

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF NEW YORK *ex. rel.*
Attorney General ELIOT SPITZER, *et al.*,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 98-1233 (CKK)

Next Court Deadline: March 4, 2002
Status Conference

**NOTICE OF WITHDRAWAL OF DEFENDANT
MICROSOFT CORPORATION'S MOTION FOR A LIMITED
MODIFICATION OF THE PROTECTIVE ORDER**

Microsoft Corporation hereby withdraws its motion, filed on January 23,
2002, for a limited modification of the Protective Order in this action.

Dated: Washington, D.C.
January 29, 2002

William H. Neukom
Thomas W. Burt
David A. Heiner, Jr.
Diane D'Arcangelo
Christopher J. Meyers
MICROSOFT CORPORATION
One Microsoft Way
Redmond, Washington 98052
(425) 936-8080

Dan K. Webb
WINSTON & STRAWN
35 West Wacker Drive
Chicago, Illinois 60601
(312) 558-5600

Charles F. Rule (Bar No. 370818)
FRIED, FRANK, HARRIS, SHRIVER
& JACOBSON
1001 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20004
(202) 639-7300

John L. Warden (Bar No. 222083)
Richard J. Urowsky
Steven L. Holley
Michael Lacovara
Richard C. Pepperman, II
Ronald J. Colombo
SULLIVAN & CROMWELL
125 Broad Street
New York, New York 10004
(212) 558-4000

Bradley P. Smith (Bar No. 468060)
SULLIVAN & CROMWELL
1701 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
(202) 956-7500

*Counsel for Defendant
Microsoft Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of January, 2002, I caused a true and correct copy of the foregoing Notice of Withdrawal of Defendant Microsoft Corporation's Motion for a Limited Modification of the Protective Order to be served by hand upon:

Renata B. Hesse
U.S. Department of Justice
Antitrust Division
601 D Street, N.W., Suite 1200
Washington, D.C. 20530
Tel: (202) 514-8276
Fax: (202) 307-1454

Brendan V. Sullivan, Jr.
Williams & Connolly LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
Tel: (202) 434-5000
Fax: (202) 434-5029

James W. Draughn, Jr., Esq.
Kirkland & Ellis
655 Fifteenth Street, N.W.
Suite 1200
Washington, D.C. 20005
Tel: (202) 879-5095
Fax: (202) 879-5200
*Counsel for America Online, Inc., AOL
Time Warner, Inc. and Netscape
Communications Corp.*

Patricia G. Butler, Esq.
Danielle R. Oddo, Esq.
Howrey Simon Arnold & White
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
Tel: (202) 383-6850
Fax: (202) 383-6610
Counsel for Red Hat, Inc.

Allen R. Snyder, Esq.
Hogan & Hartson L.L.P.
Columbia Square
555 Thirteenth Street, N.W.
Washington, D.C. 20004-1109
Counsel for The Barksdale Group

Jonathan L. Abram, Esq.
Hogan & Hartson L.L.P.
Columbia Square
555 Thirteenth Street, N.W.
Washington, D.C. 20004-1109
Tel: (202) 637-5681
Fax: (202) 637-5910
Counsel for Compaq Computer Corp.

Lois K. Perrin, Esq.
Bradley S. Lui, Esq.
Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1888
Tel: (202) 778-1643
Fax: (202) 887-0763
Counsel for CCIA

Joseph Lavelle, Esq.
Michael P.A. Cohen, Esq.
Howrey Simon Arnold & White
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
Tel: (202) 383-6888
Fax: (202) 383-6610
Counsel for Musicmatch

Glenn B. Manishin, Esq.
Stephanie A. Joyce, Esq.
Kelley Drye & Warren LLP
1200 19th Street, N.W.
Suite 500
Washington, D.C. 20036
Tel: (202) 955-9890
Fax: (202) 955-9792
Counsel for SIIA

Thomas D. Yannucci, P.C.
Gregg F. LoCascio
Kirkland & Ellis
655 Fifteenth Street, N.W.
Washington, D.C. 20005
Tel: (202) 879-5056
Fax: (202) 879-5200
Counsel for ProComp

Howard Rosenblatt, Esq.
Howrey Simon Arnold & White
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
Tel: (202) 783-0800
Fax: (202) 383-6610
Counsel for Eastman Kodak Co.

Progress and Freedom Foundation
1301 K Street, N.W.
Suite 550 East
Washington, D.C. 20005-3317

And by facsimile and overnight courier upon:

Philip S. Beck
Bartlit Beck Herman Palenchar & Scott
Courthouse Place, Suite 300
54 West Hubbard Street
Chicago, Illinois 60610
Tel: (312) 494-4411
Fax: (312) 494-4440

Kevin J. O'Connor
Wisconsin Attorney General's Office
P.O. Box 7857
123 West Washington Avenue
Madison, Wisconsin 53703-7857
Tel: (608) 266-1221
Fax: (608) 267-2223

Jay L. Himes
Assistant Attorney General
New York State Attorney General's Office
120 Broadway, Suite 2601
New York, New York 10271
Tel: (212) 416-8282
Fax: (212) 416-6015

Blake Harrop
Illinois Attorney General's Office
100 West Randolph Street, 12th Floor
Chicago, Illinois 60601
Tel: (312) 814-2503
Fax: (312) 814-2549

Kent Walker, Esq.
General Counsel
Liberate Technologies
2 Circle Star Way
San Carlos, California 94070-6200
Tel: (650) 701-4077
Fax: (650) 701-5258
Counsel for Liberate Technologies

Michael C. Naughton, Esq.
Alyson L. Redman, Esq.
Clifford Chance Rogers & Wells LLP
200 Park Avenue
New York, New York 10168-0153
Tel: (212) 878-8170/8551
Fax: (212) 878-4915
Counsel for Sun Microsystems, Inc.

