UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, PLAINTIFF, V. MICROSOFT CORPORATION, DEFENDANT.	C.A. NO. 98-1232
STATE OF NEW YORK, ET AL., PLAINTIFFS, V. MICROSOFT CORPORATION, DEFENDANT.	C.A. NO. 98-1223
MICROSOFT CORPORATION, COUNTERCLAIM-PLAINTIFF, V. DENNIS C. VACCO, ET AL., COUNTERCLAIM-DEFENDANTS.	JANUARY 13, 1999 WASHINGTON, D.C.

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TRANSCRIBED DEPOSITION EXCERPTS

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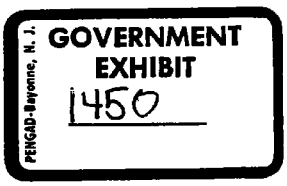

1 P R O C E E D I N G S

2 (DEPOSITION EXCERPTS OF PHILIP BARRETT.)

3 Q. I'LL JUST ASK YOU: DID YOU ATTEND AN

4 OFFSITE IN THE EARLY PART OF APRIL OF 1994 WHILE

5 YOU WERE AT MICROSOFT?

6 A. YES, I DID.

7 Q. DO YOU RECALL ON OR ABOUT WHEN THIS

8 OFFSITE OCCURRED?

9 A. I DON'T RECALL THE SPECIFIC DATE. IT

10 WAS IN APRIL OF 1994.

11 Q. DO YOU RECALL WHAT WAS THE SUBJECT

12 MATTER THAT WAS DISCUSSED AT THIS OFFSITE?

13 A. YES. IT WAS WHAT WAS MICROSOFT GOING

14 TO DO ABOUT THE INTERNET.

15 Q. WHERE DID THIS OFFSITE TAKE PLACE?

16 A. IN THE SHUMWAY MANSION IN KIRKLAND,

17 WASHINGTON.

18 Q. AND YOU HAD ATTENDED THIS OFFSITE?

19 A. THAT IS CORRECT.

20 Q. STEPPING BACK JUST SO WE HAVE SOME

21 UNDERSTANDING, WHAT IS AN OFFSITE? WHAT DOES

22 THAT REFER TO AT MICROSOFT?

23 A. AN OFFSITE IS A FOCUSED--A VERY LONG

24 FOCUSED SEQUENCE OF MEETINGS WHERE THERE'S A

25 SINGLE SUBJECT OR A SINGLE TOPIC AREA, IF YOU

1 WILL, AND THE APPROPRIATE PEOPLE FROM WITHIN THE
2 COMPANY--TYPICALLY TECHNOLOGISTS AS WELL AS
3 MARKETING, BUSINESS, AND TECHNOLOGY PEOPLE--GET
4 TOGETHER TO TALK ABOUT THE ISSUES, SUMMARIZE
5 STRATEGY. IT HAS A VERY WIDE RANGING--THERE'S A
6 VERY WIDE RANGE OF USES FOR IT, BUT GENERALLY
7 IT'S TO FOCUS ATTENTION ON AN AREA THAT'S EITHER
8 BEEN UNDERFOCUSED ON OR THE COMPANY OR GROUP IS
9 DOING SOMETHING WRONG OR NEEDS TO RETHINK ITS
10 STRATEGY.
11 (EXCERPT.)
12 Q. WHO WAS IN YOUR BREAKOUT GROUP, IF YOU
13 REMEMBER?
14 A. WELL, BILL GATES LED MY BREAKOUT GROUP,
15 AND BRAD SILVERBERG WAS THERE. I BELIEVE JOHN
16 LUDWIG WAS IN THE GROUP. AND THOSE ARE THE ONLY
17 PEOPLE I REMEMBER EXPLICITLY. THERE WERE AROUND
18 EIGHT TO TEN, I THINK, TOTAL.
19 Q. WHAT WAS DISCUSSED WITHIN YOUR BREAKOUT
20 GROUP?
21 A. THE THING THAT I REMEMBER THE MOST
22 DISCUSSION ABOUT WAS THE INTERNET SERVICE
23 PROVIDERS AND THE NECESSARY PLUMBING--PLUMBING
24 BEING THE INFRASTRUCTURE--TO ALLOW LARGE NUMBERS
25 OF PEOPLE TO GET ONLINE AND USE THE INTERNET.

