Comes v. Microsoft

Erik Stevenson

From: To:

Joachim Kempin Mike Maples Steve Ballmer

Cc: Subject:

RE: Canivino visit.

Date:

Monday, April 18, 1994 10:54AM

in a nutshell: we are talking to the PC company since OCT. In NOV they turned us down but opened it up again in FEB reason: they are feeling the Compaq frontline stuff hurting them. Now we are trying to put a 5-6 person joint task force together (MS and IBM) to come up with a joint proposal. This way all the IBM limitations will be put in the proposal and not surface when the proposal will be presented and if we like it they have no easy way out. They liked this idea and have decided to look for mgmnt support before they start the effort. They got clearance from Corrigan and Thomson -his boss- who is committed to talk to Gerstner. As far as I know they are all afraid of Jim to shut this down, so this is timely. At the same time they are telling us that the PPC people want a relationship as well as some other divisions. So be it. I am unsure what we should tell Jim and what he knows. I will get You more details but one thing is clear, this is the only way to stop NOTES in this account. So we ware digging. Steve You want to have a 30 min. strategy session together with Mike?

From: Mike Maples To: Joachim Kempin

Subject: RE: Canivino visit.

Date: Monday, April 18, 1994 11:25AM

I started on the campaign to talk to Jim every 30 days or so and try to develope a realtionship. I think I have made good progress. He is willing to open up to me some. I don't think this will be the trip for you to be included. Once I hear his ideas and proposals, we can then decide how to turn over the neogiation to. you.

From: Joachim Kempin

To: Mike Maples; Steve Ballmer

Cc: Bill Gates; Mark Baber; Paul Maritz Subject: RE: Canivino visit.

Date: Monday, April 18, 1994 9:51AM

Mike I will brief You. It looks like the groundwork which we are doing is getting to him. it is important that we neutralise him because we belive that other IBM execs are looking at this positively. Mark will prepare a briefing doc. It might not be a bad idea for me to be there- I am not tainted as You know.

From: Mike Maples To: Joachim Kempin; Steve Ballmer Cc: Bill Gates; Paul Maritz Subject: Canivino visit. Date: Monday, April 18, 1994 10:23AM

Jim called and suggested that he and I meet to discuss how we could have a better relationship. The meeting is set for 5/3 in Atlanta. He has the agenda.

What issues do you think I should discuss? Should we make a proposal to bundle Chicage? Other ideas?

Joachim, who can give me a briefing about the business we are now doing with them?

DEPOSITION EXHIBIT

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