

VERVE

THE UNITED STATES OF AMERICA VS. BILL GATES

Written by

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Based on a true story.

Verve / Madhouse Entertainment

**FADE IN:**

Close on a pair of wounded brown eyes. Shifting. Panicked. Their owner: ALISON BARNES, 33.

She gazes into the distance with a thousand yard stare. WE PULL BACK SLOWLY to reveal we're outside --

**EXT. D.C. COURTHOUSE - DAY**

Alison's surrounded. Reporters circle her like vultures. They shove microphones in her face, snap photographs, as a chorus of voices assail her with questions.

**INT. OFFICE - NIGHT**

Alison stewes at her desk. She breathes heavily, as waves of coiled anxiety emanate from her body.

AN ARGUMENT RAGES ON outside. We hear ANGRY MURMURS and VOICES RAISED in fury.

Alison shuts her eyes. Tries to block out the world. Unable to find peace, she rises in a fit of anger, seizes the paperweight from her desk, and HURLS IT AGAINST THE WALL. CRASH! The glass shatters.

Alison paces. Thinks. Makes a decision. She seizes a moving box from the corner. Throws her belongings in it with haste.

**INT. BULLPEN, DOJ ANTI-TRUST DIVISION - MOMENTS LATER**

Home to some of America's greatest legal minds. At least those willing to work for a government salary. An Ivy League education isn't the standard here; it's the bare minimum.

At the moment, the intrepid employees commiserate, hangs their heads. It's clear some misfortune has befallen them. We hear CHATTER: *"IBM's too strong", "it's politics", "lost the case"...*

Alison marches past her colleagues, moving box in hand. While several eye her with venom as she walks by, a balding man approaches her with concern. Meet JOEL KLEIN.

JOEL KLEIN

Don't. It's not your fault.

Alison brushes past him. Joel, undeterred, follows.

JOEL KLEIN (CONT'D)  
There's always another fight.

Alison stops. Considers her next move. She presses ahead.  
Exits the office.

As the door slams shut, the iconic chords of *The Rolling Stones* "Start Me Up" blare and we --

**CUT TO:**

Light. It blinds us. Vision's blurry. A shadow approaches.  
Towering. The man behind it emerges, dancing to the Stones.  
Meet BILL GATES, 38. We're in --

**A TENT.**

-- where Bill stands on stage, his kingdom. We can't see the crowd, but we can sure hear them.

TEXT: 11 years later.

Bill claps off beat. Jumps up and down. Shuffles his feet.  
This is white man dancing at its worst, but it's charming.

Why? Because Bill has absolutely no shame. The man is elated.  
On top of the world and unencumbered. Simply put, he's free.

A thunderous roar from the crowd. They're eating it up.

Bill, encouraged, starts to mouth the lyrics.

*... If you start me up, I'll never stop ...*

An all too exuberant colleague joins Bill in performance.  
Meet STEVE BALLMER, 41, best friend and confidant.

If you thought the dancing was awkward before, you haven't  
seen anything yet. Bill and Steve hop around each other.

Steve's arms flail about.

Bill's glasses nearly fall off his face.

The men nearly collide, yet the dance continues.

*... My hands are greasy, she's a mean, mean machine ...*

The song reaches its crescendo. Ballmer pumps his fists.  
Bill shuffles his feet and sings theatrically...

The crowd cheers wildly.

Bill basks in the applause, billion dollar smile on his face.

The music continues as we...

**CUT TO:**

**THE EMPIRE STATE BUILDING -- NEW YORK**

Towering over us. Gleaming red, blue, green, and yellow. These are the colors of Windows 95. A plane zips by and carries us to --

**AN AIRPLANE CABIN -- SOMEWHERE OVER THE U.K.**

A weary traveler gazes out the window, eyes half open. A beat. The traveler snaps to. Spots something. It's --

-- STONEHENGE. The prehistoric monument that has captivated mankind for centuries.

And beside it? Something even more wondrous. Even more legendary. The Windows logo.

AN ENTIRE FIELD IS PAINTED IN ITS VISAGE.

**COMPUSA STORE -- LOS ANGELES**

The logo looms large on a sign in front of the store. "Windows 95 here!"

It's mayhem outside. This is Black Friday on steroids. Customers line up as far as the eye can see. They're antsy, anxious fiends waiting for their next fix.

EMPLOYEE  
(checks watch)  
Two more minutes.

Groans of agony mixed with cries of ecstasy.

**HOSPITAL SAINT ANTOINE -- PARIS**

A new MOTHER stands at A NURSE's station, baby in her arms. She signs some paperwork. Hands it to the nurse.

The nurse reaches under her desk and removes a copy of WINDOWS 95. She hands it to the mother, who is perplexed.