1 Q. SO, WHAT WAS IT ABOUT THIS PLUMBING
2 THAT YOU RECALL DISCUSSING?
3 A. HOW TO MAKE IT HAPPEN, HOW TO
4 ENCOURAGE--HOW TO ENCOURAGE MORE INTERNET SERVICE
5 PROVIDERS TO EXIST, TO CREATE WAYS TO MAKE IT
6 EASY FOR PEOPLE TO SIGN UP.
7 AT THAT TIME, SIGNING UP TO THE
8 INTERNET WAS ACTUALLY A PRETTY TORTUOUS PROCESS
9 AND REQUIRED ALMOST A PH.D. IN MUMBO-JUMBO.
10 Q. THOSE ARE HARD TO GET.
11 A. I'M SORRY?
12 Q. THOSE ARE HARD TO GET, THOSE PH.D.S IN
13 MUMBO-JUMBO.
14 A. YES.
15 MR. TAYLOR: FREELY AVAILABLE AT LAW
16 SCHOOLS.
17 BY MR. WILSON:
18 Q. WAS THERE ANY DISCUSSION ABOUT WHAT IT
19 WAS THAT MICROSOFT CAN DO TO ADVANCE THIS
20 DISCUSSION OF PLUMBING OR THESE IDEAS OF HOW TO
21 MAKE PLUMBING HAPPEN?
22 MR. O'BRIEN: OBJECTION TO FORM.
23 THE WITNESS: THERE WERE A NUMBER OF
24 DISCUSSIONS THAT FOCUSED ON--THERE WERE
25 DISCUSSIONS OF ACQUIRING ISP'S, OF GAINING ACCESS

1 TO MORE PLUMBING, EITHER THROUGH DIRECT CONTROL
2 OR INDIRECT CONTROL. THERE WAS SOME DISCUSSION
3 OF MAKING SURE THAT THE PROCESSES, THE PRODUCTS
4 THAT WERE--OR THE CAPABILITIES THAT WERE IN
5 PROCESS, COME TO COMPLETION TO ALLOW THE CLIENT
6 SIDE, THE DESKTOP OPERATING SYSTEM, TO BE A BASIS
7 FOR BEING ABLE TO DIAL INTO INTERNET SERVICE
8 PROVIDERS.
9 (EXCERPT)
10 Q. THE TERM "INTERNET PROTOCOL," WHAT DOES
11 THAT MEAN TO YOU?
12 A. WELL, A PROTOCOL IS JUST AS MUCH IN
13 DIPLOMACY AS IN COMPUTERS. IT'S A PRESCRIBED WAY
14 OF TWO INDEPENDENT ENTITIES INTERACTING.
15 IN THE CASE OF COMPUTERS, IT'S A COMMON
16 LANGUAGE THAT TWO COMPUTERS CAN TALK IN ORDER TO
17 EXCHANGE INFORMATION ON BEHALF OF THE USERS OF
18 THE COOPERATING OPERATING SYSTEMS.
19 Q. WHAT IS IT THAT YOU RECALL AT THE
20 OFFSITE THAT WAS RELATED TO THESE INTERNET
21 PROTOCOLS?
22 MR. O'BRIEN: OBJECTION TO FORM.
23 VAGUE.
24 BY MR. WILSON:
25 Q. DID YOU UNDERSTAND THE QUESTION? CAN

