

**From:** Ken Miller  
**To:** Microsoft ATR  
**Date:** 1/23/02 11:33am  
**Subject:** Microsoft Settlement

I would like to express my strong opposition to the proposed Microsoft settlement.

I urge you to support the alternative settlement proposed by those states that refused to sign on to the proposed settlement.

The proposed settlement will not appreciably curtail the illegal actions through which Microsoft has maintained its monopoly over desktop computing. The single most important item needed is that all API's and file formats, both of Windows and of applications such as Word, be available openly to the world of programmers at the same time and in the same detail as it is available to Microsoft programmers. This is the only way that competition has a chance to thrive. The proposed settlement falls far short of this goal, allowing Microsoft to pick and choose who will have access to this technical information, to restrict which things will be documented, and to provide documentation only at the last minute (if then), and furthermore has no effective enforcement procedures even for these very limited measures. There are many many other failings of the settlement as well, as is made clear by a comparison to the settlement proposed by the dissenting states.

Sincerely,

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