NURSE  
(subtitled, in French)  
*Some promotion. Every newborn gets a copy. Your baby is the first.*

The father sidles up to the station, eyes fixed to the software. He lights up as if *this* is the miracle of life. Off the mother, studying him as if he's an alien...

**INT. CIRCUIT CITY - NIGHT**

Chaotic. Customers rush past each other, jostle for Windows. Even MARC ANDREESSEN, 23, a 6'5 evangelist for the church of technology, studies the frenzy with amazement.

He grips the software in his hand tightly. Reaches a register. The total: \$240. Marc studies his credit cards. Pulls one out. Changes his mind. Forks two over.

MARC ANDREESSEN  
Can you split it?

**INT. MARC'S SEDAN - MOMENTS LATER**

Windows 95 is buckled in the passenger seat of this beat up '84 Saturn. Classical music blares from the radio. Marc taps his fingers to it.

Marc drives past a series of Silicon Valley giants. The headquarters of Intel. IBM. Massive, herculean structures. He continues on, until he reaches...

**EXT. OFFICE BUILDING - MOMENTS LATER**

A thoroughly unimpressive two story structure. Per its sign, this is the home of *NETSCAPE*. A year-old internet browser company. David in a world full of Goliaths.

Its parking lot is surprisingly full given the hour. Marc pulls in. Finds a spot.

**INT. NETSCAPE OFFICE - NIGHT**

The CLATTER OF KEYS BEING PUNCHED echoes throughout the space. It's late, but the bullpen teems with the beehive energy of twenty-somethings programmers.

It's not just the bullpen, either. Men and women sit on the floor of the hallway, makeshift office space for the employees of a company growing faster than ever imagined.

Marc greets several colleagues as heads for his office, his copy of Windows hidden in a shopping bag. He's accosted by two older men, relics amongst the crowd.

JIM CLARK, 51, co-founder and impatient visionary, approaches with purpose. He's accompanied by JAMES BARKSDALE, 52, CEO with a thick Mississippi drawl affectionally known as Bark.

JIM CLARK  
Morgan Stanley called.

MARC ANDREESSEN  
That's what happens when you call someone; they call you back. I'm not doing this again. Do me a favor... next time ya talk, remind them we're unprofitable.

JIM CLARK  
Our forecast's strong and they agree an IPO's the next step. It helps us grow. Buy some office space. Pay ourselves a living wage.

JAMES BARKSDALE  
It's a declaration of relevance.

MARC ANDREESSEN  
If Morgan Stanley's calling, we're already relevant. Gates waited twelve years to go public.

JIM CLARK  
He could afford to. You can't. And neither can we.

MARC ANDREESSEN  
We still have work to do. We're just a start up --

JIM CLARK  
-- with a ninety-eight percent customer satisfaction rate.

MARC ANDREESSEN  
My point exactly. Javascript's only loading at 128 bits. There's a bug in the firewall that --

JAMES BARKSDALE  
-- not a damn soul outside this building notices. Two million people love our baby. It's time we show her off to the world.

MARC ANDREESSEN  
Soon.

JIM CLARK

When?

Marc shrugs. Clark shakes his head. Playfully --

JIM CLARK (CONT'D)

What exactly did my five million  
buy me?

MARC ANDREESSEN

(motions to office)

This. And my eternal gratitude.

Marc grabs Clark by the cheeks, kisses him on the forehead,  
and returns to his office. Off Clark and Bark, at wits' end.

**INT. MARC'S OFFICE - MOMENTS LATER**

Marc's eyes are glued to his computer. Windows 95 is booted.  
He opens several applications. Studies them with wonder.  
Then -- the big test.

Marc clicks on INTERNET EXPLORER. It loads. And loads.  
An eternity seems to pass before the program launches.  
Marc smiles, breathes a sigh of relief.

**HOURS LATER.**

Marc slurps a bowl of ramen and chugs a can of Jolt cola.  
All the while, his eyes remain fixed on his computer screen.  
ANGIE, 22, nervous MIT grad, sits across from him.

MARC ANDREESSEN

Forgive me, I haven't had time for  
dinner.

Angie, perplexed, looks to the clock on the wall. It's 8 A.M.  
A beat. The SOUND OF CANNON FIRE rings out. Spooks Angie.

MARC ANDREESSEN (CONT'D)

You get used to it. You even learn  
to love it.

ANGIE

What is it?

MARC ANDREESSEN

Victory. A cannon shot for each  
new download.

ANGIE

It must sound like World War Three  
in here.



MARC ANDREESSEN

Not quite, but we can dream. So.  
Your resume's very impressive.  
I enjoyed your thesis.

ANGIE

You read it? I didn't include it in  
the application.

MARC ANDREESSEN

I know. I called MIT. Doctor Hughes  
was more than happy to share.

