

**PULASKI COUNTY ARKANSAS CIRCUIT COURT, TWELFTH DIVISION**  
**JUDGE ALICE GRAY**

# Arkansas consumers and businesses may claim Microsoft settlement benefits.

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## *Settlement to provide up to \$37,800,000 in benefits*

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A settlement has been reached in a class action lawsuit against Microsoft on behalf of Arkansas consumers and businesses that acquired Microsoft software between January 1, 1998 and December 31, 2004, for use in Arkansas, and not for resale. Shortly after “final” court approval of the settlement, Microsoft will distribute up to \$37.8 million in vouchers that eligible consumers and businesses can redeem to buy computers, peripheral computer hardware, or computer software made by any manufacturer. Eligible Microsoft software users may now request a claim form for the vouchers.

### **WHAT IS THIS CASE ABOUT?**

The Plaintiffs in the lawsuit claim that Microsoft violated Arkansas laws pertaining to anti-trust, consumer protection, and unfair competition and thereby overcharged consumers for some of its software. Microsoft denies these claims and contends that it developed and sold high quality and innovative software at fair and reasonable prices. The Court did not decide in favor of the Plaintiffs or Microsoft. Instead, both sides agreed to a settlement.

### **WHAT CAN YOU GET FROM THE SETTLEMENT?**

You are eligible for vouchers if you acquired the Microsoft software listed below, or a computer on which the software was already installed. The vouchers are worth \$12 each for Microsoft’s “Windows” operating system software, including Windows 95, Windows 98, Windows 98 Second Edition and Windows Millennium Edition and \$5 each for Microsoft’s “Office” productivity suite software, Microsoft’s “Excel” spreadsheet software, Microsoft’s “Word” word processing software (including “Home Essentials” and “Works Suite”), “MS-DOS” operating system software and Microsoft’s “Windows” operating system software, including Windows, Windows for Workgroups, Windows 2000 Professional, Windows NT Workstation, and Windows XP (Home and Professional). You are entitled to claim the specified amounts for each computer on which you were lawfully entitled to use the Microsoft software. Also, if you acquired multiple versions of the same product (or separately acquired upgrades), you’re entitled to the specified amounts for each version or upgrade. More information is in a detailed notice at the website below.

### **HOW DO YOU GET BENEFITS?**

Simply call or go to the website to get a claim form. To get benefits you need to fill out and send in a claim form post-marked no later than **April 23, 2007** or 30 days after the Court grants “final approval” to the settlement, whichever comes later. You may also fill one out and submit it online. If you acquired up to five copies of qualifying Microsoft products, you can use a Standard Claim Form to ask for benefits, and

you do not have to provide any additional documents about your software. If your claim is larger, you can also use a Standard Claim Form, but you will need to provide additional information. If you are a volume licensee (e.g., “Open,” “Select,” or “Enterprise”), you need a Volume License Claim Form. All the claim forms are available at [www.microsoftARSuit.com](http://www.microsoftARSuit.com) or by calling 1-800-572-0455 toll-free. Claims may be audited and penalties apply for false claims. One-half of the difference between the total value of vouchers issued and \$37.8 million will be distributed as vouchers to certain schools that serve students from low-income households, and one-half of the value of vouchers issued, but not redeemed, will be distributed to the Arkansas Department of Education.

### **SELLING OR DONATING YOUR BENEFITS.**

You may donate up to \$650 of your settlement vouchers to a school or charity of your choice, sell them, or give them as a gift. Vouchers may be sold to anyone who does not intend to resell them. Transferred vouchers may be redeemed up to \$10,000. Vouchers can be transferred only once.

### **WHAT ARE YOUR OTHER OPTIONS?**

If you don’t want vouchers and you don’t want to be legally bound by the settlement, you must exclude yourself by **February 20, 2007**, or you won’t be able to sue Microsoft about the claims in this lawsuit ever again. If you exclude yourself, you can’t get any vouchers. If you don’t exclude yourself, you may object in writing no later than **February 15, 2007**, to any part of the settlement. Attorneys’ fees, costs, and expenses, and incentive awards, will be paid separately by Microsoft and will not reduce the settlement benefits you get. The lawyers representing the Class will request an award of 12% of the \$37.8 million face value of the settlement (\$4,536,000) for attorneys’ fees, costs and expenses and \$3,000 as an incentive award for each Class Representative who helped the lawyers on behalf of the whole Class. The detailed notice explains how to object or ask to be excluded. The Circuit Court of Pulaski County, Arkansas will hold a hearing in this case, called *Peek v. Microsoft Corp.*, No. CV-06-2612, on **March 6, 2007**, to decide whether to give final approval to the settlement, and to consider the lawyers’ request for fees, costs, expenses, and incentive awards. You or your lawyer may appear at the hearing, at your own cost. If the settlement is approved, Microsoft will be released from liability for claims in this case as stated in the Settlement Agreement. For more details, call toll-free or go to the website below.

**1-800-572-0455**  
**[www.microsoftARSuit.com](http://www.microsoftARSuit.com)**