM FROM 000000000000 p.1
JAN—23–02 WED 10:26 PM JIV WDC
202 544 2020 P.02
J. T. Varallo, Jr.
720 Third Street, NE
Washington, DC 20002
(202) 544–0404
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: the Proposed Consent Decree of Microsoft and the DOJ

Dear Ms. Hesse:

Please accept my comments in regard to the above. This suit has gone on long enough. It is my understanding that, in an effort to conclude the matter, Microsoft has agreed to certain restrictions and obligations that were not at issue on the original suit. I urge you to count this as part of a good faith effort on the part of Microsoft, and allow them to move on.

I am especially encouraged that Microsoft has agreed to grant computer makers rights to configure programs so that non-microsoft products can be included.

Respectfully,

J.T. Varallo, Jr.

MTC–00031940

FROM : Scott & Candy
FAX NO, :
Jan, 23 2002 10:10PM P1
Renata B. Hesse
Antitrust Division
US. Department of Justice
601 D Street NW
Suite 1200
Washington, DC. 20530–0001
1403 Dominion Ave. N
Pasadena, CA 91104
January 23, 2002

To whom it may concern:

I'm writing to express my vehement objection to the proposed Microsoft antitrust settlement. Both as a citizen and as a professional computer program- mer, I respectfully insist that Microsoft face a meaningful punishment for its unlawful actions. The proposed settlement doesn't even come close. In large measure, the settlement merely restates the existing law or the earlier settlement agreement-this does not punish Microsoft in any way. The remaining portions of the settlement contain loopholes big enough to drive a monopoly through. For example, Microsoft gets to choose to whom they will disclose API and protocol documentation. Microsoft has already made it clear that its most serious competition, open source software, does not meet its criteria for an ''authentic and viable'' business (to use language from the settlement). In any event, if their past behavior proves anything, it's that they will not make such decisions in good faith. (Indeed, their bad-faith actions led to the current trial: absurdly, Microsoft claimed they were ''integrating'' their Web browser but not ''bundling'' it. A distinction without a difference if I ever saw one, but it enabled Microsoft to unlawfully crush yet another competitor.) Adding insult to injury, Microsoft can entirely sidestep those already limited and ineffectual disclosure requirements by claiming that they must do so for security reasons. This provision is a complete absurdity: it may be counterintuitive, but true security is achieved by using open standards, which can be inspected for flaws by the broader security community. You may be sure that Microsoft knows this, so it's worth contemplating why this measure is in the agreement at all.

There is only one answer: to enable Microsoft to emasculate the agreement whenever its provisions are inconvenient.

The proposed oversight committee cannot usefully address these concerns, or the dozens of others like them, for two main reasons. First, Microsoft itself will have considerable control over the committee, as Microsoft chooses one member directly and one of the other two members indirectly, (I hope that if I ever break the law, I get to choose my own parole officer.) Second, the committee would generally operate in secret, so serious objections on the part of the committee's only truly independent member may never reach the public. This mandated secrecy, coupled with the committee's guaranteed ineffectiveness, must inevitably erode any public confidence in the committee's trustworthiness-and, by extension, in the justice system itself.

Finally, I object to the settlement on philosophical grounds. I believe that the law should apply to the rich and powerful—including rich and powerful corporations-just as it would apply to you or me. If I robbed a bank, I'd expect more punishment than a stern warning not to do it again. At the very least, I imagine I'd be required to forfeit my ill-gotten gains (which, in Microsoft's case, amounts to tens of billions of dollars), in addition to harsh punitive measures. If Microsoft's punishment is any less severe-well, then I guess I'll know what the law is worth.

Thank you for your kind consideration.

Sincerely,

Scott Maxwell

MTC–00031941

FROM: PineCrest Capital Partners FAX NO: 4152883323 Jan. 23 2002 06:43PM P1
PineCrest Capital Partners
LMS Capital
(Bermuda) Limited
January 23, 2002
Ms. Renata Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing this letter to voice my dissatisfaction with the on-going Microsoft lawsuit. As a former resident of the Seattle area, I have personally seen the benefits Microsoft has brought to the community through investment, jobs, philanthropy, and the entrepreneurial spirit of former Microsoft employees. Seattle is thriving as a result of the hundreds of companies formed by former Microsoft employees who have the drive and capital to realize their dreams. Additionally, great strides are being made through the philanthropic efforts of current and former Microsoft employees who are actively looking for ways to donate their time and money.

From a professional perspective, I also feel it appropriate to convey my dissatisfaction with the on-going Microsoft litigation. As an investment advisor, my clients invest in private companies with great prospects for growth and market innovation. One of the more serious impediments to growth and innovation is the spectre of on-going litigation and government intervention. Entrepreneurs need to know that their successes will not be hindered by overly aggressive government policies.

I honestly feel Microsoft has been one of the great success stories in modern US economic history and I urge you to settle the Microsoft suit so that thousands of workers at small companies across the country can get back to doing what they do best... innovating & growing. This settlement allows for an oversight group to ensure that companies can compete in a fair and open marketplace. Let's allow them to do so.

Sincerely,

Brian D. Bank

340 Pine Street,

3rd Floor San Francisco, CA 94104—

tel: 415–288–3322

fax: 415–288–3323

MTC–00031942

01–23–2002 10: 09PM From
TO
1202–307–1454 P.01
Tiffany Ledbetter
18524 11th Avenue W
Lynnwood,WA 98037
January 23,2002
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 the Department of Justice, under the auspices of the Tunney Act, has entered into a period of public comment in reference to the settlement reached in the Microsoft antitrust lawsuit. I feel that this settlement is long over-due and should be accepted on both the federal and state levels.

The terms of this settlement are just. Microsoft will design all future versions of its Windows operating system to be compatible with the products of its competitors. The company is also committed to halting any activities that could be considered retaliatory. There will also be a three-person technical committee that will oversee the future business tactics of the company to ensure that it complies with the settlement.

I hope that this litigation can finally be brought to an end and that we can focus our attention and our resources on other issues. Please continue to support this settlement, and thank you for this opportunity to express my thoughts.

Sincerely,

Tiffany Ledbetter

MTC–00031943

Jan 23 02 11:36p MICRO CRAFT INC 256–830–1227 P- 1
MICRO—>CRAFT INC.
Micro Craft, Inc
123 Fairington Rd
Huntsville,AL
35806
[256] 830 9746
www.micro-craft.net
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to enter my comments in the public record relating to settlement of the Microsoft antitrust case. I strongly support the settlement. I believe that Microsoft has led the effort to standardize certain software that has been of benefit to users across industry lines. I own and operate a company that creates software for lawyers. If Microsoft had not created a standard for operating system software, my company could not compete in the marketplace. We are too small a company to hire enough programmers to write our programs to run on half a dozen operating systems. In addition, if we could, the cost of our programs would be prohibitive for our customers. Believe it or not, not all lawyers are rich. We sell our legal billing software to many sole practitioners and one-to-five person law firms. Because there is one standard, we can write our software for one operating system and make it affordable for every one of our customers. We have been in business since 1978. We're small, but over 8000 law firms use or have used our software, I honestly believe Microsoft has made it possible for our company to exist, stay in business and compete.

I find that our customers have a very hard time learning to operate computers. We assist them in zipping up files, emailing data to us for correction, and making backup copies of their data, as well as running our software. If there wasn't a standard in basic software used on computers, we couldn't help our customers. And they would not be as productive in their practice. I personally think Microsoft should be considered a national treasure.

Microsoft has made a number of important concessions to reach this settlement. The most important of these, in my opinion, is Microsoft's agreement to allow computer makers the option of configuring Windows systems so as to promote software programs of non-Microsoft companies. There will now be greater opportunities for software manufacturers and greater choice for consumers. This antitrust suit has gone on for quite some time now, and it needs to come to an end. I hope that the proposed agreement is accepted and implemented in the very near future. It will be good for the economy.

Sincerely,

Joan Ivy

MTC–00031944

FILE No. 695 01/23 '02 21:49 ID:STANDARD REGISTER
847 277 2561
PAGE 1
Alan J. Miller
381 Oak Trails Road #302
Des Plaines, IA 68816
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
Suite 1200
601 D Street NW
Washington, DC 20530–0001
22 January, 2002

Ms. Hesse,

I am writing to add my name to the list of people opposed to the Proposed Final Judgement in the United States v. Microsoft antitrust case.

As a software developer with 11 years of business experience, I have watched Microsoft's rise to dominance in several markets and been dismayed by many of the techniques it has used to attain and maintain dominance at the expense of other companies, competing software platforms and consumers such as myself. Still, while I have often found Microsoft's techniques distasteful and unethical, I am far less concerned about remedies for its past behavior than I am about ensuring that the same types of behavior are prevented in the future.

From my reading of the Proposed judgement those remedies that actually work against Microsoft would be ineffective against a company determined to bypass them and would not even constitute significant obstacles in that bypassing process, further in many cases the remedies and definitions seem to have been specifically crafted to make them effectively nonexistent or to actually strengthen Microsoft's position in current or potential future markets. That Microsoft will work to bypass the original intent of the judgement is clear for both technical and business practices—even during the course of the trial and settlement negotiations it continued to use tactics that should be blocked by a solid agreement.

As an example, the future direction of Microsoft's focus has just this month been declared to be security, while under the Proposed Judgement anything related to security need not be disclosed even if such would otherwise be mandatory. Under a strict reading, if Microsoft adds even rudimentary security interfaces to its APIs then none of those APIs need be disclosed and there is no penalty for not disclosing them -a requirement for receiving documentation for those APIs is that any business needing it must meet Microsoft-developed standards of business viability; non-businesses need not apply at all because access will simply not be available.

Overall, I feel that the Proposed Final Judgement is deeply flawed and should be substantially revised to remove these flaws before being accepted. A software and content monoculture such as Microsoft clearly wishes to have in place harms all of us in the long term, including Microsoft and its investors.

Sincerely,

Alan J. Miller

MTC–00031945

SC Concord
254 Church Street NE
Concord NC 28025
office (704) 786–0700
fax (704) 782–1356
To: Attorney General John Ashcroft
Fax: (202) 307–1454
Company: Phone:
From: Ann Pearson
Date: 1/24/02
Re: Microsoft # of Pages (including cover) 3
Notes
Confidential
SC CONCORD TECHNOLOGY SEARCH GROUP
a division of MRI
254 church street northeast concord, north carolina 28027–4737 (704) 786.0700
charlotte: (704) 377–5764
fax: (704) 762–1358
125 Spring Street NW
Concord, NC 280259
January 23,2002
Attorney Genera1 John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

After a three-year, costly, taxpayer-funded antitrust lawsuit against Microsoft, the federal government has finally decided to come up with an agreement under the wise leadership of Attorney General John Ashcroft. This decision will surely prove to stimulate our lagging economy.

The settlement calls for Microsoft to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time.

Microsoft has had enough distraction from what it does best—innovation. This case is above and beyond the brink of fairness. I don't see any need for the Department of Justice to ever bring litigation against Microsoft beyond this agreement,

Sincerely,

Alden B. Pearson Jr.

''sales management and marketing talent is our only business''
254 church street northeast—
concord, north carolina 28025–4737
[704] 786–0700
Charlotte: [704] 377–5764
Fax [704] 782–1358
125 Spring Street NW
Concord, NC 280259
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Mr. Ashcroft:

After a three-year, costly, taxpayer-funded antitrust lawsuit against Microsoft, the federal government has finally decided to come up with an agreement under the wise leadership of Attorney General John Ashcroft. This decision will surely prove to stimulate our lagging economy.

The settlement calls for Microsoft to design future versions of Windows to provide a mechanism to make it easy for computer makers, consumers and software developers to promote non-Microsoft software within Windows. The mechanism will make it easy to add or remove access to features built in to Windows or to non-Microsoft software. Consumers will have the freedom to choose to change their configuration at any time.

Microsoft has had enough distraction from what it does best—innovation. This case is above and beyond the brink of fairness. I don't see any need for the Department of Justice to ever bring litigation against Microsoft beyond this agreement.

Sincerely,

Anna Lee Pearson

MTC–00031947

Bank of America
Fax Sheet
To: Attorney General John Ashcroft
From: Kathleen Henderson
Company; Department: PERRY HALL BANKING CENTER
Telephone Number: 4106876320 Telephone Number: 410–256–1013
Fax Number: 1–202–307–1454
Fax Number: 410–529–9498
Date: 1–24–02
Kathleen HENDERSON
1715 HILLTOP AVENUE
Baltimore, MD 21221
January 23, 2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Attorney General:

I strongly encourage your Department of Justice to enact the settlement reached with Microsoft. In these hard economic times, I believe it is of prlme importance that this settlement be enacted. The case against Microsoft has had a negative impact on tech stocks. I believe that the resolution of this case will be beneficial to this industry.

The case will also cause welcome change in the industry. Microsoft will now disclose the design and protocols of the Windows system to competitors. Competitors can now use this information to design their own software that will be more compatible with Windows. This Information sharing will benefit consumer choice.

Finally as a Microsoft supporter, I hope that Microsoft will be allowed to focus on business once again.

Sincerely,

Kathleen Henderson

MTC–00031948

100 Black Oak Drive
Asheville, North Carolina 28804
January 24, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

I am taking some time to write to you because I am concerned about the settlement that was reached by the Justice Department and Microsoft. I am concerned that anti-Microsoft forces may try to disrupt the settlement process and apply pressure to have this case brought back to trial.

This case has gone on for more than three years now, and the Justice Department and Microsoft have spent an excessive amount of time and money on this court conflict. The settlement is more than fair. In fact Microsoft has agreed to give out more information to competitors in this settlement than has ever been disclosed by a technology firm before.

Included in this settlement are provisions that will open up Microsoft's internal interfaces to its competitors. By making this information available, competitors will be able to create better software. On the whole this settlement is extremely generous to Microsoft's competitors. It should be implemented as soon as possible.

Sincerely,

Lucille James

Sir, I feel that Microsoft has been unfairly targeted. Only the very wealthy. would be able to have were it up to Bill Gates and Microsoft.

Lucille James.

MTC–00031949

Thursday, January 24, 2002 6:55 AM Page: 1 of 3
Fax
To: Judge Renata B. Hesse
From: Steven Brockerman, 850–552–0926
Name: Steven Brockerman
Company: WrittenWord Consulting
Voice Number: 850–523–0671
Fax Number: 850–552–0926
Thursday, January 24, 2002 6:55 AM
To: Judge Renata B. Hesse
From: Steven Brockerman, 850–552–0926
Page: 2 of 3
Steven Brockerman, MS
3201 -C Oriole Ct.
Tallahassee, FL 32308
DATA / FAX 850/552–0926
PHONE 850/523–0671
EMAIL writeby@att.net
January 24, 2002

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

MTC–00031950

ALLARD REAL ESTATE
Robert J. Allard, Jr.
365 May Street
Worcester, MA 01602- 1817
(508) 795–7265
January 24, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am a supporter of the settlement that has been reached between Microsoft and the Department of Justice. Microsoft has agreed to terms that extended beyond the products and procedures that were at issue in the suit. Microsoft has agreed to share data and source code that is internal to the Windows' operating system with their competitors.

Microsoft will also be making future versions of Windows to allow competitors and consumers to remove and add certain programs within their operating system. This was the original issue initiating the lawsuit, and now a settlement of that issue has been reached.

I hope that your office will now finalize this agreement and move on to other issues facing our country.

Sincerely,

Robert J. Allard, Jr.

FROM : DR. JAMES P. VERNETTI
PHONE NO. : 619 435 4415 Jan. 24 2002 12:00AM P1
1/21/02
From the desk of
609 1st Street
Coronado, CA 92118
(619) 435–4415
JAMES P. VERNETTI, D.D.S.
DOJ
c/o Ms Reneta B Hesse

To whom it may concern:

This note specifically states that I support the Microsoft settlement.

Sincerely,

James P Vernetti, D.D.S.
1/23/02
Ms RENATA B. HESSE
D.O.J
WASH DC FAX 202/307–1454

PLEASE— APPROVE THE SETTLEMENT WITH MICROSOFT. ENOUGH TIME AND ### HAVE BEEN WASTED.

J.I. MURPHY

MTC–00031951

DATE: 24-Jan-2002
AREA CODE & FAX NO. 202–307-l454
FROM Will Thompson
TO:
US Department of Justice
MESSAGE:

I have been following the United States vs. Microsoft Corporation case regarding violations of the Tunney Act by Microsoft. I have reviewed commentary on the case by such learned scholars as Justice Robert Bork. I feel that the current settlement proposed is inadequate to remedy Microsoft's past illegal activity or protect the public from simillar behavior in the future. My comments are attached.
Sent by: oceaneering
3013903908;
01/24/02 11:57; #948;

I object to the proposed settlement for resolving the case between Microsoft and the US and various state governments on the matter of illegal anti-trust practices by Microsoft. It does not go far enough to exact a penalty from Microsoft for past illegal activity or impose sufficient contractual or statutory restraints on the corporations future behavior. First and foremost I noticed a lack of any definition of ''Operating System'' and Middleware'' that distinguishes between the functionality of either. Does this not leave Microsoft free to create its own interpretation of which category software offering a particular functionality falls into? Given Microsoft's history of incorporating functionality into its definition of ''Operating System'' does this not now leave them free to continue their predatory monopolistic practice of excluding competition by redefining what an ''Operating System'' is? This leaves it up to a violator of the Tunney Act to decide what is or is not illegal behavior.

I also question the following sections of the agreement:

''C. Microsoft shall not restrict by agreement any OEM licensee from exercising any of the following options or alternatives:
. . .

3. 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 a Microsoft Middleware Product that provides similar functionality would otherwise be launched automatically at that time, 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 Product.''

This clause seems to disallow any competitor from offering functionality (i.e. icons, menus) that provides functionality similar to a Microsoft product. This would have the effect of placing any competitor at a disadvantage since they are not allowed to offer a similar work environment to the end user.

''C. Microsoft shall not restrict by agreement any OEM licensee from exercising any of the following options or alternatives:
. .

5. Presenting in the initial boot sequence its own IAP offer provided that the OEM complies with 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.''

This clause seems again to leave it up to a violator of the Tunney Act to define what is ''reasonable''.

''J. No provision of this Final Judgment shall:

2. Prevent Microsoft from conditioning any license of 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 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 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.''

Again the settlement relies on the violator of the Tunney Act to define which organizations constitute a business competitor. This clause would allow Microsoft to deny access to information about its API and Protocols to such organizations as the Free Software Foundation, Linux.org and BSD.org and others that, if Microsoft's sales memos are to be credited, present a strong competition to their illegal monopoly.

In short, this proposed settlement does little to (1) punish Microsoft for its illegal activities or (2) impose restrictions on continuing its anti-competitive practices. I urge the Department of Justice to renegotiate the settlement under terms that would truly restrict Microsoft's predatory anti-competitive activities or would breakup the company into and operating system division, middleware division, and applications division.

Will Thompson
2944 Knoll Circle
Ellicott City, MD 21043

MTC–00031952

MERRILL LYNCH
Merrill Lynch
Vice President
Senior Financial Advisor
Private Client Group
4412 N. Brady St.
Davenport, IA 52806
563–388–2355
800–937–0612
john pedersen@ml.com
January 24, 2002
Atty. Gen. John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Atty. Gen. Ashcroft,

I wanted to express my opinion on the recent settlement of the antitrust lawsuit between Microsoft and the federal government, since the public comment period is still in effect. It is good to see that, after three long years of costly litigation, this case is finally over. I would hope that you will persist in doing what you can to make sure that the current settlement stays as is, and that no more taxpayer dollars are squandered on further litigation.

I have long felt that this case has been more about helping Microsoft's competitors instead of helping consumers. When they couldn't compete effectively in the marketplace, they turned to the government for help. In most cases, it wasn't Microsoft's strength in the market, but simply better software. A good example today is the litigation launched by AOL Time Warner claiming that due to Microsoft's power, they rolled over the Netscape browser costing them significant market share. I was a previous user of Netscape, but switched to MS Explorer simply because it was a better product.

As I understand, there will be an oversight committee to make sure that Microsoft complies with all of the terms of the settlement. This should ensure that consumers get better choices, and competitors have better access to information on product development. The end result of this will be a boost in the technology industry, In turn, this will benefit all sectors of the American economy, which have come to rely on the technology field as an economic leader. It makes no sense to continue attacking the leading company in such a vital industry. To do so does not serve the economy or the thousands of shareholders who have invested money in the company.

There is no reason to alter the settlement or disallow it all together, and I hope that we will see this whole issue come to an end as

soon as possible so that all parties involved can move on to more important matters.

Sincerely,
John E. Pedersen
Vice President
Senior Financial Advisor

MTC–00031953

THE SWEENEY GROUP
6 WEST FIFTH STREET, SUITE 700
SAINT PAUL, MN 55102
TEL: 651–223–2860
FAX: 651–224–8328
FACSIMILE TRANSMITTAL SHEET
TO: Renata B. Hesse
PROM: Brian Sweeney
COMPANY! Antitrust Division, U.S. Department of Justice
DATE: 1/24/02
FAX NUMBER: 202–616–9937
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530–0001
FAX: 202.616.9937

Dear Ms. Hesse:

I have spent the last three years as Director of Planning and Economic Development for the City of Saint Paul for Mayor Norm Coleman. My main job was to ensure that we, maintained, expanded, and attracted businesses and jobs'to our state's Capital city. We I were able to,do this because we were, able to instill confidence in the private market by keeping taxes low and creating private sector incentives for development. I've recently returned to the private sector as a developer and am very cognizant of the fragile nature of our economy and how it will impact jobs and investment,

The U.S. is officially in a recession clearly exacerbated by the tragic events of September 11th Minnesota is suffering as a direct result of this downtown evidenced by the job layoffs at 3M, Northwest, Fingerhut, American Express and several other corporations in the Twin Cities and throughout the state. In the face of these troubling economic developments, one positive occurrence has taken place of late: the settlement of Microsoft.

I believe that by settling the case, our nation and the nine, states in particular, will be able to focus on the real issues, of our troubled economy. The settlement was the right thing for America and the right thing for Minnesota. I think the fairness of the settlement was clear from the fact that Microsoft agreed to share its intellectual, property and create uniform price lists for the top 20 computer makers.

I, and many of my colleagues, in the corporate and financial community, support this settlement. Thank you for taking the time to listen to my position,on this matter.

Sincerely,
Brian Sweeney
President
6 West 5th Street, Suite 700
Saint Paul, Minnesota 55102
Phone: 651 .223 .2860
Fax: 651.224.8328
E-mail: brian@thesweeneygroup.com

MTC–00031954

JAN-24–2002 THU 09:18 AM
P. 01/01
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to ask that your office see fit to end this case at the federal level. Although I do not agree with every move Microsoft has made in the past, I do not think that further litigation fits the crime. Although the settlement reached by your office in November calls for more concessions than Microsoft may have wanted, it has agreed to the conditions in an effort to move this issue along. Nine states have approved the agreement, and Microsoft is negotiating with the remaining states to reach a conclusion. I do not see what benefit will be gained from further federal action, and frankly I feel that three years has been long enough.

Microsoft has granted broad new rights to computer makers and software engineers. It has more or less opened its Windows operating system for the competition to use as a springboard for launching their own programs that compete with those programs already included within Windows. I ask if these concessions would have been demanded with such ferocity if Microsoft were involved in a more traditional and understandable industry. Would we mandate that McDonalds had to offer Burger King's Whopper to al1 customers that asked for it? Would Coke offer samples of Pepsi in each can? More importantly, would we allow it?

I hope this issue will be behind us as soon as possible. I do not completely agree with the settlement, but if allows us to move on, then I will give it my full endorsement, Please use your position to allow the IT industry and the economy to grow again.

Sincerely,
Irene Lovelace
Executive Assistant

MTC–00031955

Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
610 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

As a member of the North Carolina General Assembly from Charlotte, I would like the heartily endorse the settlement agreement in the Microsoft case that is before Judge Kollar Kotelly. The settlement not only has approval of the federal government and the company but also the attorney general in North Carolina.

As with any settlement, both sides will derive benefits and have to live with things they may not like. But that is much preferable to the continued litigation which has been a big burden to taxpayers and helped bring about one of the worst downturns in the stock market in recent history. For the federal government and North Carolina to continue such litigation would be intolerable to me.

In particular, I hope that this settlement will allow Microsoft to continue to grow and put out new products as it has for many years. That is because Charlotte is home to a Microsoft facility employing 1,000 workers who are much better paid than the average in this city.. With the economy in a downturn, it is important that the companies in our area remain strong. The last thing that is need is for government intervention to be the cause of a company's economic problems.

As a state legislator, I have always been the strongest advocate for government nonintervention into private business. Instead, I have always been strong for the state providing the best education possible so that we will have young workers prepared when Microsoft and other companies decide to locate in our state. That is why I hope that we can get this phase of the Microsoft case behind us.

Sincerely,
Connie Wilson

MTC–00031956

FROM : FAX NO. Jan. 24 2002 11:25AM P1
Julie L. Rehder
1413 Hattie Road
Apex, NC 27602
January 24, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW,Suite 1200
Washington, DC 20530
Re: Microsoft Case

Dear Ms. Hesse:

As a consultant, I need access to affordable and usable technology to keep pace in a competitive business. I use Microsoft software because it is dependable and cost effective. I do not have access to technical experts on a daily basis so problems caused by unreliable software would delay my work and create dissatisfaction among my clients. I have been following the antitrust suit against Microsoft to see what impact the final settlement will have on consumers like me and on my clients who need easy access to reliable software. Microsoft has had a significant, positive influence on the growth and success of many small businesses and organizations.

It appears that the proposed settlement will provide a workable solution for consumers, computer makers, software developers and Microsoft. This solution seems fair to all parties. The consent decree allows computer manufacturers to adapt the Windows system so that other software programs that compete with Microsoft can be used. Features built into Windows will be easier to remove. Microsoft can continue with its efforts to develop new products that benefit consumers and the technology industry. I will continue to be a loyal customer and look forward to advancements made as a result of the proposed settlement.

I appreciate the opportunity to comment on this case.

Sincerely,
Julie L. Rehder

MTC–00031957

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 district's technology committee, I have seen first hand the devastating effect Microsoft's 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 it's 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/l2/29/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 Microsoft's 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–00031958

Jan-24–02 THU l0:45 AM FAX: PAGE 1
January 22, 2002
VIA FACSIMILE
202–616–9937
Attorney Reneta Hesse
Antitrust Division
Department of Justice
601 D Street NW—Suite 1200
Washington DC 20530

Dear Attorney Hesse:

I am writing to express my support for the goal set forth in the proposed settlement of the Microsoft antitrust case. The New York Times recently reported that 88% of households whose income is $75,000.00 or higher had a computer. This number drops dramatically for households with income below $25,000.00 This needs to be remedied.

As part of that settlement Microsoft is proposing the donation of approximately 200,000 computers to public school students throughout the country. Recent research suggests that the digital divide that exists along economic lines has an adverse impact on students, schools and educational opportunity. Currently, 82% of schools in well to do communities are connected to the Internet. That number drops to 60% of the classrooms in poorer communities.

I support the goal of the Proposed settlement in the Microsoft antitrust case, which will provide students and teachers in lower income areas with access to both technology and computers. These students desperately need access to technology in order to prepare themselves for jobs in the 21st century.

I would also recommend that donations to Registry of Deeds and recording offices desperately in need of modernization be added to the list of places for the computer donations.

I urge the Court to approve the settlement agreement.

Sincerely Yours,
Anthony J. Vigliotti

MTC–00031959

PCD Network Solutions, Inc.
Progressive, Consistent, Dedicated
3z.net a PCD Company
Attorney General John Ashcroft
US Department of Justice
Washington, DC 20530

Dear Mr. Ashcroft,

Even though our company is in the IT Industry, as an Internet service provider, we would not have been directly affected by this lawsuit against Microsoft. That is not to say, however, that had Microsoft been broken up, as anticipated by the court, consumer demand for computers, software and, ultimately, for our services, would not have been adversely affected.

This settlement has the distinct advantage of preserving the integrity of the IT community and will forestall any serious residual damage, For this reason, it is better to have it sustained, rather than tossing this whole mess back into court. The settlement is also very well drafted, providing for every circumstance Microsoft could get into, and a Technical Committee to oversee the enforcement of the settlement. I am therefore writing to convey my support of the settlement. I am further suggesting that any such public display of government animosity against any sector of American business always has an unfortunate effect of stifling economic growth. We have seen this here. I am hoping that all the hostilities have been resolved by this settlement. Thank you.

Yours truly,
Eric S. Vail, President
3z.net a PCD Company
350 Thomas More Parkway
Suite 290
Crestview Hills, KY 41017
Voice 859.331.9004
Fax 859.578.3522
http://www.3z.net

MTC–00031960

Virginia Giglio, Ph.D.
President
18907 La Costa Lane
Boca Raton, FL 33496
(561) 852–3502
vgiglio@globalthinking.com
Global Thinking, Inc.
www.globalthinking.com
January 23, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I want you to know that I have been a Microsoft supporter from the beginning of this lawsuit and will continue to be afterwards. I hope that the settlement that has been proposed goes through so that we can end this matter and let Microsoft get back to business.

I run a web design firm and since our inception we have depended solely on Microsoft products. Ending this case will mean that my entire company can breathe a sigh of relief and stop worrying about what will happen to the everyday operations of our business. I feel that building a stronger relationship between Microsoft and other software developers will be beneficial for everyone. By having Microsoft share its code with other developers while at the same time designing Windows to have increased compatibility with outside programs is advantageous to the entire IT industry. We have experienced this first-hand here at Global Thinking, Inc. while building the award-winning web site for one of our lines of business, NATIVECULTURE.COM—a comprehensive portal site for Native American resources on the Internet.

I request that this settlement be finalized as soon as possible because three years is far too long to make such a large part of our economy wait for a decision that affects them directly. The IT industry as a whole needs this situation resolved—this settlement is the key to doing it soon.

Sincerely,
Virginia Giglio, Ph.D.
President, Global Thinking, Inc.
cc: Representative Robert Wexler

MTC–00031961

Jan 24 02 10:47a

City of Oceanside Council (760) 435–3045
January 23, 2002
Renata Hesse, Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, # 1200
Washington, DC 20530
VIA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

As part of the Tunney Act proceedings, I submit to the court this letter to be included as part of the public comment in the case of US v. Microsoft. I am writing the courts to express my support for the proposed settlement in this matter.

I write this letter to the courts as a citizen, businessman, and City Councilmember who believes: a) this case has caused enough harm to our country and b) that the settlement more than adequately addresses the issues of concern in US v. Microsoft.

First of all, as a concerned civic activist, I believe the case against Microsoft has brought irreparable damage to the state of our national economy. One can trace the end of our boom era right back to the day Judge Jackson called for Microsoft to be broken up. Microsoft's innovations and investments was probably the largest economic engine the technology industry had. US v. Microsoft has brought everything to a grinding halt. To reject this settlement would unnecessarily ensure the slow down to continue indefinitely. For this reason, I believe the settlement should be accepted.

Secondly, I believe the settlement adequately addresses the issues of concern and ensures Microsoft is forbidden from behaving in an anticompetitive fashion. Because of the microscope the company will operate under, and the restrictions put in place by the settlement, it cannot rationally be argued that monopolistic actions will occur in the future. For this reason, I believe the settlement should be accepted.

I thank the court for their time and providing the public with an opportunity to comment on this case. I hope the settlement will be accepted, and that US v. Microsoft will finally come to an end.

Sincerely,
JACK FELLER
CIVIC CENTER
o 300 NORTH COAST HIGHWAY
o OCEANSIDE, CA 92054–2885—
TELEPHONE 760–435–3056—FAX 760–435–6016
Email: jfeller@ci.ocesanside.ca.us

MTC–00031962

January 23, 2002
Ms. Renata Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530

I am writing to you today to voice my support for the proposed settlement that has been reached between Microsoft and the Department of Justice. The remedies proposed in the settlement are adequate and they fairly address the issues raised in the lawsuit. The impact of Microsoft's donations to the Latino community in the past is indisputable. They have demonstrated their commitment to bridging the technology gap, which impacts the future of so many children in the Latino community As a School Board Member, and as someone who cares deeply about our community and the children and families we serve, I want to express my full support for the proposed settlement and urge you to do everything possible to ensure its implementation.

Respectfully,
Hector A Chacon
Board of Education Member
Montebello Unified School District
Board of Education MARCELLA CALDERON, President, D., Superintendent of Schools, EDWIN CHAIJ, Vice-President, Facilities / Operations, HECTOR A CHACON, Cleric, - Human Resources, FRANK A GOMEZ, Ph.D Member, Insructional Services, RICHARD L. ADAMS 11 Member, Business Services.

ADMINISTRATION: M. MAGDALENA CARRILLO MEJIA Phd., PAMELA T. JOHNSON, Assistant Superintendent, SHARON I. NOMDIEM, Assistant Superintendent, EUGENE C. KERR, Assistant Superintendent, GLENNJ. SHEPPARD, Business Manager, EDWARD VELASQUEZ, Administrative Assistant.

MTC–00031963

HCC SOLANO / NAPA
EXECUTIVE BOARD: President, Karla Velez, North American Title, Vice President, Legal Counsel; Anthony R. Perez, Attorney At Law, Treasurer, Finance Director, R. Margarita Delgado, North American, Mortgage Co., Secretary, Public Relations; Carlos E. Solorzano, BDM, Community Chair; Omar Martinez, Ultra Sound, International.
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January 18, 2002
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

As an organization based on business and aiding businesses in their goal of being successful, our chamber is concerned with the seemingly endless legal pursuit of Microsoft. This is a free market economy Microsoft is one of the most successful companies in the global market. The ongoing litigation against Microsoft is punishment for this success.

Majorities of our members are small business owners. We appreciate that your efforts are meant to be watching out for the consumers and the small business owners. However, we believe the settlement on the table between Microsoft and the government is sufficient in its punishments and new guidelines laid out for Microsoft, Our main concern at this point is the length of time and the money continuing to be poured into this issue, We have so many other things to focus on as a nation; priorities that need our attention. We need to put this to rest. Our chamber fully supports the settlement on the table, and we urge you to as well.

Thank you for your time on this issue.
Sincerely,
Karla Velez
President
HCCSNC
Cos/KV/hccletterhessell8002
P.O.Box 2723
Fairfield CA 94533
707–643–5037
Fax 707–557–9844
e-mail Info@HCCSolenoNapa.org

MTC–00031964

January 18, 2002
B.D.M.
BY DESIGN Multimedia
PUBLIC RELATIONS EVENTS
ADVERTISING MARKETING
308 Ohio Street Vallejo CA 94580
707/644–4218 Fax 707/557–9844
By DesignM.com
Ms. Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

I am writing to urge you to support the settlement between Microsoft and the government. I know there is a window of time when the public is encouraged to provide input on the settlement. As a small business owner I work very hard to keep my business going. However, I am taking a few minutes out of my day to write this letter because I feet very strongly about this issue.

Microsoft acted unfairly and improperly in its business dealings. I appreciate the government watching out for me both as a small business owner and as a consumer. Having sald that, I also feel enough time and money has been spent on this issue. The settlement is amenable to both the government and Microsoft. The goals have been accomplished. Microsoft will have to watch its business: practices, monitored by an oversight committee.

Again, I urge you to support the settlement agreed to by the government, nine of the states and Microsoft.

Thank you for your time on this important matter.

Sincerely,
Coca Corona
President
BDM

MTC–00031965

January 24, 2002
United States Department of Justice
Attn: Ms. Renata B. Hesse
Antitrust Division
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Ms. Hesse:

I am writing to you in support of the recent Department of Justice settlement with the Microsoft Corporation. The country is at war, the economy is sour and the business community is struggling. Yet, the U.S.

Department of Justice is spending millions of dollars in time and resources on the Microsoft settlement.

I believe it has been a waste of taxpayers dollars, my understanding is that it has cost us over $30 million. This has been a competitor driven lawsuit and it has hampered high tech innovation. If Microsoft's competitors would spend time and money on their own research and development, instead of this lawsuit, all consumers would benefit.

Enough is enough, let's settle this lawsuit and move forward. Thank you for your attention to this matter.

Sincerely,
Cheryl Friske
Events Director

MTC–00031966

January 15, 2002
Ms. Tricia Denton
9033 Coriander Circle
Manassas, VA 20110
Ms. Renata Hesse
Department of Justice
601 D St., NW Suite 1200
Washington, DC, 20530

Dear Ms. Hesse:

I believe the settlement between the federal government and Microsoft would be the first step toward restoring prosperity to the high technology sector in the U.S. Consumers will benefit from the provisions in the settlement that allow Microsoft to decide which products and features it may provide to its customers and how to price them. This appears to be the best move for consumers and for our ailing economy. It is time to do whatever it takes to move our country in the right, positive direction.

Sincerely,
Patricia R. Denton
January 15, 2002
Mr. Steve Denton
9033 Coriander Circle
Manassas, VA 20110
Ms. Renata Hesse
Department of Justice
601 D St., NW, Suite 1200
Washington, DC. 20530

Dear Ms. Hesse:

I strongly support the settlement between the federal government and Microsoft, and I believe that it could be the first step toward restoring prosperity to the high technology sector in the U.S. Consumers will benefit from the provisions in the settlement that allow Microsoft to decide which products and features it may provide to its customers and how to price them. It's time to do what is best for consumers and for the economy and this settlement seems to move the country in the right, positive direction.

Sincerely,
Steve Denton
January 18, 2002
Mr. Ron Koch
14568 Woodland Ridge Drv.
Centreville, VA 20121
Ms. Renata Hesse
Department of Justice
601 D St., NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I would very much like to see the final stages of the settlement between the federal government and Microsoft ironed out. I believe this could be the first step toward restoring prosperity to the high technology sector in the U.S. The provisions in the settlement allow Microsoft to decide which products and features it may provide to its customers and how to price them, and this should benefit consumers. Now more than ever, we need to do what is best for our nation and to help it regain its economic strength and prosperity.

Best regards,
Ron Koch
January 18, 2002
Ms. Lois Koch
14568 Woodland Ridge Drv.
Centreville, VA 20121
Ms. Renata Hesse
Department of Justice
601 D St., NW Suite 1200
Washington, D. C. 20530

Dear Ms. Hesse:

I would very much like to see the final stages of the settlement between the federal government and Microsoft ironed out. I believe this could be the first step to ward restoring prosperity to the high technology sector in the U. S. The provisions in the settlement allow Microsoft to decide which products and features it may provide to its customers and how to price them, and this should benefit consumers. Now more than ever, we need to do what is best for our nation and to help it regain its economic strength and prosperity.

Best regards,
Lois J. Koch

MTC–00031967

January 23, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D. Street N.W, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

As a consumer of high-tech products, I am writing this letter to register my support for the recently negotiated settlement of the Microsoft lawsuit. It is clear that the best interest of all is for a quick resolution of this long and expensive lawsuit. Though some will say the terms of the settlement are not stringent enough, I think it preferable to find a workable solution rather than mete out crippling sanctions against Microsoft that will do nothing more than dull America's cutting-edge technological superiority.

Antitrust laws were meant to protect consumers, yet at no time during this case has anyone shown Microsoft has done harm to a consumer. I say it is time to put an end to this competitor-driven pursuit and let technological innovators, such as Microsoft, continue to fight it out in the marketplace, not the courtroom.

President
The Colony Chamber of Commerce

MTC–00031968

January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express some of my views regarding the Microsoft antitrust case. I understand that there was merit behind the issues that brought about the lawsuits, but that was three years and countless taxpayers'' dollars ago. This matter needs to be brought to a conclusion.

I work in the technology industry as a seller of hardware and software to schools. I have not been directly impacted by the case, but the uncertainty surrounding the conclusion leaves me feeling uneasy. Microsoft does make important concessions such as agreeing to disclose some of its code and allowing a technical committee oversee the settlement's execution.

I hope that this case will soon be behind us. Not only does the settlement address the current concerns, but it provides for ways of dealing with future problems as well. I hope your office will do everything possible to allow the IT industry and the economy to move forward.

Sincere1y,
John Pexton
Account Manager

MTC–00031970

Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601. D Street NW, Suite 1200
Washington, DC 20530

Dear Atty. Hesse:

The Educational Association of Worcester wishes to add its support to the position expressed by NEA President Bob Chase regarding the Microsoft case. Urban school systems such as Worcester, Massachusetts struggle to provide computers and computer technology training for the entire school population. Many of our students do not have home access to computers and rely totally on school to provide them with this exposure and experience. The teachers need technology training to integrate the computer use into the full curriculum and often find that the school system has financial constraints against providing this help. Computers and other equipment have often been closed out in various businesses and then donated to schools. The schools have then discovered that these do not work well or consistently. Students and teachers then find enthusiasm and plans derailed and it is extremely difficult to resurrect later. Service contracts and constancy in training are vital components to equalize learning experiences for all students.

The proposed settlement to United States v. Microsoft is a reasonable attempt to redress these problems. Please regard the EAW/MTA/NEA as supporting this settlement agreement.

Sincerely,
Janet Gutkoski Dufault
President

MTC–00031971

Renata Hesse
Antitrust Division
Dept. Of Justice 601 D St. NW, Suite 1200
Wash. DC 20530
Jan. 23, 2002

Dear Big Government,

In my humble opinion as a consumer and citizen I would like to see the Microsoft case finally be resolved. The compromise settlement that is being reviewed is fair and needs to be completed.

The sooner this is done the better. All of this litigation, expense, and time only results in a negative impact on the country. My tax dollars are being consumed, the cost of technology is going up and technical innovation has been slowed.

Please approve the settlement in the Microsoft case and lets move on.

Thank you,
Jay Rusnock
20 Phyllis Rd.
Wapp. Falls, NY 12590
H: 845–297–5315
F: 845–298–7233

MTC–00031972

State Senator
Kevin Shibilski
January 24, 2002
Renata B Hesse
Antitrust Division
US Department of Justice
601 D Street NW
Suite 1200
Washington, DC. 205030–0001

Dear Ms. Hesse;

I am writing to urge you to support the recent settlement between Microsoft and the Department of Justice. I believe it is in the best interest of the economy and our nation's consumers for the case to be resolved.