ANGIE

All six hundred pages?

MARC ANDREESSEN

We take our hires very seriously.  
This isn't a faceless corporation.  
It's a family. We have to be wary  
of who we let in.

(beat)

Where else did you apply?

ANGIE

I'd rather not say.

MARC ANDREESSEN

It's okay. You can tell me.

ANGIE

Um... Intel and Microsoft.

MARC ANDREESSEN

Get an interview?

(Angie shakes her head)

Me neither. Why do you want to work  
at Netscape?

ANGIE

The work you've done is remarkable.  
The browser opens up a whole new  
world of possibilities that can --

MARC ANDREESSEN

-- I'm so sorry. Gimme one second.  
We've been debugging all night...

Angie deflates. Marc buries his nose in his screen. Types.  
Angie looks to a large picture above Marc's desk. It's a  
photo of a sleepy rural town.

ANGIE

What's that?

MARC ANDREESSEN

Home.

ANGIE

It looks nice.

MARC ANDREESSEN

It isn't. Childhood was an installation phase. It wired me for this.

More CANNON FIRE. Marc looks at Angie. Passion flows from his every pore when he speaks.

MARC ANDREESSEN (CONT'D)

In New Lisbon, we had three television networks, two radio stations, and no cable. There was a dingy little library, and the nearest bookstore was an hour away. We were starved for information... for connection. That's what our browser does. It connects you. With people. With information. We exist to enrich existence, to show folks the majesty of the world through the world wide web.

(off Angie's nod)

Go find Erica in the pen. She'll get you started.

ANGIE

...I'm hired?

MARC ANDREESSEN

You were hired by page eight of your thesis. I just wanted a chance to meet the mind behind it.

(rises)

Welcome to the team.

Marc extends his paw with a smile. Off Angie, elated.

#### **INT. MARC'S APARTMENT - DAY**

A dingy one-bedroom. Cheap prints of fine art on the wall. Placeholders for a time when something real's affordable. A bookshelf contains work about the origins of electricity, the railroad, and the telephone. Books about dreamers.

Rocky, a small French bulldog, roams the place as ELIZABETH HORN, 24, fiercely intelligent and slightly irritated, watches a B-movie from the couch. Marc enters.

ELIZABETH HORN  
You're alive.

MARC ANDREESSEN  
Barely.

Marc plops down on the couch next to Elizabeth.

ELIZABETH HORN  
I only have twenty minutes.  
Showing a house on Pine Hill.

MARC ANDREESSEN  
How is it?

ELIZABETH HORN  
Stunning. Three bedrooms, four  
baths, a pool with a waterfall.  
Shouldn't be a tough sell.

Marc inspects their second-rate apartment, guilt rising.

MARC ANDREESSEN  
We'll get there.

ELIZABETH HORN  
I know.  
(beat)  
Your parents sent a card.

Elizabeth hands Marc a birthday card. It contains no personalization whatsoever. Not even a signature.

MARC ANDREESSEN  
Very eloquent. Maybe that's why  
it's a week late.  
(beat)  
They still haven't downloaded it,  
you know. They don't even care  
enough to click a button.

ELIZABETH HORN  
I'm sorry, hun. You know they're  
just... not technology people.

MARC ANDREESSEN  
What does that even mean? You can't  
be anti-technology. You may as well  
say I'm just not an oxygen person.  
Food and shelter aren't for me --

ELIZABETH HORN  
-- hey, look at me. It's okay.

MARC ANDREESSEN

I'm sorry. It's been a long night.

Elizabeth caresses Marc's cheek. He calms.

MARC ANDREESSEN (CONT'D)

I don't know what I'd do without you.

ELIZABETH HORN

You'd spend even more time at the computer, and bathe a whole lot less.

MARC ANDREESSEN

I haven't showered since Sunday.

ELIZABETH HORN

You know just how to turn me on.

Marc leaps on top of Elizabeth, kisses her neck. She laughs.

**INT. MARC'S OFFICE - DAY**

Marc and Bark sits across from Clark. ERICA BINA, 25, Marc's best friend and chief programmer, enters --

ERICA BINA

Yet another crisis averted.  
Javascript's good as new.

MARC ANDREESSEN

You're the best.

ERICA BINA

I know. Who do I talk to about getting a raise?

MARC ANDREESSEN

I believe that's Bark's territory.

JAMES BARKSDALE

I don't have the faintest idea of what he's talking about.

ERICA BINA

Uh huh. Very convenient.

A SECRETARY enters.

SECRETARY

I'm sorry to interrupt. You're gonna want to see this.

Marc's Secretary hands him a letter. His eyes narrow when he sees the letterhead. It belongs to Microsoft.

He flashes the paper at his cohorts with excitement, reads feverishly.

