

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:
February 8, 2002 Status Conference

DECLARATION OF RENATA B. HESSE

1. My name is Renata B. Hesse. I am an attorney in the Antitrust Division (“Division”) of the United States Department of Justice, and I am one of the attorneys representing the United States in the above-captioned litigation. I submit this declaration in support of the Opposition of the United States to Two Motions of Relpromax Antitrust Inc. for Amicus Participation and for an Extension of Time.

2. On January 28, 2002, the Division received a letter entitled “Comments of Relpromax Antitrust Inc.” concerning the Revised Proposed Final Judgment in this case. I have reviewed the letter, and although it does not further identify Relpromax or its interest, it is both signed by Carl Lundgren, Ph.D., as President of Relpromax Antitrust Inc. and identifies Mr. Lundgren as the President of Relpromax Antitrust Inc. Among other things, the letter attaches and incorporates by reference (1) the Memorandum of Points and Authorities in Support of the Motion of Relpromax Antitrust Inc. for Limited Participation as an Amicus Curiae and for an Extension of Time and (2) the Memorandum of Points and Authorities in Support of the Motion of Relpromax Antitrust Inc. for Limited Participation as an Amicus Curiae and for an Extension

of Time on the Grounds that the United States Has Not Provided a Competitive Impact Statement in Compliance with the Requirements of 15 U.S.C. § 16(b).

3. Attached hereto as Exhibit A are the results of a search of the ChoicePoint Business and Government Services public record database obtained by the Antitrust Division's librarian on February 1, 2002. The search results indicate that a company by the name of Relpromax Antitrust Inc. was incorporated as a domestic corporation in Virginia on December 28, 2001.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 4, 2002.

Renata B. Hesse

VA Corporation & Limited Partnership Records
Last Completed Filing Data Available From 01/01/1900 Through 12/28/2001
State Reported Data Available From 01/01/1900 Through 01/02/2002

Date: 2/1/2002 Time: 11:55 AM
Reference: mc Requestor: mc
Search Criteria: RELPROMAX

This data is for informational purposes only. Certification can only be
obtained through The Office of The Virginia Secretary of State.

1 (Item Number)
State: VA
Company Name: RELPROMAX ANTITRUST INC.

Company ID Number: 0569687
Incorporated Date: 12/28/2001
Current Status: ACTIVE
Status Date: 12/28/2001
Corporation Type: DOMESTIC CORPORATION
Business Type: GENERAL
Originated State: VIRGINIA
Duration: PERPETUAL

Capital Information

Stock Indication: STOCK
Assessment
Indication: NORMAL ASSESSMENT

Stock Information

Stock Class: COMMON A
Shares Authorized: 5,000

Registered Agent

Name: C DOUGLAS WELTY
Address: 2111 WILSON BLVD STE 550
ARLINGTON, VA 22201-3051
Effective Date: 12/28/2001
Status: ATTORNEY
Court Location: ARLINGTON COUNTY
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End of search.