1 YOU ANSWER THAT QUESTION, OR SHOULD I--

2 A. YES, I CAN ANSWER YOUR QUESTION.

3 Q. THANK YOU.

4 A. THERE WAS DISCUSSION OF A PROTOCOL

5 CALLED TCP/IP, WHICH STANDS FOR--WELL, IT'S AN

6 INTERNET PROTOCOL--THE UNDERLYING INTERNET

7 PROTOCOL.

8 THERE WAS A DISCUSSION OF INSURING THAT

9 THAT CAPABILITY IS EASY TO INSTALL IN AN

10 OPERATING SYSTEM AND THAT YOU, YOU KNOW, IT'S A

11 BEST OF BREED.

12 THERE WAS ALSO DISCUSSION OF OTHER

13 PROTOCOLS, INCLUDING SOMETHING CALLED PPP AND

14 SLIP, WHICH ARE THE DIALUP CONNECTION PROTOCOLS.

15 SLIP, S-L-I-P, STANDS FOR SUBSCRIBER LINE

16 INTERFACE PROTOCOL--WAS AN EARLIER FORM, AND THAT

17 WAS IN THE PROCESS OF BEING SUPPLANTED--

18 THE WITNESS: AM I GOING TOO FAST FOR

19 YOU?

20 COURT REPORTER: NO, BUT THANK YOU.

21 THE WITNESS: --IN THE PROCESS OF BEING

22 SUPPLANTED BY PPP, WHICH STANDS FOR

23 POINT-TO-POINT PROTOCOL. THERE WAS DISCUSSION

24 ABOUT INSURING THAT PPP WAS BROUGHT INTO THE

25 OPERATING SYSTEM IN A TIMELY FASHION, BUT THAT

1 WAS A SMALL PORTION OF THE DISCUSSION.

2 BY MR. WILSON:

3 Q. DO YOU KNOW WHETHER THESE PARTICULAR

4 PROTOCOLS THAT YOU DESCRIBED WERE BEING DEVELOPED

5 AT MICROSOFT AT OR AROUND THE TIME OF THIS

6 OFFSITE?

7 MR. O'BRIEN: OBJECTION TO FORM.

8 VAGUE.

9 THE WITNESS: I'LL ANSWER IT.

10 YES, ALL OF THOSE IMPLEMENTATIONS OF

11 THOSE PROTOCOLS WERE BEING DEVELOPED. THE

12 PROTOCOLS THEMSELVES HAD BEEN DEVELOPED

13 ELSEWHERE, PARTICULARLY BY STANDARDS, BODIES, OR

14 GROUPS--AFFILIATED WITH STANDARDS, BODIES. THE

15 IMPLEMENTATIONS WERE BEING DONE MOSTLY IN THE

16 WINDOWS NT GROUP.

17 BY MR. WILSON:

18 Q. CAN YOU JUST DESCRIBE GENERALLY WHAT IT

19 IS THAT THE IMPLEMENTATION OF THESE PROTOCOLS

20 SERVES? I MEAN, YOU HAD DESCRIBED BRINGING IT

21 INTO THE OPERATING SYSTEM--YOU DESCRIBED SLIP

22 BEING BROUGHT INTO THE OPERATING SYSTEM.

23 WHAT SERVICES DID THESE TYPE OF

24 INTERNET PROTOCOLS SERVE IN THE OPERATING SYSTEM?

25 MR. O'BRIEN: OBJECTION.

1 MISCHARACTERIZES THE TESTIMONY, AND VAGUE.

2 THE WITNESS: I'LL BE HONEST. I DON'T

3 KNOW HOW TO ANSWER THAT QUESTION.

4 BY MR. WILSON:

5 Q. OKAY. WHAT PLANS WERE YOU AWARE OF AT

6 OR AROUND THIS TIME TO INCLUDE INTERNET PROTOCOLS

7 INTO THE NEXT VERSION OF WINDOWS?

8 MR. O'BRIEN: OBJECTION. FOUNDATION.

9 THE WITNESS: THE PLANS WERE TO PUT A

10 TCP/IP PACK, THE UNDERLYING THING, AND THEN DIAL

