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**To:** Microsoft ATR  
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The proposed Microsoft Settlement, whichever way it turns out, will be a legal and business history landmark that will be pointed to by legal historians and business, academic, and government leaders for years to come.

Antitrust laws were drafted precisely for the purpose of curbing and punishing the not-alleged-but-proven sorts of misbehavior committed by Microsoft. If the proposed, slap-on-the-wrist settlement is adopted, the conventional wisdom of the future will say that this decision amounted to a judicial repeal of the antitrust laws, and initiated an era in which antitrust enforcement became a lapdog for egregiously monopolistic and avaricious businesses.

Conversely, if the court rejects this pussycat settlement and moves toward the only logical and just consequence of these misbehaviors by ordering the breakup of Microsoft, it will be saying that this is still a country whose laws are fairly enforced and enforced all the time. It will also be said that this decision initiated an era in which the full power of the computer and the internet were liberated from the self-seeking domination of one company's restricted vision.

"Once to every man and nation comes the moment to decide ..."

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