MARC ANDREESSEN

"Over the last six months, we've been monitoring your work with great interest. In that time, it's become abundantly clear that your technical prowess and entrepreneurial spirit are nothing short of remarkable. We'd like to meet, at your convenience, to explore future opportunities that could benefit both our companies."

JAMES BARKSDALE

Boy, are they buttering you up.

MARC ANDREESSEN

You don't think it's sincere?

JAMES BARKSDALE

This is business, pal. There's no sincerity, only strategy.

MARC ANDREESSEN

They want to acquire us, don't they? We could work together. Side by side. With our skill and their might --

JAMES BARKSDALE

-- they might suggest a partnership, but the minute we sign a deal, we're powerless. They could take our code, hand us our walking papers, and we couldn't do a damn thing about it.

A silence as Marc considers this.

ERICA BINA

Are we for sale?

Bark, resistant, looks to Clark, who is curiously silent. Marc, starry-eyed, considers this.

MARC ANDREESSEN

If anyone else called, absolutely not.

ERICA BINA  
...and if Microsoft did?

MARC ANDREESSEN  
A chance to work with that  
braintrust would be a hell of an  
opportunity. If we could maintain  
our autonomy and keep working...  
(beat)  
Gates even signed the letter!

Marc runs his fingers across the signature, face lit up like  
a Christmas tree.

**INT. LIMOUSINE - DAY**

Bark, Clark, and Erica huddle together, deep in prep. Marc,  
however, is consumed by a barely visible stain on his pants.

MARC ANDREESSEN  
I knew I shouldn't have eaten on  
the plane.

JIM CLARK  
The offer will be generous.  
Don't let that spin you around.

ERICA BIN  
How generous?

MARC ANDREESSEN  
Can you see this? I can't get it  
out.

JIM CLARK  
If I had to put a number on it...  
thirty. And complete autonomy.

ERICA BINA  
Thirty million dollars...

JAMES BARKSDALE  
If it sounds too good to be true,  
it probably is. Stay guarded.  
Professional.

Marc, dismayed, rummages through the bar. Can't find what  
he's looking for. He knocks on the divider. It creaks down.  
Marc addresses THE DRIVER.

MARC ANDREESSEN  
Do you have any seltzer, sir?

THE DRIVER  
I have ginger ale.

MARC ANDREESSEN  
But no seltzer.

THE DRIVER  
I have ginger ale.

MARC ANDREESSEN  
Yes, I'm aware.

THE DRIVER  
There's not much of a difference.

MARC ANDREESSEN  
Seltzer is weakly acidic. It  
decolorizes and diminishes stains.  
Ginger ale contains zingibain. It's  
an anti-bacterial agent.

THE DRIVER  
Oh.  
(beat)  
Well, I have that.

JIM CLARK  
Are you listening, Marc?

MARC ANDREESSEN  
Yes I'm listening. How noticeable  
is the stain?

JAMES BARKSDALE  
It's not bad.

ERICA BINA  
I don't see a thing.

MARC ANDREESSEN  
Which is it -- not bad or you don't  
see a thing?

Silence. The team's unsure what to say. Marc shakes his head.

JIM CLARK  
Focus for a minute.

MARC ANDREESSEN  
I am focused. We need to make an  
impression.

JAMES BARKSDALE  
We got the meeting; we already  
have.

**EXT. MICROSOFT CAMPUS - DAY**

250 acres of utopia. It's breathtaking, replete with sleek, modern buildings and perfectly manicured lawns. A Microsoft flag waves proudly alongside an American one.

Marc can't hide his excitement as he ambles alongside the Netscape team. He studies the campus with awe.

**INT. HALLWAY - MOMENTS LATER**

Marc and his team approach a door at the end of a hallway. He exhales. Adjusts his tie. Locks eyes with Clark. Nods. Bark opens the door and the team enters --

**INT. CONFERENCE ROOM - CONTINUOUS**

-- where we find a half dozen Microsoft executives, Bill and Ballmer included, lounging in shorts and t-shirts. Marc's eyes fill with panic. Confusion.

DANIEL ROSEN, 43, bespectacled, greets the men.

DANIEL ROSEN

Welcome. Have a seat.

(the team sits)

Let's get to brass tacks, shall we?

Rosen is curt and cold. This isn't what Marc expected. He looks to Bill across the table, who is markedly different from the man we met in our opening.

Today, Bill isn't playful and full of smiles. He's stone faced and distracted, doodling on a piece of paper.

DANIEL ROSEN (CONT'D)

We invited you here today because we're interested in a strategic partnership. If you open your packets, you'll find our offer, which we believe to be fair and equitable.

Marc and his team open their packets. Within seconds, they exchange glares of confusion. A deafening silence.

JIM CLARK

...I don't understand.