11 UP MODEM SUPPORT, CALLED DIALUP NETWORKING--OFTEN

12 REFERRED TO AS D-U-N, DUN--INTO EITHER WINDOWS 95

13 OR INTO--I DON'T KNOW IF THEY CALLED IT "SERVICE

14 PACK," BUT THE SUBSEQUENT RELEASE.

15 BY MR. WILSON:

16 Q. DURING THE OFFSITE, WERE THERE

17 DISCUSSIONS RELATED TO WEB BROWSERS?

18 A. THAT WASN'T IN MY FOCUS GROUP, SO I

19 DON'T RECALL ANY OF THAT, OBVIOUSLY.

20 I DO RECALL THAT THERE WAS ANOTHER

21 GROUP THAT FOCUSED ON THAT, ALTHOUGH I BELIEVE--I

22 JUST DON'T RECALL WHAT WAS SAID IN GREAT DETAIL.

23 (EXCERPT.)

24 Q. WERE THERE DISCUSSIONS ABOUT BUILDING A

25 WEB BROWSER INTO THE NEXT RELEASE OF WINDOWS 95?

1 MR. O'BRIEN: OBJECTION. FOUNDATION.
2 THE WITNESS: I DO NOT RECALL ANY
3 DISCUSSIONS TAKING PLACE, ALTHOUGH THEY COULD
4 HAVE, BUT I JUST DON'T KNOW.
5 BY MR. WILSON:
6 Q. YOU ATTENDED THE OFFSITE, BUT AS FAR AS
7 YOU KNOW, THERE WEREN'T ANY PLANS MADE TO BUILD A
8 WEB BROWSER INTO WINDOWS 95?
9 MR. O'BRIEN: OBJECTION.
10 MISCHARACTERIZES THE TESTIMONY, AND LEADING.
11 THE WITNESS: WOULD YOU READ BACK THE
12 QUESTION, PLEASE?
13 COURT REPORTER: QUESTION: YOU
14 ATTENDED THE OFFSITE, BUT AS FAR AS YOU KNOW,
15 THERE WEREN'T ANY PLANS MADE TO BUILD A WEB
16 BROWSER INTO WINDOWS 95?
17 BY MR. WILSON:
18 Q. ACTUALLY, I CAN JUST TAKE THE LEADING
19 OUT OF THE QUESTION. WHO KNOWS, THIS MIGHT
20 MATTER SOMEDAY.
21 AT THE CONCLUSION OF THE OFFSITE, WERE
22 THERE ANY PLANS MADE TO BUILD A BROWSER INTO
23 WINDOWS 95 AT LEAST THAT YOU'RE AWARE OF?
24 A. TO MY KNOWLEDGE, NO, THERE WERE NOT.
25 Q. AFTER THE OFFSITE, WHAT DID YOU DO AT

1 MICROSOFT? DID YOUR JOB POSITION CHANGE?
2 A. YES. I WAS ACTUALLY--DURING THE
3 OFFSITE, I WAS ACTUALLY PART OF THE ADVANCED
4 CONSUMER TECHNOLOGY GROUP, AND I WAS IN
5 TRANSITION TO WORK IN THE WINDOWS GROUP. SO,
6 AFTER THAT, I DID TRANSITION INTO THE WINDOWS
7 GROUP TO FOCUS ON INTERNET TECHNOLOGY.
8 (EXCERPT.)
9 Q. DURING THIS APRIL '94 TO OCTOBER '94
10 TIME FRAME, DID YOU CREATE ANY PLANS FOR
11 DEVELOPING A BROWSER?
12 A. NO, I DID NOT.
13 Q. WHAT INSTRUCTIONS FROM YOUR MANAGEMENT
14 DID YOU HAVE WITH RESPECT TO THE DEVELOPMENT OF
15 THE BROWSER?
16 A. TO FIGURE OUT A STRATEGY.
17 (EXCERPT.)
18 BY MR. WILSON:
19 Q. EARLIER YOU SAID YOU FORMALLY LEFT
20 MICROSOFT IN OCTOBER OF 1994.
21 BY THE TIME THAT YOU HAD LEFT
22 MICROSOFT, DO YOU KNOW WHETHER A WEB BROWSER HAD
23 BEEN BUILT YET?
24 A. NO, I DON'T.
25 Q. WAS A BROWSER BUILT THEN?

