From: Jon Laufersweiler
To: Microsoft ATR
Date: 1/25/02 1:06pm
Subject: Microsoft Settlement

Hello,
I state my opposition to the proposed settlement as follows:

The settlement as proposed allows Microsoft to keep their ill-gotten gains. MS has made far more money by illegally leveraging their monopoly power than this litigation has cost them. No amount of new rules, guidelines or increased oversight will change this. If the settlement goes forward as it now stands, they will have come out ahead by billions of dollars. What's a few million in legal fees compared to the billions they've garnered by illegally leveraging their position? Why should they change their behavior if it continues to be profitable in spite of antitrust litigation?

The "security" provision is an enormous loophole.
This section of the settlement is so broadly worded that Microsoft can and will drive a truck through it. Word has recently come from Redmond that "security will now be a fundamental part of everything we do." While I applaud this change from their previous "see no evil" policy, one must question the implications of its timing. If Code Red, Nimda, and a million email viruses didn't cause them to do this, why now? The answer is clear. If security related technology is exempted from disclosure...

Microsoft does not negotiate in good faith.
How many consent decrees and other such agreements were broken before the current suit was filed? Why should we believe that they will follow either the letter or spirit of the proposed settlement, given their past behavior? If they violate the terms of the settlement, how many years will the ensuing litigation take? How many more billions will they glean from their illegal practices in the time that takes? How many more consumers and businesses will be shackled to their revenue stream in that time? Microsoft's negotiations should be given as much credence as the testimony of a convicted perjurer.

The public has a golden opportunity here to curb the abuses of an otherwise untouchable monopolist. Please do not squander it out of any desire for expediency.

Thank you.

--Jonathan Laufersweiler