STEVE BALLMER

What we're offering --



JAMES BARKSDALE  
-- is a retirement plan.

STEVE BALLMER  
To the contrary, this is an opportunity for you to expand and diversify. Right now, you're one dimensional. We want to help you build out a server business.

ERICA BINA  
By conceding the browser business.

DANIEL ROSEN  
Not conceding. You'd be the exclusive, default browser for Windows 1.0, 3.0 --

Marc, shell shocked, emerges from his trance.

MARC ANDREESSEN  
But not 95.

A nod from the Microsoft folks.

MARC ANDREESSEN (CONT'D)  
What about any future Microsoft O.S.?

DANIEL ROSEN  
That's the domain of Internet Explorer. However, the server business is extraordinarily lucrative. We believe that, with our assistance, you'd be looking at a growth rate of eight percent and upwards of twenty million gross within five years.

MARC ANDREESSEN  
That's nice, but we're in the browser business.

STEVE BALLMER  
You don't have to be. There are easier ways to make a buck.

Marc is completely flummoxed. *The gall of these people...*

MARC ANDREESSEN  
My interest isn't in making a buck. Our browser has eighty five percent market share.

(MORE)

MARC ANDREESSEN (CONT'D)  
You're asking us to step back and  
accept, what, fifteen percent of  
the market?

A silence. Bill murmurs, still doodling.

BILL GATES  
Ten.

MARC ANDREESSEN  
Excuse me?

BILL GATES  
We're asking you to accept ten  
percent of the market.

MARC ANDREESSEN  
And why would I do that?

BILL GATES  
Because it's better than zero.

MARC ANDREESSEN  
Forgive me if I'm not shaking in my  
boots. Explorer's impotent. You  
just licensed Mosaic's code, and  
didn't lift a finger to improve  
performance or debug --

STEVE BALLMER  
-- the code is excellent --

MARC ANDREESSEN  
-- no, it's not. I know. I wrote  
it. I have what you need, and I'm  
here because I wanted to give it to  
you. I thought we could work  
together...  
(looks to Bill)  
...you're doodling.

BILL GATES  
I'm exercising. Drawing concentric  
circles improves fine muscle  
coordination. And I'm listening.

MARC ANDREESSEN  
It's hard to tell. You haven't even  
looked me in the eye.

Bill drops his pen. Stares a hole through Marc.

BILL GATES

Mister Andreessen, I'm offering you oxygen. If you want to compete, I will cut off your air supply.

JAMES BARKSDALE

Your friends at DOJ would be awfully concerned if they heard you talkin' like this.

BILL GATES

IF you'd rather tuck your tail between your legs and run to the government than compete on the merits, feel free. You wouldn't be the first... but it will be the last thing you do.

This hangs in the air. Off Marc, bewildered and heartbroken, trapped in a nightmare. Wondering: *is this really happening?*

**INT. LIMOUSINE - SUNSET**

The team sits in silence. You can hear a pin drop. Clark stares at his shoes as if they'll offer some sort of wisdom. Bark gazes outside. Marc sits upright, frozen with a thousand yard stare. Erica places a hand on his shoulder.

A beat. The DIVIDER CREAKS DOWN. Our Driver reappears.

THE DRIVER

Awfully quiet back there. Want me to throw on some music?

The entire team, in unison --

TEAM

No.

**CUT TO:**

Blue ink, as it bleeds onto a piece of paper. We're in --

**INT. LIVING ROOM - NIGHT**

Marc sits on the couch, pen in hand, lost in thought. He starts to draw on a paper in front of him. *What exactly?* Concentric circles.

He arches his wrist. Draws several. Attention's elsewhere, though. He stops. Stabs his pen into the center of the paper. Makes a decision.

**INT. NETSCAPE OFFICE - DAY**

Marc strides into the office, hardened. The bags under his eyes can't conceal his determination. Erica greets him.

ERICA  
How'd you sleep?

MARC ANDREESSEN  
Not well. I expected to find a  
bloody computer monitor in my bed.

Marc looks across the pen, locks eyes with Clark and Bark.  
Motions to them. *Follow me.* The foursome head to...

**INT. CONFERENCE ROOM, NETSCAPE OFFICE - CONTINUOUS**

Clark can barely shut the door behind him before --

MARC ANDREESSEN  
I'm ready.

JIM CLARK  
Are we talking about what I think  
we're talking about?

MARC ANDREESSEN  
Yes. Let's go public.

JAMES BARKSDALE  
Slow down, fella. The landscape's  
changed. This ain't just about us  
anymore; this is about them too.  
There are two rules in this world:  
you don't fight a land war in Asia  
and you don't antagonize Microsoft.

MARC ANDREESSEN  
We already have, and I can't fight  
a war without an army. We need the  
cash to hire more coders and  
engineers. We have to get better.  
Hell, we have to be perfect.