1 A. NO.

2 Q. DID YOUR GROUP ACCOMPLISH BUILDING A

3 PROTOTYPE OF A BROWSER?

4 A. NO.

5 Q. WERE THERE ANY PLANS TO BUILD A BROWSER

6 TO BE RELEASED IN THE NEXT VERSION OF WINDOWS?

7 MR. O'BRIEN: OBJECTION TO FORM.

8 THE WITNESS: I KNOW OF NO PLANS IN

9 THAT FORUM.

10 BY MR. WILSON:

11 Q. IN THE POSITION THAT YOU WERE IN, WOULD

12 YOU HAVE BEEN SOMEONE WHO WOULD HAVE KNOWN ABOUT

13 SUCH PLANS?

14 MR. O'BRIEN: OBJECTION TO FORM.

15 THE WITNESS: YES, I WOULD HAVE.

16 BY MR. WILSON:

17 Q. WHY DO YOU THINK YOU WOULD HAVEN'T HAVE

18 BEEN SOMEONE WHO WOULD HAVE KNOWN ABOUT SUCH

19 PLANS?

20 A. BECAUSE THAT WOULD HAVE FALLEN INTO MY

21 AREA OF RESPONSIBILITY.

22 (EXCERPT.)

23 BY MR. WILSON:

24 Q. I'LL SHOW YOU WHAT'S BEEN MARKED

25 GOVERNMENT EXHIBIT 1206. IT IS AN ARTICLE THAT'S

1 BEEN DOWNLOADED FROM THE INTERNET, ENTITLED
2 "GATES BROWSER CONCEIVED BEFORE NETSCAPE WAS
3 BORN." IT APPEARS THAT THIS ARTICLE WAS
4 ORIGINALLY PUBLISHED AUGUST 16, 1998, IN THE
5 SEATTLE TIMES.
6 YOU MAY NOT HAVE SEEN IT IN THIS
7 PARTICULAR FORM, BUT HAVE YOU SEEN THIS ARTICLE
8 IN ONE FORM OR ANOTHER BEFORE?
9 A. YES, I HAVE. I BELIEVE I'VE SEEN THIS
10 ONE ALSO.
11 Q. WERE YOU INTERVIEWED FOR THIS
12 PARTICULAR ARTICLE?
13 A. NO, I WASN'T.
14 Q. I'M GOING TO ASK JUST A VERY FEW
15 QUESTIONS ABOUT THIS.
16 IN THE SECOND PARAGRAPH OF THIS
17 ARTICLE, THERE'S A REFERENCE HERE, IT SAYS--AND
18 I'LL JUST READ IT--"IN AN INTERVIEW FRIDAY, GATES
19 SAID THE DECISION TO DEVELOP A BROWSER WAS MADE
20 AT AN EXECUTIVE RETREAT ON APRIL 5, 1994, AT THE
21 HISTORIC SHUMWAY MANSION IN KIRKLAND."
22 ALL I WANT TO KNOW IS, BASED ON OUR
23 DISCUSSION AND YOUR RECOLLECTION OF THIS OFFSITE
24 RETREAT IN EARLY APRIL AT THE SHUMWAY MANSION, IS
25 THIS AN ACCURATE STATEMENT?

