From: Mike Foley
To: Microsoft ATR
Date: 1/24/02 11:29 pm
Subject: Microsoft Settlement

Hello Judge,

I'm am writing this message to convey my opinion on the Microsoft settlement.

I feel that Microsoft is guilty of the charges brought by the government. I am greatly disappointed at the settlement. I read it the day it was released and quite frankly, I was appalled. And then to read a few weeks later, Microsoft's proposed settlement in civil suits where Microsoft would give computers and software to the education market told me that Microsoft has not learned. The proposed settlement would have devastated Apple Computer's lead in the education market!

I used to work for Digital Equipment Corporation. I "heard stories", many first hand, of the practices Microsoft used to great effect against DEC. Stories of "acquired" technologies, of Mr. Gates asking that competing technologies be cancelled, of Microsoft not pushing DEC's Alpha chip. Yes, they are "stories". Many were settled in out of court settlements so that we'll never know the final truth, but they are indicative of business practices practiced by a monopoly.

To fairly settle this court action, I propose the following: (Not limited to these, just some things I believe should be addressed)

. Open standards of document formats. Microsoft Office is the standard. Allow other companies to compete on form and function and innovation.

. A business practices oversight committee that has real power to keep Microsoft in check. Microsoft should have no say in who would be on this committee.

. Limit Microsoft's expansion into media. They have MSN, MSNBC, etc.. I don't want to watch "All Microsoft, All the

time". People who don't know better will see Microsoft on TV and on their computer and be "locked in". How does someone compete fairly when everything says "Microsoft"??
If anything needs to be split from the main company, it's the media portion. It is truly scary.

. Mandate government use of alternatives to Microsoft products. There's no good reason for the government to be feeding a monopoly. There are excellent operating systems out there. (Linux, OpenVMS, HP UX, etc..)

. Mandate to Microsoft that the government will only use open standard formats for things like documents and programming, and networking interfaces. Microsoft must stop practicing "embrace and extend" where they take an open standard, add their extensions, and lock out others.

In conclusion, I would hope that the court will ensure that Microsoft does not walk away from this with an slap on the wrist and a virtual "ok" to continue its predatory practices.

I thank you for your time and your patience in reading this message.

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