

# **EXHIBIT A**



Dave Miller  
10/16/95  
Five Big Bugs

Dave thinks the August 21 letter went out from DRB. DRB and others believe that this bug deal is a big deal but the Apps people do not. Dave thinks it's mostly our fault. When we found bugs, we didn't press MS to fix them. When Dave was in Mac development and they found a bug in the Mac OS, they'd call Apple daily until they were fixed. Our apps people don't do that enough. Dave said that Bruce Brereton didn't think the letter should have been sent at all. He felt that the bugs were ordinary bugs, not malicious. He and Dave thought our guys should just call the Q&A people at MS and get them fixed, not write the letter.

The important matter in Dave's mind was when MS censored the beta releases we got. he has a letter proving it. It's mostly NSG related. But the big problem is that we have dragged our feet on the development of the Win95 client—we fumbled development.

Dave's conclusion is that our problems came from inept engineers.

Dave wants to form a task force to formulate policy with regard to dealing with MS—product strategy, PR strategy, legal strategy. It should have strategic relations, legal, development, and marketing. Not just how to react to them, but how to get from them what we need—licenses, patent cross licenses, beta software, etc.

Dave has been working on a analysis of MS's patent portfolio to determine its value for purposes of a cross license. He's finished with the issued patents and will be finished this week with the pending patents. So far, we have prior art on everything.

Dave says we should be hiring away MS people so we can develop some internal sources of information. We don't have any. They have many because they have hired away so many of our people.

Our wish list from MS includes:

- 1) OLE source
- 2) Windows source
- 3) License for NCP client to MS

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