

From: Kevin Carter
To: Microsoft ATR
Date: 1/25/02 12:43pm
Subject: Microsoft Settlement

RECOMMENDATION: Reject the current proposal.

Two facts lead to one conclusion my recommendation:

FACT 1: Microsoft Corporation has proven itself to be a powerful and dangerous force because of the many ways it has leveraged its monopoly in Windows OS-dependent markets.

FACT 2: The current potential settlement between Microsoft Corp. and the U.S. Department of Justice proposes to maintain that dynamic in the long term and impose short-term restraints based on regulatory oversight.

CONCLUSION: The current proposed settlement between DOJ and Microsoft Corp. will fail to put an end to the illegal monopoly; fail to prevent a return to anticompetitive behavior; fail to deny the violator the benefits of its illegal actions; and fail to ensure competition going forward.

RECOMMENDATION: Reject the current proposal.

Thank you.

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