In particular, I support the goals set forth in the proposed Microsoft class action settlement agreement to establish an independent foundation comprised of educators that will distribute technology funds, computers and software to the country's poorest schools and provide for teacher training. Again, I encourage the Department of Justice to accept the proposed settlement.

Thank you for your attention in this matter.

Sincerely,
KEVIN SHIBILSKI
State Senator
District 24
KW:ks
State Capitol,
PO. Box 7882,
Madison, Wisconsin 53707–7882
Phone: (608) 266–3123
Toll-free
Hotline: l-800–362–9472

MTC–00031973

Mark B. Edwards, Jr.
President
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov

Dear Ms. Hesse:

I write to support the proposed consent decree in the federal government's antitrust lawsuit against Microsoft Corporation.

As a writer and researcher, I have been a close observer of the information technology industry's problems and potential in North Carolina and across the nation. It is clear to me that continued litigation in this matter serves neither the industry nor the consumer well. Now that a settlement has been negotiated that provides broad protections against illegal behavior by Microsoft, I am hopeful that the courts will bring a close to this litigation. It would be a step forward for the economy of this state and for the entire nation.

Sincerely,
Mark B. Edwards, Jr.
6325–9 Falls of Neuse Rd.,
Suite 262
Raleigh, NC 27615
Phone 919/696–6154

MTC–00031974

Thursday, January 24, 2002
Renata Hesse, Trial Attorney,
Suite 1200, Antitrust Division,
Department of Justice,
601 D Street NW,
Washington, DC
20530

Good day,

I have worked in the computer industry for 20 years, using IBM mainframes as well as various Unix and Windows machines, specializing in both technical support and software development. My opinion is also inspired from plain common sense. I believe the proposed final settlement is a setback for the world economy, and a severe disservice to present and future generations. My point is simple: Monopolies cannot play a useful role forever.

I think one way that monopolies are initially useful is in bringing to market some innovative products that establish directions and de facto standards, which is certainly preferable to chaos resulting from too much competition. Microsoft deserves a lot of credit for having popularized easier to use computers. They forced the industry to focus on this issue. As a result, today most business and home users expect to interact with any software application in a standard way. This has been a definite step forward, compared to the days when every application came with its own way of using it. This certainly helped tremendously in bringing computers to the masses, which in turn played a major role in supporting the computer revolution, as no industry could exist without consumers. In my view, this is Microsoft's most important contribution (even though I disapprove some of the marketing approaches they used to achieve it), but there certainly are others.

However, I think in general monopolies tend to become counter-productive as time goes by. Any company holding a monopoly eventually takes its market for granted. Once established, a monopoly just no longer needs to truly innovate. Its size alone makes it less efficient and slower. In the absence of competition-induced pressure, productivity and quality tend to go down. Prices may be set too high. New products may be held back in order to extract more money from the market using current products (this is one reason why Gene Amdahl started his own company, in 1970, to compete against IBM mainframes). In short, a monopoly causes its industry to slow down, or to progress at the pace set by the monopoly. Such ill effects are bound to happen, sooner or later, despite the company's denials, simply because of human nature. People run companies, and people produce and innovate best in an environment of freedom, openness, and reasonable pressure induced by fair competition—this is just a basic principle of the free enterprise capitalism system. Microsoft will not escape any of this. and many, including myself, say ill effects are already taking place.

Communism was in my view, the ultimate form of monopoly. History has taught us how wrong this concept was. Considering that today, at the dawn of the Information Age, virtually every government, enterprise and individual relies on the computer industry, a monopoly in that industry tragically affects the entire economy, and even democracy, so I think the analogy holds.

When a monopoly is torn down, its industry is free to flourish again. The telephony industry would likely not be where it is today had the Bell monopoly not been broken in 1982. The Internet, which plays major roles in today's economy, is not the product of any monopoly; it was born in the more opened Unix world. The concept of graphical user interfaces was not invented by Microsoft, which merely improved and marketed it (the idea itself was born in the Xerox Palo Alto research center, and it was also commercialized earlier by Apple—actually the complete story is much more complex than that). There certainly are many more examples proving that freedom, and competition yield to motivation, which in turn yields to best innovations and true progress.

Blessing Microsoft's monopoly will, at best, slow down the computer industry. More realistically though, it will keep the quality down. Unfortunately, one area in which Microsoft Windows is particularly weak is computer security. The fact that successful security attacks cost companies huge amounts of money is already bad enough. But even worse is the possibility, which no one can totally dismiss, as some credible studies, have suggested, that a computer system break-in results in a genuine catastrophe causing loss of human life. It is therefore critical that computer security be tightened as much as possible. But Windows is inherently insecure due to its very architectural roots. I do not believe that Microsoft, especially as a monopoly, can quickly and completely bring Windows security at the level offered today by other operating systems. I urge you to reconsider the proposed final settlement. A minimal appropriate penalty must make it mandatory to clearly separate the sale of hardware and operating system software, as well as to publish the hooks into Windows along with file formats and communication protocols, so that third parties can more easily write better interoperable Widows applications. On top of that, I would favor any measure forcing Microsoft to compete rather than control. My favorite scenario would involve releasing the entire Windows operating system in the public domain, or the open source community (a ''source'' is the text or human readable form of a computer program). That

certainly would be a penalty, encompassing all the minimum attributes I listed above. In addition, that would automatically split Microsoft, leaving it with Windows applications in a market where it would have to compete. And potentially, some of the best minds of the open source community could start to generally improve Windows, fix bugs in it and make it more secure, ultimately making it more useful for everybody. That scenario would also encourage more people to adopt better and more secure operating systems that are already available today.

Regards,
Marcel Frechette
1280 Beaujolais
Longueuil (PQ)
CANADA
J4M 2X9
Email: marcel.frechette@videotron.ca

MTC–00031975

DEPT. OF JUSTICE
MS. RENATA B. HESSE
DEAR MS. HESSE,
I SUPPORT THE MICROSOFT SETTLEMENT AND URGE YOU TO DO LIKE WISE.
SINCERELY,
Danny A. Carretta
Mr. Danny A. Carretta
8321 Albia St.
Downey, CA 90242–2538

MTC–00031976

LAW OFFICES OF CHARLES TILLMAN RAMSEY
3014 Market Street
Oakland, CA 94655
Phone 510.444.4721
Fax 510.444.5091
January 23, 2002
Ms. Renata Hesse
Trial Attorney, Antitrust Division
Department of Justice
601 D Street, NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse

I support for the proposed settlement that has been reached between Microsoft and the Department of Justice. As a school board member, I serve a district with a high percentage of underprivileged families. The impact of Microsoft's donations to underprivileged communities in the past is indisputable. They have demonstrated their commitment to bridging the technology gap, which impacts the future of so many children served by my district and in underprivileged communities across the country.

As someone who cares deeply about our community and as a school board member concerned about the children and families in my district, I want to express my full support for the proposed settlement agreement.

Respectfully,
CHARLES RAMSEY
School Trustee
West Contra Costa Unified School District

MTC–00031977

Jan-24–02 10:40
P.O. Box 600505''
San Diego, CA 92160
(619) 265–7607
(619)583–2718 Fax
January 24, 2002
Ms. Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
Dear Ms. Hesse:

I understand that the courts have asked the public to direct their comments and concerns on the case of US v. Microsoft to you. I am writing this letter because I do not believe that we should continue to pursue this case. I felt compelled to write this letter after reading an article in the Orange County Register on January 18th.

The article outlined over $1 million dollars in important local projects that will be cut this year due to a lack in funding. Because of fiscal mismanagement in our state a food truck will not get $35,000; a shelter for abused women will not get $150,000; Little League programs for the needy will go without funding; a crosswalk will not be built; a criminal tracking system will not be subsidized; a senior food bank will not get the money it needed—the list goes on and on and on. And this is just in Orange County. Every county in the state will go through similar cuts.

This all goes back to the Microsoft case because our elected officials are making poor decisions. To choose to spend our money on issues like the Microsoft case rather than building crosswalks is special interest politics gone too far. Attorney General Lockyer will continue spending money going after Microsoft even thought the state of California doesn't have the funds.

Now is the time to end the case against Microsoft and ensure that our government spends money on real issues. I urge the courts to approve of this settlement.

Sincerely,
Michele Nash-Hoff
President

MTC–00031978

FROM : CAMBRIDGE SPRINGS PUBLIC LIB.. FAX NO. : 814 398 4784 Jan. 24 2002 01:43PM P1
24677 Kreitz Road
Cambridge Springs, PA 16403
January 23, 2002
Renata Hesse, Trial Attorney
Suite 1200, Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530
Dear Madam:

As someone familiar with computing and the computing industry and also with the negative effects of Microsoft's monopoly in operating systems and software, I do not see how the proposed settlement can remedy the antitrust violations for which Microsoft has been found guilty. Because Microsoft has already been found in violation, and this is the penalty phase of the case, the settlement should contain penalties that will promote competition and prevent any recurrence of antitrust violations by Microsoft. I would suggest that there are, at minimum, three additional features that the settlement should include.

- First , Microsoft's products must be extra-cost options in the purchase of new computers, so that users are not forced to purchase the software if they do not wish to do so. The price difference between a computer with and without Microsoft software must reflect the true cost of such software to the consumer.
- Second, Microsoft's present and future document file formats (Word, Excel, etc.) must be fully documented and made public, so that documents created in Microsoft applications may be read by other programs such as Word Perfect, Star Office and other programs from different manufacturers. I would even go so far as to suggest that Microsoft be required to completely abandon its proprietary file formats and to use instead a standard format such as XML. In addition, Microsoft should be required to adhere precisely to the standard XML format and not be allowed to deviate even slightly from it.
- Third, all Microsoft networking protocols must likewise be fully documented and approved by an independent network protocol body. This is necessary to prevent Microsoft from taking control of the internet, thus making it impossible to use the internet with other operating systems and software.

I am very concerned about the fact that a computing monoculture has developed in this country and that this makes not only the internet but our business and government infrastructure highly vulnerable to attack by terrorists and others who would do us harm. It is imperative that Microsoft be constrained from further anti—competitive activities so that competition can develop in the arena of computer operating systems and software. A stronger remedy than the one proposed will benefit everyone, including those who choose to use Microsoft's products.

Sincerely,
Benjamin R. Bullock

MTC–00031979

FROM : SMITH-CENTER/IRBD PHONE NO. : 510 885 4222 Jan. 24 2002 01:34PM P1
CAL STATE HAYWARD
CALIFORNIA STATE UNIVERSITY, HAYWARD
25800 Carlos Bee Boulevard, Hayward, California 94542–3068
School of Business and Economics
Department of Economics
Telephone (510) 885–3275 or 885 3265 Fax: (510) 885–4796
January 24, 2002
Ms. Renata Hesse
Trial Attorney -Antitrust Division
Department of Justics
601 D Street NW, Suite 1200
Washington, DC 20530
Dear Ms. Hesse:

Nearly $35 million has been spent in the Microsoft cases allegedly to protect consumers. The truth is that consumers were not damaged by Microsoft activities and in fact benefited from the company's efforts. It is the litigation that hurts consumers by delaying the introduction of new products and improvements on existing products.

Antitrust laws are supposed to protect consumers not Microsoft's competitors. Over the years the price of computers and software has plummeted, and consumers have voiced their support for standardization and compatibility with their purchasing power. Consumers have been getting better and better deals from Microsoft. The antitrust

laws should not be used to punish Microsoft for being good at what it does and having loyal, grateful customers.

At a time when our country is struggling to meet its financial obligations, wasting more money on this ill-conceived lawsuit is almost a crime. I ask you please approve the settlement immediately. The sides have come to agreement. There is no need to continue wasting precious resources on this.

Sincerely,
Charles Baird, Ph.D.
Professor of Economics and
Chairman of the Department
THE CALIFORNIA STATE UNIVERSITY
Maritime Academy

MTC–00031980

JAN. 24. 2002 2:48PM CYPRESS COLO. DESIGN CENTER NO. 6592 P. 1
To:
Renata Hesse, Trial Attorney
Suite 1200
Antitrust Division
Department of Justice
601 D Street NW
Washington, DC 20530
facsimile: 202–616–9937 or 202–307–1545
e-mail: microsoft.atr@usdoj.gov
From: John Tiede
1607 N. Weber Street
Colorado Springs, CO 80907
Subject: U.S. v. Microsoft Request for Public Comment

MS. Hesse:

This fax 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 Antitrust 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 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 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 technically unsophisticated (i.e., ''script kiddies'').

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 data or documentation I create will be available to me in any 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 fu1l disclosure, I am a member of the IEEE.) I already see Microsoft limiting access to web sites that do not use Incernet Explorer. This remedy would help prevent MiCrOSOft from partitioning the Internet into Microsoft and non-Microsoft spheres by appropriating already existing standards. 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
January 24, 2002

MTC–00031981

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I truly appreciate the fact that the Attorney General had the courage to do the right thing by ending the Justice Department's three-year antitrust lawsuit against Microsoft with a strong and binding agreement. If this doesn't help to boost our sagging economy, I don'' t know what will.

Microsoft did not get off easily. The settlement was arrived at after extensive negotiations with a court-appointed mediator. The company 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.

Enough is enough. Microsoft even agreed to document and disclose, for use by its rivals, various interfaces that are internal to Windows'' operating system products—a first in an antitrust settlement.

In conclusion, the government should never again have to sue Microsoft beyond this agreement. This case has gone far enough.

Sincerely,
A.P. Van Meter
9055 196th Southwest
Edmonds, WA 98026

MTC–00031982

ATTENTION: Ms,Renata B. Hesse
I support the Microsoft settlement.
Please approve the settlement today.
Chester J Wojcik

MTC–00031983

FROM: Orlando Cano c/o Speaker Frank Chopp
ADDITIONAL MESSAGE:
STATE REPRESENTATIVE
43rd DISTRICT
FRANK CHOPP
SPEAKER OF THE HOUSE
State of
Washington
House of
Representatives
THE SEAL OF THE STATE OF WASHINGTON 1889
RULES
CHAIRMAN
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

MTC–00031984

Michael Gracie
3047 North College
Fiesta Square
Fayetteville, AR 72703
501–582–5092/877–744–5092
fax: 501–571–1452
ITec
Information Technology
EDUCATION CENTER
Facsimile Transmittal sheet
To: Attorney General John Ashsroft
From: Michael Gracie
Company:
Date:
Fax Number: 202–307–1454
RE: Microsoft
cc:Rep Boozman
January 16, 2002
Attorney General Ashcroft
US Department of Justice
950 Pennsylvania Avenue

Washington, DC 20530
Dear Mr. Ashcroft,
I am writing to convey my support for the recently negotiated settlement between Microsoft and the Department of Justice. As the rhetoric in this suit progressed, it became increasingly clear that motives on both sides had degenerated to the point of bitter, childish rivalry, rather than constructive progress. Ultimately, the threat to break Microsoft up proved to be overenthusiastic. While this entire fiasco has impacted my business very little, it simply would have complicated our business if we had to deal with two, three, or ten ''Baby Bills'' rather than one.
This settlement at least has the advantage of sidetracking that possible eventuality; instead, Microsoft has agreed to some very stringent limits on their business practices, such as licensure and software design. This settlement reassures the IT community and the purchasing public that they can expect much of the same quality and consistency from Microsoft in the future, as they have experienced in the past.
Sincerely,
Michael Gracie
IT Director
cc: Representative John Boozman Formerly
STAFFMARK TRAINING CENTER
www.itecworks.com

MTC–00031985

solutions, inc.
January 21, 2002
Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D. Street NW, suite 1200
Washington, DC 20530–0001
Dear Ms. Hesse:
As a business owner I am greatly concerned about competition being stifled in America. I am specifically speaking of the ludicrous lawsuit against Microsoft. That is why I am writing to lend my support for the settlement of the Microsoft antitrust case.
I personally watched as this case dragged itself out: endlessly running through dramatic public relations campaigns and taking up much of the nightly news. This consequently has caused consumers, such as myself, to wonder if and when I would be able to use updated software that would enable my business to run more smoothly. Microsoft is the key player behind America's technology dominance; their contributions have actually allowed competitors to evolve. I guarantee that every person who works for the competition knows Windows extensively. When Microsoft became burdened with this case, it robbed the company of resources to focus on their core business operation. I read that because of the Microsoft settlement computer makers can now eliminate Windows from their systems if they so desire. That shouldn't hurt the competition any!
I am glad that the case was settled between the Justice Department, the nine states, and Microsoft. Please, let us settle this and allow America to grow and progress in the technology world.
Thank you for your time and concern regarding my letter.
Sincerely.
Mark Mills
President
1832–2 CAPITAL CIRCLE N.E.,
TALLAHASSEE, FL 32308
MAILING ADDRESS: P.O. BOX 10052,
TALLAHASSEE, FL 32302–2052
PHONE: 850.942.4445 www.yumasol.com
FAX: 850.942.7354

MTC–00031986

EFN
Educatior's Financial Network
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Your Partner for Financial Success Since 1983
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Fax 425.338.2071
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16000 Bothell Hwy., Suite 150
Mill Creek, WA 98012
www.cfn.com
January 24, 2002
Attorney General John Ashcroft
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530
Re: Microsoft Settlement
Dear Mr. Ashcroft,
As a resident of Mukilteo, Washington, all that happens at Microsoft directly affects my family. We have watched this company provide jobs, build a solid economy for our area and give people a software product par excellence. As a financial planner, I have watched retirement portfolios drop in direct correlation to the price of Microsoft stock.
The past three years have been very hard on our area well as America's economy. One of the major reasons for this was the antitrust suit against Microsoft.
I am in full support of any settlement that ends litigation against Microsoft. Continued legal action might have a disastrous affect. To get things moving in the right direction, Microsoft has agreed to give its competitors data that is sensitive to the internal design of Windows. This will allow companies to produce software that competes with Microsoft's, which will give consumers more of a choice.
I am in full support of this settlement, and encourage you to approve it as soon as possible.
Sincerely,
Sarah B. ''Sally'' Jacobsen

MTC–00031987

William Bero
1285 Old Marlboro Road
Concord, MA 01742–4739
January 22, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
Dear Mr. Ashcroft:
I would like to urge you to lend your support to the settlement reached in the Microsoft case. This settlement is more than fair and will certainly restore fair competition in the computer industry.
Microsoft has been an innovator and an asset to the economy. This lawsuit has dragged on for too long already, and at this point it is just a punishment for a business for being successful. America's computer is the world's gold standard, and Microsoft is mainly responsible for this. While the settlement actually limits Microsoft's own competitiveness, it will certainly address the issues alleged in the lawsuit. Microsoft will allow computer makers to pre-install programs such as Netscape or AOL IM within Windows without retaliation. Microsoft is also giving its competitors access to their intellectual property that they worked so hard to develop. The proposed settlement is a just solution to an unjust lawsuit.
Our country's economy needs Microsoft more now than it has in recent years. Let's get this case behind us and get back to work. Please accept the settlement.
Sincerely
William Bero
CC: Representative Marty Meehan

MTC–00031988

Jan 25 02 02:07p P.1
Michigan School Board
Leaders Association
www.msbla.org
1137 Briar Ridge Lane, Ortonville, MI 48462
MSBLA
FAX
To: Renata B. Hesse. Antitrust Division
From: Lori Yaklin. 810.668.7667
Fax: 202.307.1454
Date: January 24, 2002
Thomas E. Bowles
Chairman
3122 Rivershyre Parkway
P.O. Box 608
Davison, Michigan 48423
(810) 658–7667
Fax: (810) 658–7557
www.msbla.org
The Microsoft case has occupied the attention of the Justice Department and the American legal system for untold thousands of hours and captured the attention of millions of people. The opinions voiced about the case are varied.
If we break down this anti-trust case, we can see that a true monopoly turns out poor products at exorbitant prices. In fact, if you have a good product at a fair price, it is safe to say that you couldn't possibly have a monopoly. This is why so many people are confounded why the government went after Microsoft—a company that produces great products at competitive prices.
Microsoft has always improved its products with an eye toward consumer demand. Windows has undergone several revisions and improvements over the years. Along the way, Microsoft has phased in and phased out software for the Windows platform that has met—or failed to meet—consumer demand.
The Court of Appeals, using ''consumer harm'' as its measure of anti-trust behavior, was right to overturn a lower court ruling last year in the U.S. v. Microsoft case. Microsoft, because of fierce competition in the technology industry and in response to consumer demand, has always improved its products according to customer feedback. Today the entire Windows platform retails less than anyone would have imagined possible when PCs came into the market back in the 70s and 80s.

If the Court is interested in taking down an insidious monopoly, we respectfully suggest they stop trailing innovative, competitive companies and instead knock on the door of the government-run education system which has caused irreparable damage to a generation of children. Perhaps the Justice Department's Anti-trust Division should take a trip to some of our poorest-performing schools and learn the true definition of ''consumer harm.'' Free people in free markets creating excellence should not be tamped down by government intervention. We ask that you approve the proposed settlement agreement in the Microsoft anti-trust case.

Sincerely,
Lori Yaklin

MTC–00031989

Date: Thursday, January 24, 2002
To: Dept of Justice
Fax: 202–307–1454
From: Xchange Solutions
Ronald D. Walken
Phone: 206–720–1055
Toll Free 877–222–1031
Fax: 206–325–3500
E mail Mr1031@aol.com
Subject: Microsoft Settlement

Get it over with! I as a consumer don't feel I have ever been hurt by Microsoft and I resent their competitors going to the courts to secure an unfair leverage.

We as as a capitalistic nation have never benefited from this type of behavior. The only true monopolies that exist are those given by the government or courts. Best example that comes to mind is the one given Northwest airlines having a government granted sole landing rights at I think it is the Minneapolis airport. Now that is a monopoly?

Figure out a way to just let this issue die... If the grieving parties secure favorable decision it will only encourage more future fights in the courts instead of the marketplace where tbe consumer benefits.

MTC–00031990 ROSE INDUSTRIES

William Koranda
From: William Koranda
[bkoranda@rexcon.com]
Sent: Thursday, January 24, 2002 11:36 AM
To: ''www.microsoft.atr@usdoj.gov''
Subject: Microsoft Settlement

To Whom It May Concern:

Consumers are absolutely sick and tired of this extended lawsuit lead by the DOJ. This past Tuesday AOL files another suit against Microsoft. How timely? No, the real question should be, how disturbing? AOL appears to be have issued a calculated offensive to undermine the Microsoft settlement.

Although the current AOL lawsuit has not played itself out, simply review some of the overriding external evidence. AOL purchased Netscape for $10 billion in the midst of the DOJ trial, even after hearing concrete evidence that Microsoft's Internet Explorer's success in the market was based upon merit, not market share!!! This latest AOL move appears to be an another attempt by AOL to once again retreat from the rigors of competition to the safer confines of the courtroom, where the AOL is clearly more comfortable.

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 which are key to developing future innovative technologies. These are examples or what we everyone (DOJ, AOL, Microsoft, etc.) should be working on—i.e. what's best for the consumer and the economy. 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.

William F. Koranda
CFO
Rose Industries, Inc.
Divisions: RexCon, Inertia
E-Mail: bkoranda@rexcon.com
Company Website: RexCon.com
Phone: 414–352–2000 ext. 121
FAX: 414–352–2004

MTC–00031991

FROM: BILL SAGE
FAX NO. : 6102842283
Jan. 24 2002 12:37PM P1
532 Fairfax Road
Drexel Hill, PA 19026
January 23, 2002
Attorney General John Ashcroft
US Department of Justice. 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to express my interest in the recent antitrust settlement between Microsoft and the U.S. Department of Justice. Microsoft has been a huge asset to our country through job creation and technological advances. I think that the lawsuit has gone on for too long now and that the government needs to settle.

The terms of the settlement are very harsh against Microsoft and seem to violate intellectual property rights and their ability to operate with a competitive edge. Microsoft has agreed to document and disclose for use by its competitors interfaces that are internal to their Windows'' operating system products. It will also grant computer makers broad new rights to configure Windows so as to make it easier for non-Microsoft products to be promoted within.

Although the settlement is unjustified, I think the alternative of further litigation could be detrimental to our economy, so I favor finalization. Please make this thing a reality and suppress all opposition. Thank you.

cc: Senator Rick Santorum
Sincerely,
William L. Sage

These are my sentiments exactly. Enough is enough!

MTC–00031992

P.O. Box 1079
Colfax, CA 95713
January 24, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The Microsoft settlement aims for resolution among competitors. This settlement will provide computer makers and software developers with flexibility when configuring Windows to better promote non-Microsoft software programs that compete with programs included within Windows, without the threat of a lawsuit. Microsoft will also use a uniform price list when licensing Windows out to the twenty largest computer makers in the nation, and will not retaliate against companies that use or promote software that competes with Microsoft's programs.

As a retired professor of Engineering & Technology in Sierra College, Rocklin, California, I constantly researched different software programs and found Microsoft's software programs superior among the competition.

The steps taken to settle this case are important because it shows Microsoft has nothing to hide regarding its business practices, and competitors will have an equal playing field.

Sincerely,
Kenneth J. Weger

MTC–00031993

7802 153rd Avenue
Jamaica, NY 11414–1752
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am expressing my support for the settlement that was reached in November 2001. I have a degree in economics, and I firmly support the principle of ''Laissez-Faire'', where the government has a ''hands off'' policy and does not interfere with the affairs of free enterprise. Free competition will support itself, giving way to the most innovation. Microsoft should not have been punished for creating a product, Windows, which succeeded in the marketplace.

Microsoft has had to choose the lesser of two evils for itself by settling this unfair lawsuit. The terms are very tough, but will be better for it than more protracted court battles. It will have to make serious concessions such as sharing specific Windows software codes with competitive developers in an effort to promulgate competition and innovation.

I support Microsoft's resolve to stay clear of any more court entanglements and hope you accept the settlement as well to bring an end to this litigation, which has hurt the whole economy.

Sincerely,
Mel Lipper
cc: Representative Anthony David Weiner

MTC–00031994

Linda W. Dunlop
258 Twin Creeks Drive
Chagrin Falls, Ohio 44023–6702

440–543–7524
Fax number 440–543–7547
Send to: U.S. Department of Justice
From: Linda W. Dunlop
Attention: Attorney General John Ashcroft
Date: January 23, 2002
Office Location:950 Pennsylvania Avenue, NW Washington, DC 20530 Office
Location: Chagrin Falls, OH
Fax Number:202–307–1454—202–616–9937 Phone
Number:440–543–7524
Microsoft Settlement
Linda W. Dunlop
258 Twin Creeks Drive
Chagrin Falls, Ohio 44023–6702
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I have followed the Microsoft antitrust case and settlement with great interest. At one time, I made a living selling information systems. Now I am retired, but I certainly understand the significance of the case, its settlement, and the need for public comment. My comment is quite simple: the settlement should be allowed to remain as it was negotiated.

Microsoft has agreed to make many changes, and some of them even extend beyond the scope of the original lawsuit. The company will practice fair competition; share technology and intellectual property matters with competitors, allow computer manufacturers to install non-Microsoft products in Windows, and more. Surely this is a settlement that is agreeable to all parties involved.

I believe that the government should allow Microsoft to abide by the present agreement and return to its work of making the technology that manages our world. And I believe that the government should be able to leave this burdensome case behind it and return to the work of helping to ensure domestic and international security. Thank you for your time.

Sincerely,
Linda Dunlop

MTC–00031995

January 24, 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 reached in the antitrust case against Microsoft. I think the lawsuit was more a representation of bureaucracy than a sincere appeal for the rights of the consumer. Hence, I am in support of a quick resolution to this case, by approval of the terms of this settlement. Everyone can benefit from improved performance among the technology companies. Licensing agreements with the 20 largest computer makers, granting the rights to configure Windows, and improvement of relationships with software developers, all can add to this improvement.

I hope you will step forward as a leader and support this settlement. We need Microsoft performing at one hundred percent capacity. Microsoft needs to be allowed to move forward, hopefully bringing the economy with it. Please consider this. Thank you.

Sincerely,
David Thomas

MTC–00031996

226 Daffodil Drive
Fairfield, CA 94533
January 21, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

There has been a settlement in the Department of Justice and Microsoft antitrust case. I want to give my support to this agreement. In my opinion, this case should never have been brought in the first place. The basis of antitrust laws is the abuse of the consumer. The consumer in this case was helped. Bill Gates produced a better product at a lower price. His competition could not. That is the basis of competition. I used Netscape and had no problem installing it, even with the Microsoft program. I think the whole lawsuit was one of sour grapes on the part of Microsoft's rivals. They could not compete, so went after Microsoft the only way they knew how.

As I understand it, Microsoft has more than acceded to the Department of Justice's demands. Microsoft has agreed to a technical committee to oversee future adherence; Microsoft has agreed to disclose source codes and books that are internal to Windows operating system; Microsoft has agreed to terms that are well beyond the products and procedures that were actually at issue in the suit.

It is time we put this issue to rest. We have to quit rehashing decisions. We undermine the judicial system if we constantly revisit decisions handed down. Give your support to this agreement and allow us to move on.

Sincerely,
Lance Thelen

MTC–00031997

711 North Oceanbeach Boulevard
Long Beach, WA 98631
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I understand the Department of Justice is accepting and publishing public comments for the first time since the antitrust suit was brought against Microsoft more than three years ago. Here is my two cents worth.

First, Microsoft has been more than cooperative in resolving this matter. Not only did they agree to document and disclose various internal interfaces to the Windows' operating system for use by its competitors. This is above and beyond what is required in any antitrust settlement. They have also agreed to license products from their Windows operating system to the 20 largest computer makers on identical terms and conditions, which includes price. This settlement is harsh on Microsoft and constitutes a viable end to the lawsuit, no matter what some critics say.

Finally, this litigation business has got to stop. It's sapping the economy, No more action should be taken at the federal level.

Sincerely,
Jim Yaun

MTC–00031998

LOGICAL CHOICE
January 19,2002
Attorney General Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

As a member of the technology industry, I would like to express some of my views on the Microsoft case. I believe there were genuine concerns that brought about the lawsuits, but that was three years and countless dollars ago. You must not lose focus of the merits of the case. As long as Microsoft is willing to give up some of its market share and competitive advantage, there will be those that want a little more.

Under the settlement, Microsoft will change the way it develops, license, and markets its software. The company will disclose various protocols in its Windows operating system, and will not retaliate against those that develop or promote non-Microsoft hardware or software.

Although these concessions seem to go against the principle of free enterprise and competition, Microsoft has agreed to them in an effort to end this case sooner, rather than later. If these were demanded from a more understandable industry, they would be seen preposterous. Imagine if Ford had to allow GM to put their engines in its cars, or if McDonald's had to offer Burger King's Whopper to anyone that asked for it. It is time to allow the IT industry to return its focus from litigation, back to innovation! The settlement will allow Microsoft, and all of those that depend on Microsoft for their livelihoods, to move forward.

Sincerely,
Mitch Pinion
President
3118–F MILTON ROAD
CHARLOTTE, NORTH CAROLINA 28215
TELEPHONE 704/535–8828 FAX 7O4/535–4880

MTC–00031999

4142 Wycliff Drive
Winston Salem, NC 27106
January 22, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I write to voice my support of the settlement with Microsoft and the Justice Department. The settlement that was reached last November is entirely fair and agreeable to all parties involved. The time has finally come to put this issue behind us. I would hope that the Justice Department recognizes the importance of enacting this settlement at the end of January.

Further, the terms of the agreement will help developers. Developers will gain never

before seen access to Windows design information, including protocols and interfaces. This knowledge will allow them to create more competitive software that fits into the Windows system with ease. Developers should be pleased with the terms of the agreement.

As a concerned citizen I would hope that the Justice Department enacts the settlement quickly.

Sincerely,
August Pike

MTC–00032000

JAMES H. ROBERTS
PO BOX 1355
GULF SHORES, AL 36547
334–968–1355
Fax: 334–868–4150
January 22, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

We think this Microsoft agreement is long in coming. It is time to implement this settlement. It has gone on too long and is hindering the progress that has made the use of the internet so friendly and accessible to so many. This agreement is key to bringing together the IT sector and to maintain our position in the global market.

The terms of this agreement include Microsoft not entering into any agreements obligating any third party to distribute any Windows technology exclusively. Microsoft has also agreed to disclose interfaces of Windows products. These concessions along with others in licensing and marketing are bold changes within the technology industry. Microsoft has done a great deal to work with their competitors. Now it is time to let it happen. Let us support our technology industry by supporting this settlement.

We strongly urge you to help stop any further litigation against this settlement and to let Microsoft back to innovation and not litigation.

Sincerely,
James H. & Sandra S. Roberts

MTC–00032001

January 24, 2002
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
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–00032002

Attorney General John Ashcroft
US Department of Justice

Dear Sir,

January 24, 2002

Permit me to express my support for the antitrust settlement against Microsoft, yet the issue has yet to be concluded and great amounts of taxpayers money has been wasted. Indeed, I have wondered why the antitrust matter had initially been raised.

Nevertheless, Microsoft has already made many concessions in order to resolve the issue. I therefore urge the Attorney General to do all in his power to make every effort to finally conclude this matter on the basis of the settlement to which Microsoft has already agreed.

Sincerely,
Marc Brownstein

MTC–00032004

Amir Glickman
2400 Hudson Terrace
Fort Lee, NJ 07024–3508
23 January 2002
Attorney General John Ashcroft, c/o DOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement. The case against Microsoft has gone on long enough and it is time to put an end to it. The government and Microsoft have reached an agreement, the terms are fair, and it should be accepted.

The terms of the settlement include safeguards to make sure that they are followed, thereby pre-empting arguments about the settlement being a toothless piece of paper. Microsoft has agreed to set up a technical committee that will monitor Microsoft's compliance with the settlement. The settlement tackles a multitude of complaints from competitors who feel that Microsoft unfairly used its operating system to manipulate the market, For instance, the software company can no longer take retaliatory action against computer companies that want to add non- Microsoft products when they ship their new computers to consumers.

It is time that Microsoft and the technology industry are able to move forward. The only way that they will be able to move forward is to put this issue in the past. Please accept the Microsoft antitrust settlement,

Sincerely,
Amir Glickman

MTC–00032005

JSWALKER & COMPANY, INC
416.A West John Street
matthews, NC 28105
tel 704–849–2100
fax 704–849–2122
www.jswcoinc.com
January 16, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I write concerning the settlement reached between the federal government and Microsoft Corp. last November. The settlement, while it may not be perfect, is a far better alternative to continued litigation between the parties and is very reasonable.

Litigation has hurt innovation and it is time to move forward.

I am pleased Microsoft has agreed to so many conditions that will ''level the playing field'' within the technology industry. Its assurance not to retaliate against computer makers who ship software that competes with any aspect of its Windows operating system represents a new beginning for the industry. Equally important, Microsoft has agreed not to retaliate the software and hardware developers who will be developing and promoting software that competes with Windows or that runs on software that competes with Windows. These two components, while only a small cross-section of the settlement, will be very good for innovation and very good for the consumer.

I hope the few groups who wanted Microsoft broken up and are unsatisfied with the settlement because it leaves it intact, are not successful in their attempts to upset the finalization process. It is my hope the settlement will take affect as soon as possible.

Sincerely,
Sebastian Ganson
Director of Development

MTC–00032006

FAX 203 797 3428
GROLIER EDITORIAL
232 Wooster Street
Naugatuck. CT 06770
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 take this opportunity to voice my opinion over the initial suit brought against Microsoft and the settlement that will soon be decided on. The original suit was unsubstantiated in the first place and the settlement is more than fair. Microsoft has agreed to terms that extend well beyond the products and procedures that were actually at issue in the suit in order to bring this case to a close.

For example, Microsoft has agreed to server interoperability meaning that they will make available to its competitors, on reasonable terms, any code that Windows uses to communicate and work with other programs. Also, they have agreed to develop relations with software developers and computer makers. This means that they will not retaliate against software or hardware developers, or against people who ship the software or hardware.

Microsoft has clearly done more than what was necessary of them to resolve this matter and the Department of Justice should follow suit. To continue litigation would be a waste

of millions in tax dollars, and also a waste of time.

Sincerely,
Chun Chang

MTC–00032008

FROM: EGLIN DRUG TESTING OFFICE
FAX NO.: 850–883–9076
208 Elliott Road
Mary Esther, FL 32569
January 7, 2002
Attorney General John Ashcroft
United States Justice Department
950 Pennsylvania Avenue NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

The Microsoft antitrust settlement has been a long time coming, and I cheer on this wise arrangement. This settlement is complete and adequate enough to end this three-year-long litigation; furthermore, litigation against Microsoft is a waste of precious resources and time that could be devoted to more productive activities, particularly in the Justice Department.

Microsoft has agreed to this settlement after extensive negotiations. The corporation enthusiastically pledged to comply with all provisions of the agreement out of eagerness to return to the perils of the markets, rather than the perils of court. This settlement will benefit the technology industry as a whole and consumers on the street. It provides for the creation of a Technical Committee that Microsoft will bankroll to oversee compliance to the proposed settlement. It mandates new interoperability disclosure requirements and prohibits retaliation tactics.

I believe this settlement will be in the best interest of the public. Thank you for your support.

Sincerely,
Jay M. Diamond
Cc: Representative Jeff Miller

MTC–00032009

Arlene M.Clemens
8656 Silver Lake Drive
Perry Hall, Maryland 21128
(410) 931–0873
January 24, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

For 32 years I was an employee of Alex. Brown & Sons Incorporated, which was bought out by Bankers Trust and then Deutschc Bank. After my retirement I was employed by the law firm of Piper Marbury Rudnick & Wolfe, LLP and am currently employed by the law firm of Ballard Spahr Andrews & Ingersoll, LLP.

I have used the Microsoft system as an accomplished Administrative Assistant for many years and have been extremely pleased with their products and their support teams. The majority of businesses use the Microsoft system and are also very satisfied. Most high schools are under the Apple/Macintosh system, which I feel is far less superior to the Microsoft system.

I am writing to voice my support for reasonable men and women to settle the Microsoft Anti-Trust Suit by the Department of Justice. It is unbelievable to me that this case has gone so far.

The Government may have thought they were doing a good thing for the American public when this case originated, but the Justice Department has destroyed everything the computer industry has worked for.

This lawsuit has contributed to the slowing of our economy. Our economy has been given an edge in the international marketplace by the computer industry. Unfortunately, this lawsuit has caused us to give all other nations a chance to take our place. When Microsoft was forced to deal with lawyers and trials and everything else involved with this lawsuit they had to halt their research and development.

To move ahead with business and compete on the international level, they are going to have back track three years in order to move forward.. The current technology revolution is only going to expand in the coming years. This case has cost our country more than just money. We are Americans!

Why are we not allowed the opportunity to be competitive?

Something needs to be done to end this case as promptly as possible. No one benefits from all this—not even Microsoft's competitors, which is evidenced by their decline in the stock market. Microsoft needs to be allowed to continue their business of delivering innovative technologies to the marketplace. They have agreed to change their business practices and will allow their competitors access to their source codes and internal interface designs, As an employee who has 35 years'' experience working for some of America's Who's Who, I would have been lost without Microsoft and their unending help. This settlement is obviously the right thing for our nation. Our economy cannot withstand further delay. Please do whatever is necessary to put an end to this lawsuit. Thank you.

Sincerely Yours,
Arlene M. Clemens

MTC–00032010

John D. Clemens. Jr.
8656 Silver Lake Drive
Perry Hall, Maryland 21128
(410) 931–0873
January 24, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to voice my support for the settlement between Microsoft and the Department of Justice. It is truly unbelievable that this case has gone so far. The government thought they were doing a good thing when this case started, but now they have destroyed nearly everything that the computer industry has worked for. This lawsuit has contributed to the slowing of our economy. The computer industry has given our economy an edge in the international marketplace, but with this lawsuit we have given all other nations a chance to take our place. When Microsoft was forced to deal with lawyers and trials and everything else involved with this lawsuit they had to halt development and research. To move ahead with business and compete on the international level, they will have to backtrack three years in order to move forward. The current technology revolution is only going to expand in the coming years. This case has cost our country more than just money.

I was the previous head of the Baltimore Teamster's Local 557 Union and have seen the affects of this firsthand. Something needs to be done to end this case as soon as possible. There is no one benefiting from this, not even Microsoft's competitors. While this settlement limits Microsoft's own competitiveness, it is undoubtedly a reasonable solution to this idiotic controversy. Microsoft needs to be allowed to continue their business of delivering innovative technologies to the marketplace. They have agreed to change their business practices and will allow their competitors access to their source codes and internal interface designs.

This settlement is unquestionably the right thing for our nation. Our economy cannot withstand further delay. Please do whatever is necessary to put an end to this lawsuit.

Thank you.
Sincerely Yours,
John D. Clemens, Jr
JDCJr:amh

MTC–00032011

6380 E 46th Street
Indianapolis, IN 46226–3548
January 20, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

The lawsuit against Microsoft is ridiculous and reflects a lack of knowledge on behalf of the judiciary system and politicians about software and the whole computer industry. It is not in the public's bets interests for this thing to continue any longer.

The settlement as it is too harsh and violates a number of free market principles. First, to disclose information that Microsoft has worked so hard to develop seems to undermine the whole reason or principle motivation behind innovating your own technology for profit. If every business had to offer up its secrets there would be less incentive to start a business based on a good idea. Second, to force Microsoft to license its Windows products to over 20 computer makers is the same as creating a monopoly whereby they can determine prices in the marketplace that will best serve themselves. It will inevitably lead to higher prices across the board and that will be an infringement on human rights.

I think it is wrong to punish one company out of the many in the marketplace for doing an excellent job especially in the area of standardization which has reduced costs and efforts after purchase and upgrading the PC's for homes and businesses. Thank you for your time.

Sincerely,
Sent By: Retired; 317 545 7889;

MTC–00032012

FROM XINET—JANICE DIANE

925 449 0189
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 judgment 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 last25–30 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 Barks Dale (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 our 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. 0ne 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.

c. It would in either case disrupt the current open source marketplace, and surely destroy the several small but promising alternatives such as Star Office, Abiword, and others.

The defendant's relationship to open source may be something like B'rer Rabbit's to the briar patch. 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 inter-operable 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@iinl.gov

MTC–00032013

323 Dickens Street
Northfield, IL 60093
January 24, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I feel that there should not have been any litigation against Microsoft in the first place. Now that there has been an agreement reached, I hear there is a possibility of additional litigation. Why?