ERICA BINA  
Are you sure you wanna do this?  
Gates will respond.

Marc nods. He looks to Clark, who shrugs his shoulders as if  
to say *fuck it.*

**INT. NETSCAPE OFFICE - DAY**

The entire Netscape staff stands at attention as Marc addresses the group. We take note of Angie, who appears to have acclimated rather quickly to the family.

MARC ANDREESSEN

This isn't something I anticipated, and, if I'm being honest, it isn't something I was that jazzed about. I was wrong. It's clear now that this is the right path.

(beat)

It's a path that exists because each and every one of you have done incredible work. You'll all be rewarded with stock, and let's hope to hell that it's worth something. If it isn't, Clark will buy each of you out at twenty bucks a share.

Clark flips Marc off. The crowd laughs.

MARC ANDREESSEN (CONT'D)

The next few months won't be easy.

**INT. STUDIO SPACE - DAY**

Marc takes a seat on a gaudy red throne, smiles confidently. Too confidently. A photographer readies a camera. Marc motions to her. *Wait.*

He bends down and unties his shoes. Removes them. Socks too. Microsoft casual, he folds one leg over his knee and nods. FLASH!

MARC ANDREESSEN (V.O.)

We'll get even more attention, and with attention comes scrutiny...

**INT. NETSCAPE OFFICE - DAY**

Erica hauls a box into the office. Opens it. It contains: TIME MAGAZINE. Hundreds of copies. Its cover boy is Marc, barefoot and regal as ever. The headline: THE GOLDEN GEEKS.

Staffers study the photo, bemused. Some mimic Marc's pose. Others simply laugh.

MARC ANDREESSEN (V.O.)

...but our motivation is pure.

**INT. CONFERENCE ROOM, MORGAN STANLEY - DAY**

Floor to ceiling windows offer a view of New York City. Bark and Clark deliver their pitch to a bevy of enthusiastic suits. Marc nods alongside them.

MARC ANDREESSEN (V.O.)  
 We'll succeed because the world's a meritocracy. Because the best idea always wins.

**INT. CHICAGO STEAKHOUSE - NIGHT**

Marc peeks through the haze of cigarette smoke to deliver the pitch to another group of suits.

MARC ANDREESSEN (V.O.)  
 Innovation does two things -- it accelerates and it compounds. Each point in front of us is bigger than anything that has ever happened.

**INT. HOTEL BUSINESS CENTER - NIGHT**

Marc, Clark, and Erica sit nervously. Bark paces about. BEEP, BEEP! Marc's fax machine whirs to life, spits out a piece of paper.

MARC ANDREESSEN (V.O.)  
 That's not frightening; that's exhilarating. We're going to have our day and we will win.

Marc seizes it, the first page of a contract. We catch a key sentence: "*will underwrite an initial public offering at \$28 a share...*" Marc looks to his cohorts, smiles wide.

**INT. TOWN CAR - DAY**

Marc and Erica are glued to their pre-historic cell phones, struggling as they dial and receive nothing. Clark studies them with disapproval as Bark drives.

MARC ANDREESSEN  
 Why did we agree to a breakfast?  
 Today, of all days.

JIM CLARK  
 Because there's no use in tracking the ticker.

ERICA BINA

Yeah, why bother. Only things hanging in the balance are our future, our financial security --

JIM CLARK

-- don't expect any movement today. Opening day's always quiet. There'll be a few nibbles, but nothing more. It takes time.

JAMES BARKSDALE

(glances at the phones)  
Try holding 'em up. Maybe you'll get a signal then.

ERICA BINA

Bark, you've been working in tech as long as I've been alive. Do you really think this phone will work if I hold it three inches higher?

JAMES BARKSDALE

...it was just a suggestion.

ERICA BINA

(smacks phone)  
Well, I've got nothing.

Marc checks the clock. 9:07 A.M. The market's only been open for a few minutes, but it sure feels like an eternity. The car approaches a rest stop. Marc spots a bank of pay phones.

**EXT. TRUCK STOP - DAY**

Marc, Erica, and Bark rush to the ancient, roadside phones. Clark watches from a few feet away, disinterested.

JIM CLARK

We're wasting time here.

MARC ANDREESSEN

Yeah, it's me. Gimme the number.  
(beat)  
29.50.

JIM CLARK

Like I said, just a few nibbles.

ERICA BINA

Angie has it at 29.83.

JIM CLARK

Satisfied?

JAMES BARKSDALE

Singer has it at 30. No. Hold on.  
31, even.

ERICA BINA

Are you sure that's right?

JAMES BARKSDALE

He's on the horn with a broker.  
They say it's climbing like --

JIM CLARK

-- okay. That's enough.

JAMES BARKSDALE

I need another quarter.

