

IN THE  
United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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Nos. 00-5212, 5213

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MICROSOFT CORPORATION,

*Defendant-Appellant,*

v.

UNITED STATES OF AMERICA and STATE OF NEW YORK, *et al.*,

*Plaintiffs-Appellees.*

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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**JOINT PROPOSAL FOR THE  
FORMAT OF ORAL ARGUMENT**

As directed by the Court's Order of January 22, 2001, the parties submit the following joint proposal for the format to govern oral argument.

The parties are prepared to rest on written submissions as to (1) the conduct of the trial, other than the procedures employed as to relief, and (2) the extrajudicial statements of the district judge.

The parties propose that the following issues be argued in the order indicated and for the times indicated, which total 4 ½ hours:

February 26

Tying	45 minutes per side	1 ½ hours total
Monopoly maintenance	45 minutes per side	<u>1 ½ hours total</u>
		3 hours

February 27

Attempted monopolization	15 minutes per side	½ hour total
Relief	30 minutes per side	<u>1 hour total</u>
		1 ½ hours

Microsoft may reserve part of its time for rebuttal in each segment.

Microsoft believes the Court may wish to allow additional time for further responses to questions in view of the hearing en banc and for each side to sum up. The United States and the State plaintiffs do not believe additional time is necessary.

Richard J. Urowsky will argue for Microsoft on all points except relief. Steven L. Holley will argue for Microsoft on relief. Jeffrey P. Minear and John G. Roberts, Jr. will argue for appellees on liability issues, and David C. Frederick will argue for appellees on relief.

Respectfully submitted,

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February 2, 2001

## CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of February, 2001, I caused a true and correct copy of the foregoing Joint Proposal for the Format of Oral Argument to be served by hand upon:

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