1 MR. O'BRIEN: OBJECTION TO FORM. CALLS
2 FOR SPECULATION.
3 THE WITNESS: YOU WANT TO--
4 MR. WILSON: I'M NOT ASKING HIM TO
5 SPECULATE.
6 BY MR. WILSON:
7 Q. I'M ASKING IF THIS IS WHAT YOU RECALL
8 COMING OUT OF THE SHUMWAY RETREAT.
9 A. NO, THIS IS NOT CONSISTENT WITH MY
10 MEMORY OF THE RETREAT.
11 Q. THE FOLLOWING SENTENCE IN THIS ARTICLE
12 READS, QUOTE, I SAID, INTERNAL QUOTE, HEY, WE'RE
13 GOING TO GET IT, PAREN, THE BROWSER, CLOSED
14 PAREN, INTEGRATED INTO THE OPERATING SYSTEM,
15 CLOSED QUOTE, GATES SAID.
16 I JUST WANT TO MAKE CLEAR ABOUT YOUR
17 RECOLLECTION OF THIS OFFSITE.
18 IS THIS SENTENCE CONSISTENT WITH YOUR
19 RECOLLECTION OF THE OFFSITE?
20 A. NO, IT IS NOT.
21 (EXCERPT.)
22 BY MR. WILSON:
23 Q. LET ME JUST DIRECT YOUR ATTENTION TO
24 THE LAST PAGE OF THIS DOCUMENT.
25 A. UH-HUH.

1 Q. AT THE BOTTOM IT SAYS "FOUR OF FOUR."
2 THE TOP PARAGRAPH IN THIS DOCUMENT READS, "SOON
3 AFTER THE SHUMWAY SESSION, PHIL BARRETT, A
4 WINDOWS EXECUTIVE, WAS ASSIGNED TO BEGIN WORK ON
5 A BROWSER. BARRETT, WHO TODAY WORKS FOR
6 REALNETWORKS IN SEATTLE, MADE LITTLE PROGRESS,
7 HOWEVER, AND THE PROJECT EVENTUALLY WAS
8 TRANSFERRED TO BEN SLIVKA."
9 FIRST OF ALL, IS IT FAIR TO ASSUME THAT
10 THE PHIL BARRETT REFERENCED IN THIS ARTICLE WOULD
11 BE YOU?
12 A. YES.
13 Q. AND THE AUTHOR, HOWEVER, DID NOT TALK
14 TO YOU ABOUT THIS ARTICLE?
15 A. THAT IS CORRECT.
16 (EXCERPT.)
17 Q. FOCUSING ON THE REALPLAYER AND THE
18 PLAYERPLUS, DOES REALNETWORKS DISTRIBUTE A
19 VERSION OF THE PLAYER THAT INCLUDES THE
20 PLAYERPLUS FEATURES NOT ACTIVATED?
21 A. YES. THE WAY THE PLAYER AND PLAYERPLUS
22 ARE RELATED IS BASICALLY THERE'S ONE PLAYER.
23 PLAYERPLUS FEATURES ARE ACTIVATED BY A LICENSE
24 KEY THAT ONE GETS BY COMING TO OUR WEB SITE AND
25 GOING THROUGH A SECURE FORM AND PURCHASING THAT

1 LICENSE KEY, ALTHOUGH THEY BELIEVE THEY ARE
2 PURCHASING PLAYERPLUS.
3 Q. SO, IF A CUSTOMER DOESN'T PURCHASE THIS
4 ACTIVATION KEY, WHAT DOES THE USER HAVE?
5 A. THE USER HAS THE STANDARD, WHAT WE CALL
6 "UBIQUITY PLAYER," THE FREE PLAYER.
7 Q. BUT AS A TECHNICAL MATTER, DOES THE
8 USER HAVE THE CODE THAT IMPLEMENTS THE PLAYERPLUS
9 FEATURES?
10 A. YES.
11 Q. IS IT CORRECT TO SAY THAT EVEN IF A
12 CUSTOMER HAS THE BITS OF CODE THAT MAKE UP THE
13 PLAYERPLUS, IF THE USER DOES NOT HAVE ACCESS TO
14 THE PLAYERPLUS FEATURES, THEN, AS A PRACTICAL
15 MATTER, THE USER DOESN'T HAVE THE PLAYERPLUS
16 PRODUCT?
17 MR. O'BRIEN: OBJECTION TO FORM AND
18 ESPECIALLY TO THE EXTENT IT CALLS FOR A LEGAL
19 CONCLUSION ABOUT WHAT IS AND WHAT ISN'T A
20 PRODUCT, BUT GO AHEAD.
21 THE WITNESS: FROM THE USER'S
22 PERSPECTIVE, WHAT THEY HAVE IS THE STANDARD
23 PLAYER.
24 BY MR. WILSON:
25 Q. BUT NOT PLAYERPLUS?