After extensive negotiations, Microsoft has agreed to terms that extend beyond what is generally expected in any antitrust case. Microsoft also agreed to design future versions of Windows to provide a mechanism to make it easy for computer companies, consumers and software developers to promote non-Microsoft software within Windows.

Let's stop the madness. Microsoft needs to go back to doing what it does best, creating ''innovative technology''. Government needs to focus on reviving the economy and protecting us from our real enemies and terrorists. I support the settlement, and look forward to the end that it will bring to this case.

Sincerely,
Margaret Parcells

MTC–00032014

January 24, 2002
Mr. William C. Locke
15012 Los Lottes Ave.
Whittier, Ca 90605
United States Governmemt
Department of Justice
Attention: MS Renata B. Hesse
Washington, D. C.

Dear Ms Hesse:

We are familiar with the proposed Microsoft settlement and believe it is fair to all concerned including Microsoft competitors.

We do not believe taxpayers should continue to pay to provide Microsoft competitors with a competive competitive advantage over Microsoft. It is up to the competitors to establish their own competitive advantage in the marketp1ace by their own efforts and ability not U.S. taxpayers.

We support the proposed Microsoft settlement and strongly urge that the Department of Justice accept the settlement Many thanks for your attention to this matter.

Sincerely Yours,
Mr and Mrs William G. Locke

MTC–00032015

Date: January 25, 2002
To: Attorney General John Ashcroft
Fax No: 1 2023071454
From: Lester E. Weaver
Fax No: 252–443–2673
Phone No: 252–443–2673
Subject: Microsoft Settlement
Lester E. Weaver
2600 Old Mill Road
Rocky Mount, NC 27803
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I wish to express to you my opinion regarding the Microsoft Settlement reached in November. This settlement is fair and reasonable, and I am anxious to see the antitrust dispute resolved permanently. Ending this dispute promptly would would be in the best interest of our country and all concerned.

The November settlement was reached after extensive negotiations.

My understanding is that Microsoft has agreed to fully carry out all provisions outlined in this agreement. They also agreed to grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows. Furthermore Microsoft agreed to design future versions of Windows to make it easier to install non-Microsoft software.

This settlement is sufficient to deal with the issues of this lawsuit. Please support this settlement so we can focus our resources on more pressing issues. Thank you for your support.

Sincerely,
Lester E. Weaver

MTC–00032016

Bob Baum
139 Wanderless Lane
Taylorsville, NC 28681
January 24, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I support the agreement reached between Microsoft and The Department of Justice. I believe that we need to allow Microsoft to put its efforts back into technological innovation. With the current sluggish performance of the technology industry we do not need a pioneering company like Microsoft overwhelmed with litigation.

I believe that Microsoft is more than generous in accepting the terms of the proposed agreement. Microsoft has agreed to allow competition by: allowing computer makers to ship software that competes with Windows operating system, allowing disclosure of internal Windows interfaces, and allowing complaints to be filed with a technical committee.

I hope that these terms along with the resolution of this lawsuit, will act as a catalyst for improved performance in the technology industry, It is time to move forward and allow the free-market system to work. I support this proposal and I hope you will too. Thank you.

Sincerely,

Bob Baum

P.S.

The events in the last few days are very sad for anyone who might be in the position I am in since the legal actions that have been taken by Netscape against Microsoft will be went loss to the Stockholders of Microsoft and Netscape. It will be an absolute loss—no matter who wins—except for the attorneys representing the litigants. I own stock in both companies. What will the government do to compensate me for this???

MTC–00032017

3914 Rhododendron Drive
Raleigh, NC 27612
Attorney General John Ashcroft
US DepQrtment of Justrce
950 Pennsylvania Avenue, NW
Washington. DC 20530

Dear Mr Ashcroft

We are writing you today to express our views on the Microsoft antrtrust settlement. We feel that the settlement that was reached in November is fair and reasonable, and we are anxious to see this dispute resolved. We SInCerely hope there will be no further action against Microsoft at the federal level.

This settlement is complete and thorough. Microsoft has agreed to share more information with other companies, including Information about Certain internal Interfaces in Windows and any protocols implemented in Windows operating system, on reasonable and non-drscriminatory terms

This settlement not only keeps MIcrosoft together, but it will also benefit competing companies. Please support this settlement. Thank you for allowing me to comment on this issue.

Sincerely,

Elizabeth Nesbit

Andy Dorton

MTC–00032018

508 W Craig Road
Pittsburg, KS 66762
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to give my approval to the Department of Justice and Microsoft settlement. It has gone on long enough, draining needed money from both the taxpayers and the tech industry. I think it should be noted that our economic slowdown started with the indictment against Microsoft. We need to get back to business. Letting this settlement stand is one way to do it. I also think the key word here is ''settlement'', not on-going, or rehashing, but settlement.

Microsoft has been more than fair with this issue. Microsoft has agreed to a great many terms that were not even an issue in the original suit; Microsoft has agreed to help companies better achieve a greater degree of reliability with regard to their networking software; Microsoft has agreed to allow non-Microsoft product to be shipped to a consumer; Microsoft has agreed to share its Internal interfaces, a first in antitrust cases.

I urge you to let us have the opportunity to go forward. We have more important things to do.

Sincerely,

John Evans

MTC–00032019

Helen Valsamakis
22081 Susan Lane
Huntington Beach, CA 92646–8305
(714) 965–1956
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–000l
January 11, 2002

Dear Mr. Ashcroft:

I am writing this letter so that I may go on record as supporting the decision of the Justice Department to settle the antitrust suit with Microsoft. I am pro-business and pro-competition, and as such, I support any settlement that will end this senseless litigation process against Microsoft.

I feel that the government needs to take a hands-off approach to private enterprise, so I am relieved that the settlement includes checks and balances that will help keep the government out of future legal battles with Microsoft. A three-person technical oversight committee has been set up to monitor Microsoft's compliance with the terms of the settlement. This committee consisting of three experts in software engineering will assist with dispute resolution, which keeps all parties out of court. If there is any company that feels that Microsoft is not complying with any provision in the settlement, they will be able to lodge a complaint with the DOJ or the technical committee.

I fully support the settlement, and hope that all future disputes that put an unnecessary strain on the economy will avoid the courtroom.

MTC–00032020

2643 Greenbriar Lane
Annapolis, MD 21401–4423
January 11, 2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

This letter is in support of Microsoft's settlement of its antitrust case with the federal government. Microsoft is a good corporate citizen. Microsoft's willingness to settle rather than expose the taxpayers to a lengthy and very costly trial should be commended, not condemned.

Microsoft's willingness to license its Windows operating system products to the 20 largest computer makers (who collectively account for the great majority of PC sales) on identical terms and conditions, including price, grant computer makers broad new rights to configure Windows so as to promote non-Microsoft software programs that compete with programs included within Windows, and not to retaliate against computer makers who ship software that competes with anything in its Windows operating system is extremely reasonable.

Microsoft's agreement does more for consumers than most of its competitors would have been willing to do. This settlement should be accepted so the consumers can continue to benefit from Microsoft's software innovations.

Sincerely,

Lillian Armstrong

MTC–00032021

Denis Beaulieu
2425 NW 261th Street
Boca Raton, FL 33431
January 24,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to express by opinion in support of the Microsoft antitrust settlementduring the public comment period. This settlement is comprehensive and fair. It will endthe three years of litigation. It will prevent run-away antitrust litigation, such as whatpreviously happened with AT&T and IBM and other companies.

The settlement will aid Microsoft's partners and competitors in using Microsoft'sWindows platform as a springboard for their success. The settlement will enable othercompanies to more closely integrate their products Windows, through Microsoft releaseof the code for its internal interfaces and server interoperability protocols, and licensingof other intellectual property on non-discriminatory terms. Computer makers and otherswill have more flexibility to modify the Windows desktop through removing Microsoft'sprograms, such as Internet Explorer, and adding their own, such as AOL Times Warner'sNetscape Navigator, These terms address the concerns raised by other companies. Theywill benefit the American computer industry as a whole. This will, in turn, benefit theAmerican economy, which has been battered in the recent years, partly by the precipitousdecline of the technology sector.

I appreciate your support for the settlement. The federal judge, recently appointedto replace the previous judge, should approve the settlement in the best interests of thepublic. Thank you.

Sincerely,

Denis Beaulieu

cc: Representative Robert Wexler

MTC–00032022

CARDIOLOGY ASSOCIATES OF SCHENECTADY, P.C.

2546 BALLTOWN ROAD SUITE 300 2546 BALLTOWN ROAD -SUITE 300
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GLOVERSVILLE OFFICE (518) 773–5451 (518) 377–8184 FAX (518) 381–1696
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JOHNA.NOLAN, M.D., F.A.C.C.
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PAULDWORNON,M.D., F.A.C.C.
DAVIDC.ARMENIA,MD., FACC.
Mm JORDAN, MD., F.A.C.C.
ARTHUR R. VAKENER III, M.D.. F.A.C.C.
WILLIAM N. VACCA, M.D., F.A.C.C.
EUGENE E DRAGO, M.D., F.A.C.C.
MIGUEL A. CABRAL, M.D., F.A.C.C.
FREDERICK. K. WIESE, M.D., F.A.C.C.
BARRY S.LINDENBERG, M.D., F.A.C.C.
DENNISP.MANOR, MD., F.A.C.C.
DOUGLAS A.LONG. M.D.. F.A.C.C.
CHARLES CRAIG PETERSON, M.D., F.A.C.C.
GEORGE A.VANSOLAS, M.D.. F.A.C.C.
PETER D.COSPITO, D.O., F.A.C.C., F.A.C.P.
ANTHONY R. LONDON, M.D., F.A.C.C.
PATRICK J.PARISI, M.D.. F.A.C.P.
MURLI RAMON, M.D., F.A.C.C.
K.R.SHANKAR M.D.. F.A.C.C.
INGRID RUNO, M.D.
January 24, 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 issue. Isupport the settlement that was reached in November. I sincerely hope there will be no furtheraction against Microsoft at the federal level.

This settlement is fair and reasonable. Microsoft has agreed to all terms and conditions, eventerms that extend well beyond the original lawsuit, for the sake of wrapping it up. Under thisagreement, Microsoft has agreed to design future versions of Windows to provide a mechanismtomake it easy for computer makers, consumers and software developers to promote non-Microsoftsoftware within Windows. Microsoft has also agreed to document and disclose for use by itscompetitors various interfaces that are internal to Windows.

This settlement will benefit the economy, the technology industry, and consumers. Please supportthis settlement so our precious resources can be funneled into more productive activities. Thankyou for your support.

Sincerely,
Barry Lindenberg

MTC–00032023

FROM :W.S. AND M.L. PINE
206 729 0218
5509 NE 63rd Street
Seattle, WA 98115
January 24,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington DC 20530

I am of the opinion that the settlement that was reached between Microsoftand the Department of Justice is more than fair, and I hope that it isimplemented as soon as possible. Over three years have passed since thebeginning of the suit, and the economy has fallen into a recession in thattime.

The settlement that has been proposed does not go easy on Microsoft, butwith everything considered, it was the best thing that could have happened,I believe that Microsoft should have never been taken to court in the firstplace, but if this settlement ends all of the ridiculous litigation and allowsMicrosoft to worry more about producing instead of legal defense. I dohowever feel that the settlement will benefit the economy. Microsoft's.competitors will be able to produce and promote software that competeswith Windows, and they will not have to worry about retaliation fromMicrosoft.

The settlement, although not deserving is fair enough and I support it.

Thank you for your time and consideration.

Sincerely,
Jack Gardner

MTC–00032024

Pro-Fusion Technologies, Inc.
3825 Old Conejo Rood
Newbury Park, CA 91320 USA
Tel. (805) 376–8021 Fax (805) 376–0619
January 24,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I am writing to you because I support Microsoft and I feel that your office's antitrust lawsuit against them should be settled. I think the agreement reached in November favors Microsoft's continued success more than other actions may have, and it is the most appropriate way for both sides to move on.

To appease the Justice Department's concerns, Microsoft is agreeing to change the way they do some of their business, and that effort should be recognized. Sharing patented Windows code with competitors, leveling the playing field in the way they deal with computer makers, and giving the public more freedom to remove Windows-based programs like Internet Explorer all open up what is already a competitive marketplace.

Microsoft makes some of the most innovative products on the market today, and their success is deserved. Please settle the government's antitrust suit and let Microsoft move on with their business.

Sincerely,
Jack Heinzman
President

MTC–00032025

Jan 24 02 05:49p P- 1
January 24,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to you today to ask that you agree with the terms of the settlement between Microsoft and the Department of Justice. The settlement was finally reached in November of last year after three long years of litigation and six months of continuous negotiation. The settlement proposes terms that are in the best interests not only of the plaintiffs and the defendant, but also of the public and the IT industry as a whole. It is now time to move on and take care of more important issues.

The proposed settlement requires a variety of changes on Microsoft's part. For example, Microsoft will be required to license its Windows operating system to twenty of the largest computer makers on identical terms and conditions. Microsoft has also agreed to refrain from entering into any contract that would require a third party to either sell or promote Microsoft software at a fixed percentage. These terms are entirely reasonable.

America is struggling through a recession, and the effects are being felt worldwide.

Consumer confidence and spending are at their lowest point in ten years, and something needs to be done. The economic downturn began three years ago when the Justice Department initially brought suit against Microsoft, and has been snowballing ever since.

Now that this settlement has been proposed and competition has been increased, the economy will be given the boost it so desperately needs.

Please help America's economy get back on its feet as soon as possible. I urge you to support the terms of the settlement that was reached between Microsoft and the Department of Justice. No further action needs to be taken on the federal level.

Sincerely,
Stephen Knop
1863 Garfield Avenue
Salt Lake City, UT 84108

MTC–00032026

P.O. Box 1012
Washougal, WA 98671
January 23,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am of the opinion that the settlement that was reached between Microsoft and the Department of Justice is more than fair, and I hope to see it implemented as soon as possible. For too long now our economy has been suffering, and ending this legal dispute is the best remedy. Remember, the economic slide started when the government first sued Microsoft.

The settlement that was reached has teeth, and Microsoft did not get off all that easy. However, it was in the best interests of the technology industry,consumers, and the economy to get this issue over with as soon as possible.

Microsoft has agreed to give to its competitors source code and other design information for the Windows operating system. This allows competitors the ability to produce software that is compatible with Microsoft's, and they will not have to worry about retaliation from Microsoft since the agreed not to go after companies that try to compete.

All in all, I am satisfied with the settlement. Please implement it as soon as possible. Thank you.

Sincerely,

Jake Lawlor

MTC–00032027

616 Terrace Avenue
Half Moon Bay, CA 94019
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am in support of the settlement that was reached in the Microsoft antitrust dispute, I personally believe that this suit never should have been brought in the first place. Microsoft is a great company that has done immeasurable good for this nation. Microsoft provided a usable system, which enabled more people to access computers and harness this new technology. I spend most of my workday at the computer using Microsoft's product, and I know that without the Windows operating system I would have serious difficulties fulfilling my job.

I think that the settlement is reasonable. The company will not be divided, and will be able to continue innovating and making strides in the IT sector. Under the terms of the settlement Microsoft will design future versions of windows that are compatible with the products of its competitors. The company will not utilize any business tactics that may be considered retaliatory. Finally,the companies will he held accountable by a three-person technical committee that will monitor the future business practices of the company to ensure that they comply with the terms of the settlement.

I am pleased that we may finally be able to put this litigation behind us,and I hope that the states fall in line behind the federal government and settle.Thank you for all the work that you have done to protect American business and free enterprise, and for allowing me this opportunity to express my opinion.

Sincerely,

Mary Mattern

MTC–00032028

Subj: microsoft Settlement
Date: 1/24/02 7:14:01 PM Eastern Standard Time
From: Capitmkts
To: microsoft.atr@usdoj.gov
CC: Capitmkts

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, personal and lives: had weas a nation watched lessof our own and more about what foreigners 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 All watch new and understood what the netscape browser 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 success 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

MTC–00032029

4523 Wall Street
Bellingham, WA 98226–5102
January 22,2002
Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

Thank you for your support of the settlement of the Microsoft antitrust case. You have broad support in this decision across the country. Forty-one states want no further action against Microsoft: 32 states that did not think a suit was reasonable, and 9 states that sued and then agreed to the settlement.

Why should our government continually try to shoot down the pacesetters and trendsetters of our nation? Why have a governmental bias against private enterprise, when private enterprise is the foundation of our prosperity? The AT&T and IBM suits were unproductive. Now Microsoft. Microsoft has carried the flag, opened the door, and got a foothold, for American technology companies worldwide.

I have a business in the automobile accessories industry. I previously was in the home video business. I know that there was once a competition between the VI-IS and Beta tape formats. That battle was won by VHS because it was more open to industry partners than was Sony with its closely held Beta. The situation is similar to the contest between the Intel-Microsoft PC industry and Apple and its closely held Macintosh. Intel and Microsoft won because they encouraged widespread participation, which encourages widespread adoption.

Microsoft does not act alone; it has been smart in attracting partners to build strength into the industry. Now, with the settlement, Microsoft has agreed to be work constructively with others by revealing internal information about Windows and allowing computer makers and users to remove access to Windows technologies in favor of rival software. By making it easier for competitors to write and promote their software, Microsoft is doing all it can to end the litigation.

I support their efforts and hope you do too. Thank you for your leadership for a strong America.

Sincerely,

Jeffery Heininger

MTC–00032030

Alice Haber
8043 Winston Road
Philadelphia, PA 19118
January 23,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I understand the Department of Justice is accepting and publishing public comments for the first time since it brought this antitrust suit against Microsoft more than three years ago.

As a schoolteacher, I am constantly concerned that my children have access to the latest technology from a solid company. Microsoft is that company.

It is interesting that some parties want to forfeit the greater good for short- term lucrative gain. Microsoft has been more than cooperative in resolving this dispute, by agreeing to terms that extend well beyond the products and procedures that were actually at issue in the suit. In addition to the non.-retaliation parts, Microsoft will disclose information about Windows to its competitors, giving software companies more background with which to work. Ultimately, competition will create new software and programs that are even more stunning. However, we still need Windows as a reliable platform.

I urge you to end this suit so that we can go on with our lives. Let Microsoft do what they do best and save the technology sector of the economy. No more action should be taken at the federal level.

Sincerely,

Alice Haber

Cc: Senator Santorum

MTC–00032031

5864 N.E. Parkpoint Place
Seattle, WA 98115
January 24,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

The anticipation of those hoping for an end in the Microsoft antitrust case has finally been met. A settlement has been reached in the case and I think the Justice Department should ensure this settlement is instituted.

Groups and individuals with anti-Microsoft views are working against this settlement. This is unnecessary because this settlement will make many positive changes in the software industry. The settlement prohibits any contractual restriction by Microsoft on the promotion of non-Microsoft products by computer makers. Basically this means computer makers will have more ability to place other software, and other non-Microsoft operating systems on computers. This will be good for Microsoft's competitors, yet they continue to oppose the settlement. It may be that opponents of the settlement care only about harming Microsoft through the courts, and not for more competition in IT.

It does not behoove a great Justice system like ours to be used by companies to harm another company. Simply stated, the settlement currently agreed to by both sides in this case should be instituted.

Sincerely,

Mary Rowland

MTC–00032032

Attorney General John Ashcroft
U.S. Department of Justice
Washington, DC 20530
Arctic Systems, lnc,
15320 Spencerville Ct. Suite 201
Burtonsville, MD 20866
(301) 384–8400
January 24,2002

Dear Attorney General Ashcroft,

I have reviewed the terms of the settlement between the U.S. Department of Justice and Microsoft. I personally feel the settlement is broader than necessary, and the terms are certainly strong enough to meet any reasonable person's goals for such a settlement.

I feel continued litigation is counter-productive. I support this settlement, and urge you not to consider further action.

I have worked as a software and computer professional since 1983. I am now a partner in a software firm. My company is both a Microsoft Parter and Unix/Linux Authorized. We feel Microsoft has been a reliable, dependable provider of quality products. I feel anyone who claims otherwise is either ill informed or has an agenda not related to fair competition.

Unlike other companies, Microsoft has made extensive efforts to help people move their flagship product, Windows NT, to other platforms. For years Microsoft offered many of their products on Unix until demand waned. In my opinion Microsoft has gone out of their way to provide better products for lower prices.

Thank you for your service to our country in this time of need. My family and I appreciate your efforts to settle this matter and attend to the great challenges facing all of us. Please feel free to have your staff call me personally if they wish to discuss this further. I feel strongly about this matter, and certainly would provide as much time as necessary to help your staff understand these issues.

Sincerely
Rick Hansen
President Arctic Systems Inc.
(301) 807–5011
rhansen@arctic.com
15320 Spencerville Court
Suite 201
Burtonsville, MD 20866

MTC–00032033

13145 Byrd Lane
Los Altos Hills, CA 94022
January 18,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I am writing to let your office know that I support the settlement reached in the Microsoft antitrust case. As a former software writer, I know firsthand what great technological leaps Microsoft has been able to make, leaps that everyone has benefited from. Thanks to the company's ability to standardize the use of personal computers, consumers pay less and get more out of their purchase.

I believe that there Is enough competition in the marketplace, and that Microsoft's concessions in the settlement will only increase consumers'' freedom of choice, as well as other manufacturers'' ability to develop programs that are compatible with Windows.

The American way is all about the pursuit of success, and Microsoft has simply done better than most at succeeding. They have done so because they make good products and continue to lead the way in technical innovation. Do not punish them further for that—please settle the antitrust case without further delay.

Sincerely,
Michael Schoendorf

MTC–00032034

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 wiIl 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. respectfully ask that you back the current settlement. I again

Sincerely,
Sanjay Chandra
Vice President
American Leather, LP
cc: Representative Marlin Frost
3700 Eagle Place Drive Suite 100
Dallas Texas 75236
Phone 800.456.9599
Fax 972.296–8859

MTC–00032035

January 11,2002
Attorney General John Ashcroft
US: Department of Justice
Washington, DC 20530

Dear Mr. Ashcroft,

I write you with concern over the recent delay of the Microsoft settlement. It is distressing to hear that the settlement is being delayed because of a few politicians. After three long years of court battles, it is ridiculous to prolong the execution of such a well-designed agreement. The terms that were agreed upon are a reflection of the interests of all parties involved. It is time to let them speak for themseIves.

Microsoft has not only agreed to rework licensing and marketing agreements, but has agreed to design future versions of Windows that allow for easy installation of non-Microsoft sofeware, too. This, alone, speaks to the fact that Microsoft is acting in the best interest of the IT sector as a whole. The technology industry is ready to move foward, so let us allow them to do just that.

Let us not hold back our economy by holding back the advancement of our IT sector in this competitive global market.

Please support the settlement in its current form. Help us to make sure that no further action is taken against the agreement, and that we can move forward as a united industry.

Sincerely,
Ernest Carpenter 409
Care Center Drive
Warrensburg, MO 64093

MTC–00032036

Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Attorney General Ashcroft:

Several years ago, I had the opportunity to serve as an elected official in Weber County, Utah. During my tenure, we worked to streamline county government and enhance our computer systems. We made the determination that the mainframe system WC were using was old and outdated and moved to a new system with Oracle Software as its foundation.

Oracle competed for this business and won. I am now learning of Oracle's desire to try to use legal means to give themselves the upper hand over their competition. Oracle should spend their time and money on research, not on attorneys to stay ahead of the competition. Forcing another competitor to give up source code is wrong.

Please bring an end to the Microsoft Class Action Suit and settle this legal wrangling.

Sincerely,
Spencer F. Stokes

MTC–00032037

TECHWORX INC.
Architects of Mission-Critical Environments
950 Industrial Highway
Suite D
Southampton, PA 18966
Toll Free: 800–707–7966
Tel: 215–357–7966
Fax: 215–357–7932
Web: www.techwonx-inc.com
Email: info@techworx-inc.com
January 24,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW.
Washington, DC 20530

Dear Mr. Ashcroft:

Forgotten amidst all the controversy surrounding this Microsoft lawsuit is the fact there are many companies like mine that have been built and remain successful based on the success and reliability of the Microsoft product line. While many Microsoft competitors feel that they can use the legal system to knock Microsoft off its throne, they have ignored the potential effects that would be experienced by other companies in the IT industry.

This is why the settlement recently reached is so Important. Its obvious advantage is that it ends speculation as to

whether Microsoft will be broken up. It also has the advantage of addressing most of the main complaints against Microsoft. While I am not sure that I agreed that Microsoft should have agreed give up more of its interfaces, I was pleased that other points will now be satisfied. It is important, for example, that Microsoft relaxes its stance with the OEMs.

I am therefore writing to support this settlement. It leaves intact the infrastructure of the IT industry and ends the litigation with reasonably satisfactory results.

Sincerely,
Steve Terebecki
President
CC: Senator Rick Santorum
Microsoft CERTIFIED Partner

MTC–00032038

Commtech 3
Communication and Technology Industries, Inc.
1613 Poydras St.
Facsimile Cover Sheet
To: Attorney General—Mr. John Ashcroft
Company: US Dept of Justice
Fax: 1–202–307–1454 / 1–202–616–9937
From: Darryl D'aquin
Company: CommTech Industries, Inc.
Phone: (504) 200–1333
Fax: 504–200–1310
Date: 1/24/02
FROM : COMMTECH
FAX NO. :5042001310
Jan. 24 2002 04:37PM P2
commtech
I N D US T R I E S c s
January 9,2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to convey to you my opinion on the antitrust suit involving Microsoft. The settlement reached between Microsoft and the Department of Justice is of fair and reasonable intentions, and it succeeds. The settlement was arrived at after extensive negotiations with a court-appointed mediator present; it also addresses all issues adequately. Microsoft's retaliation actions will be made illegal; the Technical Committee instituted by the government will enforce it.

It is not necessary to carry any further litigation against Microsoft. Even though the settlement goes further than what Microsoft would have liked, to settle case now is the right thing to do. This suit has been a major contributing factor in our faltering economy, and the standstill state of the industry. To continue litigation means a prolonged delay in the revival of the economy and the industry.

There has been a general fleecing of the American taxpayer by pursuing this. To prevent this from continuing any further, it is necessary to stop all action at the federal level. Microsoft needs to be allowed to return to innovation, rather than litigation.

Sincerely,
Darryl D'Aquin
President

MTC–00032039

FAX TO U.S. DEPARTMENT OF JUSTICE
WASHINGTON, DC
202–307–1454
FROM JAMES N. HARVEY
925–299–0421
January 24,2002
Re: Microsoft Antitrust Settlement

Dear Sirs:

I urge you to finalize the Antitrust Settlement with Microsoft Corporation. The settlement seems fair and reasonable, and further litigation would serve only the interests of the company's competitors and the political purposes of the nine State Attorneys General who oppose it. Microsoft has brought stability to an industry that was confused and chaotic, and because its products provide good value at affordable prices, consumers have benefitted by buying them. It would not be proper to allow Microsoft's competition to use the courts as a marketing tool. Please settle this case in accordance with the agreement as it stands.

Sincerely,
James N. Harvey
4019 Los Arabis Drive
Lafayette, CA 94549

MTC–00032040

To: John Ashcroft
From: John S. Koval Sent: 1/24/2002 at 5:05:02 PM
Network Convergence Corporation
P.O. Box 3156
Hickory, NC 28603–3156
(828) 308–1189
January 24,2002
Attorney General John Ashcroft
USDOJ
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft,

I believe the settlement agreement reached between the Justice Department and Microsoft Corp. is fair to both parties, and I urge the court to approve it as written.

Under the settlement, Microsoft has agreed not to retaliate against software or hardware developers who develop or promote software that competes with Windows or that runs on software that competes with Windows. It also agreed not to retaliate against computer makers who ship this software or enter into any agreements obligating any third party distributor to promote any Windows technology exclusively or in a fixed percentage.

I further believe that breaking up Microsoft would not accomplish any useful purpose; hence, it is very important that the settlement be implemented as written.

Sincerely,
John S. Koval
President

MTC–00032041

To: Attorney General John Ashcroft
Company: U.S. Dept. of Justice
From: Carl Monson
Company: Mowell Financial Group, Inc.
Date: 1–24–02
Re: Microsoft Ruling
Carl Monson
P.O. Box 1305
Tallahassee, FL 32302–1305
January 24,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear General Ashcroft:

Just a note to let you know I appreciate your efforts to resolve the Microsoft antitrust case. In my opinion, it would make sense to support the settlement and conclusion reached in court.

The cost to both sides of this dispute has to reach millions of dollars on each side. An acceptable settlement has been arrived at that will 1ikely give competitors improved ability to place their software on Microsoft operating systems, thus giving them more sales and public exposure. Some of the competitors remain unsatisfied, and they will place pressure on officials until this case is resumed and serious damage is done to Microsoft and the entire business sector. We do have some interesting telephone businesses now, but the 10 years of litigation and costs involved have been a terrible price to pay. Currently, the competition/consolidation in the phone business is causing a great deal more pain.

Please consider accepting the settlement. If you believe it has merit, and is in the public interest, please consider talking with those state attorneys general to not try to win the lottery by pushing for more destruction of a pretty good company.

Sincerely,

MTC–00032042

Paul G. Simon
519 West Plaquemine
Church Point LA. 70525
pasimon7@hotmail,com
(337) 684–1139
Re: Microsoft Case
January 24,2002
Renata B. Hesse
Anti-Trust Division
The United States Department of Justice

Dear Renata B. Hesse:

It is very encouraging that your office has decided to take comments form the general public about this very important case. The Microsoft ant-trust case will have far reaching repercussions that will affect all Americans in one way or another.

While Bill Gates and company may have not always behaved in the most admirable fashion, it seems to me and a lot of other people that at this point they have been punished enough. Microsoft helped make possible the high-tech boom that has been driving our economy, and with the country in danger of sliding into a depression this is not the time to drag this case out any further. To keep this anti-trust case alive longer than it should be is to risk wrecking our economy at time when we can least afford it.

Please vote to settle the Microsoft case quickly so that the market will not have to keep holding it's collective breath waiting for some resolution. A quick settlement would have far reaching positive side effects both for the little guys (like me) and big business as well. With this behind us we could all move forward with developing promising new software and investing in new computer hardware.

It would be in the best interest of consumers and the country.

Sincerely,

Paul G. Simon

MTC–00032043

2001 S 292nd Street
Federal Way, WA 98003
Email peterc@gte.net
Fax 425–799–3660
January 16,2002
Attorney General John Ashcroft
US Department of Justice, 950 Pennsylvania Avenue, NW
Washington, DC 20530–001

Dear Mr. Ashcroft:

The antitrust lawsuit against Microsoft has been dragging on for too long, Government should stay out of the economy and let private businesses fail or succeed on their own. Reference your correct approach to the Enron problem I am happy to see that Microsoft is not being broken up, but I am appalled that nine states still want to bring further litigation.

The terms of the settlement are more than fair. They force Microsoft to disclose internal interfaces and design future Windows versions so that Microsoft competitors can more easily promote their own products. They also require Microsoft to form a three-person team to monitor compliance with the settlement.

It is in our nation's best interests, our economy's best interests, and our people's best interests to make the settlement a reality. We cannot afford to have our industries'' leaders hindered by expensive and lengthy litigation. I ask your office to take the appropriate steps towards rectifying a mess that has been years in the making.

Sincerely,

Peter Stobart

MTC–00032044

JOHN SHARP ASSOCIATES INC
January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Ms. Ashcroft:

Three years ago, the Department of Justice found Microsoft to be in violation of antitrust laws. Naturally, suit was brought, and a period followed where the proposed solution was breaking up the Microsoft Corporation. Fortunately, that idea was discarded in favor of a less destructive course of action. A settlement was reached last November under which Microsoft would be allowed to remain intact. It requires a broad range of changes in both policy and product however to prevent further antitrust violations and restore fair competition in the technology market.

The settlement, for example, requires Microsoft to provide third parties acting under the terms of the settlement with a license to applicable intellectual property rights. This would allow Microsoft's competitors to build their software into Microsoft's pre established system without infringing upon those rights. Microsoft has also agreed to refrain from taking retaliatory action of another software producer or computer maker introduces a product into the market that directly competes with Microsoft. This will allow computer makers the freedom to promote their own software without having to risk rebuttal from Microsoft.

I would like to see this case come to a speedy, productive end. I do not believe the settlement is unfair, nor do I believe it would hurt the consumer in fact. I think the tech industry and the economy have suffered enough already. The suit needs to end, and I believe it is in the best public interest to settle now and allow things to get back to normal. I urge you to give your support to the settlement.

Sincerely,

John Sharp
660 ISLAND WAY APT 406
CLEARWATER, FL 33767
727–447–7747

MTC–00032045

January 23, 2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

Those who follow technology news know that the lawsuit that the Department of Justice brought against Microsoft three years ago has hurt investor confidence in technology. Because of the great slowdown in the IT industry, the entire economy has suffered. Why the Department of Justice brought suit against Microsoft is still a great mystery. One of America's great companies, Microsoft is largely responsible for the enormous strides in consumer technology and the universal use of the computer nowadays.

Due to the settlement, Microsoft will no longer be able to negotiate with distributors on an individual basis. All of Microsoft's competitors will still have this ability. Microsoft will also be forced to disclose various portions of its Windows code to competitors. These terms of the settlement are more than enough punitive measures to punish Microsoft for any infractions they may be guilty of.

All this adds up to the need of the Justice Department to end this suit as soon as possible. The IT industry, its consumers and its investors deserve an end to this suit when this period of public comment is over.

Sincerely,

LindaDial
6 11 20th Avenue
Lewiston, ID 83501
cc: Senator Larry Craig

MTC–00032046

January 24, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I recently learned of the proposed settlement agreement reached in the Federal government's antitrust case against Microsoft I see no reason why not to implement the agreement immediately upon close of the comment period and bring an end to this litigation.

Microsoft has agreed co a more level playing field in the future, and now should be able to get back to the business of developing new innovations. A number of Microsoft's concessions will promote greater consumer choice and competition in the computer Industry, but I feel the most significant is Microsoft's agreement to allow computer makers the option of installing Windows operating systems which are reconfigured so as to allow the use of non-Microsoft software programs.

I hope that you will stick to this agreement in its present form and take the necessary steps to see that it is implemented immediately.

Thank you for this opportunity to comment

Sincerely,

Dick Boullis
51211 Oak Hill Court Granger, IN 46530

MTC–00032047

To: U.S. Dept. of Justice
attn: MS Renata B. Hesse
Fax: 202.307.1454
From: Gordon W Bowman
Date: Thursday 01/24/02
Re: Support of Microsoft settlement
Pages: one including this

I support the Microsoft settlement. I feel the point has been made and the settlement is adequate to cover the complaints and let let the country get on with business. Those lobbying and filing new suits to carry this on appear to me afflicted with greed, and have no concern that the people's and industry's resource is being squandered. Thank you for your attention.

Sincerely,

Gordon W. Bowman

MTC–00032048

MILSTEAD PHOTOGRAPHY
January 24, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington,DC 20530

Dear Mr. Ashcroft:

Our opinion regarding the Microsoft issue is that it is a very competitive company and has been successful because of its contribution and accomplishments. I have an issue with the roll of Lobbyist or rather the lack of,has played In this issue.The issue began with the decision by one Judge,the result of that decision began the spiral downward of the stock market and was an intervention in the free enterprise system.

I feel the settlement reached in November is fair and that Microsoft should remain as a company. This settlement will benefit the economy and consumers.

I feel this settlement serves in the best Interest. We support and admire your strong leadership. Thank you for your time.

Sincerely,

W.H. Milstead

MTC–00032049

915 Limestone Drive
Allison Park, PA 15101–4227
January 10, 2002
Attorney General John Ashcroft
US Department of Justice,
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft

In my opinion the entire lawsuit against Microsoft was a debacle. There are monopolies in every industry in this country. I'm not sure why Microsoft was singled out. Nevertheless they were. For three years the Justice Department was embroiled in a antitrust lawsuit against Microsoft. Now, a settlement has been reached.

The settlement that has been reached is surprisingly beneficial in my view. First of all this settlement helps to increase competition within the information technology industry by requiring Microsoft to provide other software companies with Windows protocols. These protocols will enable other software manufacturers to create software that works more smoothly inside of Microsoft's Windows. Terms of the settlement also dictate that Microsoft provide a unified pricing list to the top 20 computer manufacturers. This would guarantee that no one company gain an advantage in the market because of a contract with Microsoft.

But clever people like me who talk loudly in restaurant, see this as a deliberate ambiguity. A plea for justice in a mechanized society.

Even though I was not in favor the lawsuit in the beginning, I am in favor of the settlement that will end this matter. It is in your hands whether or not this ends now, or whether it goes on for many mare years. I ask that we not waste any more of the Department of Justice's time nor resources on this issue. Leave the settlement like it is.

Sincerely,

Jack Wetzel

MTC–00032050

New Horizons*
Computer learning Centers
of Boston Massachusetts
January 22, 2002
Attorney General John Ashcroft,
US Department of Justice,
950 Pennsylvania Avenue NW,
Washington DC 20530

Dear Mr Ashcroft,

I am writing this letter to inform you that I am in full support of the settlement reached between Microsoft and the Department of Justice. This settlement has a fair and reasonable design. It is sad to have to see a suit brought about against Microsoft. If Microsoft were to be broken up, not only would that action harm my business, but also several other businesses across the country

Microsoft operations and products, among other things, constitute a large part of the economy. As such, the antitrust suit has been a major contributing factor in the faltering economy, and to the present stagnated state of the IT industry. It is necessary to prevent this from continuing; any further time spent dealing with this suit will only cause taxpayers to reach deeper into their pockets. Under the settlement, other software companies will be able to sue Microsoft directly in federal court, so that we can at least keep the taxpayers from bankrolling these proceedings. That is in the public interest. Microsoft will change its licensing agreements for hardware makers, and update Windows to accommodate non-Microsoft software more efficiently; that is also in the public interest.

It is time to put this issue behind us and move on to other things. We cannot go on spending our financial resources on this suit any longer. All action taking place at the federal level must be stopped, and the settlement finalized.

Sincerely,

Ken North

5 0 Concord Road

Burlington, MA 01803 main (781) 229–9565

fax (781) 229–9552

www.newhorizons.com

MTC–00032051

Dianna J. Thiel, CFA
10 Burdsal A venue
Fort Mitchell, KY 41017
January 21, 2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft,

I am writing in full support of the recent settlement between Microsoft and the U.S. Department of Justice. The case has dragged on long enough, and further litigation could do serious damage to the IT sector and economy. I do not believe that Microsoft has demonstrated monopolistic tendencies. They have delivered quality products without raising the prices unreasonably. Microsoft has standardized the industry making it easy to use computers which has benefited the consumer. Their work has been innovative and has obviously been the reason for their success.

The terms of the settlement should appease all parties since competitors will receive technological information that they otherwise should not have if all the rules of free enterprise were working properly. Microsoft will be disclosing interfaces and protocols to competitors that will enable them to copy Windows and try to create more innovative products. They have also agreed to not retaliate against software developers and computer makers who develop or promote software that competes with Windows operating system products.

These and other concessions should be enough to convince your office in favor of settling. Please take a stance against further litigation and finalize the settlement for the best interests of the American public

Sincerely,

Dianna J. Thiel, CFA

MTC–00032053

Law Offices of Jack Allen
15015 Bestor Boulevard,
Pacific Palisades, California 90272
(310) 454–2062
Fax (310) 454–8037
E-Mail jackjack@!inkline. corn
January 24, 2002
Renata B. Hesse,
Anti-Trust Division,
U. S. Department of Justice,
601 D Street NW, Suite 1200,
Washington D. C. 20530–0001
Re: Microsoft Settlement
Dear Ms. Hesse:

I find the settlement that the Justice Department has agreed to with Microsoft in Anti-trust case a complete sellout which will only encourage Microsoft to continue its anti-competitive practices. It will not even be a slap on the wrist.

I was delighted when the Justice Department obtained the judgement from Judge Jackson. While I would favored even more stringent penalties, nevertheless I could not deny that justice was served. Now the Justice Department is giving away any leverage it would have had.

I have been in computers since 1960. I was a fully qualified programmer. With IBM I helped pioneer computer word processing and my law offices were among the first be so equipped. I became one of the first attorneys to specialize in computer law and the first to represent buyers of computer equipment and programs. While in law school I spent three years in a program called ''Computers and the Law'' that developed ways that computers could be useful in the practice of the law.

When Microsoft developed Windows 95, the alarm bells went off as I saw Microsoft use its great power as the source of the only viable operating system to bully computer manufacturers into installing its software and only its software on new desktop computers. Because Microsoft engineers developing competing software applications had the jump on Microsoft competitors in developing Windows 95 applications and then get the programs installed on new computers, Microsoft was able to dominate the market place. For example, WordPerfect (which is still far superior to Microsoft Word) lost its dominance in the marketplace and has been reduced to a piddling share of the market. We all know the story of how Microsoft pushed Netscape out by including Microsoft Explorer as a freebie. Microsoft needs to be broken up. The maker of the operating system cannot also be the producer of application software. Nor should it be the manufacturer of hardware to support its programs.

We all suffer when one manufacturer is able to dominate the market. No one else can offer a competing operating system since Microsoft has driven out other operating system manufacturers.

I was after the Justice Department to do something about Microsoft years before it filed its anti-trust action. I was very disappointed that it took the Justice Department to do something to start with and when it finally appeared the Department had accomplished something, it is most disappointing to see all that work wasted with a token settlement.

Sincerely,

JACK ALLEN

cc:

Senator Diane Feinstein

Senator Barbara Boxer

MTC–00032054

January 24, 2002
Ms. Renata B. Hesse
Department of Justice
Fax #202–307–1454 I
Or 202–616–9937

As a Taxpayer and consumer Mim Vaiana and Joseph Vaiana support the settlement of the Microsoft lawsuit.

