

## States split on Microsoft deal

WASHINGTON (AP) — The coalition of 18 states that sued Microsoft for antitrust violations splintered Tuesday, with as many as two-thirds poised to settle the case and the others determined to go to trial.

Six states expressed support for the proposed settlement struck last week between the Justice Department and software giant to end the landmark monopoly case, and at least six others successfully negotiated new concessions with Microsoft that moved them closer to a deal.

Those changes broadened disclosures Microsoft must make to rivals about the operation of its powerful server software. By adding the phrase "or the Internet" to one section, lawyers for the states explicitly required Microsoft to reveal technical details about servers other than just those used for office networks. That slight change could broaden the settlement to cover Microsoft's future business strategies of providing Internet services.

The states also negotiated to establish a separate oversight committee, so the states can ensure compliance.

Philip Beck, a Dept. of Justice lawyer, described the new provisions as "clarifications, not substantial changes" and suggested the federal government would not object.

After all-night negotiations, Microsoft hinted it was finished negotiating and was willing to continue the fight in court with those states that do not sign the settlement.

"Microsoft believes the settlement process has come to an end," attorney John Warden told the judge. "The issues in this case have been beaten to death, and they have been beaten to death by people who are worn out."

Without agreement of all the states, the judge hinted, she may let disgruntled states continue the lawsuit even as she weighs whether to approve the settlement with the others.

Eric Green, the mediator, said attorneys general in some states remained very troubled despite the additional provisions sought by their colleagues. He did not identify them.

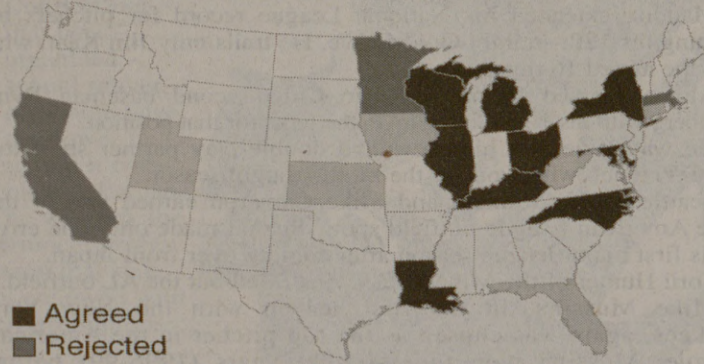
Other states indicated they would sign the settlement as the Justice Department negotiated it. Connecticut, Iowa, California and Massachusetts were believed to be pressing to continue fighting in court.

In talks Monday that carried into the early hours of the morning and resumed before Tuesday's hearing, several states sought new provisions from Microsoft in a side agreement.

New York, which organized other states against Microsoft early in the case, sought addi-

### Split decision

The attorneys general for 18 states and the District of Columbia involved in the antitrust suit against Microsoft Corp. decided Tuesday whether to accept the settlement proposed by the company and the Justice Department.



SOURCE: Associated Press

tional sanctions in private negotiations with the company Monday but was rebuffed, according to people close to those talks.

The settlement already negotiated between Microsoft and the Justice Department requires the company to provide technical details to help rivals make products compatible with its monopoly Windows operating system and to give an oversight panel full access to its books and plans for five years.

But critics portray the 21-page agreement as rife with

loopholes, such as one clause that permits Microsoft to ask consumers whether they want to restore after 14 days any changes made to Windows by computer makers.

It also allows Microsoft to maintain the secrecy of any technical details of its anti-piracy, security, anti-virus or encryption technology. In the changes negotiated by states, the government also sought to narrow cases in which Microsoft could shield that information.

## Study: Insects altered by global warming

WASHINGTON (AP) — A pitcher plant that lives in the tropics is evolving in response to global warming, researchers report.

In a study appearing Tuesday in the Proceedings of the National Academy of Sciences, researchers at the University of Oregon in Eugene found that global warming is leading the pitcher plant mosquito, a tiny, fragile species that seldom bothers people, to delay when it breeds and develops.

The pitcher plant mosquito is not considered a pest. But experts say the study suggests that global warming also could lead to genetic changes in troublesome insects.

William E. Bradshaw of Oregon, the first author of the study, said the pitcher plant mosquito bases its lifestyle on the length of day. When days grow shorter, it is genetically programmed to hibernate and settles in to spend the winter comfortably protected inside the pitcher plant, he said.

However, a subgroup within the pitcher plant mosquito population has slightly different genes that cause them to develop and reproduce later in the season. Global warm-

ing, by causing a longer growing season, favors this subgroup, Bradshaw said. "The temperature changes caused by global warming are increasing the length of the season in which the animal can grow, develop and repro-

*"... it shows the genetic population of the mosquito was modified by global warming. This suggests that this type of genetic adaptation could happen in other species also."*

— Marina Caillaud genetic researcher

duce," he said. "As a result, animals that reproduce later in the season have a greater opportunity to leave their genes in the population."

As a result, global warming allows those mosquitos to dominate others, Bradshaw said.

## Northern lights shine across American skies

(AP) — The aurora borealis appeared with rare intensity in skies across the country, treating onlookers as far south as California and Georgia to a shimmering display of red and green lights.

The ghostly streaks, better known as the Northern Lights, are rarely seen south of Canada and Alaska.

The Northern Lights occur when charged particles blowing away from the sun, called solar wind, interact with the Earth's magnetic field. The lights are produced as the particles strike different gases in the atmosphere.

A large solar flare on Sunday likely caused the lights to be visible farther south than usual, said Brian Murphy, director of Butler University's Holcomb Observatory in Indianapolis. Clear skies and dry air also created ideal conditions.

"There was this huge red streak through the northern sky," Murphy said. "I'd never seen an aurora like that before."

The color of the aurora depends upon what type of molecule is struck by the particles and at what atmospheric level. Oxygen about 60 miles up produces a green color. Higher-level oxygen produces the rare all-red auroras, while ionized nitrogen produces blue light and neutral nitrogen glows purplish-red at the edges of the aurora.

On the Website spaceweather.com, photographers from California, Alaska, Illinois, Wisconsin, Michigan, Idaho, New Jersey and Georgia posted their pictures.

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