Technology's best and brightest dig through their pockets.  
Marc fumbles with his change. It tumbles to the ground.

He seizes a quarter from the dirt, and passes it to Erica,  
who passes it to Bark. Meanwhile, Marc presses the receiver  
to his ear with force, stunned.

MARC ANDREESSEN

You're certain?

(beat)

It's at 32.10!

JIM CLARK

Very funny. Quit yanking my chain.  
It can't be moving that much, let  
alone this quickly.

Off our trio, stone-faced and glued to their phones, staring  
back at Clark. This is not a prank. A beat, until --

-- Clark rushes to the nearest phone, drops in a quarter.

#### **INT. HOTEL ROOM - SUNSET**

The team is perched on a bed, all eyes on the television.  
A CNBC analyst speaks to us, but we can't hear him. All we  
focus on is a symbol and a number:

**NSCP: \$75.03**

WE PAN ACROSS A SEA OF STUNNED, ALMOST BEWILDERED FACES.  
BARK is full of glee, grinning like a kid in a candy store.



CLARK is manic. Hair's ruffled. Looks like he just had sex. ERICA is overwhelmed. Almost nauseous. She swallows. Hard.

And MARC? Well, Marc's lost in thought, processing this moment, the moment his life changed forever. WE HOLD ON HIS FACE as it washes over him, and a hint of a smile emerges.

**INT. HOTEL BAR - NIGHT**

Marc and Bark sit at a table littered with empty glasses. The delirious duo down the remainder of their drinks.

MARC ANDREESSEN  
One more round.

JAMES BARKSDALE  
On one condition. If ya made forty million today, you're buying.

MARC ANDREESSEN  
It was fifty eight and a quarter, but I'll buy anyway.

JAMES BARKSDALE  
You're a peach. Bourbon aside, what's the first thing you gon' spend it on?

MARC ANDREESSEN  
I have an idea.

The VROOM-VROOM OF AN ENGINE carries us to --

**INT. SHOWROOM, PORSCHE DEALERSHIP - DAY**

Marc presses the gas on a sleek 959 Convertible. Rises. He gives the car a once over. A SALESMAN circles him.

PORSCHE SALESMAN  
I'm impressed. You knew exactly what you wanted.

MARC ANDREESSEN  
Saw a photo of a guy driving it once. Couldn't take my eyes off it.

PORSCHE SALESMAN  
It's even better in person.

Marc rubs a hand against the hood. The car's quite a departure from his dilapidated hunk of metal. He considers the vehicle. A beat.

MARC ANDREESSEN  
Do you have a newer model?

Off the Salesman, as a smile creases his face.

JAMES BARKSDALE (PRE-LAP)  
You son of a bitch.

**EXT. NETSCAPE OFFICE - DAY**

Bark stands in the parking lot, arms crossed and apoplectic. Marc sits in his firetruck red convertible, shit eating grin on his face.

JAMES BARKSDALE  
Isn't this Gates's car? He was driving it in that Forbes spread last spring.

MARC ANDREESSEN  
No, he was driving a ninety-four. This is a ninety-five.

Bark shakes his head, can't help but smile at the audacity. Marc parks. Exits. The two walk together.

JAMES BARKSDALE  
This is nice, but it ain't why we're here. When we get inside, I don't want to hear a peep about the stock. We're not gonna focus on paper worth; we're gonna put our heads down and keep working. This ain't a circus. It's a serious company, with serious people...

Marc nods. The men enter...

**INT. NETSCAPE OFFICE - DAY**

...to find a dozen staffers in a circle. At its center -- ANGIE and ANOTHER COLLEAGUE. They've installed an electronic sign in the bullpen.

MARC ANDREESSEN  
What's this?

Angie flips a switch. The sign lights up. What is it exactly? A stock ticker. The Netscape symbol and price is displayed. The stock has sailed to eighty-nine dollars a share.

ANGIE

Live updates!

Bark bites his lip as steam begins to pour out of his ears. The ticker continues to run as we...

**MATCH CUT TO:**

Another ticker. Different font. Stock symbols roll by. We're in --

**INT. LION AND COMPASS - NIGHT**

As much an eatery as it is a place to be seen. Marc and Elizabeth dine in a room full of Silicon Valley players. Marc chews a piece of steak, scrunches his face in delight.

ELIZABETH HORN

I told you this place was supposed to be good. I don't know why you hated it --

MARC ANDREESSEN

-- I didn't hate it. I hated the idea of it. Still do. A bunch of suits drinking, padding their expense accounts to avoid doing any real work...

ELIZABETH HORN

You chose to come here.

MARC ANDREESSEN

I was curious.

ELIZABETH HORN

You weren't before?

MARC ANDREESSEN

Maybe a little. Couldn't exactly spend forty six dollars on a Sirloin, though.