Very truly yours,

Joseph G. Vaiana
Mim Vaiana

MTC–00032055

140 West Myrtle Street
Duluth, MN 55811–5018
January 24, 2002
VIA FAX 202–307–1454
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530–0001
RE: Microsoft Settlement

Dear Mr Ashcroft:

I am writing to convey my support for the settlement reached between Microsoft and the Department of Justice in November 2001. I believe this outcome is good for both business and the consumer and gives concerned parties an opportunity to move forward.After reviewing the terms of the settlement, I am of the opinion that Microsoft has made many concessions and that the government has negotiated a tough agreement. For example, Microsoft agrees to document portions of the code that Windows uses in order to make different programs work together. Competitors will then be able to use such information to design better programs.This represents a first in an anti-trust settlement. In addition, Microsoft consents to the formation of a three-member Technical Committee to monitor the company's compliance with its new obligations.

As a certified management consultant in the technical industry, I thoroughly understand the usability and flexibility that Microsoft products provide. With your continued support of this settlement, Microsoft will be in a position to focus on new technologies that will facilitate increased efficiency and productivity for business and consumer users alike.

Sincerely,
Mary M Ruprecht, CMC
President

MTC–00032056

Hillary Strengholt
2313 McMullan Circle
Raleigh, NC 27608
January 14, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov

Dear Ms. Hesse:

I write to express support for the proposed settlement in the federal government's antitrust case against Microsoft. As a third-grade teacher at Weatherstone Elementary School in Cary, North Carolina, I see every day the importance of computers and technology in the lives and futures of my students.

I strongly believe that the needs of these students—and the overall needs of our nation and our economy—would be far better served by settling this case than by further costly and debilitating litigation.

The analyses that I have seen indicate that the settlement strikes a difficult balance between penalizing Microsoft for the wrongs it may have committed in the marketplace and assuring continued progress and innovation in this important industry.

I hope that the settlement will be approved so that all concerned can go to work on more important matters.

Sincerely,
Hillary Strengholt

MTC–00032057

To: Department of Justice
Re: Microsoft settlement
Date: 25 January 2002

After reviewing the documents related to the settlement of the Microsoft antitrust case'' I feel I must comment. I have 25 years experience in the computer field and have never been prompted to action on any topic like this until now.

I am deeply disturbed that the revised ''Proposed Final Judgment'' will becompletely ineffective as it currently exists. The definitions therein are often so restrictive that the judgment would eliminate any benefit to those it harmed the most. It currently ignores the most significant opponent Microsoft has which is the not-for-profit organizations, which include the Linux development coalitions.It also contains several loopholes that Microsoft is already planning to use. But most of all it is too narrow that it only restricts anti-competitive activities dealing with the operating system, browser, and middleware thereby allowing them to assert their illegal monopolistic influence in several other emerging markets.

If I could enact a remedy, I would invalidate all Microsoft patents and have them publish the source code for every product they have produced. Even though this remedy would fit their crime, it probably would not be enough. Some may consider this a bit draconian and I doubt it would never happen, but it would be much more effective in reducing the entry into Microsoft dominated fields by competing interests. I believe it would even make Microsoft a better company,one that would have to innovate instead of litigate.

Please do give Microsoft additional opportunities to abuse their monopoly under the guise of a settlement to ''unfetter a market from anti-competitive conduct''. If this settlement is allowed, Microsoft will have gotten away, not with a slap on the wrist, but with full legal permission to do what it's been doing and more.This settlement is definitely not in the best interests of the public.

Thank you for your efforts in doing what is right.

Sincerely,
Boyce Fullmer
Systems Architect
3720 Cloudcrest Drive
Plano, Texas 75074
(972) 578–7772

MTC–00032058

Leslie J. Colligon
1262 Windsong Drive
Tracy, CA 95377
January 24,2002
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001

Dear Mr. Ashcroft:

I am writing to pledge my support for settling the Microsoft antitrust case as soon as possible. I am convinced that Microsoft was within their rights in regard to the matter of how they handled the Internet Explorer software. I know that their vision of the importance of Internet Explorer to the future of computing may not be grasped by everyone, but as a software professional I feel that I may have a more intimate view of what the decision makers at Microsoft had in mind when they made their decisions regarding Internet Explorer.

I believe that Microsoft has been unfairly persecuted by the Justice system. If there can be any blame placed on Microsoft, I believe that it lies only in the fact that Microsoft did a very poor job in presenting their vision in court relating to the decision-making regarding Internet Explorer.However, since I do not believe that this issue should ever have gone to court in the first place, I sincerely believe that any blame lies with the decision makers in Washington DCI do not believe that the settlement is fair to Microsoft, but I am not strongly opposed to Microsoft accepting the settlement. I believe that, the Justice department should do likewise and get this issue behind all of us. This whole matters been an expensive lesson for all parties concerned, but in the end it is the taxpayer who is footing the bill.

While I do have a whole lot more to say on this issue, this letter is not the place as I am certain that it would only go unread. Perhaps some day after I retire, I will write a book on why Microsoft's decisions on matters relating to Internet Explorer were simply sound, logical business decisions and were in the best interest of the computing community and of the country. I suspect however, that time will demonstrate to the world the validity of what I, already know and that there will not be any reason for writing such a book as Microsoft's vision will become self-evident as their vision is fulfilled.

I encourage you to settle the case as soon as possible and stop any further litigation so that everyone can get on with more important matters.

Sincerely,
Leslie J. Colligan

MTC–00032059

Farrell Graham
312 Kailua Road
Kailua, HI 96734
24January2002
Attorney General John Ashcroft
Washington, DC 20530

Dear Mr. Ashcroft,

I was pleased to hear the Department of Justice reached a settlement in its case against Microsoft. I believe this case went on for too long and I am confident there are many people who share this sentiment. Microsoft is a great company whose positive impact is felt in the economy, the personal and professional lives of the public, and the information Technology (IT) industry on a whole. With the economy in a state of recession, it is in everyone's best interest if the States ceased litigation against Microsoft.

Those who remain in opposition to Microsoft would like to give the impression Microsoft got off easy in this settlement. This is not the case. The terms of the settlement are fair and acceptable to Microsoft, yet several States continue to pursue litigation. Microsoft compliance is far-reaching. They agreed to broad terms extending to products and technologies not even found to be unlawful, such as disclosing intellectual property for the greater good. This is an effort to bring this matter to an end sooner and give Microsoft the chance to get back to what they do best—create new products and services. This aids the US economy and the reformed stability of the IT industry in more ways then direct Microsoft financial settlements with individual States,

I am grateful for this period of public comment provided under the Tunney Act and I trust this avenue will help your office realize how strongly public feels about this issue.

Sincerely,
Farrell Graham

MTC–00032060

January 22,2002
Ms. Renata B. Hesse, Esq
Antitrust Division
601 D Street NW
Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse,

The Southern Saratoga County Chamber of Commerce enters our strong support for the settlement negotiated between Microsoft Corporation, the US Department of Justice and 9 of the remaining state plaintiffs in the multi-year antitrust lawsuit against the software company.

As a representative of the business community in the Upstate New York region, it is our belief that it is in the best interest of our national economy to move forward with this settlement, and we encourage the Justice Department to urge the Courts to adopt the agreement as quickly as possible.

As business, both on the state and local level, and nationally continues to move in a positive direction, the resolution of this issue will only benefit all in the end.

Sincerely,
Peter L. Aust
President/CEO
Southern Saratoga County Chamber of Commerce
15 Park Avenue, Suite 7B—P.0. BOX 399.
Clifton Park, NY 120654399
Phone: (518) 371–7748
Fax: (518) 371–5025
E-mail: info@ssccc.org
Internet: www.ssccc.org

MTC–00032061

23 January02
Renata Hesse, Trial Attorney
Suite 1200, Antitrust Division
Department of Justice
60l D Street NW
Washington, DC 20530
Re: Microsoft settlement

Dear Atty. Hesse,

The remedy that Microsoft has so far successfully avoided is to have its code base broken up among two or more units. However, the quality control cost of any system rises with the square of the number of components. Since Microsoft cannot charge the users upgrade prices on which their revenue growth, and therefore their shareholder value,depends without substantial feature expansion, the component count must grow linearly(50 new features) if not geometrically (10% new features) per unit time. This insures that quality control costs for Microsoft must follow a cost curve that becomes untenable at some point, the only question being when not if. Therefore the greatest punishment you can possibly impose on Microsoft is to forbid them to break up their code base into integrable product lines as it marries them to a cost curve that will kill them in due course. Having sworn in court, settled in camera, and committed their reputation in public to the common argument that their cock base somehow cannot be broken up, they will now either reverse their position or march off the cliff.

In short, I urge the Court to take Microsoft at its word by ordering them to simply conform to their testimony.

Very truly yours,
Daniel E. Geer, Jr., Sc.D.
Chief Technology Officer
196 Broadway
Cambridge, MA 02139
President
USENIX Association
2560 Ninth Street, Suite 215
Berkeley, CA 94710

MTC–00032062

Beaver Brook Ranch
Custom Wood Products
JOHNSON ROAD RIPLEY, N.Y. 14775
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW. Suite 1200
Washington, DC 20530
January 24,2002

As a retired businessman I find this whole issue of the Microsoft Settlement very disturbing.I must first say that I do not own nor have I ever owned any Microsoft Stock.What I see here are Microsoft's rivals attempting to get our government involved in micro managing the technology industry. I do not feel this is in the best interest of the high-tech industry, economy or us the consumers.

There has been over $30 Million taxpayers dollars spent on this case already, don't you drink that is enough?

I believe the settlement in this case is appropriate in scope because it addresses only those items upheld by the courts,

Sincerely,
Thomas P. Kelly

MTC–00032063

January 23,2002
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

I am writing today to encourage the Department of Justice to accept the Microsoft antitrust settlement at the end of the Tunney Act comment period. It is time that Microsoft be allowed to move on and return their focus towards business. It took three long years, but now that a settlement is in sight, it would be an embarrassment to leave it out to dry. The terms of the settlement are fair and address all the major concerns of the suit

Many people think that Microsoft got off easy. In fact, they have not. Microsoft has agreed to allow computer makers to install and promote any software that they see fit. Microsoft has also agreed to not enter into any agreement that would require any computer makers to use a fixed percentage of Microsoft software. In an effort to allow competing Software makers to develop more compatible software,Microsoft has agreed to release part of the Windows base code.That's not even all of it, so anyone should be able to see how committed Microsoft is to settlement.

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 terms of the settlement are fair and the government needs to accept them. Microsoft and the industry need to move forward, the only way to move forward is to put this issue in the past. Please accept the Microsoft antitrust settlement.

Sincerely,
Jim Verbick
10 DogWood Terrace
Belvidere, NJ 07823

MTC–00032064

Sent By: The Ayn Rand Institute;
310 306 4925;
Jan-24–02 5:15PM;
Page 1/3
Via Fax # (202) 616–9937
To: Ms. Renatta Hesse:
Antitrust Division, U.S. Department of Justice
From: Dr. Yaron Brook, executive director, the Ayn Rand Institute;
Dr. Onkar Ghate, resident fellow, the Ayn Rand Institute
Date: January 21, 2002
Re: Microsoft Antitrust Case

The Federal Justice Department should drop the antitrust case against Microsoft. If, at this stage in the proceedings it is impossible to drop the Case, the Justice Department should settle the case on as favorable terms to Microsoft as legally permissible. (If possible, the Justice Department should create a legal settlement more favorable to Microsoft than the one Microsoft agreed to in November of 2001.)

To understand why one needs to understand two points, one general and one particular.First., antitrust laws are non-objective and unjust, Second, Microsoft is guilty of no actual crime.Let us begin with the first point.

The ''actions'' that anti-trust laws prohibit are vague, contradictory, undefined. For instance, antitrust laws prohibit companies from engaging in restraint of trade.'' But what specific actions constitute ''restraint of trade '? If, as is done repeatedly in the business world, a company signs an exclusive distribution agreement with another company, is that ''restraint of trade'' because now other potential competitors are excluded from that area of the market? Or if a company sells a computer to individual X, is that

''restraint of trade'' because competing computer companies Can no longer sell X a computer since he has need for only one? No-the courts have declared to businessmen-only those ''restraints'' that are ''unreasonable'' are illegal.But which specific ''restraints'' are ''unreasonable''? No definition is to be found in the law, so no company can know before it acts which actions are in law legal and which are not. Consider another example. The antitrust laws prohibit ''unfair'' trade practices. But again, what counts as an unfair'' practice? Is it any business practice that, for instance, causes bankruptcies among some of a firm's competitors, because they cannot find a way to compete with the firm's low prices and/or superior products? Or is it any practice that the administration in power disapproves of? Again, no answer is to be found in the law, so it is impossible for accompany lo determine beforehand which specific actions the law prohibits.

Take one last example. Under antitrust laws, a company can be charged with ''predatory pricing''if it sets prices below those of its competitors, because the competitors might as a result go bankrupt. It can be charged with ''monopoly pricing'' if it sets prices that are deemed too high,because then it is supposedly bilking consumers of their hard-earned income. But if it therefore decides to set prices at the level of those of its competitors it can be charged with ''collusion'' or''conspiracy'' because now it is said to be no longer ''competing.''

In the nightmarish world of antitrust law any and no action can be pronounced illegal.There are and can be no definite, objective principles specified in the law-and as a result a businessman has no way to determine, before he acts, whether his action is legal or not, Inpractice, this means that businessmen are at the mercy of the government. Any moment the government wants to cripple a particular company, it can unleash the antitrust laws against the company. In logic, a business has no possible defense against a charge of ''restrain of trade'' or''unfair'' trade policies or ''predatory pricing'' because the charge itself has no objective meaning,The antitrust laws, therefore, vest the government with arbitrary power.

The result, unsurprisingly, is that when, say, a bureaucrat is disgruntled with a successful company because it has failed to share (i.e., give away) its wealth or support the government's particular programs—or when a government thinks that destroying a powerful company will win it votes with misguided citizens who believe that Big Business is their enemy-or when resentful,envious competitors (like Netscape and Oracle and AOL in the Microsoft case) can persuade their government representatives to cripple a superior competitor-the brunt of the antitrust laws descend upon that company.

It is no accident that it is America's most successful, most productive. most admired companies-Microsoft, IBM, Intel, Wal-Mart, American Airlines, Standard Oil, etc.-that are subjected to antitrust lawsuits,

As a form of granting arbitrary power to the government, antitrust laws are unconstitutional and un-American, As a means of penalizing the successful for being successful,antitrust laws are a perversion of justice.

Let us therefore now leave to one side antitrust law, under which any action of a company could be considered a crime, and ask whether in actual fact Microsoft is guilty of any crime.

What are the principal accusations against Microsoft?

Microsoft is accused of ''unfair'' competition. But competition refers to the process by which companies utilize their assets and personnel to build better and/or cheaper products. They thereby seek to earn, through voluntary trade, even greater profits, In a free market, there is no such thing as ''unfair'' competition. There are only better and worse competitors. In other words,some companies are better than others at research and development, at structuring long-term,mutually-beneficial business agreements, at marketing products, at keeping good employees happy yet challenged. Microsoft, for example, excels at all these processes-and many more.(The charge that Microsoft is not innovative is particularly disingenuous given its continual upgrades and improvements to its major products; even Judge Jackson had to concede this point.) The fact that Microsoft is one of the greatest competitor the business world has seen is, in a free nation, not a crime but a virtue.

The only ''unfair competition'' that exists is in fact not competition. If, say, the mafia threatens to blow up a shopkeeper's store unless he gives it a percentage of his sales, the mafia threat is not engaged in competition, albeit unfair. They are engaged in coercion-precisely to prevent voluntary trade and the the market from operating. When Netscape loses sales to Microsoft because Microsoft's browser is better and/or cheaper, Netscape's loss of sales bears no similarity to a shopkeeper's ''loss'' of sales to the mafia. One must never equate the voluntary with the coerced.

Secondly, Microsoft is accused of ''predatory pricing.*'' Translated into reality, this means that Microsoft is able to charge prices below those of its competitors, such as Netscape. Some of these competitors, who cannot match Microsoft's low prices, lose market share or go bankrupt.But it is Microsoft's incredible efficiency and productiveness that allows it to undersell its competition yet still make large profits. Again, this represents not criminal behavior but real virtue.

Finally, Microsoft is accused of wielding ''monopoly power.'' This accusation as well is based on equating the voluntary with the coerced

It is true that Microsoft has a dominant market position in some segments of the software industry and that some of its competitors have gone out of business. But this is become Microsoft has our-competed them: it is more innovative, more efficient, a better marketer, and/ora better employer than other software firms. Microsoft, in other words, has earned its dominant position.

And it continues to earn it; it faces constant competition, even if there are no actual competitors presently in its market. For whenever another entrepreneur can figure out a way to produce similar software at a cheaper price or better software at an attractive price (or some undreamt of product that makes current software obsolete), he is free to enter Microsoft's market,And if he has a sound business plan, he will be able to raise the necessary capital even if he has none; there are thousands of venture capitalists looking for the next Bill Gates. Microsoft's dominant position in the software industry, in other words, must be earned anew each day,

So once again, Microsoft is being attacked for its success: in reality it has no monopoly power just brilliant management.

The only monopolies that can in fact exist are government-created ones. Only a government can prevent someone from entering a market and thus eliminate competition. The Post Office, for instance, is a monopoly. There id title doubt that Federal Express could provide better service, more cheaply, and still earn a profit. But the government forcibly prevents it from entering the Post Office's market. The Post Office's dominant market position is unearned: it offers sub-par service but because of government coercion faces no competition. Microsoft's dominant position, by contrast, is earned: it faces constant competition, which in continues to win.

Again, do not equate the voluntary with the coerced.

Microsoft is the epitome of American business success: it produces enormous wealth through intelligence and hard work. imagine the wealth that would exist-for every firm, for every employee, for every shareholder, for every customer -if ail companies in America were run by a Bill Gates. The fact that they are not should not lead us to destroy Bill Gate's creation but, all the more, to admire and champion it.

Why should the Justice Department drop its case against Microsoft (or settle it with as small a penalty as possible)? Because antitrust laws are arbitrary laws that penalize virtue for being virtue-as the specific accusations against Microsoft clearly reveal.

Sincerely,

Yaron Brock, Ph.D. Onkar Ghate, Ph.D.

President and Executive Director Resident Fellow

The Ayn Rand Institute The Ayn Rand Institute

MTC–00032065

Fax Transmission
Manatt, Phelps & Phillips, LLP
11355 W. Olympic Boulevard, Los Angeles, California 90064
Telephone: 310.312.4000 Fax: 310.312.4224
To: Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
Fax Number:(202) 616–9937 and
(202) 307- 1545
From: Jeffrey A. Modisett
Date: January 24, 2002
Pages including cover; 6
Sender's Comments:
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If you do not receive all of the pages please call (310) 312–4203 as soon as possible. Thank you.
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Jeffrey A Modisett
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E-mail: jmodisett@msnatt.com
January 24,2002
BY FACSIMILE (202)616–9937 and (202)307–1545
Renata Hesse
Trial Attorney
Suite 1200
Antitrust Division, Department of Justice
601 D Street, NW
Washington, DC 20530

Pursuant to Fed. Reg. 59452, Vol. 66, No. 229 (Nov. 28,2001), attached please find the notarized affidavit of former Senator John V. Tunney of California for submission in the above-captioned case.

Sincerely,
Jeffrey A. Modesett
Partner
Manatt, Phelps & Phillips, LLP
11355 W. Olympic Boulevard, Los Angeles, California 90064 Telephone: 310.372.4000 Fax: 310.312.4224

Los AngeIes/Mexico City/Monterry/Orange County/Palo Alto/Sacramento/Washington, DC

AFFIDAVIT OF JOHN V. TUNNEY STATE OF CALIFORNIA COUNTY OF LOS ANGELES ss:.

JOHN V. TUNNEY, being first duly sworn upon his oath, deposes and says:

1. The following facts are known to me of my own personal knowledge and, if called as a witness I could and would competently testify thereto.

2. From 1971 to 1977, I represented the State of California as a United States senator in Congress,

3. While serving as a member of the Judiciary Committee of the United States Senate during the 93rd Congress, I authored that certain bill described below, and acted as the Floor Manager of the legislation during its consideration by the full Senate. That legislation was passed by Congress and signed into law by the President of the United States. That portion of the law to which I refer below is codified as Section 2(g) of the Antitrust and Penalty Act, 15 U.S.C. $16(g), and is a subsection of the law now commonly referred to as the ''Tunney Act.'' This legislation was signed into law December 21,1974.

4. I authored the following language, which was included in the final version of the legislation: Not later than 10 days following the date of the filing of any proposal for a consent judgment under subsection (b); each defendant shall file with the district court a description of any and all written or oral communications by or on behalf of such defendant, including any and all written or oral communications on behalf of such defendant, or other person, with any officer or employee of the United States concerning or: relevant to such proposal, except that any such communications made by counsel of record alone with the Attorney General or the employees of the Department of Justice alone shall be excluded from the requirements of this subsection. Prior to the entry of any consent judgment pursuant to the antitrust laws, each defendant shall certify to the district court that the requirements of this subsection have been complied with and that such filing is a true and complete description of such communications known to the defendant or which the defendant reasonably should have known,

5. Recently, I was asked to review the Tunney Act and certain public documents on file in the case of the United States vs. Microsoft Corporation, Civil Action NO. 98–1232 (CKK), in the United States District Court for the District of Columbia. Among the documents I reviewed was one filed by Microsoft Corporation entitled, ''Defendant Microsoft Corporation's Description of Written or Oral Communications Concerning The Revised Proposed Final Judgment and Certification of Compliance Under 15 U.S.C. Sec. 16(g),'' purportedly to comply with the provision set forth in paragraph 4, above.

6. With respect to this provision of the Antitrust Procedures and Penalties Act, it is clear that Congress intended that there show be full disclosure of all communications by a defendant or on behalf defendant with any officer or employee of the United States, except for communications made by counsel of record alone with the Attorney General or the employees of the Department of Justice. It is equally clear that by ''government official,'' Congress meant ''members of the. Executive, Legislative, and Judicial branches of government''. Congress specifically intended to cover communications by officers of a defendant corporation, lawyers of such corporation, lobbyists of such corporation, or anyone else acting on behalf of such corporate defendant, If I had not been satisfied this was the plain meaning of the statue, I, as the principal author of the legislation, would not have pressed the legislation through to final passage. I am satisfied that the clear Ianguage of the statute ensures disclosures of the type described in this paragraph, The legislative history and intent of its author buttress these conclusions.

7. In my opinion, it is essential that all discussions between the defendant corporation and the government (with the specific exception noted in paragraph 6, above) in an antitrust case that might have led to a proposal settlement decree be disclosed. If a defendant corporation did not have to disclose any contacts or communications with the government until such time as there is an actual decree, the very purpose of the disclosure would be defeated. The Tunney Act was never intended to allow for a situation where, in theory, prolific lobbying could be conducted by the defendant prior to the time the presiding judge has ordered settlement negotiations, without public disclosure. If allowed, the Tunney Act would not have reformed the practices utilized in settlement of the ITT case, which in significant fashion demonstrated the need for the legislation in the first instance. The disclosure provisions were designed to help ensure that no defendant can ever achieve through political activities what it cannot obtain through the legal process. Failure to comply with these provisions raises an inference or, at a minimum, an appearance of impropriety.

8. Contrary to some press reports, the Tunney Act wag not intended in any way to prevent the Department of Justice from entering into settlements in antitrust suits, especially before trial where litigation risk is generally present. The Act in fact that such settlements were reached on the merits.

9. The legislative history and plain language make clear that Congress intended that a judge make an independent assessment of whether any such settlement are in the public interest, precisely because the policy objective was to ensure that lobbying contacts did not influence the law enforce function of the Antitrust Division of the Department of Justice. I remain convinced that the policy objective was correct.

10. The language of the Act was clearly drawn and was intended to be inclusive and not exclusive. In my opinion, the filing of ''Written or Oral Communications'' by Microsoft Corporation, referred to in paragraph, 5, above, is inadequate to satisfy the clear language and intent of the Tunney Act.

FURTHER, AFFIANT SAYETH NAUGHT
JOHN TUNNEY

SUBSCRIBED AND SWORN to before me this 22nd day of January, 2002.

Eleanor McKenna
NOTARY PUBLIC in and for said County and State
ELEANOR McKENNA
Notary Public, State of New York
No. 31–4973011
Qualified in New Yourk County
Commission Expires October 9, 2002
40459139.1

MTC–00032066

Jan 24 02 04:47p
January 23,2002
Renata Hesse, Trial Attorney
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530
VlA FACSIMILE
(202) 616–9937

Dear Ms. Hesse:

This letter is being written to the courts in support of the proposed settlement in the case of US v. Microsoft. I am extremely concerned about the state of our economy and believe a settlement in this case would provide a greatly needed boost.

The government's case against Microsoft has been devastating to our economy. One need not look any further than a graph of the Dow Jones since the case began. It is a straight line down. Yes, there were other factors. But I don't think we can ignore the effect of putting the most important American company of the 21'' century into a slate of paralysis.

This settlment needs to be completed so the economy can begin its long climb back.

Sincerely,
Anthony Finchum
143 Rainier Cl.
Chula Vista, CA 91911–5423

MTC–00032067

Nicholas Martin Jr.

6100 Southwest Blvd., Suite 501
Fort Worth, Texas 76109
(817) 377–4344
(817) 377–3188
January 22,2002
Renata Hesse trial Attorney
Antitrust Division
Dept of Justice
601 D Street NW, Suite 1200
Washington DC 20530

Dear Ms. Hesse:

Let's settle the proposed final judgment between Microsoft Corp. and the US Dept. of Justice agreed to on November 6, 2001 and get on to the most important thing facing us today the Euron mess.

If we don't bring the executives and directors of Euron to justice and change the practice of corporations, allowing them to give ludicrous stock options to insiders unreported as a liability to stock holders and many other shady practices we are going to bring our system of free enterprise as we know it to an end. Hoping you understand our concerns and in some way will help get things started.

Sincerely,
Nicholas Martin Jr.

MTC–00032068

City of Stanton
P.O. Box 370 Phone 756–3301
Stanton, Texas 79782
January 24, 2002
Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

I am writing in support of the proposed settlement recently negotiated between the Department of Justice and Microsoft. There is no reason for this case to continue languishing in the Federal Court system. No evidence has been presented to show that Microsoft's products or marketing practices have ever harmed a single consumer. To the contrary, productivity increases traced to Windows alone have been enough to spur billions in economic growth over the last decade.

For several years, the federal government has been snooping around Microsoft, at incredible expense to the taxpayer-$35 million-without finding any evidence of consumer harm. Since there is no economic or legal reason for the government to destroy this American success story, it is time to settle the case. Let's put an end to this frivolous waste of money and let America continue to lead the world in technological innovation,

Sincerely,
Danny Fryar
City Administrator
City of Stanton

MTC–00032069

Dear Sirs,

I am the president of a small software company. I have worked in the software business for over 20 years and have watched with increasing concern the domination of the industry by Microsoft.

Speaking as an entrepreneur, the dominance of Microsoft is preventing much new technology from being developed. Many promising avenues of research and product development have been terminated due to direct and indirect influence of Microsoft. The activities of Microsoft found to be illegal by the court are continuing, even accelerating. The settlement does nothing to address the behavior of Microsoft that caused the DOJ to sue in the first place. The settlement actually contributes to increasing Microsoft's dominance by requiring Microsoft to invest in increasing its market share by providing its products to schools.

I cannot object more strenuously to the terms of the DOJ agreement. The industry needs more diversity rather than less. This deal will accelerate Microsoft's dominance. This will be bad for the US software business and cannot be in the country's or consumers'' best interests.

Sincerely,
Michael Price
President
Peak Process, Inc.
1665 Escobita Ave.
Palo Alto, CA 94306
mprice@peak-process.com

MTC–00032070

Davis Consultants, Inc.
3 James Center, Suite 1204
1051 East Cary Street
Richmond, Virginia 23219
(804) 782–1001
January 24, 2002
Reneta Hesse, Esquire
Antitrust Division
U. S. Department of Justice
(FAX) 202–616–9937

Dear Ms. Hesse:

Except for being an avid user of the Microsoft product line, I don't have a dog in the settlement hunt regarding the company and Federal government. However, I do have friends who are and just wanted to echo their request that you approve the pending settlement agreement.

It's hard to imagine that there is a single attorney from Syracuse to San Diego who hasn't been involved in this matter. Frankly, at least to me, enough is enough. From what little I know about the factual details, the settlement is a sound and reasonable resolution of the matter. It's time for this puppy to go away so we can all focus on other matters.

Warmest regards,
Charles J. Davis

MTC–00032071

FROM: DENNIS HOLLINGSWORTH 4
SENATE FAX NO. : Jan. 24 2002
02:45PM P1
THE ADAM SMITH INSTITUTE
January 24, 2002
Renata Hesse, Trial Attorney
FACSIMlLE VIA (202) 616–9937
Antitrust Division, Department of Justice
601 D Street NW, Ste. 1200
Washington, DC 20530

Dear Ms. Hesse:

The proposed settlement in US v. Microsoft should be approved. I am writing the courts because I don't support many of the arguments made by the federal government and State Attorney's General. The settlement adequately remedies the situation and should be endorsed by the courts.

The Federal Government and 19 State Attorney's General argued that this case is on behalf of consumers. According to their argument, consumers paid higher prices for software because of Microsoft's anticompetitive practices. Yet,questioning by Appeliate Judges during one Phase of the trail gave no examples of consumers who suffered harm by Microsoft's business practices. Furthermore,arguing that consumers have suffered in the web browser market is ridiculous. I can get Netscape or Explorer for free.

Most of the class action suits claiming consumer harm against Microsoft have been dismissed. The settlement creates a government representative to oversee Microsoft's actions and prevent any unfair practices. The courts should approve of this Settlement.

Sincerely,
Christian Krejcik
Executive Director
Adam Smith of California
STATE BOARD OF
DIRECTORS
KEN MOSER
SAM HARDAGE
JOEL ANDERSON
RICK OTIS
JIM GIBSON
DAVE DUNCAN
MIKE FREDENBURG
GAIL, HERIOT
ELECTED OFFICIALS
''DUKE'' CUNNINGHAM
51ST CONGRESSIONAL
DUNCAN HUNTER
52ND CONGRESSIONAL
DARRELL ISSA
48TH CONGRESSIONAL
RAY HAYNES
36TH STATE SENATE
BILL MORROW
38TH STATE SENATE
JIM BATTIN
37TH STATE SENATE
JAY LA SUER
77TH ASSEMBLY
PATRICIA BATES
73RD ASSEMBLY
MARK WYLAND
74TH ASSEMBLY
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P.O. BOX 1621
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ckrejcil@yahoo.com

MTC–00032072

DICKMEYER & ASSOCIATES
9020 Brockport Run
Fort Wayne, IN 46835
Attorney General John Ashcroft
Department of Justice
Washington, DC 20530
January 22, 2002

Dear Mr. Ashcroft:

From all appearances consumer choice was the big winner in this settlement. If a

consumer chooses Windows as the operating system for their computer, they will no longer be limited to using Microsoft services such as Internet Explorer, Windows Media Player and Windows Messenger. They will now be allowed the choice of non-Microsoft programs to provide similar services.

I know that some of Microsoft's competitors will argue that the settlement does not go far enough in extracting concessions from Microsoft. Please remember that your responsibility is to the consumer and the American public as a whole, not a handful of jealous lobbyists. You have reached an agreement beneficial to them, and that is what counts.

Thank you very much for your time and attention.

Sincerely,

Linda Dickmeyer

MTC–00032073

Community Solutions, Inc
Planning & Development Consultants
P.O. Box 655, Andover MA 01810
Telephone (978) 988–2428
Fax (978) 658–6152
January 24, 2002
Renata Hesse
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington DC 20530

Dear Attorney Hesse,

Please accept my comments with regard to the Microsoft antitrust litigation presently before the federal court. I support the proposal to end the case by agreeing to the settlement that was reached last month between the attorneys for Microsoft and the Justice Department attorneys. This case has gone on too long, and is now only serving to hamper the industry and the stock market with the uncertainty it brings to the economy.It has long since become apparent that the interests of a few industry rivals have driven this case, and that the wishes of the American people to see it end have not yet been heard. The United States needs to have all these companies back working on product before they lose ground to foreign competitors. We all need the jobs and investment dollars that they create,

I believe that Judge Kollar Kotelly had the right idea in directing the parties involved to work toward a settlement, and I support the result of that process. I hope this will mean a quick resolution of this issue.

Thank you for your time in considering my opinion.

Respectfully,

Jay J. Donovan

MTC–00032074

5624 S. Redwood road
Taylorsville, Utah 84123
Tel:(801)966–0066
Fax: (801) 967–8735
Date: Jan 24 02
To: Hon. John Ashcroft, Atty Gen
Company: of USA
Fax: 1202 307 1454 or 1–202 616 9937
From: Mary Black
Company:
Tel: 801 969 5604 (hm)
Number of pages including this one: 2
Comments:
MARY H. BLACK
4261 W 4570 S
West Valley City, UT 84120
January 21,2002
VIA FAX 1–202–307–1454 or
1–202–616–9937
Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft.

I wrote previously to Senator Hatch in the hopes that my comments would make a difference on the state level in the Microsoft antitrust case. I write to you today to ask that the federal government takeno further action against Microsoft. For three years now, the resources of a dominant figure in the IT industry, as well as those of the Department of Justice, have been tied up in settling this antitrustdispute.This serves well neither the corporation, nor its shareholders, nor its customers, nor the taxpayers, norjustice itself. When the settlement was reached last November, I was pleased to think that this debacle might finally come to a fruitful end. Now, however, as fully half of the eighteen plaintiff states in the casehave taken advantage of the settlement review period to muster support for rejection of the agreement. I have begun once again to lose hope that the settlement will end in the near future.I fail to see how the settlement can be perceived as in any way unfair, especially consideringthatsome of the terms reached in the agreement cover methods and markets not determined to beunlawfulby the Court of Appeals. Months of mediated negotiation were necessary before this settlementcould bereached. Microsoft was allowed to remain intact, and in exchange, among other things, Microsoft agreed to allow its competitors access to source code, protocols, and interfaces integral to the Windows operating system to facilitate the introduction of non-Microsoft software into Windows.

Microsoft has also agreed not to enter into any contracts that would require a third party to distribute or endorse Microsoft products at a fixed percentage. These negotiated agreements strike me, as a layman, as more than ''fair.'' The big tobacco settlement has apparently whetted the appetites of states involved in litigationagainst large corporations. The desire to bring additional suit against Microsoft is motivated by greed,and not justice. I respect your integrity, Mr. Ashcroft, as well as your unshakeable support of the law, and am hopeful you will have the Justice Department turn away from an unjust case instigated by your predecessor.

Sincerely,

Mary Black

Cc: Representative Chris Cannon

Fax: 202–225–5629

MTC–00032075

ROBLE SYSTEMS
Roble Systems Inc.
Unix, Network and Secuirty Consulting
P.O.Box 46, Palo Alto, CA 94302
Phone: (415)256–2502,(650) 323–2777
Email: info@roble.com
Http://www.roble.com
FROM: ROGER MARQUIS
DATE: JAN 24, 2002
RE: MICROSOFT SETTLEMENT
COMMENTS:
THANK YOU
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 been tirely 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, andC) deeply damage many American's belief in the US system of law. TheDOJ's proposal would prove that laws apply only to those without theresources to litigate.

The only effective solution, the only solution that will restore a level playing field, not surprisinqly 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 exposedto 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 System

P.O.Box 46

Palo Alto, CA 94302

(650) 323–2777

MTC–00032076

Missy Broussard
498 Laurelleaf Lane
Covington, LA 70433
January 22,2002
Renata Heese
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
FAX: 202–616–9937
RE: U.S. v. Microsoft

Please know that my feeling is that this settlement is in the best interest of the economy and consumers.

Our economy could use a boost and I think this settlement will help. I think that this case has gone on long enough. Too many tax doilars have been spent on it. We need to encourage competition and we don't need the courts so involved in an industry that it discourages growth and innovation.

Please approve the settlement and encourage more companies to get out thereand compete.

Thank you,
Missy Broussard

MTC–00032077

The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133–1054
FRANCIS L. MARINI 6TH PLYMOUTH DISTRICT
REPRESENTATIVE DUXBURY HANSON PEMBROKE
MlNORITY LEADER ROOM 124
TEL.(617)722–2100
Rep. FrancisMarini@house.state.ma.us
Fax Cover Sheet
TO: Renata B. Hesse
Antitrust Division- U.S. Justice Dept.
FAX: 202–616–9937
FROM:
Office of Representative Francis L.Marini
House Republican Leader
(617) 722–2390
The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133–1054
FRANCIS L. MARINl 6TH PLYMOUTH DISTRICT
RPERESENTATIVE DUXBURY o PLYMOUTH o PEMBROKE
MINORITY LEADER ROOM 124
TEL. (617) 722–2100
Fax (617) 722–2390
Rep.FrancisMarini@hou.state.ma.us
January 24,2002
Ms. Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530–0001

Dear Ms. Hesse,

There is a growing sentiment among economists that we are finally seeing the light at the end of the tunnel of our nation's recession. The markets are improving, and the economic forecast isgenerallypositive. However, state revenues are down and most states will have to consider tough cuts on spending in coming budgets.

In Massachusetts, we have witnessed a shrinking state revenue base mostly caused by therecession. Many growth opportunities were squandered in the 1990s, and now, instead of trading on our accomplishments, we are lamenting over what might have been.

One thing that can be done to aid states'' economies is to end the Microsoft lawsuit. We are writing in support of the nine states and the Department of Justice's settlement agreement. It is afair andreasonable agreement, which brings a satisfactory conclusion to this long-running anti-trust case.

As the old saying goes, a rising tide floats all boats. And just as a rising tide will float a boat sitting at the lowest point first, so the resolution of this case will help those who have the farthestto risefirst.

The technology-driven ''innovation economy'' has created tremendous opportunities for the citizens of the Commonwealth. But we must act now to take some of the uncertainty out of theeconomy.

We urge you to endorse this settlement agreement, which would provide states greater confidence infiscal planning and would allow entrepreneurs and businesses to get back to the business ofcreating newand better products for consumers.

Sincerely,
Francis L. Marini
Minority Whip
Bradley P. Jones Jr.
Asistant Minority Leader
George N. Peterson, Jr.
Minority Whip
Mary S. Rogeness
Assitant Minority Whip

MTC–00032078

York PROPERTIES, INC.
Asset Management, Leasing, Property Managament
Brokerage, New Homes, Relocation
January 17, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Fax 202–616–9937
microsoft.atr@usdoc.gov

Dear Ms. Hesse:

As a real estate professional in one of the nation's fastest-growing markets, I can attest to the importance of settling the Microsoft antitrust case as soon as possible. I write in hopes that the court considering the proposed settlement will give careful consideration to the view I know I share with many Americans who are concerned about the continued impact this litigation could have on our nation's economic recovery.

I strongly believe that competitors should settle the differences in the marketplace, not in the legal arena. The Microsoft suit was driven by competitors of Microsoft, and the U.S. Department of Justice allowed itself to be used in that effort to win in the courts what competitors had been unable to win in the market.

Now a settlement has been negotiated under which Microsoft will be required to change its business practices substantially and submit to continuing review of its behavior. This should be sufficient. It is time for the high-tech industry to get out of the courtroom and lawyers'' offices and back to work providing better products, better services and lower, prices to consumers.

Sincerly,
Peter Pace
Vice President
Commercial Sales and Leasing
801 Oberlin Road Suite 335 o Raleigh, NC 27605–3125
919/821–7177
919/833–1363 Fax
www.yorkproperties.com
Society of Industrial and Office Realtors Industrial Menmber(SIOR)
Certified Commercial Investment Member Organization (CCIM)
The Commercial Network (TCN)
Institute of Real Estate Managament(REM)

MTC–00032079

Fax Cover Sheet Kinko's
13061 Lee Jackson Memorial hwy
Fairfax VA. 22033
Telephone: (703) 817–0900
Fax: (703) 817–0970
E-Mail:USA0821@kinkos.com
Date: January 24, 2002
To:
Company: U.S. Department of Justice
FAx: 202 616 9937
From: C. Dean Whitaker
Company:
Tel: 703 383 1437

Tunney Act Commentary to the Proposed Microsoft Settlement

My Interest

I have been a software developer for five years, producing systems used by the Department of Defense. The terms of the Microsoft settlement will profoundly affect the manner in which I use computer systems professionally. Even in my home, where I program software and tinker with hardware both out of necessity and for my own amusement, I have a stake in seeing that the market provide competition and innovation.

The Findings

The responsibility of the Federal government, as it applies here, accorded by the Sherman Antitrust Act, is to prohibit behavior which deigns to continue monopolistic practices if those practices are deemed to restrain trade and are injurious to competition and economic liberty.

The behavior of Microsoft Corporation has been deemed by the U.S. District Court's Findings of Fact to be injurious as such:

They have withheld technical information from the industry though the market lacks any alternative product for consumers to seek out.

- They have encouraged the development of software and data that would prevent competing software from functioning properly.
- They have threatened sanctioning of corporate partners who wished to build systems that included certain software that Microsoft wished to keep excluded.
- They have engaged in technical practices that had no particular innovation but to lock out competitors from such systems wherein Microsoft owns a monopoly.

The question of the breadth of power that Microsoft wields in both home and business markets is clear. The findings state that the market share for Microsoft systems on Intel platforms has stood at ninety-five percent or greater in recent years. It also describes ''positive network effects'' associated with OS software and applications; that more consumers will be more inclined to use a system as its user-base expands. This phenomenon, in a general sense, describes most of the barriers to competition and innovation that Microsoft has constructed.

Limiting the severity of these barriers should be the primary motivation of a final judgment.

The Current Remedy's Problems

The final judgment should succeed in one thing if it fails in all others, it should punish Microsoft for the behavior for which it has been deemed guilty. The current settlement, by specifying no restrictions on the behavior of binding applications more closely to the operating system thereby tacitly allows such behavior that the District Court found inappropriate. This omission rewards such actions as has been deemed illegal, and would therefore leave the market worse than if no trial had been held at all.

Open Data Format Standards

There must be a remedy to require Microsoft's business systems: OS, office applications, business enterprise systems, and networking software, to use open industry standards for document and data formats. Microsoft has, itself, sponsored and advocated the creation of standards within the XML (Extensible Markup Language) family of languages. Enforcing the use of industry-accepted formats for common Internet protocols would allow the survival of competitors within the browser market. Without such measures, Microsoft may promote, and by sheer weight proliferate, the use of standards which lock out competitors and likewise consumers who do not or cannot license the latest Microsoft browser versions.

