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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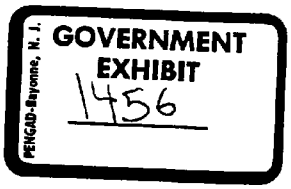

1 (DEPOSITION EXCERPTS OF A. STEVEN RYS.)
2 Q. IS IT IMPORTANT TO AMERITECH TO BE ABLE
3 TO ALLOW THE CUSTOMER A CHOICE OF BROWSER IN
4 CONNECTION WITH ITS OFFERING OF INTERNET ACCESS
5 SERVICES?
6 A. YES.
7 MR. FESSEL: OBJECTION. FORM.
8 BY MS. DEMORY:
9 Q. AND WHY IS THAT?
10 A. CUSTOMERS ARE MORE WILLING TO TAKE A
11 SERVICE IF THEY'RE COMFORTABLE WITH THE
12 INTERFACE, AND THE INTERFACE BEING THE SOFTWARE.
13 SO, IF YOU'VE GROWN UP OR LEARNED A PARTICULAR
14 PIECE OF SOFTWARE, IT DOESN'T BEHOOVE AMERITECH
15 TO FORCE YOU TO TAKE ANOTHER ONE.
16 LET ME CLARIFY BECAUSE I THINK THIS IS
17 IMPORTANT. THE REASON WE WANTED TO GIVE ONE
18 BROWSER, REGARDLESS OF WHETHER IT BE IE OR
19 NETSCAPE, IS WITHIN THE BROWSER THERE ARE CERTAIN
20 FIELDS THAT NEED TO BE POPULATED THAT TALK TO THE
21 NETWORK, THAT SAY "I AM A SPECIAL KIND OF
22 CUSTOMER, I NEED TO BE ROUTED A CERTAIN TYPE OF
23 WAY," AND OUR SOFTWARE IS CUSTOMIZED TO DO THAT.
24 SO, WHEN WE DOWNLOAD THIS SOFTWARE,
25 THERE ARE NO MISTAKES BECAUSE ALL THE DATA AND

1 INFORMATION ARE PUT IN THE FIELDS.

2 CUSTOMERS CAN THEN TAKE THAT

3 INFORMATION AND PUT IT ON THEIR BROWSER. BUT

4 IT'S VERY DIFFICULT TO GO INTO AN EXIST (SIC)

5 BROWSER THAT A CUSTOMER HAS AND START TYPING

6 THROUGH THEIR FILES. IT'S NOT USUALLY DONE.

7 IT'S NOT BY--THE INDUSTRY DOESN'T REALLY LIKE TO

8 DO THAT.

9 THEY WOULD RATHER PROVIDE A CUSTOMER

10 WITH A PIECE OF SOFTWARE AND THEN HAVE THE

11 CUSTOMER CUT AND PASTE WHATEVER THEY NEED AS

12 OPPOSED TO MESSING WITH THE--SO THAT'S THE

13 IMPORTANCE OF PROVIDING THE CUSTOMER WITH

14 SOFTWARE.

15 Q. WHEN WE WERE TALKING EARLIER ABOUT THIS

16 EXHIBIT THAT WAS AN E-MAIL, YOU MENTIONED

17 SOME--MICROSOFT TRIAL EXHIBIT 648--YOU MENTIONED

18 THAT THERE WAS SOME PROBLEMS (SIC) WITH THIS

19 PARTICULAR VERSION OF THE NETSCAPE SOFTWARE

20 WORKING WITH JAVA-ENABLED PAGES, I BELIEVE.

21 A. RIGHT. I DON'T THINK THIS SPECIFICALLY

22 WAS A JAVA-RELATED ISSUE. THE QUESTION WAS

23 ASKED, "WHAT WAS BETTER ABOUT IE AS OPPOSED TO

24 NETSCAPE," AND I SAID THE ONE THING THAT STANDS

25 OUT WAS IE'S ABILITY TO HANDLE JAVA MORE QUICKLY

1 THAN A NETSCAPE. BUT THAT'S NOT WHAT THIS
2 DOCUMENT--THIS DOCUMENT IS JUST TALKING ABOUT
3 SOME OVERALL TECHNICAL ISSUES.
4 (EXCERPT.)
5 Q. AND DO YOU RECALL AT OR AROUND THE DATE
6 OF THIS E-MAIL, AUGUST 10TH, 1997, AMERITECH
7 INTERNALLY DEBATING WHETHER IT SHOULD KEEP
8 NAVIGATOR AS THE DEFAULT BROWSER?
9 A. YES.
10 Q. AND WHAT WAS THE REASON THAT AMERITECH
11 WAS DEBATING THE ISSUE OF HAVING NAVIGATOR BE THE
12 DEFAULT BROWSER?
13 A. WE THOUGHT THAT IF WE CONTINUED TO HAVE
14 THEM AS A DEFAULT, WE WOULD LOSE ANY
15 OPPORTUNITIES FROM MICROSOFT TO DO SPECIAL
16 PROMOTIONS OR GET INTO EXPENSE SHARING OR
17 SOMETHING LIKE THAT. SO WE DIDN'T WANT TO
18 ALIENATE EITHER COMPANY.
19 AND WE ALSO DIDN'T WANT TO, YOU KNOW,
20 HINDER OUR RELATIONSHIP WITH NETSCAPE, EITHER, BY
21 DROPPING IT BECAUSE THE SOFTWARE HAD PERFORMED
22 FINE FOR US--IT WAS SATISFACTORILY PERFORMING FOR
23 US. THE RELATIONSHIP WITH NETSCAPE WAS
24 SATISFACTORY. SO THOSE WERE KIND OF THE THINGS
25 WE WERE JUGGLING.

1 Q. AND WHY WAS IT IMPORTANT TO CONTINUE TO
2 HAVE A GOOD RELATIONSHIP WITH BOTH COMPANIES?
3 A. WELL, OUR FEELING WAS THAT ANY ONE
4 PLAYER DOMINATING THE INDUSTRY WOULD THEN MAKE IT
5 MORE DIFFICULT FOR US TO GET OUR PRODUCT OUT IN
6 THE FUTURE.
7 BECAUSE IF THERE IS--IF YOU DON'T HAVE
8 KIND OF A FULL COMPETITIVE ENVIRONMENT, THEN
9 PEOPLE DON'T ANSWER YOUR PHONE CALLS AND PEOPLE
10 DON'T CALL BACK AND HELP YOU.
11 AND THERE WAS A LOT OF COMPETITIVE
12 NATURE AROUND THE BROWSERS, AND WE SAW A DIRECT
13 RELATIONSHIP TO THE RESPONSIVENESS OF BOTH
14 COMPANIES DURING THAT TIME PERIOD.
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