1 A. CORRECT, NOT PLAYERPLUS.

2 Q. AND THAT'S BECAUSE THEY'RE UNABLE TO

3 ACCESS THE PLAYERPLUS FEATURES?

4 A. THAT IS CORRECT.

5 (EXCERPT.)

6 Q. OKAY. AND I BELIEVE YOU TESTIFIED THAT

7 YOU ACTUALLY LEFT MICROSOFT--CEASED WORKING

8 THERE--IN SEPTEMBER OF 1995; IS THAT TRUE?

9 A. THAT'S THE BEST OF MY RECOLLECTION.

10 MR. TAYLOR: '95 OR '94?

11 BY MR. O'BRIEN:

12 Q. I'M SORRY, IN '94.

13 A. THAT'S RIGHT. FOR THE RECORD, I

14 BELIEVE THAT MY LAST DAY AT MICROSOFT OCCURRED IN

15 SEPTEMBER OF--MY LAST WORKING DAY AT MICROSOFT

16 OCCURRED IN SEPTEMBER OF 1994.

17 (EXCERPT.)

18 Q. AND SO THE INTERNET OFFSITE THAT THEY

19 HELD IN APRIL 1994 DID NOT, TO YOU, REFLECT A

20 SUFFICIENT DEGREE OF INTEREST IN THE INTERNET?

21 A. WHAT IT REFLECTED TO ME WAS THAT, WHILE

22 THE CHAIRMAN WAS WILLING TO STAND UP AND SAY THE

23 INTERNET IS IMPORTANT, NOBODY IS WILLING TO PUT

24 ANY RESOURCES BEHIND DOING THE SORTS OF THINGS TO

25 MAKE THE INTERNET HAPPEN. THAT'S WHAT I GOT FROM

1 THAT.

2 Q. OKAY. AND WHAT WAS THE--STRIKE THAT.

3 WHAT KIND OF RESOURCES WERE BEING PUT

4 INTO THE MICROSOFT NETWORK PROJECT AND THE

5 BLACKBIRD PROJECT?

6 A. I'M NOT PERSONALLY FAMILIAR WITH THE

7 STAFFING PLANS AND THAT SORT OF THING, BUT I

8 BELIEVED IT TO BE IN THE, YOU KNOW, NEIGHBORHOOD

9 OF 100 PEOPLE. I THINK IT WAS A PRETTY

10 SIGNIFICANT EFFORT.

11 Q. IT WAS SOMETHING THAT--WOULD YOU

12 CHARACTERIZE IT?--MICROSOFT TOOK VERY SERIOUSLY?

13 A. CERTAINLY PARTS OF MICROSOFT TOOK THAT

14 VERY SERIOUSLY.

15 (EXCERPT.)

16 BY MR. O'BRIEN:

17 Q. WHEN YOU LEFT MICROSOFT IN SEPTEMBER OF

18 1994, ARE YOU AWARE OF ANY EFFORTS THAT HAD BEEN

19 MADE ON A PROJECT CALLED INTERNET SHORTCUTS,

20 EITHER A PROJECT OR A FUNCTIONALITY KNOWN AS

21 INTERNET SHORTCUTS?

22 A. YEAH, I'M AWARE OF SHORTCUTS IN

23 GENERAL. THERE WAS--YEAH, THERE WAS SOME

24 DISCUSSION GOING ON. I THINK THERE MIGHT HAVE

25 BEEN A LITTLE BIT OF WORK DONE ON INTERNET

1 SHORTCUTS AT THAT TIME FRAME, LATE SUMMER.

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