

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 98-1232 (CKK)

Next Court Deadline: March 6, 2002  
Tunney Act Hearing

**PLAINTIFF UNITED STATES' CONSOLIDATED RESPONSE TO  
THE MOTIONS FOR TUNNEY ACT PARTICIPATION OF DR.  
REBECCA HENDERSON, NOVELL, INC., PROFESSOR EINER  
ELHAUGE, THE ASSOCIATION FOR COMPETITIVE TECHNOLOGY,  
AND NETACTION AND COMPUTER PROFESSIONALS  
FOR SOCIAL RESPONSIBILITY**

The United States submits this Consolidated Response to the Motions for Participation in the Tunney Act Hearings of Dr. Rebecca Henderson, Novell, Inc., Professor Einer Elhauge, the Association for Competitive Technology, and NetAction and Computer Professionals for Social Responsibility. None of these movants provides a basis for concluding that the additional participation requested will assist the Court to any greater extent than the participation from the range of industry groups and members that the Court has already granted. The United States thus believes that granting this additional participation is unnecessary. If, however, on a case-by-case basis the Court determines that participation from one or more of these individuals and/or entities would be helpful, the United States would not oppose such participation provided that such participation is granted to the same extent as provided by the Court in its orders granting limited rights of participation to the Computer & Communications Industry Association, the American

Antitrust Institute, the Project to Promote Competition & Innovation in the Digital Age, SBC  
Communications Inc., and the Software & Information Industry Association.

Dated: March 4, 2002.

Respectfully submitted,

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