This involves requiring Microsoft to use industry-accepted data formats for the resultant files of its more commonly used systems, such as those encompassed by XML-based standards, or to publicly publish and promptly update data formats for systems where the industry has no definite single standard.

Possible standards include, but are not limited to, Microsoft Word word processing document data and templates, Microsoft Excel spreadsheet data and templates, Microsoft Powerpoint data and templates, Microsoft SQL, Microsoft Access database files, Microsoft Outlook client and Microsoft Exchange server email processing and transmissions data, Microsoft financial software, networking protocols, file-system protocols, file-system journalling information, and any immanent ''NET'' systems protocols.

When Microsoft Word entered the field of word processing software, it had many viable competitors. At that time, they strived year after year to improve the power, quality, and stability of the application. One feature that allowed them access to the market was the program's ability to import foreign formats (formats from competing or archaic systems). Microsoft currently wields enough power to produce barriers to competitors choosing to emulate this practice: the document standards are much larger and represent many features including version control. Microsoft has already begun in the courts system and by promoting particular legislation, attempting to legally prohibit reverse-engineering of their data standards, and it is only inevitable that they will attempt to intimidate competitors based on document formats or business application standards.

Of course Microsoft can be held accountable only for how its own applications behave, and not for how others may use them. However, the remedy may specify that such open standards are to be provided by Microsoft's applications, especially for the benefit of contracts and programs required or funded by the U.S. Federal government.

Another category of software that open standards may apply to is that of proprietary device drivers for widely-used hardware that for one reason or another competitors have been to barred from using. One example is Win-modem technology which, when present on a computer, is inaccessible from many non-Microsoft operating systems. The practice of proprietary hardware is indeed so counter-productive that its exercise by Intel's competitors is largely responsible for Intel's, and thus Microsoft's, past successes. That Microsoft can now engage in this practice to no noticeable detriment bodes poorly for hardware innovation.

Liberating the Boot Sequence

Contractual requirements that Microsoft has forced upon OEMs that prohibit and subtly (and illegally) sanction against competing products being loaded in either the OS boot sequence or the computer's BIOS boot sequence should be dissolved and prevented from re-establishing in any form. The former (of the OS boot sequence) has inhibited the survival of competing Windows products by making it less convenient to operate non-Microsoft applications. The latter (of the BIOS boot sequence) has prevented the OEMs from selling, within normal distribution channels, multiple-boot systems, computers with more than one operating system.

Encouraging Competition on the Internet

The conventional reason cited for the breakup of the Standard Oil trust was that Standard controlled the resource (oil) as well as its primary distribution network (the railroads). The court should take into consideration that the resource in this case (the operating system and all of the applications that Microsoft claims are inseparable from it) will soon have as its primary distribution network the Internet itself. If Microsoft were to simply maintain its current market share of computers on the Internet, (though its share is, in fact, growing) it could soon devise a way to lock out systems running competing software, even if that software is running on a Microsoft OS.

This suggested remedy, ,therefore, is for the U.S. Federal government to be extremely vigilant in the future, and to make such a settlement that would enable the government to step in, without delay, to protect a company or organization for whom a new barrier to competition has been specifically implemented by Microsoft. The financial interests of the company or organization, and indeed the market itself, could ill-afford to wait out any major trial relating to such future actions as Microsoft undertakes. A ''probationary period'' should extend at least for five years from this settlement, during, which time a compliance committee with power to overturn egregious practices should be in operation. One past example of such behavior was not cited in the findings but nevertheless provides an example of where this remedy might have been utilized. If the services of an online greeting card company were to be rendered less functional by a new version of Microsoft Internet Explorer while Microsoft was simultaneously engaged in starting a competing online service the U.S. Federal government could, during this probationary period, step in and force Microsoft to roll back the changes that created the problem or to release a new version entirely correcting the problem. The customers who received the faulty version would be sent the correcting software at Microsoft's expense. This would occur expeditiously within a review board set up by this remedy, thereby allowing both the petitioner and the state, to save the time and expense of a new trial.

Finally Given the current economic circumstances of many of Microsoft's potential competitors, this case may be the last opportunity to stem the expansion of a corporation that could very easily wield power over every sector of the economy. If a single entity were to have proprietary control over the protocols that constitute the Internet, that entity would have a hand in all information-based commerce and finance. Microsoft has continued many dubious practices throughout the course of this trial, including threating license audits of civil government institutions. Microsoft considers itself above the law and the case settlement should not confirm their position.

Thank you

C. Dean Whitaker

12162 Penderview Lane

Apt. 1623

Fairfax, VA 22033

01/24/02 16:14 FAX 005

MTC–00032080

Bob Smith, Chairman

Onondaga County Republican Committee

375 W. Onondage St.

Syracuse, NY 13202 315–471–2020

315–471–2O33fax

To: Renata Hesse

ROBERT W. GIARRUSSO, Chairman

NANCY J. SANFORD, Administrative Assistant

January 24, 2002

Renata Hesse, Esq.

Trial Attorney

Antitrust Division

Department of Justice

601 D Street NW, Suite 1200

Washington, DC 20530

Dear Ms. Hesse,

I am writing to advocate for settlement of the matter U.S. v. Microsoft. New York State is still recovering from the failed fiscal policies of a decade age, and thanks to Governor George Pataki has become far more business friendly. However we still have a long way to go.

Microsoft products are used by the vast majority of business and consumers in New York. Litigation aimed at breaking up Microsoft is not the proper role of the federal government. Our officials, elected and appointed, need to do everything they can to encourage capitalism, the advancement of technology and healthy competition. I have seen no evidence of public outcry regarding Microsoft. This lawsuit was generated by Microsoft competitors and the battle belongs in the marketplace, not the courtroom. To punish this company with further litigation and use tax dollars to fund this dubious effort will only hurt the end user—we the consumers.

Please include me among those who support immediate settlement over protracted litigation.

Sincerely,

Robert Smith

Chairman

MTC–00032081

William Ashendorf

Attorney/Mediator
January 22, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Microsoft Case

Dear Ms. Hesse:

As an attorney and business owner, I know the impact litigation and government regulations can have on a company. I am also very interested in how technology has changed the legal profession and the economy so I have been following the Microsoft antitrust with interest.

The proposed settlement agreement will provide adequate remedies to all involved in this industry-Microsoft, its competitors, computer manufacturers, software developers and consumers.

The protection for Microsoft competitors include access to technical information about the Windows operating system so non-Microsoft software systems can be used. Microsoft can renew its efforts to develop innovative software and continue its technology leadership in the global economy.

It is time to resolve this issue and get technology companies back to the business of innovation and product development. In my own city of Charlotte, we have seen the impact of a slowing economy, with some technology companies closing and others reducing their workforces. Other industries are also facing tough times. A thriving technology industry could provide a boost to other parts of the economy. I appreciate your attention to this matter.

Sincerely,
William Ashedorf
6040 Jester Lane
Charlotte, NC 28211
Tel. & Fax. (704)366–7720

PHI'S DELI III IN TOWN
105 E St.
Charlotte, NC 28202
Ph: (704)347–0035
Fax: (704) 347–3663
January 16, 2002
Renata Hesse
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530
Re: Microsoft Case

Dear Ms. Heese:

As a restaurant owner and consumer, I've seen the immediate impact that slowdown in the economy is having on individuals and businesses. I live daily with the changes in government regulations. Many are important to the health of our citizens, but other regulations and antitrust litigation can have a damaging effect on innovation and production.

I have been following the antitrust litigation against Microsoft and believe that the proposed settlement agreement strikes a balance between the needs of the company and those of its competitors. Protections for competitors include greater flexibility in adding non-Microsoft products to the Windows operating system and access to technical specifications about the operating system. At the same time, Microsoft can continue its efforts to develop new, innovative products.

It is time to accept this agreement and get technology companies back to the business of innovation and product development. A thriving technology industry can have a ripple effect on my own business. I know that here in North Carolina a strong boost in technology and other sectors is needed to build our economy back to the level we had a year or even three years ago. Thank your for your attention to this issue.

Sincerely,
Phil Levine

MTC–00032082

From: mrivan@mediaone.net@inetgw
To: mrivan@mediaone.net@inetgw
Date: 11/18/01 4:48am
To: Office of the Attorney General
From: Anthony D'Andrea
Box 1209
Randolph MA 02368
Re: Microsoft prosecution

People:

I still remember the last thing Microsoft produced which, as far as I know, was a legitimate creation of their own company. It was a Floating-Point BASIC Interpreter for the old Apple II Machines that came out around 1979 or so. Since then, it has been all downhill for MS.

It is common knowledge that Bill Gates stole the MS-Dos operating system from his partner at Altair, then sold IBM on using it for the OS in their first computers which appeared several years after the Apples.

Gates'' next lie read like this: ''If you want a personal computer that you can hook up to your business mainframe, it will have to be an IBM''. Not an ounce of truth in it, but between the cosmetic value of the lie and IBM's massive market share, it enabled MS to capture a good 85% of market share from what had been mostly Apple's territory. Later, after Apple had begun incorporating mouse and windows technology into their later Apple II's, the Apple III, the Lisa and early Macs, MS produced the first version of Windows, for which Apple promptly and properly sued them for copyright infringement. Apple won that round, and MS's ''Trash Can'' has been a ''Recycle Bin'' ever since.

Unfortunately, the lies and thievery from Gates & Co. was far from over. Since that time, every innovation that has come down the pike has run headlong into Bill Gates. Innumerable companies have had to make the choice between selling out, licensing the technology to MS or being driven out of business by being undersold. To this day, hardware companies sell their wares at near cost, simply in an effort to undercut the competition and keep others like Apple from regaining any market share, then they make their profits from the software later.

I own a Macintosh machine. The machine is equipped with a package called ''Virtual PC'', which allows me to run Windows on the Mac and use any of MS's software, should I choose to do so. I have consistently found Mac software to be far more easy, user-friendly and stable than the MS equivalents. Still, when I visit most software vendors, I find them reluctant, almost fearful, of carrying Mac software.

Chains such as Walmarts get their stock thru central buyers which have shown reluctance in the extreme to carry anything BUT MS compatible software. In one case, a chain called ''Best Buy'', I discovered Mac and Windows versions of identical software on the shelf together, with the Mac version selling at $10 more than the MS version. I summoned the store manager and demanded an explanation. I was told that if he did not price the products in that fashion, MS would pull all their products from his shelves.

This has not been the exception, but the rule. How blatant does MS have to act before they can be found guilty of racketeering? How obviously does a monopoly have to conduct themselves to be recognized for what they are? And how many people will have to be hurt or driven out of business before someone takes this monster in hand and administers justice???

The dangers of such a concentration of power go far beyond simply fair business practices. Their efforts, for instance, to modify Sun's JAVA language earned them lawsuits and produced a certain degree of confusion among web programmers. Their regular introduction of new media formats without the software to allow other systems to immediately keep up with the changes provides them with additional pressure to sidestep fair competition. And thruout these efforts, there is always the MS database, in which a great deal of personal information is kept.

Does a database of personal information provide a threat in and of itself? Of course not. I am sure Apple has my name and address somewhere in its files. But think of the back-door that MS gave to the NSA, which allows them to enter anyone's computer, anywhere in the world, examine the hard drive and even read and write on that drive with complete concealment. When the Chinese discovered that, they began a campaign to eliminate Windows from every machine in their country and replace it with Unix. Think also of the Eschalon program, which has had Japanese and German authorities angry at us in the USA for some time now, as they have justifiable fears of corporate espionage if that aforementioned ''back-door'' gets into the wrong hands.

Right now, business has almost no alternative to Windows. And since Windows is nearly completely borrowed or stolen technology, several years behind Apple and others, and since some real security threats exist and grow more ominous on a daily basis, something MUST be done and done soon to eliminate this threat.

The only solution is to deal with Microsoft thru the courts, in the most appropriate way possible, under the RICO laws as racketeers. By taking them in hand, forcefully, and compelling them to adopt practices that will open the market to real competition, you will find that rather than hindering development, it will enhance the opportunities for competing companies to enter the marketplace and speed the development of new technology. The companies are already out there, working on new ideas, developing

approaches to market their ideas while defending their battlements from the MS assaults that will surely head their way when the threat of innovation becomes visible.

There are nine states at this time that disagree with the DOJ resolution of the case against MS. This may be the last opportunity to wield the sword of the Law against a seemingly unassailable threat. I beg you, use the power that you have in this just cause.

For just one of hundreds of sources of more background and documentation of the illegal and anti-competitive practices of MS, I refer you to this website...

http://hive.me.gu.edu.au/csand/md/0soft.html

Thank you for your attention to this critical issue. Your response would be appreciated and a dialogue welcomed.

Anthony D'Andrea

Randolph Massachusetts

CC:Microsoft ATR,microsoftcomments@doj.ca.gov@inetgw,...

MTC–00032083

From: Jim Hartneady
To: DOJ
Date: 11/19/01 9:19am
Subject: The Salt Lake Tribune—Most Microsoft Foes Won't Criticize Settlement for Fear of Retaliation,

Here is an article that shows the weakness of the settlement.

Regards,
Jim Hartneady
http://www.sltrib.com/11182001/Business/149631.htm

MTC–00032084

From: richard
To: cloweth@mac.com@inetgw
Date: 11/19/01 11:17am
Subject: Microsoft case

The government and attorney generals were wrong to try and tell Microsoft what belongs in an operating system. Most people are happy to have a web browser included with a computer. The government has no business making decisions about what features go into an operating system. Where Microsoft does cross the line, is doing things to make it difficult for others to make applications work on windows. Digital camera manufactures need to have their products work just as well as something form Microsoft.

What the attorney generals and the Feds need to do is take a close look at AOL and their proprietary messaging system. This smells a lot more like use of monopoly power.

The attorney generals and Feds also need to get the politics out of who get looked at for antitrust—when Larry Ellison and AOL can through a lot of money around and get a company sued by the government, something stinks. Now Microsoft has to through money at politicians too—the net result is more corruption in government and poorer products and government sanctioned cartels.

The Wall Street Journal had a good editorial recently about how the attorney generals were using the Microsoft case basically to advance their political careers. I think that the attorney generals need to resign—or find something more useful to do. rp

—- Christian Loweth <cloweth@mac.com> wrote:

Hi,

I posted the following on several forums last week as well as many Users Groups and the response has been encouraging. Please feel free to share this info among friends/colleagues if you wish.

Should Microsoft receive harsher penalties?

I am very disappointed with the Feds proposed settlement. Fortunately nine states'' AG's agree with me. I have sent the following to the states'' AG's dissatisfied with the terms of the USDOJ settlement agreement.

''It seems to me that Microsoft has indulged in not only anti-trust violations but racketeering as well. Is this a possible avenue of approaching their abuses?''

As you can see, my position well exceeds current prosecution parameters. Even if you don't agree with my extreme position, but desire more vigorous prosecution, I urge you to write to the Attorneys General to inform them of your support. You dont have to reside in these states to write them. Write to all of them if you wish. The Attorneys General exist to provide services to their constituency. I believe that for the most part they take this responsibility very seriously. They want to get the bad guys. It is my opinion that Microsoft, Gates, Ballmer, et al, are the bad guys.

Below are the email addresses of the nine states Attorneys General dedicated to continuing with more stringent anti-trust prosecution. Included is USDOJ address to express your displeasure to the Feds. For international readers I have included a link to a USDOJ website listing other countries who are undertaking anti-trust action.

Please include your name and address. This contributes to your authenticity. They may want to send you a snail mail confirmation. Please put it in your own words. And keep it brief. They understand the issues, so you don't need to re-hash them. It would probably be most effective if you stated that they press on with their lawsuit to impose maximum penalties.

A formulation was made years ago by various entities like newspapers, magazines, politicians, and such. They figured that for every person who bothered to write to them represented X amount of people who didnt take the time and effort to write but shared similar opinions. X can equal anywhere from one thousand to ten thousand depending the specific circumstances of the recipient. So, as you can see, the simple act of writing can have a multiplier effect. Thats why your single contribution is so important.

If you agree that Microsoft has gotten off too lightly, I plead with you to take a few minutes, write to the Attorneys General and make your opinions known. When were all using Microsoft Windows at least youll be able to console yourself by knowing that you at least tried to resist Microsoft hegemony.

This is the time to strike. They believe that they have hornswoggled a sweet deal. Their guard is down, if just a bit. This is far from over.

California: microsoftcomments@doj.ca.gov

Connecticut: attorney.general@po.state.ct.us

Florida: ag@oag.state.fl.us

Iowa: webteam@ag.state.ia.us

Kansas: GENERAL@ksag.org

Massachusetts: tom.reilly@ago.state.ma.us

Minnesota: attorney.general@state.mn.us

Utah: uag@att.state.ut.us

West Virginia: consumer@mail.wvnet.edu

US Dept of Justice-Microsoft anti-trust comments: Microsoft.atr@usdoj.gov

US Dept of Justice-other sites worldwide: http://www.usdoj.gov/atr/contact/otheratr.htm

This is a real opportunity for those of us who want more stringent prosecution. Before, Microsoft had only to have one team of lawyers to deal with the Feds. Now, their efforts will be diluted by virtue of having to confront nine different government entities. The time to express your opinion is now. Together we can have a positive impact on the future of computing if only we take the time to express our opinions to those who hold the public trust.

Best regards,

Christian Loweth

MTC–00032085

From: ray@granitenetworking.com@inetgw
Date: 11/19/01 2:04pm
Subject: User-Agent: Microsoft-Outlook-Express-Macintosh-Edition/5.02.2022 User-Agent: Microsoft-Outlook-Express-Macintosh-Edition/5.02.2022
Date: Mon, 19 Nov 2001 17:00:07 -0500
Subject: Stop Microsoft's Unfair Business Practices
From: Ray Gombos <ray@granitenetworking.com>
To: <microsoft.atr@usdoj.gov>
Message-ID: <B81EEB16.B5A%ray@granitenetworking.com>
Mime-version: 1.0
Content-type: text/plain; charset=''US-ASCII''
Content-transfer-encoding: 7bit

Dear Department of Justice,

Please do not allow the Microsoft corporation to continue its use of unfair business practices in stifling competition in the technology industry. Some of the greatest advances in Information Technology came from Microsoft's competitors. Unfortunately, Microsoft's monopoly on desktop software has given them the power to freely distribute new software with the intent of forcing competitors out of business. Microsoft should have been broken up into separate companies last year it is time that our civil justice system starts working for the good of the nation not just the bank accounts of big business.

Thank you,

Ray Gombos
44 Merrill Road
Trumbull, CT 06611
(203) 459–0777

MTC–00032086

From: Lori Brocka
To: webteam@ag.state.ia.us@inetgw,attorney.general@po....
Date: 11/20/01 8:23am
Subject: Microsoft

The purpose of this email is to let you know I appreciate your continued efforts in fighting Microsoft. I have used Microsft products both by choice and lack of choice. I am associated with and work with numerous members of varying IT departments and it has become incredibly obvious to anyone ''in the trenches'' that Microsoft is not only getting away with the same business practices they have always employed, but are emboldened by this settlement. Microsoft is a master manipulator and as such has led the lemings to the cliff once again. I personally am doing everything I can to use alternative products. Anyone that attempts to do this needs to have patience, a better than average understanding of software, and determination. This is not the fault of the software products, but a direct result of Microsoft tactics. I am still unable to load most Microsoft support pages when using the Opera browser. I will continue my personal quest to become Microsoft free and I encourage you to do the same. This problem goes much deeper than software, there is a mind set among many IT decision makers that it is not possible to run a business with out Microsoft products, I would hope that part of Microsofts penalty is to spend a very large sum of money on educating these people on the other possibilities.

Thank you
Lori Brocka
Iowa
CC:Microsoft ATR,tom.reilly@ago.state.ma.us@inetgw,at...

MTC–00032087

From: Greg Alton
To: Microsoft ATR
Date: 11/20/01 9:03am
Subject: Microsoft settlement

Today I read that Microsoft's proposed settlement with the government over the antitrust complaints may include a donation by Microsoft of computers to U.S. schools.

This is absurd. This goes completely counter to the original problem, e.g., abuse of monopoly power, since this settlement will undoubtedly reinforce that monopoly. The only terms under which this type of settlement could make sense were if Microsoft were required to donate equipment (software, etc) from other companies. Please don't let this settlement proceed as is. Alas, I fear the taste for enforcing antitrust has left the Justice department.

Greg Alton

MTC–00032088

From: William
To: djohnson@ag.state.oh.us@inetgw
Date: 11/20/01 9:32am
Subject: They are getting away with it again!

I am very disappointed in Ohio not being part of this law suite. Microsoft is going to get away with there past behaviors because you don1t understand nor what to. Just as long as they are not very obvious we continue to let them indulged in anti-trust violations and racketeering. We all use their software and think how can such great stuff come from lawbreakers. Well that1s the key and that1s what MS what's you to believe... it does. They slowly put us to sleep and one day they will have control of every computer aspect of our lives. No one can compete with MS and all their money.

A lawsuit is like a walk in the park for MS because they can ware anyone down even the Government. They have been doing this for years. Now that they have a new OS XP out you can see that they continue the behaviors of the past if you but only look! Wakeup and smell the coffee! Get in the game.

William Davis
232 So. Washington
New Bremen Ohio 45869
william@nktelco.net
CC:Microsoft ATR,microsoft comments@doj.ca.gov@inetgw,...

MTC–00032089

From: raskol@inteform.net@inetgw
To: ag@oag.state.fl.us@inetgw
Date: 11/20/01 9:37am
Subject: I am writing to inform you of my support and hope that you will continue

I am writing to inform you of my support and hope that you will continue anti-trust prosecution of Microsoft. I speak for many of my friends when I say that I believe Microsoft is guilty of anit-trust violations and racketeering.

Brett Anderson
4132 Eaton
Kansas City, KS 66103
Brett Anderson
.. . .raskol@inteform.net
.. . .brettanderson@inteform.net
.. . .www.inteform.net
.. . .913 484 8843
CC:Microsoft ATR,GENERAL@ksag.org@inetgw,GENERAL@ksag...

MTC–00032090

From: John Kornet
To: tom.reilly@ago.state.ma.us@inetgw
Date: 11/20/01 10:46am
Subject: Microsoft Settlement Insufficient

Mr. Reilly-

Thank you for continuing the battle against the Microsoft monopoly when our federal government has all but given up. I'm writing to you to express by extreme displeasure with the settlement thus far and to offer you my full support in your continuing case.

I value the freedom of choice in all things I do perhaps more than any other personal right. I firmly believe that Microsoft's practices are impinging upon that right. I have often bought Microsoft's products and even thought a few were good products, but the tactics they are using to ''compete'' with other companies almost certainly guarantee that someday I will not have any other choice than to buy a Microsoft product. This is absolutely unacceptable!

The industry that Microsoft competes in moves so fast. We need to keep it moving that fast. It's called progress. Progress that has defined America's (and Massachusetts') prosperity in the information age. If there is no room for competition, we face the prospect of little or no progress at all—just one choice, one solution, one pace. This is not how a free market is supposed to work.

Please do everything in your power to reign in Microsoft, so that our economy and society can continue to enjoy this unprecedented growth.

Your constituent,

John Kornet
17 South Street
Medfield, MA
02052
CC:Microsoft ATR,microsoftcomments @doj.ca.gov@inetgw,...

MTC–00032091

From: Greg Miller
To: attorney.general@po.state.ct.us@inetgw
Date: 11/20/01 11:13am
Subject: <no subject>

I am a resident of Austin, Tx. Unfortunately, my state has settled with Microsoft in the anti-trust battle. My Attorney-General does not represent me, and my only recourse is to ask that you continue to prosecute. Microsoft's latest action, the ''donating'' of $1 billion worth of microsoft windows, software and hardware to schools (while in theory a nice gesture) illustrates how they continue to use their power to and unlimited wealth to move more and more people onto their platform.

Please help.

Please continue the fight for equality.

Greg miller
Greg Miller
http://www.greg-miller.com
512.346.4589
9617 Great Hills Trail #514
Austin, Texas 78759

MTC–00032095

From: Donald Watson
To: ''Antitrust Case Opinions''
Date: 11/20/01 11:44am
Subject: Stop the madness PLEASE

As an IT professional I know the computing industry and both home/personal computing as well as corporate computing quite well. It is utterly ridiculous to continue this pursuit of Microsoft. Sure they may have some monopolistic power but only because we the people have accepted that Windows is better than the alternatives. I am sure I don't speak only for myself when I say I am glad the operating system comes with as many features as it does. I'm glad the world has chosen (YES CHOSEN, NOT BEEN FORCED) to settle on a single operating system for compatibility. This makes life easier for all of us. The cost of windows is not high. It's a tremendous buy for a small price. I don't have to spend $20, $30 or $50 dollars on separate packages to defrag my hard drive, surf then net or send email. This is all included. I STILL HAVE THE CHOICE to install whatever software I wish to use. If I don't like IE, then I'll pick Netscape, If I don't like the defrager, I'll pick Norton etc, etc, etc. This doesn't make me a big fan of Microsoft.

I think they still make some pretty buggy, shoddy software but it is better and more compatible than anything else out there. I have millions of programs to choose from because of Windows. Any other Operating System only has a tiny fraction of that number of programs. So please. Think about what effects you'll have on computing if this ludicrous case continues. Please let the public make its own decisions.

Thank you
Donald ''Doc'' Watson
Information Services

Linn County REC
5695 REC Drive
Marion, IA 52205

MTC–00032096

From: Greg white
To: root
Date: 11/20/01 12:09pm
Subject: anticompetitive M

Dear DOJ,

If you are serious about dealing with microsoft then you have to do something pretty drastic otherwise it will just be business as usual. We all know how awfull M has been and continues to be. Do you want M to own the entire computer and telecomunication system of the world. Because I'm sure that will happen if you do nothing to stop there current behaviour.

Kind regards,
Greg White

MTC–00032097

From: F. Frank
Date: 11/20/01 12:16pm
Subject: microsoft bad deal

Hello—

I am writing because I believe that the deal arranged by the U.S. government and Microsoft is a BAD deal for all us consumers.

Microsoft is a criminal company and is a danger to U.S commerce and the future of computing.

I believe it would be in the best interest if Microsoft was broken up into different competing companies.

F. Frank
24200 Sw Yew Wood Ln
Hillsboro, OR 97123

MTC–00032099

From: Jay Dylan Tyler
To: Jay Dylan Tyler
Date: 11/20/01 1:21pm
Subject: Microsoft

A formulation was made years ago by various entities like newspapers, magazines, politicians, and such. They figured that for every person who bothered to write to them represented X amount of people who didn't take the time and effort to write but shared similar opinions. X can equal anywhere from one thousand to ten thousand depending the specific circumstances of the recipient. So, as you can see, the simple act of writing can have a multiplier effect. That's why your single contribution is so important. If you agree that Microsoft has gotten off too lightly, I plead with you to take a few minutes, write to the Attorneys General and make your opinions known. When we're all using Microsoft Windows at least you'll be able to console yourself by knowing that you at least tried to resist Microsoft hegemony.

This is the time to strike. They believe that they have hornswoggled a sweet deal. Their guard is down, if just a bit. This is far from over.

Yours,
Jay Dylan Tyler
CEO linXS:Corporation
jay@lin-xs.com
http://www.lin-xs.com

MTC–00032100

From: Csaba Nagy
To: Csaba Nagy
Date: 11/20/01 4:10pm
Subject: Microsoft Anti-Trust case

To whom it may concern,

I have followed with great interest the Microsoft anti-trust case (and its earlier derivatives) for several years and have been astonished time and time again at the light punishment that it has been given for its offenses. The following are some of the perceptions that I have, and I believe the majority of the public has:

—if someone breaks the law they should be punished

—the type and length of punishment is variable and takes into account among many other things the severity of the crime, past behavior (have they committed other crimes in the past, have they committed similar crimes in the past)

—repeat offenders are punished most severely, especially if they continue to break the law in the same way

Microsoft has been consistent in its behavior for several years of using its monopoly ownership of the operating system to advance the usage of its products. Microsoft says that this is innovation, which is not true. Innovation is the company that wrote the first web browser, the first MP3 player, the first anti-virus software etc. Microsoft is not innovating when it comes out with an identically functional product. In these instances, Microsoft is advancing someone else's innovation forward without having to sacrifice the original effort required to have come up with the idea in the first place. Improving on someone else's ideas is not wrong in itself, and in fact this is one of the strengths inherent in capitalism based on competition. The problem is when you leverage your monopoly position in one area of the market with the intent to discourage customers from using a competitors product. Maintaining a competitive environment is important and helps to maintain a healthy industry (and this is the case for all industries). Once competition is eroded, there is no incentive for a monopoly to be productive, to be efficient, or to manufacture improved products. While you may have temporary improved stability derived from standards because of a monopoly, the overall long-term effect is one of neglect towards the customers because there is no need to worry about a competitor stealing them away from you.

Microsoft has gone on too long without being punished in a realistic manner. If at this point Microsoft is not held accountable, then their behavior is justified and will continue ad infinitum until both the public and the industry are harmed.

Imagine the ridiculous situation where there is Company X which manufactures the majority of roads in the US. They are responsible for designing the majority of roads, building them, repairing them, etc. Now imagine that there are 10 companies, including Company X, which manufacture the various cars, SUVs, trucks, motorcycles to function on these roads. There is a tremendous variety of vehicles because their are many different consumers, each with their own taste and needs. All of the vehicles work on all of the roads.

What would happen if Company X makes some changes to the roads that it keeps secret. Then it uses this secret in order to make its vehicles run better than its competitor vehicles. They remark to the complaint of the competitors with, ''Innovation, this is what customers want, need, and deserve.'' Well, the cars do run faster, and the trucks get better gas mileage, and the traction is safer in the winter, so why should we complain? We should thank Company X for helping us all out with such well thought out ideas.

One day Company Y comes out with a completely new vehicle that is very popular. In fact it is so popular that it is a blockbuster hit and everybody is talking about this car. Competitor X comes out shortly with a version that is very similar, in fact it is mostly a copy of Company Y's car with a few less amenities. Company X's car does not do so well. What is Company X to do? Company X continues to ''innovate'' and eventually decides that they can make some money with tollbooths on some of its roads. These are funny kind of tollbooths though, because rather than charge passengers for driving through them, then only let vehicles manufactured by Company X through. Many people complain, but Company X explains that only its cars are manufactured to the specifications of the roads in those areas, and that it would be unsafe for cars from other manufactures to drive on those roads.

Prior to the tollbooth situation, the incentive for customers to purchase the Company X copy would be more advantages and less disadvantages than Company Y's cars. Because Company X limits many of its roads to Company X cars, more and more customers are convinced that they should purchase Company X cars despite Company Y having a better car. Over many years despite the extreme competition between Company X and Y who release new better versions of their cars every year, eventually because of the almost unlimited resources of Company X (because of the tollbooths) and they leveraged their control over the roads, Company Y went bankrupt.

Following this same cycle, most other car companies went bankrupt and the few that are left produce vehicles that are highly specialized for niche markets. Nevertheless, Company X continued to sell their cars and they continued to added minor changes every year because they still had the requirement to sell more and more cars in order to satisfy their shareholders. But eventually they became complacent and within short time their ultimate goal was to make the most profit possible on the minimum amount of innovation investment possible.

The pace of change that customers had come to appreciate and benefit from, which was fuelled by competition, eventually led way to stagnation. The ultimate losers were the individual customers and the entire industry.

Regards and keep fighting.
Csaba
Mr. Csaba Nagy
Business Development Associate
ConjuChem Inc.
225 President-Kennedy, Suite 3950
Montreal, QC
H2X 3Y8 Canada
Phone: (514) 844–5558 x268

Mobile: (514) 973–1011
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Email: nagy@conjuchem.com
www.conjuchem.com

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MTC–00032101

From: David A. Hasan
To: davidahasan-
yahoo.com@usdoj.gov@inetgw
Date: 11/20/01 5:44pm
Subject: Microsoft settlement?

I shall keep this simple.

1. I am generally inclined to favor less government over more.

2. Ironically for this to work, our government must be vigilant in its role as regulator, in particular as regulator of monopolistic behavior.

3. Microsoft has blatantly violated the spirit and letter of our laws prohibiting monopolistic behavior. This has been unambiguously determined by the courts.

4. The proposed settlement of the antitrust case against Microsoft is an ABOMINATION, as it seeks no remedies and grants to the company effective control over any subsequent oversight.

5. I strongly encourage you to continue to oppose the settlement. We are depending on you.

Thank you.
David A. Hasan
4701 Monterey Oaks Blvd.
#1114
Austin, TX 78749

MTC–00032102

From: Judson Frondorf
To: micro
Date: 11/21/01 6:15am
Subject: not fair

A proposed settlement agreement in a series of antitrust suits may not only give Microsoft a fairly inexpensive legal resolution, it may also help the company and its PC allies further erode Apple Computer's position in education.

Under a settlement proposal <http://news.cnet.com/news/0–1003–200–7928195.html> in a series of private antitrust lawsuits announced Tuesday, Microsoft agreed to donate approximately $500 million to help bring technology to some of the nation's most disadvantaged schools. The deal will also allow these schools to obtain a virtually unlimited supply of Microsoft software for the next five years

Although the settlement terms will likely help Microsoft's position in education, more tangible benefits come from the relatively light terms. The company is effectively making a $500 million charitable donation and giving away its own software to settle a case where the liability could have stretched into far higher figures.

The case in some ways is being settled for pennies on the dollar, according to Bob Lande, an antitrust professor with University of Baltimore School of Law.

The company will also likely get positive public relations messages out with the deal, said Gartner Dataquest analyst Michael Silver. ''This gets Microsoft out of all these lawsuits in one fell swoop,'' Silver said. ''It's a penalty, but it makes Microsoft look good and gives schools PCs, and in so doing would give Microsoft an even larger installed base than they already have.''

Judson Frondorf
APS Help Desk Technician
Please feel free to contact me via email.
Include:
full name
employee number
contact phone number
location number
your position
complete description of problem

MTC–00032104

From: Cleburne Medlock
To: DOJvsMS
Date: 11/21/01 10:38am
Subject: Microsoft ''Settlement?''

Gentlemen:

First, allow me to introduce myself briefly. I, C. W. Medlock, have worked in the ''Software'' field in a professional capacity for more than 47 years. (My first course in ''programming'' was taken in 1950 at Purdue University.) I have worked at such stalwarts of this industry as IBM (1960–1966), NCR (1975–1977), etc. At IBM, I was one of the six Architects of IBM's Operating System 360 (''OS/360''), one of the world's first true Operating Systems (1963–64). Also at IBM (1963), I was one of the six members of the joint IBM/SHARE (a users group) team that developed the advanced Programming Language One (PL/I) Although the latter language has fallen into disuse due to more modern advances in such ''standard'', non?-proprietary languages a COBOL, PL/I indeed was a most powerful language (for both scientific and business computing) that I believe set the stage for the more modern versions of COBOL and other more modern scientific computing languages.

I, from 1982 to 1999, was proprietor of my own software ''home-business'' Pro/Am Software, where I developed and marketed worldwide several software ''tools'' for use by the programmer. It was here, as a ''lone survivor'' of a great group of Information Age professionals, that I first encountered the threats laid down by Microsoft's failure to disclose much-needed facts that would allow entrepreneurs such as myself to develop tools that would directly or indirectly interface with their ''Windows'' Operating System. (This does NOT mean that I necessarily would have required the source code of Windows, but only a FULL disclosure of Microsoft's file formats, OS interfaces, details of invoking OS functions, etc. This should include such disclosure of these interfaces for all of Microsoft's other products which interface with Windows, as competitors and other users have a need for this information just as well.) A case might easily be made by Microsoft that they should have the full protection of their intellectual property such as source code, where distribution of same would allow many other (foreign?) businesses to easily make copies of same, and, via suitable modifications, each apply their own ''Trademarks'', ''Copyright'' notifications, etc. However, I cannot imagine a case in any court where it could be argued that it would be harmful to a legitimate, non-monopolistic business for them to disclose FULLY the interfaces needed by ALL users (developers and ordinary users alike)!

I would like to help put Microsoft in its proper place in the Software World, after the DOJ has apparently ''sold out'' to MS?

Most sincerely,
C. W. Medlock
Retired proprietor, Pro/Am Software

MTC–00032105

From: Cleburne Medlock
To: DOJvsMS
Date: 11/21/01 10:58am
Subject: Microsoft Settlement

Gentlemen:

The provisions in any Settlement with Microsoft should NOT be limited to the interfaces with their Windows operating system, but should indeed include ALL interfaces (direct or indirect) with ANY Microsoft product. This is much needed by developers and many consumers, as well!

Sincerely,
C. W. Medlock Retired proprietor, Pro/Am Software

MTC–00032106

From: RickHyman@aol.com@inetgw
Date: 11/21/01 3:44pm
Subject: Proposed Microsoft Settlement is a farce!!

The proposed settlement with Microsoft is a farce!! Courts have determined that Microsoft has injured companies and consumers through their anti-competitive practices. They should be punished for breaking the law.

The proposed settlement of $1 billion in computers and software for schools is no punishment! Microsoft will not be paying retail, but will be claiming retail prices for the products they distribute. They won't spend more than a few million dollars, less than they would spend in marketing to the same group of schools.

Worse, you are hurting other computer companies. Allowing Microsoft to distribute their goods in these schools is further reaching than those schools. It extends to teachers and families associated with the schools. Once saddled with the Microsoft operating system, these people will be ''stuck'' with Microsoft. Other computer companies will be damaged. You are, in effect, extending the Microsoft monopoly. STOP NOW!!!!!

Richard Alan Hyman
Morrison, Colorado

MTC–00032107

From: m a r k . q u e z a d a
Date: 11/22/01 12:17am
Subject: microsoft ruling

Hello,

My name is Mark Quezada, and I'm writing to voice my concerns regarding Microsoft's AntiTrust case. I'm not sure I can accurately convey these concerns via e-mail, but I do know that the current settlement was not

worth the time, money, or man hours put into the case. Personally, i feel this ''slap on the wrist'' ruling will ultimately achieve nothing and stricter judgment should be in order. I will not waste much more of your time, but please be advised, there are a large number of people who, although they may not take the time to write about it, feel the same way. If anything, now is the time to take action against the illegal acts which compromise many people's privacy.

Thank you for your time,
—mark
(626) 252–5375

MTC–00032109

From: Piscean
To: tom.reilly@ago.state.ma.us@inetgw
Date: 11/22/01 7:46pm
Subject: Microsoft antitrust suit

Hello Mr. Reilly,

I just wanted to let you know personally that I am in favor of your pursuing a more stringent penalty than the one which the U.S. Government has settled for.

Based on the reviews of the settlement from numerous sources (The Register, CNN, etc.) I can only conclude that the governments1 settlement agreement with Microsoft is tantamount to throwing the entire verdict out the window. For example, the donation of software and hardware to less wealthy school districts further widens their customer base and expands their monopoly. The courts have determined that Microsoft has abused their monopoly position. The current settlement is less than a slap on the wrist; it is a travesty and an abuse of justice.

Sincerely,
Keith Shangraw
327 LEO DR
GARDNER, MA 01440–1245
CC:Microsoft ATR

MTC–00032110

From: Ed Powell
To: attorney.general@state.mn.us@inetgw
Date: 11/23/01 2:20am
Subject: Microsoft settlement—don't do it

I am writing to voice my opposition to the proposed settlement to the Microsoft antitrust case.

Quite simply, Microsoft has a stranglehold on the mainstream PC market. This is something that everyone in the computer industry has known for years, and our court system has determined this to be true. What kind of message are we sending if Microsoft only receives a slap on the wrist for breaking the law? Are we saying that some people or entities are better than others? Our country was not founded on that concept, but instead on ''all men are created equal''. Someone guilty of breaking the law should face the full penalty of the law, no exceptions. And in this case of breaking the law, Microsoft must be held accountable for their monopolistic practices, and must be punished as such that they cannot exercise their power for those purposes. From what I have read of the proposed settlement, there are no decisive changes to the way Microsoft does business.

Why not impose a moratorium on Microsoft against its purchase or merger with other companies? Absorbing companies in this way has been a tactic of theirs to stifle competition and release products under their own banner.

Why not impose a moratorium on Microsoft against releasing any new operating system or Internet products for a while? Give a chance for competition to make inroads against Microsoft's operating system monopoly? I am very much opposed to Microsoft's continued dominance of the industry, and to the proposed settlement that does nothing to correct it.

Ed Powell—''Meus Navis Aerius est Plena Anguillarum''
http://www.visi.com/epowell
CC:Microsoft ATR

MTC–00032111

From: superba
To: Renate Hesse
Date: 11/23/01 9:38am
Subject: Written Comments on Microsoft Antitrust Settlement
Renate Hesse Trial Attorney, Antitrust Division
U.S. Department of Justice
601 D. Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

This email contains my comments on the subject case settlement and urges you to take further action on behalf of a small group of Microsoft victims too weak to take legal action.

My Comment ————

This case was instigated by several companies that were outsold in a free market, Netscape, Sun Microsystems, and AOL to mention a few. The original competing product, the Netscape browser, is extremely weak compared to the Microsoft product, Internet Explorer. I have first hand knowledge that at least one of the companies mentioned above uses predatory marketing practices just as bad or worse than those alleged for Microsoft, that company is Sun. AOL also uses sales practices that involve ''give away'' product to get on a user's computer then constantly attempts to place its own products on that computer.

In my lifetime there have been several user created monopolies, IBM, AT&T, to mention 2. I don't feel that it is the charter of the Federal and State governments to retard such monopolies especially when undue assistance is given to inferior products just to help their providers stay viable.

My Urgent Request for DOJ to add to the Settlement I am part of a group of systems engineeers that has earned Microsoft certifications of different titles and levels. I worked, studied, invested in equipment, invested my time, paid hard earned money for training, and paid for testing to get my certifications. In some cases companies paid the costs to do this for their employees, but not so in my case. Therefore, I look upon the certifications as hard earned, worthwhile, and something I strived for and achieved.

My certifications included: Microsoft Certified Professional, MCP; Microsoft Certified Professional plus Internet, MCP + I; Microsoft Certified Systems Engineer, MCSE; and Microsoft Certified Trainer, MCT.

