

**From:** Ben Trevathan Allied Worldwide  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

Ladies and Gentlemen:

As a Microsoft shareholder (as well as an owner of shares in most of Microsoft's major competitors), I would like to exercise my right to comment on the proposed settlement. Other than my ownership of shares and my use of Microsoft products, I derive no benefit, directly or indirectly, from Microsoft and am not employed in the technology industry.

The prior administration commenced an action against Microsoft that was not sought by the marketplace. The destructive impact of this course of action has been aptly chronicled by the evaporation of tens of billions of shareholder wealth, not just at Microsoft, but among its competitors as well. Microsoft enjoys its current market position not because of any nefarious plot, but directly as the result of providing a valuable product that the consumer has chosen freely and often. As was the case with IBM in the 1970's, no company - especially one that is competing in an arena in which innovation today can render last year's necessity obsolete - can enjoy a monopoly without the intervention of government. It is cruel irony that it is the intervention of government which now punishes a company victorious in the free and unfettered technology marketplace in order to enrich competitors whose success came not from that marketplace but from generously opening their wallets to Washington influence.

The current administration has the opportunity to return the nation - at least in this one instance - to a path in which freedom and innovation are rewarded and success or failure are determined by the people who participate in the market, not by the purchased power of government for sale to the highest bidder. As has always been the case, the path of freedom requires courage in the face of determined opposition. For the several years that this action has been pursued, we have as a nation followed a dark and dangerous course designed to overturn a verdict rendered collectively by the people. It is a dynamic verdict that is subject to change at any moment. But it is the people, voting daily in a free marketplace, and not the government who must either affirm or cast aside that verdict. History has demonstrated repeatedly and unanimously that when governments intercede to force their will upon the marketplace, the price borne by the people is significant.

The Department of Justice should support the settlement of its action against Microsoft. It is the first step back onto the correct path - a path determined anew everyday by the people, not set by the government.

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