

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 98-1232 (CKK)

STATE OF NEW YORK, *et al.*,

Plaintiffs

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 98-1233 (CKK)

ORDER

This case comes before the Court on a motion for leave to file a brief as *amicus curiae*. Since an *amicus curiae* does not represent the parties but participates only for the benefit of the Court, it is solely within the discretion of the court to determine the fact, extent, and manner of participation by the *amicus*. In the instant case, both parties are well represented and numerous *amici* have already been permitted to participate in the proceedings. As a result, the Court concludes that the proposed participation would be unhelpful to the Court and would likely impose an unacceptable burden on the Court. Based on the foregoing, it is this ___ day of

September, 2001, hereby

ORDERED that the motion of Carl Lundgren to file a brief as amicus curiae is DENIED.

SO ORDERED.

COLLEEN KOLLAR-KOTELLY
United States District Judge