

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 98-1232 (CKK)

Next Court Deadline: March 6, 2002

**DEFENDANT MICROSOFT CORPORATION'S MEMORANDUM  
IN OPPOSITION TO RED HAT INC. AND THE FREE SOFTWARE  
FOUNDATION'S MOTION FOR TUNNEY ACT PARTICIPATION**

Red Hat Inc. and the Free Software Foundation ("FSF") have moved to participate in the Tunney Act hearing. Microsoft Corporation ("Microsoft") submits that Red Hat Inc., and FSF's joint motion should be denied on the grounds that their participation will be only repetitious of the already granted *amici curiae* and thus will not contribute to the Court's Tunney Act review and for all the additional reasons set forth in Microsoft's

oppositions to motions filed with this Court by other parties similarly situated.

Dated: March 4, 2002

Respectfully submitted,

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