

**From:** Michael N. Obenchain  
**To:** Microsoft ATR  
**Date:** 1/23/02 12:21pm  
**Subject:** Microsoft Settlement

Dear Sirs,

I would like to ad my voice in support of imposing real penalties in the Microsoft case. If jail time was an option there might be hope of reform. In this case I have not seen any remorse from Microsoft and the very activities that got them in trouble have only slightly been reined in. Everything up to this point looks like someone trying to buy their way out of trouble. Personally I feel that a break up of the company would be the only way to really slow Microsoft down. I am particularly disturbed by the arrogance shown by Microsoft in trying to dictate its own punishment. For example:

"The proposed remedies submitted today by the nine holdout states are extreme and not commensurate with what is left of the case," the company said. "The court of appeals decision drastically narrowed the liability issues and provides the best road map as we move forward with these remedy proceedings. The settlement we reached with the Department of Justice and nine of the plaintiff states is a fair and reasonable compromise that is good for consumers and will be good for the economy. We are committed to complying fully with the proposed decree and remain hopeful that we can resolve any outstanding issues as quickly as possible in the interest of consumers and the industry."

As this case will most definitely set future precedent, it is of the utmost importance to get it right. Do not let Microsoft off with a settlement that will play to their advantage. Did not the United States government in District Court and the unanimous seven-member Court of Appeals find them guilty? The proposed settlement would be acceptable only if Microsoft had been found innocent (of course then no penalty is applied). They have been caught and need to be taught that the public will not stand for illegal behavior of any kind. Am I optimistic that this will happen? No.

Yours truly,  
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