Microsoft has a practice of ''retiring'' the exams used to qualify for these certifications. Their stated motivation is to ''keep the certified persons up to date''. Coincidentally, doing so also parallels new product introductions; the theory being to have the certified persons help to introduce and sell new product and increase Microsoft's sales. I strongly object to Microsoft's practice of doing this. It might be analogous to your law school notifying you that their law degree programs have been updated and if you don't return and take the updated courses, your degree will be cancelled. Of course, that's not going to happen, but Microsoft does it.

Microsoft relented on the last generation of certifications for the NT 4 products and said it will allow the certifications to continue with a qualified title such as ''MCSE NT 4''.

I lost all my certifications except MCP due to the retirement of (1) course in May 2001. I feel that Microsoft was wrong to cancel my certifications just because it retired an exam. The truth is that the exam, Internet Information Server version 3, was the only Internet Information Server exam available when I was testing in 1997. A newer version came along later but I saw no reason to take it.

Please add the requirement to the settlement for Microsoft not to cancel exams but rather to classify them as ''MCSE NT 4'' and extend that practice to all the old certifications. Even adding a date would not be objectional, but the current practice makes our resumes incorrect, or appear to be so, due to Microsoft's onerous practice.

Thank you for your patience.
Sincerely,
Jim Jordan
aka James T. Jordan

MTC–00032112

From: Andy Suhaka
To: standy@ecentral.com@inetgw
Date: 11/23/01 3:24pm
Subject: Wrong Settlement for Microsoft

Sir or Madame:

This is an outrage!

You have probably heard about the proposed settlement with Microsoft in the antitrust case. The settlement essentially says that Microsoft must spend about $1 billion in putting refurbished computers and Microsoft software into the nations poorest schools.

The courts have ruled that Microsoft broke the law and should be punished. Is this punishemnt? Of course not! The $1 billion Microsoft must spend is *retail* value. How much does it cost to press some CDs with MS software compared to the retail value? So, the cost associated with the settlement is very low.

The biggest blunder is that the states that may agree to this settlement are helping Microsoft to extend their monopoly. The effect of having the MS operating system in schools extends far beyond those schools, so the settlement is, in fact, a big marketing ploy by MS. Do NOT agree to this settlement. This is the biggest PR coup that Microsoft could hope for and unfair to the computing public.

How about a punishment that actually punishes the wrong doer?!!!

Andrea Suhaka
6864 S ULSTER CIR
CENTENNIAL CO 80112
Centennial City Council, Ward III

MTC–00032114

From: Willard Woldt
Date: 11/25/01 9:18pm
Subject: You are our last line of defense

Ladies and Gentlemen:

It is quite clear that Microsoft has even more egregious plans to control the world than were exposed in the federal hearing vis a vis the lock down aspects of their latest XP operating system.

Also the assigned penalties of equipping schools is really a long term and marvelous marketing plan for Microsoft to gain future customers. As a penalty, it is a sick joke.

We plead with you to continue the fight to rein in this company's incredible hunger for control of the human race.

Thank you.

Willard E. Woldt
Lt Col USAF (Ret)

MTC–00032115

From: Michael Alford
To: ag@oag.state.fl.us@inetgw
Date: 11/26/01 6:47am
Subject: Microsoft Antitrust

I personally feel that Microsoft should receive harsher penalties than what the Department of Justice proposes. I understand why that decision was made, but as the owner of a small computer hardware business put out of business by legal competition from giant corporations, I feel compelled to write to you on behalf of the smaller companies struggling to survive day to day operations.

I urge you press on with the lawsuit to impose maximum penalties and show corporations that this type of behavior will not be permitted. If our government can't stand up to a giant corporation like Microsoft, who can?

Thank you for your time and consideration.

Michael Alford
4162 Shadow Creek Cir.
Oviedo, FL 32765

MTC–00032116

From: David Eckman
To: West Virginia Attorney General,Utah Attorney Gener...
Date: 11/26/01 12:13pm
Subject: Microsoft Case Settlement

I urge you NOT to agree to the settlement terms with Microsoft that the federal government has. Following are several reasons, based on my extensive use of computers since 1983, my knowledge of and experience with many operating systems and in developing software: As an OS/2 user, I have been damaged by Microsoft's illegal tying agreements to gain a monopoly and its retaliatory and predatory use of its monopoly power. What will punish Microsoft most effectively while also stimulating its competition would be an order requiring it to LICENSE _AT NO COST to the licensee_ all code necessary (1) to allow all other operating systems to run 32-bit (and eventually higher level) Windows programs and (2) to allow other developers'' software to run as effectively under Windows as Microsoft's own programs.

Those licenses should be given to everyone who is working to enhance any operating system, including developers who produce add-ons or plugins for such systems. With such an order, a more level field will be achieved. Such cost-free licensing should be required for a minimum of 20 years, to allow other operating systems to strengthen and grow in usage to the point where software program developers will produce native versions of their software for such systems. The history of OS/2 shows that this would work: While Windows was a 16-bit system, OS/2 use grew and native applications were being developed, because of OS/2's ability to run 16-bit Windows programs. OS/2's market position and its growing acceptance were then seriously hurt by Microsoft's predatory and illegal actions. Despite Microsoft's illegal conduct, however, OS/2 has remained alive because of its superiority as an operating system over everything Microsoft has issued thus far, but it cannot return to marketing success without the ability to run applications that most users want. In fact, IBM has been forced to scale back further work on OS/2, and it has almost given up on it because of Microsoft's pressure on it and the difficulty of dealing with Microsoft's illegal use of its monopoly power. OS/2 could return to effective competition with licenses of Microsoft's operating system code, at no cost to IBM and/or those who might want to enhance the system if IBM chooses not to do it.

Microsoft has also used its monopoly illegally to harm the Java technology, which is an open software. Java developers have felt the stinging impact of Microsoft's illegal behavior. Its consequences in the future may be even more severe if the federal government's weak legal precedent is established.

Finally, Microsoft has violated with impunity consent decrees of the past.

It should be ordered to pay a substantial fine. It should also be ordered to pay all costs of monitoring its compliance in the future. This should continue for at least 20 years.

IBM was severely punished over 20 years ago for its antitrust behavior. It then managed to behave in a responsible manner. There is no reason why Microsoft should not be similarly punished now.

[J:] David Eckman
davide@eckman-law.com
http://www.eckman-law.com
3730 Kirby Dr., Suite 1200
Houston, Texas 77098–3927
713–661–2065
CC:US Dept of Justice

MTC–00032117

From: comcast
To: micro
Date: 11/26/01 1:40pm
Subject: attn:

Dear US Justice Department,

I do not believe the remedies reported in the news are going to have the slightest impact on Microsoft's predatory marketing practices, and subsequent illegal abuse of monopoly power. Take, for one small example, the case that started it all: internet browsers. Since the time the case started, Microsoft bundled their browser for free, and essentially drove all other browsers out of the market. They claim they have a right to do this, and that they are only serving consumer needs.

But their most recent versions—including ALL browsers shipped with the new Windows XP—have made a significant change: they no longer support industry-standard third-party browser plug-ins for presenting specialized content, such as movies, sound, animation, and virtual reality. This means that third-party content providers, such as Real Audio, Macromedia Flash, Adobe PDF, and Apple QuickTime—just to name a few of the larger players—no longer function under Microsoft's browsers using the standard installation procedure. Instead, they must provide special installations that go through an additional layer of software—Active X— that Microsoft's own content provisioning software does not go through. This means that ordinary consumers will have to struggle needlessly to install third-party content provisioning software, but perhaps more importantly, if they do actually get through that struggle, the third-party plug-ins will run more slowly and with less capability than will Microsoft's own content provisioning software.

This also means that some 90% of new computers sold cannot properly access my web site, which has Apple QuickTime content, whereas 90% of pre-Windows XP computers could.

With this move, done right under your collective noses while you negotiated a cushy ''hand slap'' settlement, Microsoft not only successfully extended their operating system monopoly into the internet browser market, but now they have extended their browser monopoly into the content provider marketplace! They have broken the law once, and while being penalized, have broken it again.

Take heed of my prediction: now that Microsoft controls content provisioning, content will come next. Within three years, the average consumer with an ''out of the box'' computer will be unable to view any content that Microsoft has not provided.

With all due respect, the Ashcroft Justice Department is asleep at the wheel on this one. Quit meddling with ''states'' rights'' Oregon and California, and concentrate on appropriately punishing large, multi-national companies who are already convicted of breaking laws.

Sincerly,
Juddson Frondorf

MTC–00032118

From: JP Glutting
To: tom.reilly@ago.state.ma.us@inetgw
Date: 11/26/01 7:16pm
Subject: Settlement with Microsoft

Dear Attorney General Mr. Riley,

I am writing you today to express my appreciation that the Commonwealth of Massachusetts has not signed on to the settlement proposed by the Federal Government to address Microsoft's criminal activities. Microsoft has blatantly and repeatedly violated the Sherman anti-trust act, and has shown no sign of remorse or intention of modifying their behavior. Their behavior in court was appalling presenting false evidence and repeatedly refusing to cooperate.

The fact that the U.S. has settled this case with essentially no penalties at all for this abusive is shocking, and frankly embarrassing. ''Tough on crime'' seems only to apply to those who cannot afford expensive political connections. The proposed settlement of class action suits with a ''giveway'' to poor school districts, which will extend the Microsoft monopoly, is frankly shameful, but not the issue I wish to speak to today. This outcome is very regrettable, since it will server to further stifle the computer industry and the U.S. economy. I don't believe anyone over the age of 30, and who remembers Ma Bell, could honestly say that the telecommunications growth that drove the economic boom of the 1990's would have been possible without the breakup of that telecommunications monopoly. I work with computers daily (I am a bioinformaticist at the Dana-Farber Cancer Institute), and it is very clear to me that Microsoft cannot compete with other operating systems at the level of quality (we use high-end Unix workstations, running SGI's IRIX and Linux). I truly wish that the U.S. stood for free markets and free competition, but it seems that a combination of political connections and economic jitters has convinced the department of the U.S. Attorney General to condone a shoddy, inefficient, illegal monopoly for the forseeable future.

Thank you, Attorney General Reilly, for not lumping me, as a Massachusetts resident, in with this dodgy settlement.

Best Regards,
JP Glutting Brookline,
Massachusetts
CC:Microsoft ATR

MTC–00032119

From: Ron Larsen
To: DOJ
Date: 11/26/01 10:07pm
Subject: Microsoft on Truth Serum—the Antitrust Settlement Examined This is not a solution! The DOJ has totaly ignored the best advise from industry experts. Microsost's XP operating system creates a whole new set of antitrust violations. It is appalling that the DOJ has performed so poorly in protecting free enterprise, and commerce in general. The new operation system means new DOJ ruling regarding the breaking of Microsoft into 3–5 parts. Past break-ups have stimulated the economy and the industry as a whole. Please go for the long term ''just'' solution, after all you are the ''Just''ice Department. Thanks, Ron

OPINION:

Microsoft on Truth Serum—the Antitrust Settlement Examined Contributed by Tom Nadeau osOpinion.com November 20, 2001

The proposed Microsoft agreement looks good and feels good, but listen to how the definitions in the agreement would play out in real life, and then the agreement doesn't sound very good for competing software companies or consumers.

The recent antitrust settlement between the U.S. Department of Justice and software monopolist Microsoft (Nasdaq: MSFT) has enough loopholes to sew a circus tent. The settlement actually grants Microsoft extra legal powers beyond what it had before the trial. Don't think so? Well, here is a simulated conversation that may convince you. This is what I believe a Microsoft official would say to a neutral examiner asking questions about the settlement agreement, if the software giant were under the influence of a truth-enhancing substance. Microsoft on truth serum. Listen in. Set You Free Examiner: ''Let us start with the definitions, shall we?''

Microsoft: ''Of course. Words mean things, whatever we want them to mean.'' Examiner: ''A. Application Programming Interfaces (APIs)'' Microsoft: ''APIs running on one operating system (.NET) and calling a different operating system (on your PC, remotely via the Web) are exempt from regulation.''

Examiner: ''B. Communications Protocol'' Microsoft: ''Since the settlement exempts code to remotely administer Windows2000 Server and its successors, all our communication software will be embedded with pieces of this code. We will not have any Communications Protocols that can be regulated according to this definition.''

Legal Loopholes

Examiner: ''D. Covered OEMs''

Microsoft: ''The 20 highest licensees? Does that mean licenses paid for, licenses delivered to customers, licenses committed to, or licenses actually registered by the end user?''

Examiner: ''H. IHV (Independent Hardware Vendor)'' Microsoft: ''The settlement says they're only ''independent'' if they depend on us for Windows. Unless we already ''own'' them, we don't have to give them anything.'' Examiner: ''I. ISV (Independent Software Vendor)'' Microsoft: ''The settlement says they're only an ''independent'' if they depend on us. But if they only sell software for non-Microsoft operating systems, we don't have to give them anything. They will never be able to make their non-Windows products interact with our Windows-only products.''

Hidden Message Examiner: ''J. Microsoft Middleware'' Microsoft: ''The settlement says it's only Middleware if it has a X.x version number. But we don't use version numbers any more. We use year numbers. So our Middleware is not regulated by this settlement.''

Examiner: ''K. Microsoft Middleware Product'' Microsoft: ''The settlement calls it a ''middleware product'' if it is embedded in the operating system.... But it's just ''middleware'' if it is distributed separately. If it is distributed by a shell company controlled by Microsoft through stock ownership, then it's not ''middleware'' because it is not distributed by Microsoft or a wholly owned subsidiary.'' A.P.I. Arrogance Examiner: ''L. Microsoft Platform Software''

Microsoft: ''We'll ship the APIs as a standalone product through a third-party company, or sitting on a Web server somewhere. But we don't have to divulge any details of the APIs because they won't have a version number. So they're not 'middleware'—and therefore are not covered by 'middleware' clauses. Since they are not part of Windows, they are also not a 'middleware product.'''

Examiner: ''M. Non-Microsoft Middleware''

Microsoft: ''Sure, like we wouldn't give away free copies of comparable ''Microsoft middleware'' to put them out of business. Except that it's not ''Microsoft middleware'' if it has no version number, so it would not be regulated by this settlement.'' Examiner: ''P. Operating System'' Microsoft: ''If we ship the APIs separately—on the Web—then it says that Windows is not even an operating system! It's totally unregulated!''

More Monopoly

Examiner: ''Q. Personal Computer''

Microsoft: ''Right, only PCs are covered. They let us extend our monopoly into game boxes, TV, servers, handhelds, phones, PDAs, whatever.''

Examiner: ''R. Timely Manner''

Microsoft: ''We have to deliver product info as soon as we ship to 150,000 beta testers per version.

However, we no longer beta test with more than 148,000 testers per version.''

Examiner: ''U. Windows Operating System Product''

Microsoft: ''Ha! Doesn't even cover DOS-based stuff. We can keep spreading that stuff around any way we want. Oh, and that last sentence... We can put anything we want to in Windows—any code owned by anybody! Yes, Just give me that last sentence!''

Best For Last?

About that last sentence. The slickest part of all is to put the definitions at the end of the document, where they legally overrule all that comes before, and to place the loosest definition of all at the very end of the document, slyly positioned to trump any preceding malarkey. That last sentence ostensibly was inserted to protect Microsoft from having to ship code that it did not choose—so that Microsoft would not have to ship a rival company's code, such as Java or Netscape, for example.

But Microsoft can choose to claim that a competitor's product *is* a Windows Operating System Product, because the last sentence says that the court grants Microsoft the ''sole discretion'' over ''the software code''—not just ''the Microsoft software code''—that Microsoft chooses.

Above the Law While other companies may have their claim to software ownership reviewed by the courts, this ''settlement'' exempts Microsoft from such review—immunizing Microsoft from copyright lawsuits.

This is a license to hoist the Jolly Roger and sail the seven seas, pirating any rival code that Microsoft chooses.

CC:President George W. Bush

MTC–00032120

From: Pete Gontier
Date: 11/27/01 12:06am
Subject: settlement is a sham

Microsoft has managed to engineer a so-called settlement for their illegal operating system monopoly in which they happily cooperate in seeding their operating system into the only market in which their only operating system competitor has a firm foothold. Microsoft is playing the

government like a finely-tuned violin, and historians will forever shake their heads in wonder and dismay. Please don't let them fool you!

Pete Gontier <http://www.pete.gontier.org/>

MTC–00032121

From: judson
To: micro
Date: 11/27/01 11:13am
Subject: please

The Computer and Communications Industry Association, for one, says that acceptance of Microsoft's $1 billion offer would be tantamount to judicially sanctioned predatory pricing.

Microsoft's proposed settlement for more than 100 outstanding private antitrust cases against it would inflict ''great harm'' upon the technology markets, the CCIA said in a letter to the judge overseeing the case. The CCIA was responding to Microsoft's offer to provide $1 billion worth of hardware, software and training to more than 12,500 schools serving nearly 7 million children.

Judson Frondorf

MTC–00032122

From: judson
To: micro
Date: 11/28/01 6:20am
Subject: you must stop microsoft!

''Around half of the computers in education today are Apple computers, and we're the second largest supplier overall and the largest supplier of portable computers to education,'' Apple CEO Steve Jobs said in a statement released Tuesday.

''Given this, we're baffled that a settlement imposed against Microsoft for breaking the law should allow—even encourage—them to unfairly make inroads into education, one of the few markets left where they don't have monopoly power.''

In its legal brief, Apple argued that the settlement structure would ensure ''that any benefits will come at an unacceptable cost to schools and the public by extending and strengthening the Microsoft monopoly. By its very nature, the settlement would heavily promote and subsidize the schools'' acquisition of Microsoft products at the expense of more effective and appropriate alternatives.''

''Today our schools have a choice, and to date they have chosen Apple around half of the time,'' Jobs said. ''We think our schools deserve to keep their power of choice, and our kids deserve better than having to learn on old, refurbished (Windows/Intel) computers.''

Critics: Proposal anticompetitive

Apple isn't alone in criticizing the deal. On Monday, the Computer & Communications Industry Association (CCIA) and the American Antitrust Institute (AAI) sent separate letters to Motz asking him to reject the proposed agreement.

CCIA President Edward Black charged that ''the court-ordered distribution of free software would be tantamount to judicially sanctioned predatory pricing by a monopolist in a critical market.'' Black argued that one of the few markets where Microsoft still faces competition is from Apple in the education sector.

''By allowing Microsoft to flood the education market with free software—at virtually no cost to the company—the court will be virtually assuring that no other competitor will be able to charge for its products,'' he said.

AAI President Albert Foer raised similar concerns.

''To the extent that this influx of Microsoft products undermines Apple, one of Microsoft's few remaining competitors, whose base of strength happens to be in the public schools, the proposed settlement of these antitrust suits may actually be anticompetitive,'' he wrote to Motz. Critics of the deal argue that free software is hard to pass up and note that federal and state trustbusters filed their case in part because of the anticompetitive effects of Microsoft giving away valuable software to gain market share.

Franklin Williams, vice president of operations for AstroVision International, a provider of Earth-view images, doesn't see a problem with Microsoft giving away software to schools as long as it doesn't further entrench the Windows monopoly.

''Microsoft must donate software—and hardware if included—that does not support the Windows operating system,'' he said. ''It should be fine if Microsoft ships millions of copies to schools for versions of its applications that do not run under Windows.''

Guy Peterson, visual communications manager with Manitowoc Cranes in Manitowoc, Wis., also ripped into the settlement agreement. ''The CCIA is absolutely correct in its assessments that this settlement will block the sales of other software,'' he said. ''The artificially inflated ''retail'' cost of the software is a shallow marketing ploy, and...the tiny percentage of this ''penalty'' will not seriously affect Microsoft.''

Even consumers in Europe, where an antitrust investigation is still pending against Microsoft, contend the settlement is inadequate. ''It's my belief that if the profits made by doing what one is convicted (of) aren't undone, somehow the government isn't exactly sending out a strong signal that they would like companies to behave in different ways,'' said Arthur Bommeli, a network engineer from the Netherlands. Alfie Lee, a registered nurse living in Tasmania, Australia, shared similar sentiments.

''Microsoft already with the monopolistic computer base gets to build upon it as ''compensation'' for imposing their monopoly on the world,'' he said. ''Rather than getting a smack, they get a whole new generation of enforced Microsoft users.''

MTC–00032123

From: bigsixty@mac.com@inetgw
To: Microsoft ATR,microsoftcomments @doj.ca.gov@inetgw,...
Date: 11/28/01 5:46pm
Subject: Thank you for your continued pursuit of Microsoft

Greetings.

My name is Tyler Lagrange of Sarasota, FL.

I will try not to ramble on for too long and I beg of you to read all I have to say as it pertains to what I believe to be the most significant antitrust lawsuit I will see in my lifetime.

Thank you very much for not accepting the lenient settlement that has been proposed in the Microsoft case. I have been following the case from the beginning and have read many articles that have followed your progress. My favorite was an article in Wired magazine about a year ago that really went in to a lot of detail that even I did not know. At that point I really felt the case was going in the right direction, but that feeling has understandably changed in the recent weeks.

I don't feel you need me to point out reasons why Microsoft has committed illegal monopolistic activities, however, I want to point out the ones that really hurt me as both a consumer and an internet software developer. I am a 26 year old programmer with a 4 year Computer Science degree and I've been a computer user since my first grade year at Hunt Elementary in South Florida (20 years ago).

As a consumer, my choices are severely limited by what Microsoft has done. I was really upset by what Microsoft did with the web browser wars as I preferred Netscape (along with 80% of the internet users back then). I can not really understand how they could get away with simply copying somebody else's ideas and designs, and to then force it down everybody's throats. They claim that it is best for me as a consumer and they offer it up to me for free as if that is generous. They only gave it to me for free because there was competition. What I would really want for free is Microsoft Office. Why isn't that a part of the OS? Microsoft Office is the de facto standard for sending formatted papers and office/business documents to and from people. A majority of the people out there have it and use it for daily use—probably even more than Internet Explorer. The reason that Microsoft will never offer that to us free is not just because it costs them more to develop (that is untrue as they have already recouped their costs), but because they face no serious competition in that realm. If you ask 100 consumers if they would rather have Office or IE bundled with their OS, you know what they would say. Microsoft is not doing what the consumers want, but is illegally protecting their desktop monopoly and extending it in to any other area that they can get in to. I do not want Internet Explorer. I do not want Windows Media Player. I do not want the other stuff they seem to think I do.

As an internet software developer I have also had many problems with what Microsoft has done. My biggest problem is really undocumented and unknown by most people who do not develop internet software. By having such a huge user base, they have made it virtually impossible (undesirable really) to write software that does not support Internet Explorer. They may claim that their browser supports more ''standards'' but in fact they support whatever they feel they want to. One of the most severe things they have done is to have a more lenient parser (the system that reads the HTML and displays it) that will not enforce strict HTML. This allows coders to be lazy and to not adhere to the HTML standards. Once they get used to that (and for the most part they just

debug their sites in IE and don't look at any other browsers), they will most likely NOT adhere to standards and as a result the web sites will only act appropriately in Internet Explorer (I have worked in 3 startups and they all have focused solely on Internet Explorer as the default platform). As consumers see these things acting correctly only in IE, they feel that IE is the only one that works. Now it may look like they are being nice and ''guessing'' what us web programmers mean to do, but by not enforcing the standards, we will never be able to progress beyond the inadequate capabilities we have today. I don't know for sure, but I bet at least 80% of the web sites out there would break if standards were enforced. I honestly feel that this is deliberately done to prevent other web browsers from gaining a significant share of the marketplace again (unless they are programmed to display improper HTML to maintain compatibility). This also prevents serious progress because they have to maintain this broken compatibility to display those 80% that were not written well in the first place. Web developers must write software to work well in IE or they will have problems with their customers. This just extends their monopoly.

Beyond that, it is hard for me to feel that with an idea I can be successful in the free marketplace. That is a horrible lesson the courts are trying to teach me. Even with the best ideas in my head, as soon as Microsoft has me in their sites, they could embrace it, extend it, build it in to their next OS, and push me aside. I will never be able to charge money for my software, as Microsoft can always afford to give it away free and to throw more R&D money at it to ''make it better'' than me. So in order to beat them, I will probably need some capital behind me. But investors, after seeing what Microsoft is allowed to get away with, will be less likely to dump money in to my company with the risk that Microsoft will overtake us and we will lose all that we have.

They have too much power and too much freedom and will continue to pursue these initiatives even harder if they are allowed to get out of it this time.

I am disgusted by the bundling that they were allowed to get away with with XP even after it was determined that Internet Explorer pushed and entire company essentially out of the market. They will now push remote administration systems, media players, digital camera software vendors, cd burning software vendors, and many others out of business. This does not help the economy. This is also not about progressing in to a ''modern operating system''. This is about extending a monopoly. It may seem extreme to a lot of people to break up a company, but it has been done successfully before, and it may need to be done again. I feel that Microsoft makes some good applications, and has some good operating systems. However, if their operating systems division was separate from their applications divisions, it would prevent this overlapping we see of OS services and Application services. It would also allow for more choices and more opportunities for other vendors to produce top quality software that WILL benefit consumers, and WILL boost the economy, and WILL save the future of computing.

I feel so powerless when I sit at home and read about all the bad things Microsoft has done. I watch the arrogance they display when they claim that they know more than you or I do about how the future of computing should be regulated. I beg you to not fall like the others have before you. I urge you to do your best to represent me in this monumental case. I thank you for all that you have done, and will continue to do.

If you made it this far thank you very much,

Tyler LaGrange
4902 Ithaca Ln
Sarasota, FL 34243
CC:bigsixty@aol.com@inetgw

MTC–00032124

From: geek@geekculture.com@inetgw
Date: 11/28/01 9:39pm
Subject:

The DOJ/STS VirusScan has detected a virus in this e-mail message and the infected attachment has been cleaned or deleted.

MTC–00032126

From: JOHN D GILBERT
To: Department of Justice
Date: 11/29/01 8:25am
Subject: Microsoft Settlement

In addition to my comments sent a few minutes ago, the points from this AP news article clearly show how Microsoft continues to manipulate the system. I continue to ask for a penalty that would promote more competition!!!!!!!! Under the proposal made public last week, Microsoft and some plaintiffs agreed the company would provide more than $1 billion worth of Microsoft software, refurbished personal computers and other resources to some of the nation's poorest schools. Microsoft said the deal allows schools to choose to spend money on training and resources for non-Microsoft products. But the company concedes that those who go with Microsoft products will be given more resources, such as free software.

''The actual settlement is made up of a basket of resources,'' said Mark East, worldwide general manager of Microsoft's education solutions group. ''The software component is just one of the elements.'' It's still drawn the ire of Glenn Kleiman, a lecturer with the Harvard Graduate School of Education Technology and a longtime researcher in the field. ''To put it bluntly, Microsoft is trying to pull a fast one here,'' said Kleiman, who is a consultant for some of the plaintiffs who oppose the settlement. ''They are saying that they are providing $1 billion plus of resources, but it's being done in a way that's self-serving to Microsoft.''

MTC–00032127

From: Dale Eshelman
To: Department of Justice
Date: 11/29/01 9:52am
Subject: Microsoft Settlement

The settlement falls extremely short of doing justice.

1. Microsoft still continues to have in their operating system and programs to only go to Internet Explorer instead of opening the default browser selected by the user...in my case NETSCAPE.

2. Microsoft still continues to modify computer BIOS chips to control what the user can do with his computer for operating systems.

3. Micorosft still uses their cusotmized versions of HTML, Java Script and SQL to control the desktop market. Other vendors prgrams do not work properly as a result...leaving users frustrated and their ONLY alternative being to use a Microsoft product.

4. To let Microsoft use the education market as a settlement in fact enhances their monopoly power because that is about the only markdet Microsoft DOES NOT control. Rather Microsoft should have to provide funds to education which CAN NOT be spent on Microsoft products and equipment.

5. This is only a top three list. There are hundreds of issues like these which Microsoft will still be allowed to control. This is not a settlement. It should not be considered.

Dale Eshelman

MTC–00032128

From: Greg Swallow
To: US Dept Of Justice,
California,Connecticut,Florida,...
Date: 11/29/01 9:54am
Subject: Stop Microsoft Hegemony

To Whom It May Concern:

First let me commend you for standing up for what is right in this matter. Though I do wonder how much more may be done, I ask you to continue to do all you can.

I say these things knowing from where I speak. For nearly twenty years I have worked in the Computer/IT industry. I am a programmer by education/trade and work in that arena as often as possible. I have also worked in Support Services and found there is little available in support for ''High End'' environments as where in days gone by. Once such expensive a system is properly stablized then it needs little more than Preventive Maintenance to operate optimally. The problem with the ''Low End'' Windows market is the money is to be made at the expense of ignorant users. Users who know no different than to buy what is on the retail shelf. Where ''sales professionals'' are little more, some say less, than used car salesmen. This has never been, nor will ever be, the correct way to purchase a computer.

My experience with Windows spans before even the first public release in the 1980's. Errors cropped up then just as they continue to do so today. My most significant ''gripe'' is that they are the same errors. Oh, they use different names, but examining deeper into the cause shows the same issue exist. So long have I fought over these persistant errors that I have a practice, when building/preparing a Windows computer, which delivers a stable installation of Windows. What is so perplexing is that the procedure is rather simple, yet no manufacturer uses it. For the most part because Microsoft speaks against such procedures. To do so would cost Microsoft support dollars in thier slice of the support market.

Becuase of this relentless barrage of aggravations, I have never used Windows as my own primary OS. What I do with my computers is too important to trust to such

an inferior product. Unix was my first OS and continued to be until it was just not economical. I examined other options and chose IBM OS/2. I was amazed at how easy OS/2 was to manage and how stable it remained even in questionable environments. IBM created a wonderful product, but couldn't give water to a man dieing in the desert against Microsofts separation and marketing tactics. Unfortunately my clients would only use Windows, because they only heard mention of OS/2 from me and not the ''sales professionals,'' but then came Windows 95. Sales person after sales person pestered them to no end. My clients saw nothing benefitial to changing as they were running networks and Windows 95 was/is notorious for being even more unstable when attached to a network. They came asking me what to do and again I recommended OS/2. Fortunate for my clients they decided to change to OS/2 Warp. Unfortunately for me, because OS/2 is so stable, they no longer need my services.

To be able to make a living I have had to turn to supporting Windows networks. This I find most disagreeable, but what's a man to do needing to support his family. Microsoft has created such a vast industry in support, it's as if there is no other way. It hurts when you know a correct/complete answer, but are instructed to not give it as to do so would cost the company (Microsoft) money in support dollars. I have even confronted my fellow workers with my educated opinion that, ...to make a living as we are, supporting Windows, is to make a living off another's weakness. Much like a prostitute. The only verbal reply I have ever received was, ''That is the American way.'' I turned and walked away to keep from stiking the man for what he said.

My most recent Windows fatality was with my fiance's computer. A system I had assembled for her using Windows 95 because it was what her employer was using. It made no sense to have something different at home. It remained stable for about a year, thanks to the steps I had use as mentioned previously. By this time she had also become my bride and had seen/heard more about Windows than she really cared to. She wanted something different and I shared all I had for her to examine. A week or two later I bought her an Apple iMac and she has never been so happy. Even I have grown fond of the stability and simplicity of the Mac OS, but still little work is available and we must continue to support the world of broken Windows.

Then came Windows 98 and finally I left. I am once again building my own organization. Our SOHO has some seven computers, one iMac, one OS/2 Warp, one Windows, and four Linux. Linux? Yes! Unix that I can once again afford. A product developed and created by the people who use it. And, here comes the Microsoft behemoth to take away from the people what the people have created? I think not. Linux will remain my primary OS and I may build upon it with Apple Mac OS X workstations. Windows will have its place attached to our television, so that we may play an occassional game, but little more. OS/2 Warp stays as my own office computer. Even running on an intel Pentium 120 it out performs Windows 98SE on a 400MHz intel Pentium II.

Please stop Microsoft. Let the people keep what they have created;

Linux.

Sincerely,

Greg Swallow <><

President

gswallow@internet4sites.net

I-4 Sites STOP TRAFFIC!

http://www.internet4sites.net

MTC–00032129

From: Dominic Dupuis
To: edextraze@dextopservices.com@inetgw
Date: 11/29/01 6:48pm
Subject: Re: Suspension de Norman Lester (2)
CC:=?iso-8859–1?Q?Philippe=20B=E9dard?=

MTC–00032130

From: Tan/Kal
To: Antitrust
Date: 11/30/01 11:59am
Subject'' Favor remedy by full open source code

MTC–00032130 0001

November 30, 2001

Dear Sirs,

Regarding the Microsoft settlement proposal, I think that Judge Motz had it right by stating, ''1 think you've got to go back to square one to get to square five.'' The judge seems to have said: Get that mutt outta here before I take a bite out of it.

Microsoft has accumulated a $16B cash kitty by anticompetitive, monopolistic practices, and has shown no remorse. A $1B donation to schools may sound like a slap on the wrist, but in fact it turns out to be ''self-serving''—potentially undercutting competitors who have chosen the long, slow route to undoing Microsoft's historical monopoly in operating systems by cultivating and educating schoolchildren who won't be ready for credit cards for another ten years.

If this was such a penalty, why would Red Hat be willing to match Microsoft's largess by a one-for-one donation of its Linux-based operating system to every schoolchild that receives Microsoft Windows TM? Furthermore, nothing has changed. Microsoft's new WinXP, by integrating applications such as photo processing into its operating system continues to push other manufacturers out of the digital business. Dog eat dog? No, anticompetitive; the trial is already over and we are awaiting sentencing. This is the penalty phase. Microsoft is guilty.. But is the Federal Government big enough to take on Microsoft?

They don't call it the US Department of Justice (US DOG) for nothing! This is a pit bull, not a poodle, and the only thing Microsoft is going to understand is a bigger dog. Judge Motz is waiting for a solution that provides redress to the injured parties, who are the plaintiffs in the class action lawsuits— the consumers. If not now, not next time.

The only meaningful redress is to open the source code to the public. Granted, the source code is proprietary information. But this penalty phase is exactly about forfeit of corporate private property to the government—that's why they call it a ''penalty''. OK?

Rather than send ten dollars to every consumer who bought an MS product in 1998, making the code non-proprietary is the only penalty that will meaningfully benefit the consumer and ultimately increase our nation's security. There are strong benefits from open-source computing for the consumer. We no longer need to worry that computing will be left to the geeks who do their own programming. The industry is too big now. Instead, whole new entrepreneurial activities will spring up if the code is made public.

And what better penalty then to give the source code to the real immediate victims here, Microsoft's competitors in the marketplace, when by doing so, the marketplace can quickly multiply the benefits ten-fold for the consumer, benefiting everyone without the expense of millions of letters to every household. The benefits of open-source computing include:

Reduction in the cost of highly specialized programs, such as for image analysis, voice over data, surveillance and security. As things stand, development of these applications is a difficult, risky and prolonged effort. One key risk is that Microsoft will integrate key features, but then change secret parts of the code so that the innovator's software is no longer compatible. An example is Java.

Better privacy, improved resistance to hacking and data theft. Simply put, generic hacking has become a high school hobby because we have generic computers. The one-size-fits-all approach to computing has made us all vulnerable.

Reduction in network vulnerability to viruses and system instability. Obviously, viruses propagate quickly in our society because we all have clones of the same software.

Better, faster and more energy-efficient hardware operation. This is good old american more bang for the buck.

As another example, look at the broad interest in Back Step TM, Go Back TM and Microsoft's latest knock-off of ''system restore''. What if an operating system and hardware had been designed for this feature rather than it being glued on like a fruitfly onto the skin of an enormous onion. If redesigned from the kernel, it could be integral and automatic, as easy as resetting a digital clock and as reliable as the sunrise. This re-engineering of the operating system is only possible if the source code is open to entrepreneurs who have no stake in the status quo.

MTC–00032130—0002

Again, by providing each application with dedicated memory (not a common swap file), system crashes due to memory allocation can be avoided entirely. But instead of focusing on improving the operating system, for the last 6 years Windows instead focussed on winning the Browser Wars—and sold us 6 consecutive beta versions of its operating system that required consumers to continually update numerous applications at great expense and labor.

In fact, Microsoft has also frozen computer hardware architecture in place. Freeing developers to redesign the operating system

also frees hardware designers to at last begin the refinement of customized chips specialized for particular functions such as voice recognition or image analysis. Software emulation is the hard way to solve these problems, and points to the greatest single weakness in the current evolution of computing, the failure of custom hardwired chips to evolve and make significant inroads into the market. This hasn't occurred because the systems are not competitive, it has occurred because competition has been squashed. For example, consider Apple Computer. Microsoft decides when Apple will get a new operating system, not Apple.

And what about security? Look at how dependent the Government is becoming on personal computers; the new WinXP gives Microsoft technicians a back door into every computer on the planet. Any kid with his own computer has a roadmap to your computer because yours is exactly the same as his. Any serious hobbyist can buy generic gaming tools that allow them to access your system.

Some have said that it is better not to make the source code public because its weaknesses and access points would be revealed to everyone (particularly Passport). Better to keep it secret so that we are safe, they argue. This is like saying we are safer if we don't know where the terrorists are or what they are doing. There is a public interest in the source code, that of national security, and we can no longer trust a proven anticompetitive organization to have the national interest in its priorities. Chairman of Microsoft is not an elected office.

All encrytion systems have limits. A key is necessary. But if proprietary hardware modifications are made, and an open source operating system is modified to work with them, then the system becomes unbreakable without access to the hardware. This is the computer analogy of the Navajo code talkers of WW II. Security is ensured when each individual or government can customize their own applications, stripping out unnecessary parts of the operating system that compromise security or corrupt stability, and adding unique intermediate components or coprocessors to prevent foreign access.

What we need is a simple operating system built around our applications, not generic gooies tacked onto a massive and secret operating system. Only the increase in processor speed and memory size has permitted this folly, but at what a waste of energy and time! 35 Mbytes for an Operating System: Ridiculous! Even 3.5 Mbytes is too much.

Data processing must not be forced to conform to one man's view of what a computer, or a society, or an individual, should be. Microsoft's strategy, by chosing the lowest common denominator, has made us all exceptionally vulnerable to social instability in our communications, at home and abroad, and has shackled our entrepreneurial spirit by its domination. Ultimately, with open source, the next line OS will be reduced to common kernel for most mass market applications, and plug-in modules (hardware combined with software) for applications: one for security, one for word processing, one for telephony, etc. that are recognized by a user profile (and coprocessors) and interrelate through dedicated static and dynamic memory arrays to analog devices and common peripherals in a common or proprietary language, user's choice.

Microsoft has put the survival of its massive, primitive, convoluted, proprietary operating system above all of society's other interests or needs. Microsoft was convicted in a court of law, and it is up to the Court to decide what will be confiscated from Microsoft as compensation to the victims. Relief by open source code will bring an era of competitive innovation at a pace that will astonish the consumer, trimming away the quirks and the self-serving features in the Microsoft operating systems like the barber's razor on a neutered poodle.

The current ''trial balloon'' settlement offer is unfair and unbalanced. We should beseech Judge Motz to reject it. I call upon the Antitrust Division to return to the bargaining table with a new vigor and urgency, demanding publication of the Microsoft source code for its operating systems. Sure, that will bring a fight, but the trial is already over. They lost. Not only is publication of the source code in the public interest, it is also a matter of public security; a clear case of ''eminent domain''. No corporation, no man, can be allowed to hold this country's access to e-information and e-commerce in a lock box, with the sole power to dole out ''improved versions'' the same way AT&T once upon a time developed new telephone products, by planned obsolescence.

Sincerely,

MTC–00032131

From: Deb
To: Justice Department
Date: 11/30/01 12:29pm
Subject: Please stand up to Microsoft
Office of the Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530–0001
microsoft.atr@usdoj.gov
AskDOJ@usdoj.gov
202–353–1555

Dear People at the United States Department of Justice,

Please stand up to Microsoft for all of us. The one consistent claim that Microsoft makes is that they are innovators. However, facts of history speak for themselves here. This is not their legacy.

Suppressing innovation in others, however, unfortunately is their legacy. As a private citizen and business person, the affects of the Microsoft monopoly corporation, both personally and corporately, continue to be horrendous. I fear the proposed settlement, where Microsoft puts refurbished computers in the poorest schools, will not only -not- solve this problem but will if fact promote Microsoft's predatory marketing practices, and subsequent illegal abuse of monopoly power.

Microsoft's new Windows XP includes browsers and this time with a significant change: they no longer support industry-standard third-party browser plug-ins for presenting specialized content, such as movies, sound, animation, and virtual reality. This behavior follows years of Microsoft intimidating other companies and bundling their browser for free, essentially driving all other browsers out of the market. By allowing Microsoft's illegal practices we are disallowing innovation and most certainly disallowing fair competition.

Please help to stop their illegal behavior. Microsoft has broken the law and continues to do so. If we're to remain proud of the United States then please give us a system of justice that is representative of the truth and not the politics of a monopolist. Thank you very much.

Sincerely,
Deborah Antkoviak
Raleigh, NC

MTC–00032132

From: Glenn Oppel
To: ATRMAIL8.ATRSFO01(MSOFT)
Date: 11/30/01 2:31pm
Subject: Perplexed

DoJ:

Given the recent merger of AOL and Time Warner, one wonders why the DoJ is busting Microsoft. It just goes to show how out of touch the federal government is with the dynamism of the free market. Let's not forget about the upcoming Linux operating system—not to mention the half a dozen other OSs out there.

There is no such thing as perfect competition—the predicate of antitrust. Even if a corporation has a large market share, there is always competition around the corner. Furthermore, a large market share is due to consumer demand. Consumers are sovereign in the market and determine its direction. Antitrust supersedes this sovereignty.

The only purpose that antitrust serves is to afford a successful corporation's competition a political tool to gain the upper hand. It's all about political power, not about the ability to compete.

