From: Cameron Quinn Lauseng
To: Microsoft ATR
Date: 1/21/02 4:52pm
Subject: Settlement Problems

I am sorely dissappointed with our Justice Department for obvious lack of judgement in creating such a soft and ineffectual settlement against Microsoft. This settlement has little more effect than the previously issued injuction against Microsoft, which they flagerantly violated. This current settlement does nothing to address this serious defiance of the American Justice system, does not address the demonstrated contempt of the American Justice System, and does nothing to remedy the half decade of damage to the American public that Microsoft's dramatically illegal behaviour caused. Furthermore, because this settlement fails to declare remedy for these past serious abuses of our laws, it will prove to be no more capable of restraining Microsoft's behaviour. Indeed, it can be found that Microsoft's newest operating system, Windows XP, may already be in violation of the settlement, by requiring consumers to subscribe to Microsoft services on the internet in order to get full use of features of the software. I would consider this rather prejudiced against other middleware providers that already offer these services that Microsoft is requiring subscription to.

I continue to be astonished at the short-sightedness of elements in our Justice system concerning this case. How can anybody seriously think that such a minor settlement will do anything to prevent future violations against the American public, considering past behaviour. Does the DOJ care nothing that Microsoft violated the previous consent decree within months of its issuance?

I would also like to point out that the form of this settlement requires a rather expensive on-going enforcement by State and Federal agencies. This will prove to be dramatically expensive to the American taxpayers in the long run. Would not a firm and definitive remedy that provided an automatic mechanism of future competative operations (split up) prove to be much less expensive to the American people? With the enforcement mechanism currently provided for in this settlement, the American people can expect a protracted period of history of expensive court proceedings, remedies, judgements, filings, etc., and even an entire government agency just for the maintenance of this one settlement.

Though Jackson's behaviour was deplorable, I can't see that the breakup judgement could be set aside so easily. This only proves that our judges are not blind to subjectivity. One spoke out, the other one who turned it around so quickly made just as loud a statement. There is no difference in the lack of objectivity of either of the judges involved.

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