



# Department of Justice

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## JUSTICE DEPARTMENT FILES APPEAL IN MICROSOFT CASE

WASHINGTON, D.C. -- The Department of Justice's Antitrust Division announced today that it filed a notice of appeal and requested an expedited briefing schedule in the Microsoft case. In its brief, the Department said that U.S. District Court Judge Stanley Sporkin's decision to refuse to enter the final judgment misconstrued the scope of his review under the Tunney Act, and erroneously rejected a decree that undoubtedly met the Act's "public interest" test.

According to the Department, Judge Sporkin's opinion would require the government to:

- Reveal the full details of its investigation.
- Give reasons for every decision made in performing its prosecutorial duties.
- Lay out the details of conduct that was not challenged.

Anne K. Bingaman, Assistant Attorney General for the Antitrust Division, stated, "If this ruling stands, it will harm the public by deterring the Department and antitrust defendants from entering into consent decrees. Expedited review is necessary to ensure that the Division's enforcement program does not suffer immediate and irredeemable harm."

A copy of the Department's court documents is attached.

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