Sincerely,
Glenn Oppel
Fairfax, VA
gcoppel@concentric.net

MTC–00032133

From: Kirby Dunsmore
To: Renata Hesse
Date: 11/30/01 10:58pm
Subject: Comment on U.S. v. Microsoft
Kerwin Dunsmore
9250 Myrna Place
Thornton, CO 80229
November 30, 2001
Renata Hesse, Trial Attorney,
Suite 1200, Antitrust Division,
Department of Justice
601 D Street NW
Washington, DC 20530
Subject: A comment on United States v. Microsoft Corporation; Revised Proposed Final Judgment and Competitive Impact Statement

Dear Ms. Hesse:

I am a recently-retired (2001) computer professional and submit these comments in the hope that the Court will find them useful. Section III., Prohibited Conduct, (subsection J), permits (and perhaps even encourages) Microsoft to deny disclosure of or licenses to

its Applications Programming Interfaces in various circumstances. Subsection J) allows Microsoft to duck behind ''security'' considerations or to comply with a hypothetical ''governmental agency of competent jurisdiction.'' At the same time it encourages Microsoft to approve only potential licensees with an ''authentic and viable'' business and a ''reasonable business need''.

Just as an automobile is a useless platform without a driver, an operating system is useless without an application. Concealment of an operating system's APIs is the equivalent of hiding a car's windshield wiper or light switches from its owner or driver, limiting its use to daytime and dry weather.

Revealing the locations of these controls (and how to use them) is not the same as providing detailed information on the design or workings of the internal mechanisms which provide the needed function. The security issues raised by publishing API specifications are specious because authentication of identity is simply a service expected of an operating system, not unlike a car's key-locked ignition switch.

Furthermore, just as a car buyer would not buy an additional license to use information to operate its heater, Microsoft operating system consumers must not be forced to buy (directly or indirectly) additional information about Windows XX just to use it with programs developed by third parties. In sum, Section III (J) invites Microsoft to invoke security or intellectual property issues to justify withholding information useful to purchasers and applications programmers of its operating systems.

Given the history of Microsoft's behavior in relation to the U.S. Government's attempts to restrain it, the Court will again be called upon to examine that behavior. Since May of 1990, when the FTC opened its anti-trust investigation, Microsoft has paid little attention to its government's admonishments or to orders of the Court. Indeed, Microsoft has never admitted any wrongdoing, nor has it in the present action.

Respectfully,
Kerwin Dunsmore

MTC–00032134

From: stout762
To: Microsoft ATR
Date: 12/2/01 8:38pm
Subject: Microsoft

DOJ;

I beleive that the continued existance of Microsoft as an intact entity poses an extreme danger to all other software companies. Microsoft has a long history of using any method available to kill competition and stifle inovation in the computer industry. Quite simple they cannot be trusted to uphold any agreement they enter into.

To mitigate the continued danger of Micro$oft, I propose that the corporation be divided into to seperate entities. One that will continue to produce Operating Systems (OS) and One that will develop end user applications (office, Internet Explorer, etc). Absolutly no communications, other than normal discourse between two rival companies, should be permitted between the two halves of the company.

To mitigate the advantages already achieved by the company, Microsoft need to be forced to disclose all proprietary information regarding the various protocols and file formats used by the companie's software.

If microsoft continues to try and ''pollute'' public domain standards (HTML, TCP/IP, ETC) they should be quicly and severly punished and forced to recind the changes. The end user needs to have the option to un-install or decline the installation of any ''bundled'' software (Internet Explorer, Media Player, etc.) without crippling the operation of the OS or any other software component.

As the final step, all of the current Microsoft senior executives should be forced to sell off their microsoft holdings and seek employment elsewhere. It seems patently unfair to me that they should be rewarded with the continued leadership of a comapny that has engaged in criminal behavior for 20+ years.

R/ J. Justin Stout

MTC–00032135

From: RYates2000@aol.com@inetgw
To: RYates2000@aol.com@inetgw
Date: 12/4/01 4:23am
Subject: Re: Microsoft settlement

I am writing to voice my concern over the proposed settlement with Microsoft. I, and many of my peers, feel that as a consumers, we do not enjoy the amount of choice we should in the computer software industry. There is no credible alternative to many of the product categories that Microsoft dominates. It is clear that they have continuously ''strangled'' new technologies that they saw as a threat to their dominance (Web Browsers, Word Processors, Java, Media players, etc).

Please consider taking a stronger position against this company that was found GUILTY in court for being an anticompetitive monopolist.

Sincerely,
Ron Yates
3516 Foxglove
Louisville, KY 40241

MTC–00032136

From: david pech
To: John Ashcroft
Date: 12/4/01 10:31am
Subject: USAGPech—Gina—1096—1130
Gina Pech(1543 22nd Street(Ogden,
UT(84401
November 30, 2001
Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Ashcroft:

I am writing to express my approval of the federal settlement that has been reached in the Microsoft case.

The Justice Department has kept Microsoft tied up court for the last three years, and it is time to stop the litigation and let them get back to the business of technological innovation. The U.S. computer industry is second to none in the world, and Microsoft should get much of the credit for this. The settlement is balanced, and takes into consideration the concerns of those in the business who felt that they were unfairly shut out of the market.

Sincerely,
Gina Pech
CC:Microsoft ATR

MTC–00032137

From: Brian J Best
To: GENERAL@ksag.org@inetgw
Date: 12/4/01 7:53pm
Subject: Microsoft Proposed Settlement

Dear Sirs or Madams:

I have read about the proposed Microsoft anti-trust settlement and am appalled that such a settlement is even being considered.

It is obvious to anyone who currently, or in the past, makes their living in computer support for education that this settlement would only serve to increase the market share, and thus the monopoly power, of Microsoft in the education market. Further more, the proposed settlement has no mechanism to control the use of Microsoft's monopoly power in the future. Long term, the settlement would not provide redress for Microsoft's abuse of monopoly power, but instead simply increase the possibility of such abuse in education, while hurting the market share of competing companies.

Bottom line: the proposed settlement is wholly inadequate as a penalty for Microsoft's abuse of its monopoly power. It is completely unacceptable. I strongly urge you to reject this proposal and continue your work to find an acceptable remedy.

Sincerely,
Brian J. Best
5000 Clinton Pkwy #901
Lawrence, KS 66047
785–830–8683

MTC–00032138

From: L. Strickland
To: Ms. Renata Hesse
Date: 12/5/01 1:10pm
Subject: Microsoft Settlement
L. Strickland
6811 Meteor Pl.
Springfield, VA 22150
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or

years from now when all appeals from continuing the litigation would finally be exhausted.

The terms of the settlement offer a fair resolution for all sides of this case the DOJ, the states, Microsoft, competitors, consumers and taxpayers. Microsoft will not be broken up and will be able to continue to innovate and provide new software and products. Software developers and Internet service providers (ISPs), including competitors, will have unprecedented access to Microsoft's programming language and thus will be able to make Microsoft programs compatible with their own. Competitors also benefit from the provision that frees up computer manufacturers to disable or uninstall any Microsoft application or element of an operating system and install other programs. In addition, Microsoft cannot retaliate against computer manufactures, ISPs, or other software developers for using products developed by Microsoft competitors. Plus, in an unprecedented enforcement clause, a Technical Committee will work out of Microsoft's headquarters for the next five years, at the company's expense, and monitor Microsoft's behavior and compliance with the settlement.

Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors' products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

L. Strickland

MTC–00032139

From: Glenn German
To: Ms. Renata Hesse
Date: 12/5/01 1:58pm
Subject: Microsoft Settlement
Glenn German
Box 74
Burlington, KS 66839–0074
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Glenn R. German

MTC–00032140

From: Constance Root
To: Ms. Renata Hesse
Date: 12/5/01 1:58pm
Subject: Microsoft Settlement
Constance Root
8472 Maplewood Ln
Lenexa, KS 66215–2874
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Constance J Root

MTC–00032141

From: Martin Spielman
To: Ms. Renata Hesse
Date: 12/5/01 2:00pm
Subject: Microsoft Settlement
Martin Spielman
8 Monaghan Road
Edison, NJ 08817–4122
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Martin J Spielman

MTC–00032142

From: Adrian J. Dekker
To: Ms. Renata Hesse
Date: 12/5/01 2:01pm
Subject: Microsoft Settlement
Adrian J. Dekker
11929 Eagle Creek Cove
Ft. Wayne, IN 46814
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Adrian J. Dekker

MTC–00032143

From: James G. Tierney
To: Ms. Renata Hesse
Date: 12/5/01 2:05pm
Subject: Microsoft Settlement
James G. Tierney
9660 W. Pebble Brook Lane
Boise, ID 83703
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

James G.Tierney

MTC–00032144

From: John Schuck
To: Ms. Renata Hesse
Date: 12/5/01 2:06pm
Subject: Microsoft Settlement
John Schuck
P.O. Box 1516
North Conway, NH 03860
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted. The terms of the settlement offer a fair resolution for all sides of this case ? the DOJ, the states, Microsoft, competitors, consumers and taxpayers. Microsoft will not be broken up and will be able to continue to innovate and provide new software and products. Software developers and Internet service providers (ISPs), including competitors, will have unprecedented access to Microsoft's programming language and thus will be able to make Microsoft programs compatible with their own. Competitors also benefit from the provision that frees up computer manufacturers to disable or uninstall any Microsoft application or element of an operating system and install other programs. In addition, Microsoft cannot retaliate against computer manufactures, ISPs, or other software developers for using products developed by Microsoft competitors. Plus, in an unprecedented enforcement clause, a Technical Committee will work out of Microsoft's headquarters for the next five years, at the company's expense, and monitor Microsoft's behavior and compliance with the settlement.Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors? products after purchase as well.

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Sincerely,

John Schuck

MTC–00032145

From: JEROME BOLT
To: Ms. Renata Hesse
Date: 12/5/01 2:07pm
Subject: Microsoft Settlement
JEROME BOLT
PO BOX 167
ROCKPORT, TX 78381
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division 601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

JEROME G. BOLT

MTC–00032146

From: Jane Moore
To: Ms. Renata Hesse
Date: 12/5/01 2:08pm
Subject: Microsoft Settlement
Jane Moore 5 North Star Dr.
Randolph, NJ 07869
December 5, 2001

Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Jane E. Moore

MTC–00032147

From: carol&george LATOURETTE
To: Ms. Renata Hesse
Date: 12/5/01 2:08pm
Subject: Microsoft Settlement
carol&george LATOURETTE
2250 newfound harbor drive
merritt island, FL 32952
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
carol&george latourette

MTC–00032148

From: W. B. Pete Hopkins
To: Ms. Renata Hesse
Date: 12/5/01 2:14pm
Subject: Microsoft Settlement
W. B. Pete Hopkins
4 Cormorant Circle
Durham, NH 03824
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

W. B. Pete Hopkins

MTC–00032149

From: Richard Kabat
To: Ms. Renata Hesse
Date: 12/5/01 2:14pm
Subject: Microsoft Settlement
Richard Kabat
Rt 3 Box L-160
Franklin, TX 77856
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Richard J. Kabat

MTC–00032150

From: Harold Berenson
To: Ms. Renata Hesse
Date: 12/5/01 2:16pm
Subject: Microsoft Settlement
Harold Berenson
20110 218th Ave NE
Woodinville, WA 98072–7145
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Harold R. Berenson

MTC–00032151

From: Marty French
To: Ms. Renata Hesse
Date: 12/5/01 2:16pm
Subject: Microsoft Settlement
Marty French
2300 Bristol Dr.
Carrollton, Tx 75006
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Marty French

MTC–00032152

From: Jerry Darger
To: Ms. Renata Hesse
Date: 12/5/01 2:16pm
Subject: Microsoft Settlement
Jerry Darger
821 Hopkins St
Kiowa, KS 67070
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530
Ms. Hesse:

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Sincerely,

Jerry Darger

MTC–00032153

From: Marian Hirsh
To: Ms. Renata Hesse
Date: 12/5/01 2:16pm
Subject: Microsoft Settlement
Marian Hirsh
96000 Overseas Hwy. F–9
Key Largo, FL 33037
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530
Ms. Hesse:

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Sincerely,

Marian Hirsh

MTC–00032154

From: Jacob Baker
To: Ms. Renata Hesse
Date: 12/5/01 2:19pm
Subject: Microsoft Settlement
Jacob Baker
121 PINE DRIVE
watertown, NY 13612
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Jacob D. Baker

MTC–00032155

From: Beryl Shuga
To: Ms. Renata Hesse
Date: 12/5/01 2:27pm
Subject: Microsoft Settlement
Beryl Shuga
720 Glenhaven Drive
Hurst, TX 76054–2306
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

(Mrs) Beryl Shuga

MTC–00032156

From: Steve King
To: Ms. Renata Hesse
Date: 12/5/01 2:28pm
Subject: Microsoft Settlement
Steve King
718 Treat Ave.
San Francisco, CA 94519
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Steve King

MTC–00032157

From: Kelly J. Purcell
To: Ms. Renata Hesse
Date: 12/5/01 2:28pm
Subject: Microsoft Settlement
Kelly J. Purcell
1918 Edinburgh Way
Fullerton, CA 92831
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance – the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Kelly J. Purcell

MTC–00032158

From: Mark Spaeth
To: Ms. Renata Hesse
Date: 12/5/01 2:32pm
Subject: Microsoft Settlement
Mark Spaeth
14 E. Brookdale Ln
Palatine, IL 60067–7404
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Mark Spaeth

MTC–00032160

From: Joseph O'Hara
To: Ms. Renata Hesse
Date: 12/5/01 2:32pm
Subject: Microsoft Settlement
Joseph O'Hara
17521 leafwood lane
Tustin, ca 97280–1208
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,
Joe O'Hara

MTC–00032161

From: Gary Halpin
To: Ms. Renata Hesse
Date: 12/5/01 2:34pm
Subject: Microsoft Settlement
Gary Halpin
2009B Huntington Lane
Redondo Beach, CA 90278
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Gary Halpin

MTC–00032162

From: Jon H. Clayton
To: Ms. Renata Hesse
Date: 12/5/01 2:38pm
Subject: Microsoft Settlement
Jon H. Clayton
174 Woodland Ct.
Wetumpka, AL 36093–2211
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance & #8211; the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Jon H. Clayton

MTC–00032163

From: Edward Griffiths
To: Ms. Renata Hesse
Date: 12/5/01 2:38pm
Subject: Microsoft Settlement
Edward Griffiths
PO Box 2411
Pawleys Island, SC 29585–2411
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Edward Griffiths

MTC–00032164

From: Herman Kohlman
To: Ms. Renata Hesse
Date: 12/5/01 2:39pm
Subject: Microsoft Settlement
Herman Kohlman
2930 Woodside Ct.
Evansville, IN 47711
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Herman A. Kohlman

MTC–00032165

From: Edward G. Morin
To: Ms. Renata Hesse
Date: 12/5/01 2:44pm
Subject: Microsoft Settlement

Edward G. Morin
256 HILLSIDE AVENUE
CHATHAM, NJ 07928
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice,
Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530
Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Edward G. & Mary V. Morin

MTC–00032166

From: Jerry Lee
To: Ms. Renata Hesse
Date: 12/5/01 2:45pm
Subject: Microsoft Settlement
Jerry Lee
RR1—Box 332M
Bruceton Mills, WV 26525–9707
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530
Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Jerry S. Lee

MTC–00032167

From: James Murphy
To: Ms. Renata Hesse
Date: 12/5/01 2:50pm
Subject: Microsoft Settlement
James Murphy
34900 Military Rd S
Auburn, WA 98001–9211
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530
Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

James C. Murphy

MTC–00032168

From: Joseph F Yates
To: Ms. Renata Hesse
Date: 12/5/01 2:54pm
Subject: Microsoft Settlement
Joseph F Yates
4411 Beechland Rd
Springfield, KY 40069
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Joseph F. Yates

MTC–00032169

From: David Spaller
To: Ms. Renata Hesse
Date: 12/5/01 2:55pm
Subject: Microsoft Settlement
David Spaller
PO Box 864592
Plano, TX 75086
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors’ products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

David Spaller

MTC–00032170

From: Ella Rast
To: Ms. Renata Hesse
Date: 12/5/01 2:55pm
Subject: Microsoft Settlement
Ella Rast
475 East Park Street
American Falls, ID 83211
December 5, 2001

Ms. Renata Hesse U.S. Department of Justice, Antitrust Division

601 D Street NW, Suite 1200 Washington, DC 20530 Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Ella Rast

MTC–00032171

From: Christopher Perdue
To: Ms. Renata Hesse
Date: 12/5/01 2:59pm
Subject: Microsoft Settlement
Christopher Perdue
1509 Carmel Road
Charlotte, NC 28226–5013
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Christopher Perdue

MTC–00032172

From: Edward Evanko
To: Ms. Renata Hesse
Date: 12/5/01 3:07pm
Subject: Microsoft Settlement
Edward Evanko
1885 Military Ave
Seaside, CA 93955–3412
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Edward Evanko

MTC–00032173

From: Jeanne Brantingham
To: Ms. Renata Hesse
Date: 12/5/01 3:08pm
Subject: Microsoft Settlement
Jeanne Brantingham
11245 West Rd, #916
Houston, TX 77065–4873
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Jeanne Brantingham

MTC–00032174

From: Kenneth Golden
To: Ms. Renata Hesse
Date: 12/5/01 3:14pm
Subject: Microsoft Settlement
Kenneth Golden
1612 Harvard Woods Dr.2810
Brandon , Fl 33511–2095
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Kenneth Golden

MTC–00032175

From: Kendrick Matthews
To: Ms. Renata Hesse
Date: 12/5/01 3:25pm
Subject: Microsoft Settlement
Kendrick Matthews
11334 Earlywood Drive
Dallas, TX 75218
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Kendrick Matthews

MTC–00032176

From: Linda Hughes
To: Ms. Renata Hesse
Date: 12/5/01 3:31pm
Subject: Microsoft Settlement
Linda Hughes
10 MacLaren Ct
Waldwick, NJ 07463–2413
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Mrs. Linda Hughes

MTC–00032177

From: Herbert Stevenson
To: Ms. Renata Hesse
Date: 12/5/01 3:36pm
Subject: Microsoft Settlement
Herbert Stevenson
602. Fifth Street
Kirkland, WA 98033
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Herbert L. Stevenson

MTC–00032178

From: David Eilbaum
To: Ms. Renata Hesse
Date: 12/5/01 3:58pm
Subject: Microsoft Settlement
David Eilbaum
7166 Lester
Lexington, Mi 48450
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

David Eilbaum

MTC–00032179

From: Mike Kisch
To: Ms. Renata Hesse
Date: 12/5/01 3:58pm
Subject: Microsoft Settlement
Mike Kisch
Rt 1 Box 90B
Moberly, MO 65270
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Mike Kisch

MTC–00032180

From: janice MURPHY
To: Ms. Renata Hesse
Date: 12/5/01 4:00pm
Subject: Microsoft Settlement
janice MURPHY
1015 N Lincoln Hill Lane
martinsville, IN 46151
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

janice murphy

MTC–00032181

From: Carol Iossa
To: Ms. Renata Hesse
Date: 12/5/01 4:05pm
Subject: Microsoft Settlement
Carol Iossa
R.R. 1 Box 3130
Jonesport, ME 04649–9709
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Carol H. Iossa

MTC–00032182

From: C. O. ''Cap'' Sterling
To: Ms. Renata Hesse
Date: 12/5/01 4:06pm
Subject: Microsoft Settlement
C. O. ''Cap'' Sterling
4789 Scottsville Rd.,
Floyds Knobs, In 47119
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

C.O. ''Cap'' Sterling

MTC–00032183

From: Barbara Robken
To: Ms. Renata Hesse
Date: 12/5/01 4:10pm
Subject: Microsoft Settlement
Barbara Robken
2800 Andover Ave
Midland, TX 79705–3201
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Barbara Robken

MTC–00032184

From: Willis Brown
To: Ms. Renata Hesse
Date: 12/5/01 4:25pm
Subject: Microsoft Settlement
Willis Brown
3014 Julian Drive
New Albany, IN 47150–9519
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Willis Brown

MTC–00032185

From: Leonard and Agnes Tillerson
To: Ms. Renata Hesse
Date: 12/5/01 4:26pm
Subject: Microsoft Settlement
Leonard and Agnes Tillerson
244 Osprey Circle
St. Marys, Ga 31558–4101
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Agnes and Leonard Tillerson

MTC–00032186

From: roy hinton
To: Ms. Renata Hesse
Date: 12/5/01 4:34pm
Subject: Microsoft Settlement
roy hinton
pob 92
hayes, va 23072
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Roy Hinton

MTC–00032187

From: Jason Church
To: Ms. Renata Hesse
Date: 12/5/01 4:36pm
Subject: Microsoft Settlement
Jason Church
4646 W. Bath Rd.
Perry, MI 48872–9175
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Jason P. Church

MTC–00032188

From: James Rutte
To: Ms. Renata Hesse
Date: 12/5/01 4:54pm
Subject: Microsoft Settlement
James Rutte
20 Taunton Lake Road
Newtown, CT 06470–1414
December 5, 2001
Ms. Renata Hesse

U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
James A. Rutte

MTC–00032190

From: jerry ellis
To: Ms. Renata Hesse
Date: 12/5/01 5:16pm
Subject: Microsoft Settlement
jerry ellis
180 NE IZETT ST. #A1
Oak Harbor, wa 98277
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
jerry ellis

MTC–00032191

From: Clifford Springmeyer
To: Ms. Renata Hesse
Date: 12/5/01 5:27pm
Subject: Microsoft Settlement
Clifford Springmeyer
427 Brightwood Place
San Antonio, Tx 78209
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted. The terms of the settlement offer a fair resolution for all sides of this case ? the DOJ, the states, Microsoft, competitors, consumers and taxpayers. Microsoft will not be broken up and will be able to continue to innovate and provide new software and products. Software developers and Internet service providers (ISPs), including competitors, will have unprecedented access to Microsoft's programming language and thus will be able to make Microsoft programs compatible with their own. Competitors also benefit from the provision that frees up computer manufacturers to disable or uninstall any Microsoft application or element of an operating system and install other programs. In addition, Microsoft cannot retaliate against computer manufactures, ISPs, or other software developers for using products developed by Microsoft competitors. Plus, in an unprecedented enforcement clause, a Technical Committee will work out of Microsoft's headquarters for

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Sincerely, Cliff & Jo
Springmeyer

MTC–00032192

From: V. Ruth Cathey
To: Ms. Renata Hesse
Date: 12/5/01 5:30pm
Subject: Microsoft Settlement
V. Ruth Cathey
9024 Mettler Dr.
El Paso, TX 79925–4046
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Ruth Cathey

MTC–00032193

From: michael mcquilkin
To: Ms. Renata Hesse
Date: 12/5/01 5:30pm
Subject: Microsoft Settlement
michael mcquilkin
po box-145
lakeview, ar 72642
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors’ products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,
michael mc quilkin

MTC–00032194

From: Carlton D. Miller
To: Ms. Renata Hesse
Date: 12/5/01 5:38pm
Subject: Microsoft Settlement
Carlton D. Miller
805 Skye Drive
Findlay, Oh 45840–4436
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Carlton D. Miller

MTC–00032195

From: Michael Lambert
To: Ms. Renata Hesse
Date: 12/5/01 5:51pm
Subject: Microsoft Settlement
Michael Lambert
3755 Wildwood Road
San Diego, CA 92107
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Michael Lambert

MTC–00032196

From: Laurie Lord
To: Ms. Renata Hesse
Date: 12/5/01 6:12pm
Subject: Microsoft Settlement
Laurie Lord
Box 1155
Ione, Ca 95640
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Laurie K. Lord

MTC–00032197

From: stuart van dyke
To: Ms. Renata Hesse
Date: 12/5/01 6:12pm
Subject: Microsoft Settlement
stuart van dyke
225 hourglass way #106
sarasota , fl 34242
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

stuart van dyke

MTC–00032198

From: Louise Lane
To: Ms. Renata Hesse
Date: 12/5/01 6:28pm
Subject: Microsoft Settlement
Louise Lane
5310 Stanford Road
Jacksonville, FL 32207–7856
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Reba Louise Lane

MTC–00032199

From: Benton Welling
To: Ms. Renata Hesse
Date: 12/5/01 7:17pm
Subject: Microsoft Settlement
Benton Welling
2208 Pennington Dr.
Arlington, TX 76014–3512
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Benton M. Welling

MTC–00032200

From: Michael Belcher
To: Ms. Renata Hesse
Date: 12/5/01 7:36pm
Subject: Microsoft Settlement
Michael Belcher
po box 5681
pahrump, nv 89041
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Michael Belcher

MTC–00032201

From: Victoria Heller
To: Ms. Renata Hesse
Date: 12/5/01 7:37pm
Subject: Microsoft Settlement
Victoria Heller
2 Snowy Owl Lane
North Oaks, MN 55127
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Victoria Heller

MTC–00032202

From: Rikard Krvaric
To: Ms. Renata Hesse
Date: 12/5/01 7:47pm
Subject: Microsoft Settlement
Rikard Krvaric
720 SW 111th Avenue. 208
Pembroke Pines, FL 33025
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Rikard Krvaric

MTC–00032203

From: Russell Lee
To: Ms. Renata Hesse
Date: 12/5/01 8:06pm
Subject: Microsoft Settlement
Russell Lee
375 W Wyandot
Upper Sandusky, OH 43351
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Russell J Lee

MTC–00032204

From: Paul Offer
To: Ms. Renata Hesse
Date: 12/5/01 8:08pm
Subject: Microsoft Settlement
Paul Offer
24010–49th Place West
Mountlake Terrace, , WA 98043
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Paul Offer

MTC–00032205

From: Eric Cheatwood
To: Ms. Renata Hesse
Date: 12/5/01 8:20pm
Subject: Microsoft Settlement
Eric Cheatwood
86 Austin Street #208
Worcester, MA 01609–2956
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted. The terms of the settlement offer a fair resolution for all sides of this case ? the DOJ, the states, Microsoft, competitors, consumers and taxpayers. Microsoft will not be broken up and will be able to continue to innovate and provide new software and products. Software developers and Internet service providers (ISPs), including competitors, will have unprecedented access to Microsoft's programming language and thus will be able to make Microsoft programs compatible with their own. Competitors also benefit from the provision that frees up computer manufacturers to disable or uninstall any Microsoft application or element of an operating system and install other programs. In addition, Microsoft cannot retaliate against computer manufactures, ISPs, or other software developers for using products developed by Microsoft competitors. Plus, in an unprecedented enforcement clause, a Technical Committee will work out of Microsoft's headquarters for the next five years, at the company's expense, and monitor Microsoft's behavior and compliance with the settlement.Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors? products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Eric Cheatwood

MTC–00032206

From: Michael Crass
To: Ms. Renata Hesse
Date: 12/5/01 8:23pm
Subject: Microsoft Settlement
Michael Crass
3831 Marshall Place
Gary, IN 46408–1926
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Michael Crass

MTC–00032207

From: Dana Langsford

To: Ms. Renata Hesse
Date: 12/5/01 8:50pm
Subject: Microsoft Settlement
Dana Langsford
121 W. Crescent
Marquette, MI 49855
December 5, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Dana Langsford

MTC–00032208

From: Franklin M. Swig
To: Ms. Renata Hesse
Date: 12/5/01 8:59pm
Subject: Microsoft Settlement
Franklin M. Swig
2809 N. Glendower Ave.
Los Angeles, CA 90027–1118
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530 M

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,
Franklin M. Swig

MTC–00032209

From: Larry Kelley
To: Ms. Renata Hesse
Date: 12/5/01 9:36pm
Subject: Microsoft Settlement
Larry Kelley
po. box 521
Hampden, ME 04444
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200 Washington, DC 20530 Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Larry Kelley

MTC–00032210

From: Carl Wittekind
To: Ms. Renata Hesse
Date: 12/5/01 10:11pm
Subject: Microsoft Settlement
Carl Wittekind
4672 Glenheath Dr,
Kettering, Oh 45440–1981
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Carl S. Wittekind

MTC–00032211

From: Helen Farson
To: Ms. Renata Hesse
Date: 12/5/01 10:19pm
Subject: Microsoft Settlement
Helen Farson
917 N. Louise St., #402
Glendale, CA 91207–2164
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Helen E. Farson

MTC–00032212

From: Lori Wright
To: Ms. Renata Hesse
Date: 12/5/01 11:20pm
Subject: Microsoft Settlement
Lori Wright
4216 Ferriday Ct
Raleigh, NC 27616–9517
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Lori Wright

MTC–00032213

From: Barbara Scruggs
To: Ms. Renata Hesse
Date: 12/5/01 11:22pm
Subject: Microsoft Settlement
Barbara Scruggs
842 Mike Powers Road
Grantville, GA 30220–1640
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Barbara Scruggs

MTC–00032214

From: Jae Hawksworth
To: Ms. Renata Hesse
Date: 12/6/01 12:04am
Subject: Microsoft Settlement
Jae Hawksworth
1898 Penrose Drive
Fayetteville, NC 28304
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Jae Hawksworth

MTC–00032215

From: James Demartini
To: Ms. Renata Hesse
Date: 12/6/01 1:30am
Subject: Microsoft Settlement
James Demartini
1500A Lafayette Road #151
Portsmouth, NH 03801
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

James Demartini

MTC–00032216

From: Jon Koppenhoefer
To: Ms. Renata Hesse
Date: 12/6/01 2:10am
Subject: Microsoft Settlement
Jon Koppenhoefer
264 Oakridge Drive
Springfield, OH 45504–3916
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Jon Koppenhoefer

MTC–00032217

From: Gregory Larson-DOJ
To: Ms. Renata Hesse
Date: 12/6/01 2:58am
Subject: Microsoft Settlement
Gregory Larson-DOJ
3834 Fremont Ave. No.
Minneapolis, MN 55412–2043
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Gregory Larson

MTC–00032218

From: Daniel Bonham
To: Ms. Renata Hesse
Date: 12/6/01 5:00am
Subject: Microsoft Settlement
Daniel Bonham
7890 Joyce Drive
Parma, OH 44130
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Daniel Bonham

MTC–00032219

From: Andrew Warren
To: Ms. Renata Hesse
Date: 12/6/01 5:30am
Subject: Microsoft Settlement
Andrew Warren
PO Box 476
New Tripoli, Pa 18066
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Andrew J Warren

MTC–00032220

From: Gwen Fisk
To: Ms. Renata Hesse
Date: 12/6/01 5:59am
Subject: Microsoft Settlement
Gwen Fisk
1049 Longbranch Avenue
Grover Beach, CA 93433
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Gwen Fisk

MTC–00032221

From: Alton Turner
To: Ms. Renata Hesse
Date: 12/6/01 6:04am
Subject: Microsoft Settlement
Alton Turner
520 N. Park St.
Crescent City, FL 32112–2226
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Al;ton R. turner

MTC–00032222

From: Andrew Boyd
To: Ms. Renata Hesse
Date: 12/6/01 6:05am
Subject: Microsoft Settlement
Andrew Boyd
13 Fieldstone Rd.
Elkton, MD 21921–8402
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Andrew Boyd

MTC–00032223

From: Richard M. Scrofani
To: Ms. Renata Hesse
Date: 12/6/01 6:10am
Subject: Microsoft Settlement
Richard M. Scrofani
19 Wagne Place
Hawthorne,
NJ 07506–1333
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Richard M. Scrofani

MTC–00032224

From: Roger Daigger
To: Ms. Renata Hesse
Date: 12/6/01 6:22am
Subject: Microsoft Settlement
Roger Daigger
15814 Stagecoach Road
Stagecoach, TX 77355–3370
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Roger W. Daigger

MTC–00032225

From: Richard Graves
To: Ms. Renata Hesse
Date: 12/6/01 6:23am
Subject: Microsoft Settlement
Richard Graves
125 Wildflower Lane
Chillicothe, Oh 45601–4092
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,
Richard E. Graves

MTC–00032226

From: John Smith
To: Ms. Renata Hesse
Date: 12/6/01 6:38am
Subject: Microsoft Settlement
John Smith
207 Fairway Circle
Americus, Ga 31709–4592
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
John Bernard Smith

MTC–00032227

From: Alberta Rademacher
To: Ms. Renata Hesse
Date: 12/6/01 6:39am
Subject: Microsoft Settlement
Alberta Rademacher
P.O.Box 1012
Milford, Pa 18337–2012
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse: I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Alberta Rademacher

MTC–00032228

From: Christine Tucker
To: Ms. Renata Hesse
Date: 12/6/01 6:48am
Subject: Microsoft Settlement
Christine Tucker
21 Lyman St.
Waltham, MA 02452
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance – the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Christine Tucker

MTC–00032229

From: Robert Fabrizio
To: Ms. Renata Hesse
Date: 12/6/01 6:49am
Subject: Microsoft Settlement
Robert Fabrizio
1100 S.E. 4th Ave. #23
Deerfield Beach, FL 33441
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Robert Fabrizio

MTC–00032231

From: Odis McLean
To: Ms. Renata Hesse
Date: 12/6/01 7:32am
Subject: Microsoft Settlement
Odis McLean
1426 Marlene
DeSoto, Tx 75115–2907
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division

601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

E. Odis McLean

MTC–00032232

From: Stephen Apple
To: Ms. Renata Hesse
Date: 12/6/01 7:54am
Subject: Microsoft Settlement

Stephen Apple
9908 Brandywine Circle
Austin, TX 78750
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance – the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Stephen Apple

MTC–00032233

From: Jeremy Goemaat
To: Ms. Renata Hesse
Date: 12/6/01 8:21am
Subject: Microsoft Settlement

Jeremy Goemaat
PO Box 42306
Urbandale, IA 50322
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance – the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Jeremy T. Goemaat

MTC–00032234

From: Rosa Mae Pennington
To: Ms. Renata Hesse
Date: 12/6/01 8:29am
Subject: Microsoft Settlement
Rosa Mae Pennington
1325 Dixieland Rd., #89
Harlingen, TX 78552–3312
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Rosa Mae Pennington

MTC–00032235

From: Patrick Whalen
To: Ms. Renata Hesse
Date: 12/6/01 8:29am
Subject: Microsoft Settlement
Patrick Whalen
PO BOX 713
Boonton, NJ 07005
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Patrick E. Whalen

MTC–00032236

From: Jerold Ottley
To: Ms. Renata Hesse
Date: 12/6/01 8:31am
Subject: Microsoft Settlement
Jerold Ottley
4952 S. 975 E.
SALT LAKE CITY, UT 84117–5714
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far

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Sincerely,

Jerold Ottley

MTC–00032237

From: Joyce Wice
To: Ms. Renata Hesse
Date: 12/6/01 9:27am
Subject: Microsoft Settlement
Joyce Wice
6030 California Circle #101
Rockville, Md 20852
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Joyce Wice

MTC–00032238

From: David Gray
To: Ms. Renata Hesse
Date: 12/6/01 9:44am
Subject: Microsoft Settlement
David Gray
792 Spanish Cove Drive
Melbourne, FL 32940
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

David L. Gray

MTC–00032239

From: Chuck Davis
To: Microsoft ATR
Date: 12/6/01 10:17am
Subject: Microsoft settlement

Dear Sirs,

I heavily use Microsoft products both personally and professionally. Having supported computers for 35 years, I would like to state my opinion, as a private citizen regarding the Microsoft settlement. The agreement, in which Microsoft will contribute it's product to educational facilities, gives Microsoft an unfair advantage in those education facilities and is not at all a fair response to their monopolistic behavior.

Thank you,

Charles W. Davis

cdavis@bestweb.net

MTC–00032240

From: KEN SCHNEIDER
To: Ms. Renata Hesse
Date: 12/6/01 10:22am
Subject: Microsoft Settlement
KEN SCHNEIDER
181 PIONEER DR.
PORT LUDLOW, WA 98365
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

KENNETH L. SCHNEIDER

MTC–00032242

From: bray
To: Microsoft ATR
Date: 12/6/01 10:32am
Subject: microsoft settlement

The proposed settlement below is unacceptable as a solution to past monopolistic practices by Microsoft.

''Not long after the DOJ settlement, Microsoft announced it had agreed to another settlement regarding a separate class-action suit brought against the company by numerous parties that alleged overpricing of Microsoft products.

The settlement forces Microsoft to donate software, hardware, and services to America's poorest schools.''

This type of settlement would simply introduce Microsoft to a market where they could further extend their monopoly. A better solution would be for Microsoft to pay a specific amout of money to each of these poor school districts to be used for non-microsoft products only, such as computer hardware. Then a company such as RedHat or Apple could donate software for these systems or part of the Microsoft fine could be used to purchase this software.

Allowing Microsoft or any company to donate their own product as part of a fine or punishment is akin to the drug dealer giving away the first few highs to get his clients hooked!!

MTC–00032243

From: Daniel Verbarg
To: Microsoft ATR
Date: 12/6/01 10:33am
Subject: Microsoft antitrust suit

I may not know all the details of the settlement, but I think this is just another slap on the wrist for Microsoft. I do know in the settlement that the school systems do not have to use Microsoft products. Basically this settlement is a payoff for Microsoft. Microsoft is getting a few things out of this.

One of the groups that is suing them is now off of their back, Microsoft gets to look good by ''donating'' money to poor school systems, they have an opportunity to take over another area of software that they are not the market leaders (school systems), and they proceed as normal in their business practices. I am not saying MS should be split up, but I'm not against that either. They treat OEM's and even consumers like crap. Just look at the new licensing agreements. These new licensing agreements are just a slap in the face of all them people settling their cases against MS.

Please do something that could get more consumer choice in the OS and app market.

Thanks,

Dan Verbarg Systems Admistrator

PS—Don't you think all the virus problems are enough evidence that there needs to be more choice and competition?

MTC–00032244

From: Thomas S
To: Microsoft ATR
Date: 12/6/01 10:34am
Subject: Remedy Case

As an IT professional I need choices to satisfy my work daily. MS has proven that they are in direct violation of Anti-trust laws governing the denying the consume fo such choice by their use of strong arm tactics and backdoor meetings. I strongly urgeyou to not allow them acess to public schools in one case and to strongly reprimand them in the other.

This is for the good of business and the IT community.

Regards,

L. Thomas Solet

MTC–00032245

From: Don Lex
To: Microsoft ATR
Date: 12/6/01 10:37am Subject'' One users opinion

Department of Justice,

RE: Microsoft Settlement

My thoughts are simple regarding this complicated software business. As I read from public sources for settlement details; the settlement clearly fails to punish the Microsoft enterprise for its corporate behavior. Time has gone bye and the justice system may have indeed forgotten about the failed companies due to MicroSoft business practices. All of the failed businesses led to (1) lost competitive ideas, (2) lost employment, and (3) failed dreams. Long gone are companies like Netscape, Borland and others.

Further the notion that MicroSoft would give software operating systems, support and applications to the poorest schools appears to increase the footprint of the Microsoft monopoly. This may actually be worse than doing nothing.

I do not envy your team in finding resolution with this matter or the tobacco matter, but please secure TRUE resolution. In my humble opinion, Microsoft needs to be broken into smaller companies like Judge Green did with AT&T. thank you for you time and consideration,

DON LEX
5160 Carriage Dr.
Richmond, CA 94803

MTC–00032246

From: Justin Hopper and Bogdana Manole
To: Microsoft ATR
Date: 12/6/01 10:38am
Subject: Absolute Outrage

I am a long-term software developer and user of Microsoft's products, however that does not blind me from their unjust business practices. I have seen once strong products like Netscape Navigator, Quicken and WordPerfect, literally crumble as Microsoft pushed it's way into the markets. Everything that is developed by Microsoft creates a further dependency on their products, including the operating system. What we have seen over the past years is more and more software products being developed by Microsoft. It used to be an operating system and now the company offers a complete end-to-end solution for IT businesses in just about any market. Where's the diversity?

I currently reside, in Romania, a former Communist country. I can tell you first hand the dangers of a monopoly. For example, there is one telecom company in Romania (sound familiar) and the whoever wants to make a phone call must pay them a set tariff. Who ever wants to set up an ISP must pay them a set tariff. Who ever wants to receive extra phone services or even make and international phone call, must pay them a set tariff. If the consumer does not like it then who do they have to turn to? Noone! They are stuck with whatever price Romtelecom sets. Now tell me how this settlement is going to prevent this from happening to the technology market.

The decision to make Microsoft give its software away for free to public schools is almost funny. Not only does it give Microsoft's operating system a leg up in what may be one of the only fields that it doesn't have control over; but it will probably be the end of Apple Computers. This is an ingenious idea and whoever came up with this proposal must have done so knowingly. The Department of Justice looks like a naive child being led by the giant software developer to do whatever it wants. Who is running the court-case, Microsoft or the DOJ? Sometimes it is hard to know.

Sincerely,
Justin Hopper

MTC–00032247

From: Andreas Pleschutznig
To: Microsoft ATR
Date: 12/6/01 10:38am
Subject: Personal opinion to the Microsoft settlement

First I don't understand the thought process of why this half way solution of imposing some restriction on Microsoft is even thought about. Microsoft has shown in the past that they do not honor such restrictions or try to find a loophole, or turn the words until it suits their needs.

Secondly and even more important I don't understand the justice behind that. Here is someone has has been found guilty of a crime and still show no remorse and we do not punish them as the law would call for, but strike a weak deal with them. In the past the splitup of ATT was the best that could have happened to the customer because it reopened the market. My personal belief is that this should happen to Microsoft as this (the breakup) would force the Mini-MS companies to compete and thus have positive influence on the market.

Here is how I could imagine how the market could be made better: Suppose Microsoft got broken into 2 or more companies which in my opinion could be

a) The OS (Windows) company
b) The Application company (Office, * * *) This would lead to the situation that the Office company would want to sell as many copies of their Software as possible, and thus they maight want to port their Software to other OS's. Since now Windows no longer has the advandage of being the only one that has this office suite they would have to compete in the open market with features, stability,* * * as they could no longer rely upon being the only one having this office suite.

Just my $0.02
Thanks
Andreas Pleschutznig
2509 Taylor Way
Antioch CA 94509
Andy

MTC–00032248

From: Pat Montgomery
To: Microsoft ATR
Date: 12/6/01 10:39am
Subject: Microsoft settlement

To the Microsoft antitrust attorneys,

I strongly object to the terms of settlement of the Microsoft case.

MS was proven in court and by appellate review to be a monopoly (which is no crime), but to have repeatedly and to the profound harm of its competition, abused this monopoly power (which is a crime).

