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January 26, 2002

SENT VIA:

E-MAIL TO: Microsoft.atr@usdoj.gov

VIA FACSIMILE COPY TO: (202) 307-1454 or (202) 616-9937

The Honorable Colleen Kollar-Kotally  
U.S. District Court, District of Columbia

c/o Renata B. Hesse  
Antitrust Division, U.S. Department of Justice  
601 D Street NW, Suite 1200  
Washington, D.C. 20530-0001

Re: Microsoft Settlement

Dear Judge Kollar-Kotally:

I appreciate the opportunity to comment concerning the proposed Microsoft settlement.

I generally believe in free market principles and the least amount of government intrusion into business practices and market competition, however, I am concerned that adoption of the proposed Microsoft settlement will not accomplish what is necessary to prevent future antitrust violations by Microsoft.

Although the proposed settlement pays lip service to penitence for past behavior and contains provisions intended by the Justice Department to prevent future violations, the actual language appears to be so broad as to provide loop-holes to future compliance. Rather than engaging in another round of lawsuits five or ten years from now, the better course would be to impose a proper, enforceable remedy now. This will likely require hearings before the court, but further hearings now will benefit consumers in the long run if it prevents violations and further litigation in the future. Please do not adopt the proposed settlement.

Sincerely,



Michael K. Evans

cc: The Honorable Mark Shurtleff, Utah Attorney General

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