Jennifer R. Eshelman, Esq.
John P. Mullen, Esq.
Anderson & Karrenberg
700 Bank One Tower
50 West Broadway
Salt Lake City, Utah 84101-2006
Tel: (801) 534-1700
Fax: (801) 364-7697
Counsel for Novell, Inc.

Craig Waldman, Esq.
Clifford Chance Rogers & Wells LLP
200 Park Avenue
New York, New York 10168-0153
Tel: (212) 878-8458
Fax: (212) 878-8375
Counsel for Palm, Inc.

David R. Eberhart, Esq.
O'Melveny & Myers LLP
275 Battery Street
San Francisco, California 94111-3305
Tel: (415) 984-8808
Fax: (415) 658-8808
Counsel for Apple Computer, Inc.

Howard Weber, Esq.
Hogan & Hartson L.L.P.
100 Park Avenue
New York, New York 10017
Tel: (212) 918-3000
Fax: (212) 918-3100
Counsel for IBM Corp.

Sandra Escher, Esq.
General Counsel
Silicon Graphics, Inc.
1600 Amphitheatre Parkway
Mountain View, California 94043
Tel: (650) 933-3014
Fax: (650) 933-0096
Counsel for SGI, Inc.

Donald M. Falk, Esq.
Mayer, Brown & Platt
555 College Avenue
Palo Alto, California 94306-1433
Tel: (650) 331-2030
Fax: (650) 331-2060
Counsel for Oracle Corp.

Nicholas A. Gravante, Jr., Esq.
Boies, Schiller & Flexner LLP
570 Lexington Avenue
New York, New York 10022
Tel: (212) 446-2300
Fax: (212) 446-2350
Counsel for SBC Communications, Inc.

Samuel R. Miller, Esq.
Folger Levin & Kahn LLP
Embarcadero Center West
275 Battery Street, 23rd Floor
San Francisco, California 94111
Tel: (415) 986-2800
Fax: (415) 986-2827
Counsel for Hewlett-Packard Co.

Lynn M. Engel, Esq.
Summit Law Group
1505 Westlake Avenue North
Suite 300
Seattle, Washington 98109
Tel: (206) 676-7022
Fax: (206) 281-9882
Counsel for RealNetworks, Inc.

Gregory D. Call, Esq.
Denelle Dixon-Thayer, Esq.
Folger Levin & Kahn LLP
Embarcadero Center West
275 Battery Street, 23rd Floor
San Francisco, California 94111
Tel: (415) 986-2800
Fax: (415) 986-2827
Counsel for Yahoo! Inc.

Jeffrey K. Sherwood, Esq.
Andrea T. Vavonese, Esq.
Akin, Gump, Strauss, Hauer & Feld, L.L.P.
1676 International Drive, PH
McLean, Virginia 22102
Tel: (703) 891-7500
Fax: (703) 891-7501
*Counsel for Samsung
Electronics America, Inc.*

Raquel L. Sefton, Esq.
Folger Levin & Kahn LLP
Embarcadero Center West
275 Battery Street, 23rd Floor
San Francisco, California 94111
Tel: (415) 986-2800
Fax: (415) 986-2827
Counsel for Dell Computer Corp.

Michael Shpizner, Esq.
General Counsel
Fujitsu America, Inc.
3055 Orchard Dr.
San Jose, CA 95134-2022
Tel: (408) 432-1300
Fax: (408) 456-7063

Javade Chaudhri, Esq.
Senior Vice President, General Counsel
Gateway, Inc.
14303 Gateway Place
Poway, CA 92064
San Diego, CA
Tel: (858) 848-3401
Fax: (858) 848-3402

Philip H. Omsberg, Esq.
Executive Vice President and General
Counsel
Hitachi America, Ltd.
50 Prospect Ave
Tarrytown, NY 10591-4625
Tel: (914) 332-5800
Fax: (914) 332-5555

Brian Busey, Esq.
Morrison & Foerster LLP,
1750 Tysons Boulevard, Suite 1550,
McLean, Virginia 22102
Tel: (703) 760-7701
Fax: (703) 760-7777
Counsel for NEC USA, Inc.

And by overnight courier upon:

Legal Department
Acer America Corporation
2641 Orchard Parkway
San Jose, CA 95134
Tel: (408) 432-6200
Fax: (408) 922-2933

Legal Department
eMachines, Inc.
14350 Myford Rd., Suite 100
Irvine, CA 92606-1002
Tel: (714) 481-2828
Fax: (714) 505-5049

Legal Department
Sony Corp Of America
550 Madison Ave
New York, NY 10022-3211
Tel: (212) 833-6800
Fax: (212) 833-6924

Legal Department
Toshiba America, Inc.
1251 6th Ave., 41st Floor
New York, NY 10020
Tel: (212) 596-0600
Fax: (212) 593-3875

Legal Department
Toshiba America
Information Systems, Inc.
9740 Irvine Blvd.
Irvine, CA 92618-1608
Tel: (949) 583-3000
Fax: (949) 583-3499

Mr. Steven D. McGeady
2229 NE Thompson St.
Portland, Oregon 97212

Legal Department
TriGem America Corp.
14350 Myford Rd. # 150
Irvine, CA 92606-1002
Tel: (714) 481-3636
Fax: (714) 505-5055

VideoBanner.com
11970 Iowa Avenue, #210
Los Angeles, California 90025.

Bradley P. Smith