There are two issues:

1) Justice: They clearly broke the law. To be let off with a handslap sends a clear and unambiguous message that they can get away with it, to their shareholder's advantage and the disadvantage of other businesses competing in their ever-expanding fields. This encourages them to do it again, knowing they are big enough to get away with it. I don't think this is what T.Roosevelt meant by the word ''bully''.

2) Policy: Who in their right mind would now invest in a field of business that might *someday* be a field that MS decides it wants to dominate? The effects on competition, the putative underpinning of our economy, are devastating.

This was a very unfortunate decision.

Pat Montgomery
28818 108th Ave. SE
Auburn WA 98092
patmontg@attbi.com

MTC–00032249

From: Dave McCue
To: ''microsoft.atr(a)usdoj.gov''
Date: 12/6/01 10:40am
Subject: Microsoft settlement

I want to tell you that I prefer RedHat's solution to the settlement of the anti-trust case to the one announced by the DOJ early in November. I think that the DOJ solution would help expand Microsoft's monopoly into one of the few areas they don't already control. Plus the cost to Microsoft to provide this software is almost zero since they have already recovered their investment through regular sales.

Thank you
David C. McCue
Information Systems Manager
City of Paso Robles, CA
mailto:dmccue@prcity.com
<mailto:dmccue@prcity.com>
Voice (805) 227–7202
Fax (805) 237–4032

MTC–00032250

From: paulpam
To: Microsoft ATR
Date: 12/6/01 10:41am
Subject: Microsoft

I just want to know whose palm did Microsoft grease to get away with it!

MTC–00032251

From: Phillip Landis
To: Microsoft ATR
Date: 12/6/01 10:41am
Subject: please get MS under control

As an IT Director for a medium-sized manufacturer, I have watched as Microsoft has altered licensing, raised prices and forced upgrades on our business. They are squeezing and buying out the competition so that there are no alternatives.

MS products are extremely bug-ridden and insecure. The cyber-terrorists will have a field day on our nation's computer networks if they are not forced to produce software of better quality. Putting out a patch after the fact is not acceptable.

Where they once helped to build an industry, I am afraid MS has now gotten far out of control. You really need to look at everything they do. They are active on a lot of fronts. They are also faster to move than the US government, and they are very smart.

If you do not exert better control over them, the good MS has done will be far overshadowed by the damage they inflict or allow to be inflicted. Thank you for the opportunity to give you my personal thoughts.

Phillip D. Landis
IT Director PoolPak, Inc.
3491 Industrial Drive
York, PA 17402–0452 (717) 757–2648 voice
(717) 757–5058 fax

MTC–00032252

From: William Roark
To: Ms. Renata Hesse
Date: 12/6/01 10:42am

Subject: Microsoft Settlement
William Roark
2705 Bluebell Cir.
Antioch, CA 94531–6702
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance – the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

The terms of the settlement offer a fair resolution for all sides of this case – the DOJ, the states, Microsoft, competitors, consumers and taxpayers. Microsoft will not be broken up and will be able to continue to innovate and provide new software and products. Software developers and Internet service providers (ISPs), including competitors, will have unprecedented access to Microsoft’s programming language and thus will be able to make Microsoft programs compatible with their own. Competitors also benefit from the provision that frees up computer manufacturers to disable or uninstall any Microsoft application or element of an operating system and install other programs. In addition, Microsoft cannot retaliate against computer manufactures, ISPs, or other software developers for using products developed by Microsoft competitors. Plus, in an unprecedented enforcement clause, a Technical Committee will work out of Microsoft’s headquarters for the next five years, at the company’s expense, and monitor Microsoft‘s behavior and compliance with the settlement.

Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors’ products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,
William Roark

MTC–00032253

From: Bruce A Furnival
To: Microsoft ATR
Date: 12/6/01 10:43am
Subject: Microsoft's so called monopoly.

Microsoft needs to be left alone. If anyone else in the computer world wants to make operating systems for consumers they can. They prefer to keep things complicated.

Yours truly,
Bruce Furnival

MTC–00032254

From: bruno@users.succeed.net@inetgw
To: Microsoft ATR
Date: 12/6/01 10:47am
Subject: Microsoft monopoly

It is not difficult to understand that any monopoly damages everybody. Only the presence of competitors force you to improve yours produtcs, limit your price, and to evaluate your costumers. Everybody has benefit from the competition between AMD and INTEL. In the worse, exchange a fine for a promotional tool, is the way to reinforce a monopoly.

Thanks, Bruno Angelin

MTC–00032255

From: bruce boyd
To: Ms. Renata Hesse
Date: 12/6/01 10:54am
Subject: Microsoft Settlement
bruce boyd
107 high
nb, ca 92663
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance – the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors’ products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,
bruce boyd

MTC–00032256

From: Bob Garvey
To: Microsoft ATR
Date: 12/6/01 10:58am
Subject: opinion

I called Gateway computers yesterday to get a quote on a new PC. Once the price was established I asked how much it would be without an operating system. They answered that there is no difference in price. This is a monopolistic market.

I hear often, in the press, and in discussion that Microsoft is an innovative company. Microsoft brings forward that argument often. Check the facts: Window -> Xerox, Mouse -> Xerox, SQL Server -> Sybase, FoxPro -> bought, VisualBasic -> bought.

The windows operating system is intergrated: by any standard except anti-competitive / market driven that is not the best design.

Please put the arrogance of Microsoft in check. They are 10 steps ahead of the DOJ and gaining.

Bob Garvey
816–914–3295

MTC–00032257

From: Arturo Rafael Martinez Retama
To: Microsoft ATR
Date: 12/6/01 11:05am
Subject: microsoft should be punished for its past monopolic practices

I think microsoft should be punished for its past monopolic practices

MTC–00032258

From: Bob Nixon
To: Microsoft ATR
Date: 12/6/01 11:08am
Subject: microsoft monopoly

The current settlement requiring microsoft to donate software or hardware to poor schools only serves to further the company's monopolistic position. Kids who grow up with the microsoft way of doing things are unlikely to change the way they compute later in life. Microsoft's stifling pressure on Netscape has forced one of the truly free browsers into the hands of the unscrupulous and privacy invading marketing practices of AOL (personal opinion). There are many fine operating systems and browsers with advantages far more practical and efficient than Windows/Explorer: Unix , Linux and Macintosh, to name a few. When a company reaches the size and power of Microsoft the question of free enterprise no longer applies because their influence both monetarily and in terms of ubiquity allow them to slant the market as they choose. This is not the American way, as I understand it. (or, perhaps it is but, according to the ideals underpinning this country, should not be.) I have grown up with computing. I learned my first programming language in 1977. Computing can be a truly great tool but lets keep it free and clean and it's marketing practices fair. They have been shown to be guilty, please impose real penalties which don't amplify their crime.

Robert Nixon

MTC–00032259

From: Vance, Larry
To: ''microsoft.atr(a)usdoj.gov''
Date: 12/6/01 11:10am
Subject: Microsoft antitrust settlement

I am a computer system administrator by profession and have been vexed by Microsofts methods of anti-competetive business practices. I do not feel that Microsoft has been held responsible for the damage that they have inflicted on the general computer industry and on the exhorbitant costs that have been incurred by our society. I feel that the Department of Justice has failed in their job to protect the citizens of the United States of America for non competitive practices from this corporation.

Happy computing,
Larry Vance
303–267–9801 (work)
303–324–4310 (mobile)
Vance.Larry@broadband.att.com

MTC–00032260

From: Gary N Fanning
To: Microsoft ATR
Date: 12/6/01 11:11am
Subject: DOJ/Microsoft Antitrust Settlement

No. Do not allow Microsoft the opportunity of reaping a reward from a punishment.

I am not sure of what punishment I would place on Microsoft, but the current proposal is only a short term punishment, with a long term possible gain.

Have Microsoft develop/convert its most popular softwares, Office, development tools, etc., to competing platforms. After a stated period of time, 3–5 years of support, Microsoft may stop support and enhancements. Microsoft would have to publish the software into the open source community.

Regards,
Gary Fanning
Vice President
Elevating Communications, Inc.
918.587.0131 x102

MTC–00032261

From: Bruce L. Friedman
To: Microsoft ATR
Date: 12/6/01 11:11am
Subject: DOJ–MS Settlement Agreement Opinion

I am told this is the forum for sending in public opinion for the proposed settlement.

I am a computer professional, familiar with MS Windows (3.1, 95, 98, Me, NT, 2000, and XP) as well as with Linux from various distributions (RedHat, Slackware, etc.) and Sun Solaris operating systems. I have been working professionally in the field for 16 years and hold undergraduate and graduate degrees in computer science.

My feeling from reading the press reports on the settlement is that Microsoft having been found guilty of monopolistic practices is being penalized by having to donate software to schools. This doesn't make sense. If the penalty's purpose is to prevent them from practicing as a monopoly in the future, I don't see how that would do it.

I think the only penalty that should matter should be financial. The real question should be—how much, and who is the beneficiary? I think education is an excellent choice for the recipient. As for how much, I can't say. However, it should be based upon the assets and income of the corporation. I would think that something on the order of half of the corporate assests would not be overly punishing given the impact they have had on the marketplace in the personal computer business.

Sincerely,
Bruce Friedman
bruce—friedman@yahoo.com

MTC–00032262

From: Jay L. Alberts
To: Microsoft ATR
Date: 12/6/01 11:12am
Subject: Microsoft case

Just a quick note to let the DOJ know that I am in favor of the proposed settlement of the Microsoft anti-trust case. This case has stalled innovation long enough. Thanks to the prevalence of Microsoft products I am able to effortlessly exchange files and documents with colleagues around the world when working on our research papers and grants. These features only serve to improve our work.

Sincerely,
Dr. Jay L. Alberts
Jay L. Alberts, Ph.D.
Dept. of Health and Performance Sciences
Georgia Institute of Technology
Atlanta, GA 30332–0356
jay.alberts@hps.gatech.edu
Voice: 404.385.2339
Fax: 404.894.9982
www.hps.gatech.edu

MTC–00032263

From: John Jones
To: Microsoft ATR
Date: 12/6/01 11:15am
Subject: An example must be set

To whom it may concern:

If the courts let Microsoft go with a slap on the wrist, Microsoft will feel free to continue with their antitrust practices. Indeed they are doing so even though a remedy has yet to be finalized. And why shouldn't they? The courts have yet to do anything to stand in their way, in my opinion.

It has been said that Microsoft could just move out of the country. I say fine, it would be their undoing in my opinion. The US economy would not lose on this one. Eventually a US company would step up to take their place. But this new company would at least know the limits of what is acceptable.

This has gone on far too long, please stop this injustice as soon as possible.

Thanks.
John Jones
Cleveland, Ohio

MTC–00032264

From: Tim VanAsselt
To: ''microsoft.atr(a)usdoj.gov''
Date: 12/6/01 11:15am
Subject: microsoft settlement

If Microsoft operating systems division and their application software division are not separated then you will never see Microsoft applications (e.g. Office) run on other operating systems such as Linux and Unix. Not the case for the rest of the software world.

Tim Van Asselt
Mgr of software engineering
Enternet LLC

MTC–00032265

From: Frank Machado
To: Ms. Renata Hesse
Date: 12/6/01 11:16am
Subject: Microsoft Settlement

Frank Machado
7171 SE Lillian Ct.
Stuart, FL 34997
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far

greater national significance ? the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors? products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Frank W. Machado

MTC–00032266

From: Haifeng Xi
To: Microsoft ATR
Date: 12/6/01 11:19am
Subject: A monopolist should be punished.

Dear Sir/Madam,

The DOJ had previously found Microsoft to be a monopolist, but the settlement included no punishment for past actions. Isn't that a bit weird? It left doubt as to its protections against future Microsoft monopolistic practices.

To make things even worse, not long after the DOJ settlement, Microsoft announced it had agreed to another settlement regarding a separate class-action suit brought against the company by numerous parties that alleged overpricing of Microsoft products. On the surface, the settlement forces Microsoft to donate software, hardware, and services to America's poorest schools. However the settlement could simply introduce Microsoft to a market where they could further extend their monopoly.

I am writing to support a counter-proposal that Red Hat Inc. brought forward. In its counter-proposal, Red Hat offered to provide free software to every school in America if Microsoft provided the value of its donation in hardware costs rather than its own software.

Please consider this proposal seriously, for the sake of the welfare of American schools and children.

Best Regards,

Haifeng

MTC–00032267

From: George Klages
To: Ms. Renata Hesse
Date: 12/6/01 12:06pm
Subject: Microsoft Settlement
George Klages
Rt 1, Box 1680
Fresno, TX 77545
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

George Klages

MTC–00032268

From:
dennis.kaminski@rapistan.com@inetgw
To: Microsoft ATR
Date: 12/6/01 12:45pm
Subject: Settlement

Gentlemen,

Microsoft was a monopoly, is still a monopoly and based on the settlement, will continue to be a monopoly.

Microsoft does not follow most standards but leaves things out or adds a twist to make itself and other systems partially incompatible.

Through software changes and bundling they have driven out most of the competition.

Computer systems have been my career for over 25 years.

I believe the operating system should be separated from the applications. As long as the operating system and applications come from the same company, Microsoft will be a monopoly.

Thank you

Dennis Kaminski
Manager Technical Support
Siemens Dematic, Rapistan Division
(616) 913–6431

MTC–00032269

From: Linda Sorci
To: Ms. Renata Hesse
Date: 12/6/01 2:46pm
Subject: Microsoft Settlement
Linda Sorci
1501 NW 79th Terrace
Pembroke Pines, FL 33024
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200

Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance: the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks court over the years, you cannot trust anythng they say. Thus, how can you trust the settlement? MicroSoft was probably going to give 1 billion dollars to schools anyways. Then the settlement says they have to, which doesn't make any sense, because they were probably going to do it anyways. MicroSoft has always tried to grab the educational institutions, because when people graduate from high school or college, they will stick with the software they know. Thus: 1. They were already going to do it anyways. 2. It inteferes with Apple's ability to compete in the education market. MicroSoft is entirely evil and I would prefer, be destroyed. I would like to see it get destroyed under a competitive market, rather than physcial force. I like to win my battles fairly. Given the current republican administration, please do what makes the most sense for a competitive market, which you should understand since you are republican, and just don't so stuff that benefits the rich fat republicans/corporations who have no regard for our nation, just their pocketbook. I want business to thrive for those who deserve it, not those who are able to bribe/lie/cheat/steal their way into power because they have a lot fo money.

Thanks!

Mark

MTC–00032455

From: John Schuck
To: Ms. Renata Hesse
Date: 1/9/02 12:08pm
Subject: Microsoft Settlement
John Schuck
P.O. Box 1516
North Conway, NH 03860
January 9, 2002
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200 Washington, DC 20530

Ms. Hesse: I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

The terms of the settlement offer a fair resolution for all sides of this case: the DOJ, the states, Microsoft, competitors, consumers and taxpayers. Microsoft will not be broken up and will be able to continue to innovate and provide new software and products. Software developers and Internet service providers (ISPs), including competitors, will have unprecedented access to Microsoft's programming language and thus will be able to make Microsoft programs compatible with their own.

Competitors also benefit from the provision that frees up computer manufacturers to disable or uninstall any Microsoft application or element of an operating system and install other programs. In addition, Microsoft cannot retaliate against computer manufactures, ISPs, or other software developers for using products developed by Microsoft competitors. Plus, in an unprecedented enforcement clause, a Technical Committee will work out of Microsoft's headquarters for the next five years, at the company's expense, and monitor Microsoft's behavior and compliance with the settlement.

Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors' products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Linda Sorci

MTC–00032270

From: Allison Volner
To: Ms. Renata Hesse
Date: 12/6/01 3:57pm
Subject: Microsoft Settlement
Allison Volner
3115 Old Brownsville Rd.
Bartlett, Tn 38134–8552
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Allison D. Volner

MTC–00032271

From: Janie Irby
To: Ms. Renata Hesse

Date: 12/6/01 4:01pm
Subject: Microsoft Settlement
Janie Irby
P.O Box 455
Henry, TN 38231
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Janie Irby

MTC–00032272

From: Sally Grave
To:
Ms. Renata Hesse
Date: 12/6/01 4:02pm
Subject: Microsoft Settlement
Sally Grave
611 Cook Hill Rd
Cheshire, Ct 06410
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Sally Grave

MTC–00032273

From: R Craig Hudson
To: Ms. Renata Hesse
Date: 12/6/01 4:21pm
Subject: Microsoft Settlement
R Craig Hudson
15432 Coastal Highway
Milton, De 19968
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse: I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

R Craig Hudson

MTC–00032274

From: Richard Burke
To: Ms. Renata Hesse
Date: 12/6/01 5:01pm
Subject: Microsoft Settlement
Richard Burke
5396 S Calle Coro
Sierra Vista, AZ 85650–9048
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Richard W. Burke

MTC–00032275

From: Charles Boyette
To: Ms. Renata Hesse
Date: 12/6/01 5:28pm
Subject: Microsoft Settlement
Charles Boyette
274 Steens Road
Steens, MS 39766
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Charles E. Boyette

MTC–00032276

From: Kevin Sheehan
To: Ms. Renata Hesse
Date: 12/6/01 8:05pm
Subject: Microsoft Settlement
Kevin Sheehan
240C Brittany Farms Road
New Britain, CT 06053
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S.

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Sincerely,

Kevin B. Sheehan

MTC–00032277

From: Jill Merrell
To: Ms. Renata Hesse
Date: 12/6/01 8:27pm
Subject: Microsoft Settlement
Jill Merrell
12 Way West Airpark
Bainbridge, IN 46105
December 6, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Jill Merrell

MTC–00032278

From: raymond bykowski
To: Attorney General John Ashcroft
Date: 12/6/01 10:38pm
Subject: Microsoft ruling
Attorney General John Ashcroft
Justice Department
Washington, DC

Dear Attorney General John Ashcroft:
Recently, the Department of Justice and Microsoft hammered out a settlemrnt of Microsoft's antitrust lawsuit. I want to express my support for this agreement, and ask you to oppose further hearings by the Juddiciary Committee.

The suit against Microsoft has gone on way to long. Microsoft has proven to be a successful, forward-thinking company that empowers this country, gives it it's technological edge, and provides jobs for thousands of people. These workers are now being punished for working for a successful company. In the proposed agreement, Microsoft has agreed to open up its Windows features, make future versions easier to install non Microsoft software and disclose certain company internal interface information, such as particular lines of code. This is more than enough.

It is time to move on. We have more important things to spend our time and money on.

Sincerely,

Raymond Bykowski
1350 Tower Hill Road
Brookfield, WI 53045
Email rayjames—2000@yahoo.com

MTC–00032280

From: Kenneth Golubski
To: Ms. Renata Hesse
Date: 12/7/01 3:45am
Subject: Microsoft Settlement
Kenneth Golubski
23743 Parkwood Dr
Columbia Station, OH 44028
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance: the war against terrorism, including homeland security. As noted by

District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Kenneth Golubski

MTC–00032281

From: Tom Friedman
To: Ms. Renata Hesse
Date: 12/7/01 5:46am
Subject: Microsoft Settlement
Tom Friedman
25 Whispering Spring Dr
Pisgah Forest, , NC 28768–9502
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530
Ms. Hesse:

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This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

T.M. Friedman

MTC–00032282

From: Christina McEntire
To: Ms. Renata Hesse
Date: 12/7/01 6:16am
Subject: Microsoft Settlement
Christina McEntire
7 Way West Rd.
Bainbridege, IN 46105
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530
Ms.Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance: the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Mrs. Christina McEntire

MTC–00032283

From: Joe Giza
To: Ms. Renata Hesse
Date: 12/7/01 6:40am
Subject: Microsoft Settlement
Joe Giza
2612 Fait Avenue
Baltimore, MD 21224–3725
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Joe Giza

MTC–00032284

From: Fred Reich
To: Ms. Renata Hesse
Date: 12/7/01 6:42am
Subject: Microsoft Settlement
Fred Reich
718 Danville Circle
Melbourne, FL 32904
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Fred Reich

MTC–00032285

From: Holly Evans
To: Ms. Renata Hesse
Date: 12/7/01 8:19am
Subject: Microsoft Settlement
Holly Evans
3601 Rip Ford Drive
Austin, TX 78732
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530
Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Holly Evans

MTC–00032286

From: Mark D'Agostino
To: Ms. Renata Hesse
Date: 12/7/01 9:50am
Subject: Microsoft Settlement
Mark D'Agostino
172 Middle Street #111
Lowell, MA 01852
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Mark D'Agostino

MTC–00032287

From: Anthony Dominguez
To: Ms. Renata Hesse
Date: 12/7/01 9:51am
Subject: Microsoft Settlement
Anthony Dominguez
37 Upland Road
Holyoke, MA 01040
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Anthony Dominquez

MTC–00032288

From: Peter Moon

To: Ms. Renata Hesse
Date: 12/7/01 9:57am
Subject: Microsoft Settlement
Peter Moon
31 Bowker St
Lexington, MA 02421
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Peter Moon

MTC–00032289

From: Charles Ferebee
To: Ms. Renata Hesse
Date: 12/7/01 9:59am
Subject: Microsoft Settlement
Charles Ferebee
120 Coburn Woods
Nashua, NH 03063
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Charles B. Ferebee

MTC–00032290

From: Derek Kilstrom
To: Ms. Renata Hesse
Date: 12/7/01 10:01am
Subject: Microsoft Settlement
Derek Kilstrom
18507 94th St Ct E
Bonney Lake, WA 98390
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Derek Kilstrom

MTC–00032291

From: Stephen Howard
To: Ms. Renata Hesse
Date: 12/7/01 10:05am
Subject: Microsoft Settlement
Stephen Howard
7 Judson Road
Weymouth, MA 02188
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Stephen J. Howard

MTC–00032292

From: christin walth
To: Ms. Renata Hesse
Date: 12/7/01 10:16am
Subject: Microsoft Settlement
christin walth
95 Scotland Road
Newbury, ma 01951
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Christin Walth

MTC–00032293

From: NEWCASE ATR
To: ATRMAIL8.ATRSFO01 .MSOFT
Date: 12/7/01 11:45am Subject'' Suggestion for MS Case resolvement-Forwarded
From: Roger
To: NEWCASE ATR
Date: 12/7/01 9:49am
Subject: Suggestion for MS Case resolvement

A key note: I had starband (2 way satellite isp) for about a year. It has no linux drivers. It is also said to be heavily funded by Microsoft. Although they havn't published winxp drivers for the service yet, i would

speculate that they maybe holding the drivers back for release. They HAVE NO Linux drivers! The specs for the bcp/ip are proprietory and the service is Windows only.

This seems to be one of the key aspects of the said Microsoft Monopoly as hardware companies would only make h/w & services compatable for windows only. Linux is much more robust & secure, but yet, ''Why do companies still only do Windows?''

Suggestion: If Microsoft is going to be teaming up with other 3rd party service, hardware & software providers, make them support all other o/s's with equivalent drivers in order to deter Microsoft from using it's influence on ''Unknowing Customers'' who buy into the service/product and boosting into a monopoly like enviroment.

Example: Microsoft invests in Starband. Make Starband make/publish linux & mac drivers (and that are equivalent in quality to the Windows drivers or better). This would, hence, promote legitament competition. Some of my comments on the latest suggested resolvements broadcasted on CNN Headline news:

(1) Strip Down Winxp—This would be nice as i use mozilla/netscape instead of the buggy IE (i use opensource tools since they prove more stable/reliable).

(2) Make MS Office for other platforms such as Linux—about 2 years too late. Sun just released StarOffice 6.0 Beta, and i must say that it looks really nice under linux. The slate a release for april/may, for which, only bugs and some minor fixes need some working...appears to be plenty of time to release a rock-solid product!...and it's pretty much free. Heard allot of National Gov'ts using staroffice rather the ms office.

(3) Java—uh? dunno the specifics.

I still don't really see how several of 1,2 or 3 will really do anything in resolvement of the MS/DOJ case that was won by the DOJ. It almost seems like ms has the economy and the doj on a leash.

It dismays me to see Corporations endulging into such illigit business structures which promote further instabilities into their business structures. This really seems like modem day mafias (with a loss of morals) that have converged to fit it's business model to thrive-off of loop holes within our legal system.

So instead of the consumer paying for a service, they pay the company to allow themselves to be able to work at the ''said company''. lol.

Verify my pgp/gnupg signature on my HomePage: http://www.alltel.net/rogerx/about/index.html My ICQ UIN# = 21252173

MTC–00032294

From: Jason Forish
To: Ms. Renata Hesse
Date: 12/7/01 11:48am
Subject: Microsoft Settlement
Jason Forish
121 Tremont Street Unit#317
Brighton, MA 02135
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance: the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors' products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,
Jason Forish

MTC–00032295

From: David Skidmore
To: Ms. Renata Hesse
Date: 12/7/01 1:19pm
Subject: Microsoft Settlement
David Skidmore
11330 Amanda 609
Dallas, TX 75238
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

David A. Skidmore

MTC–00032296

From: Jeannine M. Stahl
To: Ms. Renata Hesse
Date: 12/7/01 2:02pm
Subject: Microsoft Settlement
Jeannine M. Stahl
11826 S. 51st Street
Phoenix, AZ 85044–2313
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

The Stahls, Arthur and Jean

MTC–00032297

From: Arthur Stahl
To: Ms. Renata Hesse
Date: 12/7/01 2:31pm
Subject: Microsoft Settlement
Arthur Stahl
11826 S. 51st Street
Phoenix, AZ 85044–2313
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Arthur & Jean Stahl

MTC–00032298

From: Roy Smith
To: Ms. Renata Hesse
Date: 12/7/01 4:15pm
Subject: Microsoft Settlement
Roy Smith
1401 halstead cir
centerville, oh 45458
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Roy F. Smith

MTC–00032299

From: sword121@hotmail.com@inetgw
To: Undisclosed.Recipients
@usdoj.gov@inetgw
Date: 12/7/01 6:08pm
Subject: The Database that ''leaves MS Access in the dust''

MTC–00032300

From: James Carpenter
To: Ms. Renata Hesse
Date: 12/7/01 7:01pm
Subject: Microsoft Settlement
James Carpenter
4922 Del Rio Trl.
Wichita Falls, TX 76310–1431
December 7, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

James A. Carpenter, Jr.

MTC–00032301

From: Wade Mountz
To: Ms. Renata Hesse
Date: 12/7/01 9:15pm
Subject: Microsoft Settlement
Wade Mountz
9 Muirfield Place
Louisville, KY 40222
December 8, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

Wade Mountz

MTC–00032303

From: Don Botkin
To: Ms. Renata Hesse
Date: 12/7/01 11:47pm
Subject: Microsoft Settlement
Don Botkin
108 ½ East Main
Heyworth, IL 61745
December 8, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Respectfully,

Don Botkin

MTC–00032304

From: Jonathan Hobson
To: Ms. Renata Hesse
Date: 12/8/01 1:31am
Subject: Microsoft Settlement
Jonathan Hobson
PO Box 126
Plainfield, WI 54966–0126
December 8, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Jonathan Hobson

MTC–00032305

From: Marc Pruskin
To: Ms. Renata Hesse
Date: 12/8/01 8:29am
Subject: Microsoft Settlement
Marc Pruskin
178 Taylor Road
Marlborough, MA 01752
December 8, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Marc Pruskin

MTC–00032306

From: Bob Familiar
To: Ms. Renata Hesse
Date: 12/8/01 6:27pm
Subject: Microsoft Settlement
Bob Familiar
192 Goodmans Hill Road
Sudbury, MA 01776
December 8, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Bob Familiar

MTC–00032307

From: lprieta
To: Attorney General Antitrust Division
Date: 12/8/01 6:47pm
Subject: microsoft public comment

Sirs,

I have been a personal computer user for 14 years. The internet with the basic ''Mosaic'' web browser was state of the art as I studied at the University of California. The focus of my studies was the ''new'' internet, media and the empowerment of minorities and private citizens which the net made possible.

I am a member of an Indian nation and this is very important to me. the FREEDOM to use internet tools, of my own choosing, and to not be enriching grasping monopolists, is of high importance to all private users of the internet, and of PCs in general.

The suggested settlement for Microsoft's crimes is utterly unsatisfactory to me. The notion that Microsoft products and services donated (and thus ''locking in'' the minds and habits of young internet users who would be better served by a free selection of products and platforms in their lifetimes) would adequately address the abuse of monopoly control of personal computing by Microsoft is inherently unjust and unrealistic.

I strongly urge the court to instead enforce the establishment (by Microsoft) of a fund for schools from which products and services SELECTED freely and totally by such schools would be paid.

Thank You

Russell F. Imrie

MTC–00032308

From: Meagan Hutcheson
To: Ms. Renata Hesse
Date: 12/9/01 5:50am
Subject: Microsoft Settlement
Meagan Hutcheson
22 Sequassen Rd.
Farmington, CT 06032
December 9, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance: the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Meagan Hutcheson

MTC–00032309

From: Harry Pierson
To: Ms. Renata Hesse
Date: 12/9/01 12:24pm
Subject: Microsoft Settlement
Harry Pierson
11064 Clear Meadows Dr.
Las Vegas, Nv 89134–7235
December 9, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Harry T. Pierson

MTC–00032310

From: Paul Pedriana
To: lance@pedriana.com@inetgw
Date: 12/9/01 6:40pm
Subject: Microsoft Settlement

Micorosft's propsosed settlement is clearly worded to benefit Microsoft at the expense of their competition In particular:

—Microsoft's proposal to ''free'' donate software is clearly an attempt to dilute the presence of their competitor's software.

—Microsoft's proposal to open their APIs is worded to lock out non-commercial entities such as open source software initiatives. Paul
Pedriana
paul@pedriana.com

MTC–00032311

From: Chris Sakalosky
To: Ms. Renata Hesse
Date: 12/10/01 7:53am
Subject: Microsoft Settlement
Chris Sakalosky
162 Melrose Street
Auburndale, MA 02466
December 10, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Chris Sakalosky

MTC–00032312

From: john@co.ferry.wa.us@inetgw
Date: 12/10/01 9:08am
Subject: Message-ID:
<3C14EC48.FFBF669D@co.ferry.wa.us>
Message-ID:
<3C14EC48.FFBF669D@co.ferry.wa.us>
Date: Mon, 10 Dec 2001 09:09:28 -0800
From: John Walden <john@co.ferry.wa.us>
X-Mailer: Mozilla 4.75 [en] (Win98; U)
X-Accept-Language: en
MIME-Version: 1.0
To: microsoft.atr@usdoj.gov,
feedback@redhat.com
Subject: MicroSoft Ruling
Content-Type: text/plain; charset=us-ascii
Content-Transfer-Encoding: 7bit

The first ruling against Microsoft, to break up the company, was correct and just. A mild punishment of Microsoft off will not foster competition, will not insure a strong industry and, will not benefit consumers. At the very least, Microsoft should make the current version (and future versions) of MS Office and other application software available for Linux. This would separate their operating system software from their applications software and prevent any future monopolistic behavior.

To punishment Microsoft by having then give their products to schools is a crazy idea. This will only foster their monopolistic practices and lock in future customers. It would be like punishing the tobacco industry by making them furnish no cost cigarette vending machines to schools.

John Walden,
IS Director, Ferry County

MTC–00032313

From: Bryan Haley
To: Ms. Renata Hesse
Date: 12/10/01 10:04am
Subject: Microsoft Settlement
Bryan Haley
9 Candlewood Way
Shrewsbury, MA 01545
December 10, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Bryan R. Haley

MTC–00032314

From: Jean Gary
To: Ms. Renata Hesse
Date: 12/10/01 11:22am
Subject: Microsoft Settlement
Jean Gary
5892 Langton Drive
Alexandria, VA 22310
December 10, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Jean Gary

MTC–00032315

From: Larry Svee
To: Ms. Renata Hesse
Date: 12/10/01 12:02pm
Subject: Microsoft Settlement
Larry Svee
W323 Highway 29
Spring Valley, WI 54767

December 10, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,
Larry Svee

MTC–00032316

From: BillMeelater
To: DOJ
Date: 12/10/01 6:52pm
Subject: MICROSOFT SETTLEMENT

Dear DOJ,

It pleases me that the DOJ and Microsoft Corp have come to a settlement finally. Briefly, my opinion as a consumer and citizen of this great country is as follows:

1. I never felt cheated or hurt as a consumer of any Microsoft product. Nor do I understand how consumers have been hurt by the Microsoft company. Certainly I've had many frustrating moments over the years because their software occasionally failed to function properly (and many consumers have shared this feeling). But I personaly feel that the gains I've made in productivity over the years, due to the advances in computing as a result of the Microsoft company, have been worth the trouble. Considering the efficiency their procucts bring to me, they are cheap. Let's not complain about an $80 operating system.

2. Our economy has benefitted from the standardization of operating systems due to Microsoft's dominance. I'm sure many a legal brief prepared by the DOJ was done on Microsoft software. What would it be like to share information in a world of computers that wouldn't talk to each other? A third world experience, I'm sure. Example: How frustrating is it now to make a long distance phone call from a phone you don't own. A strong case, in my opinion, for standardization. As Alan Greenspan has stated many times—the growth we had from mid to late -90's was very much a result of technical innovation by Microsoft and companies like it.

3. In our country today, we can't affort to struggle internally anymore. It would be different if Microsoft dominated the software industry AND put out lousy product. I don't think that's the case. The DOJ has gone after this company with such vengance. I don't think it's warranted. I'm sure they've gotten the message. Now let it go and let them, and companies like them continue to innovate. It benefits us all.

Sincerely,
Bill Braun
Colorado

MTC–00032317

From: Dawn Johnson
To: Ms. Renata Hesse
Date: 12/11/01 9:57am
Subject: Microsoft Settlement
Dawn Johnson
1005 Quail Run Rd.
Southlake, TX 76092–3114
December 11, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,
Dawn Johnson

MTC–00032318

From: Kylie Waters
To: Ms. Renata Hesse

Date: 12/12/01 7:09am
Subject: Microsoft Settlement
Kylie Waters
2563 Spencer Hill Road
Corning, NY 14830
December 12, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest. Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance: the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

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Sincerely,

Kylie Waters

MTC–00032319

From: Ted Payne
To: Ms. Renata Hesse
Date: 12/12/01 8:56am
Subject: Microsoft Settlement
ted payne
4009 Druid Hills rd
louisville, ky 40207
December 12, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

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Sincerely,

Ted Payne

MTC–00032320

From: John D. Eckert
To: Ms. Renata Hesse
Date: 12/12/01 9:40am
Subject: Microsoft Settlement
John D. Eckert
1749 Summerlin Place
Jeffersonville, IN, IN 47130–9677
December 12, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

I would like to express my support for the revised proposed Final Judgment in the U.S. v. Microsoft case. This lengthy litigation has cost my fellow taxpayers and me more than $35 million, and after reviewing the terms of this Judgment, final approval is clearly in the public interest.

Perhaps of greatest benefit to the American people, the Department of Justice (DOJ) and the settling states will avoid additional costs and now be able to focus their time and resources on matters of far greater national significance: the war against terrorism, including homeland security. As noted by District Court Judge Colleen Kollar-Kotelly, who pushed for a settlement after the attacks of September 11, it is vital for the country to move on from this lawsuit. The parties worked extremely hard to reach this agreement, which has the benefit of taking effect immediately rather than months or years from now when all appeals from continuing the litigation would finally be exhausted.

The terms of the settlement offer a fair resolution for all sides of this case: the DOJ, the states, Microsoft, competitors, consumers and taxpayers. Microsoft will not be broken up and will be able to continue to innovate and provide new software and products. Software developers and Internet service providers (ISPs), including competitors, will have unprecedented access to Microsoft's programming language and thus will be able to make Microsoft programs compatible with their own.

Competitors also benefit from the provision that frees up computer manufacturers to disable or uninstall any Microsoft application or element of an operating system and install

other programs. In addition, Microsoft cannot retaliate against computer manufactures, ISPs, or other software developers for using products developed by Microsoft competitors. Plus, in an unprecedented enforcement clause, a Technical Committee will work out of Microsoft's headquarters for the next five years, at the company's expense, and monitor Microsoft's behavior and compliance with the settlement.

Most importantly, this settlement is fair to the computer users and consumers of America, on whose behalf the lawsuit was allegedly filed. Consumers will be able to select a variety of pre-installed software on their computers. It will also be easier to substitute competitors' products after purchase as well. The Judgment even covers issues and software that were not part of the original lawsuit, such as Windows XP, which will have to be modified to comply with the settlement.

This case was supposedly brought on behalf of American consumers. We have paid the price of litigation through our taxes. Our investment portfolios have taken a hard hit during this battle, and now more than ever, the country needs the economic stability this settlement can provide. This settlement is in the public interest, and I urge the DOJ to submit the revised proposed Final Judgment to the U.S. District Court without change.

Sincerely,

John Eckert

MTC–00032321

From: Michael Cramer
To: Ms. Renata Hesse
Date: 12/12/01 9:58am
Subject: Microsoft Settlement
Michael Cramer
51 Cobblestone Lane
Hanover, MA 02339
December 12, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

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Sincerely,

Michael R. Cramer

MTC–00032322

From: Robert Davis
To: US DOJ
Date: 12/12/01 11:33am
Subject: U.S. v. Microsoft

To whom it may concern:

My name is Robert Davis, I am an Architect and I live in Denver, CO. I am not a ''technical'' person as far the computer industry goes, just an end user. I purchased my first computer, a Commodore 64 back in about 1981. I then migrated to Apple's Macintosh, then to Windows on Intel, and now in light of Microsoft's illegal monopoly actions, I've just begun a transition to the Linux operating system. I'm probably somewhat atypical from most in that I've used multiple operating systems during my experiences. Based on this experience I've seen many small, innovative software companies come up with some very good applications. What I now observe is that Microsoft keeps rolling the same functionality into Windows and effectively killing all other competition. I don't see this as good for America. To their credit they have been successful in standardizing the computing experience somewhat. I have read on various internet news sites that the proposed settlement terms allow Microsoft to determine if a company is legitimate before they have to share some of their inner workings with them. The case has been made that the ''Open Source'' movement would not be viewed as such and therefore can be discriminated against. This movement looks to be the greatest hope of breaking Microsoft's monopoly yet and needs to be able to stand on equal footing. I respectfully request that you implement meaningful reforms for Microsoft without infringing on free interprise and the American way. Please consider:

1. Don't give MS a foot-hold in our schools were Apple seams to compete reasonably well.

2. Don't allow MS to withold code, API's, etc. from the Open Source folks.

3. Force MS to unbundle ''middleware'' from Windows or sell a ''stripped'' down version.

4. Scutinize MS's plans to provide broadband internet access to America via MSN.

5. Formulate remedies with teeth.

5. Watch them like a hawk!

Thank you for this opportunity to voice my views.

Rob Davis

MTC–00032323

From: Herb Himmelfarb
To: Himmelfarb, Cyn (038) Herb
Date: 12/12/01 12:17pm
Subject: Microsoft Settlement

Hi,

The proposed settlement in the anti-trust case against the Microsoft Corporation appears to me to be too lenient. In my opinion, this corporation has engaged in restraint of trade to an alarming degree. Rather than bore you with information you already have, I request that more severe penalties be imposed upon Microsoft.

Thank you for your attention to this matter.

Herbert S. Himmelfarb
615 19 Street NE
Salem, OR 97301–2713
503.375.2934
himby@open.org

MTC–00032325

From: MARTY REISLER
To: MSN Messenger Support
Date: 12/13/01 7:35am
Subject' Re' [Re' [Re: [Re: [Re' [RE: CST51666018ID– MSN Chat Feedback]]]]]
CC: Microsoft ATR,antitrust@usdoj.gov@inetgw,jim.hill@...

MTC–00032325 0001

OK there is no selection for messenger removal under add remove problems. My guess is that it is integrated into MSN Explorer MSN Explorer must be removed from the Windows component wizard. If I remove MSN Explorer then I do not think I can sign on to or at least find new local numbers for the MSN service when travelling.

After 5 emails you won't admit I can't turn off your messenger service so you tell me to uninstall but give me bogus directions on how This cinches that I will remove the MSN

components as soon as my free trial is over. This is the kind of riduculous crap that make people want to see Microsoft severely chopped into more harmless less arrogant pieces. The incredible run around from a tech support department who won't admit that the MSN application is setup so that I have to be logged into your new messenger service so you can claim a large user base to get more people to use your messenger app is probally criminal. Thankfully messenging is not something you have arrived at in time to compete in. You can now add me to the list of Microsofts foes and maybe even force me to use AOL as my means of connecting when away from home.

I think it is a gross failure on the part of the justice department to think of settling with Microsoft while it is still finding new ways to exploit its operation system monopoly in this manner.

—Marty Reisler
213 N. Highland Ave
Nyack NY 10960
From: marty@usa.net
To: ''MSN Messenger Support'' <mmssupport@css.one.microsoft.com>
Sent: Wed Dec 12 09:24:20 PST 2001
Subject: Re: [Re: [Re: [Re: [RE: CST51666018ID—MSN Chat Feedback]]]]

MTC–00032325_0002

I seem to keep gettng a different support person who doesn't take
the time to read the complete message. I explained that what doesn't
work (this is my 5th email) is that there is no account tab under
tools/options. Please reread the entire message and reply with
the answer that relects that you have reread all the correspondence
below.

MTC–00032326

From: Robert Gasiorowski
Date: 12/13/01 11:03am
Subject: Microsoft's intellectual property

This is good, they (MS) take someone elses (opensource) stuff (DNS for example), change one line (comment line probably), and then they're calling it Microsoft's intellectual property.

And what about TCP/IP showing up under ''Microsoft Protocols''. Since when TCP/IP is Microsoft's?

By that time next year, it will be probably called MSN/IP.

Thank you for your time.

Robert Gasiorowski.

Mac, Linux and Sun user.

MTC–00032327

From: Lisa Hutchins
To: Ms. Renata Hesse
Date: 12/13/01 1:04pm
Subject: Microsoft Settlement
Lisa Hutchins
16549 NW 16th Street
Pembroke Pines, FL 33028
December 13, 2001
Ms. Renata Hesse
U.S. Department of Justice, Antitrust Division
601 D Street NW, Suite 1200
Washington, DC 20530

Ms. Hesse:

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Sincerely,

Lisa Hutchins