Elizabeth takes a sip of her wine. Marc looks to the ticker, searches for Netscape's share price. Elizabeth catches him.

ELIZABETH HORN

None of that tonight. You promised.

MARC ANDREESSEN

You're right. I'm sorry. Tell me about your day.

ELIZABETH HORN

It was bizarre. That house on Pine Hill -- I found a buyer. Or, a buyer found me. Called and said he wants to move in immediately. No interest in haggling. No additional conversation. Said he'd put in an offer by the end of the night.

Marc reaches into his jacket pocket. Removes some paperwork. Drops it in front of Elizabeth.

MARC ANDREESSEN

Sorry about that. Slipped my mind.

Elizabeth studies the paperwork. It's an offer for the house.

ELIZABETH HORN

You're kidding.

MARC ANDREESSEN

Clark enjoyed speaking with you. Figured it was better to have him do it then try to disguise my voice.

ELIZABETH HORN

This is too much.

MARC ANDREESSEN

You said the place was stunning. I thought you might like it.

ELIZABETH HORN

Of course I do. I love it! It's just... are you sure this is okay?

MARC ANDREESSEN

I'm sure.

Off Elizabeth, awestruck.

ELIZABETH HORN

We're buying a house...

MARC ANDREESSEN

We're buying a house.

**EXT. GATES MANSION - DAY**

Not as much a home as it is a fortress. 66,000 square feet. An overwhelming structure that's the height of luxury and technology, nestled on the gorgeous shore of Lake Washington.

**CUT TO:**

A plume of steam rising. Water rushing out of a showerhead. We're in --

**INT. SHOWER - DAY**

Bill seizes a bottle of dandruff shampoo and squeezes a precise dollop into the palm of his hand. He lathers it into his scalp with care.

**INT. STUDY, GATES MANSION - DAY**

Bill checks his email. 2,350 new messages, just this morning. Many of these companies emails are so innocuous we'd consider them junk. No detail is too small for Bill. Even...

*SUBJECT: TOILET PAPER SUPPLY IN EAST BATHROOM*

Bill races through each email with precision. His eyes dart across the screen, finger glued to the mouse. CLICK, CLICK.

**INT. KITCHEN, GATES MANSION - DAY**

Breakfast. Bill and MELINDA eat and read in silence. It's blissful, not angry. This is a couple perfectly at ease. Comfortable with one another.

Bill reads the Wall Street Journal, Melinda... the Times. On occasion, Bill glances toward the TV. What's on it? Tom and Jerry. A cartoon.

Bill studies the duo with amusement.

**INT. LIVING ROOM, GATES MANSION - DAY**

The floor's littered with puzzle pieces. Bill and Melinda sit across from one another, identical puzzles in front of them. They race to finish first.

Bill speeds through his puzzle as a TV blares in the background. A BROADCASTER'S voice booms.

BROADCASTER (O.S.)

The Dow gained five hundred points today, and one stock remains the buzz of Wall Street.

Melinda eyes Bill's puzzle. He has the lead.

MELINDA GATES

I thought I had you.

BILL GATES

You should have started with the corners.

BROADCASTER (O.S.)

A mere four months after its debut, Netscape stock has soared to one-hundred-and-seventy-one dollars a share, a new high for the seemingly limitless young company. We spoke to tech titan Marc Andreessen --

Bill freezes, looks to the TV. He halfheartedly fumbles with his pieces in an attempt to keep playing.

MELINDA GATES

-- if I start with the corners, it's just formulaic. Plug and go. There's no discovery.

BILL GATES

There's efficiency.

ON THE TV -- Marc flashes a smile bordering on smug as he's interviewed by a REPORTER.

REPORTER

The stock's made a stunning debut, surpassing even the most optimistic analyst projections. You're now the fastest growing software company ever. Are you surprised by the response you've received from the public?

MARC ANDREESSEN

Not particularly. We have a heck of a product and we're very proud of the work we put into it.

MELINDA GATES (O.S.)

Here's efficiency for you...

REPORTER

They're calling you the Prince of Silicon Valley, saying you've built the next Microsoft --

MARC ANDREESSEN

-- I wouldn't go that far.

REPORTER

Why not?

Marc pauses. A beat. He makes a decision.

MARC ANDREESSEN

Because all Microsoft does is make a poorly debugged set of device drivers. We strive to do more.

Bill's nostrils flare with anger.

MELINDA GATES

...you're gonna lose!

Bill snaps to, perturbed. Melinda races to finish her puzzle... and does. She beams with pride. Off Bill, practically nauseous, allergic to defeat --

BILL GATES

Let's go again.

**EXT. ZEN GARDEN, GATES MANSION - DAY**

A bastion of tranquility... but not today. Bill paces throughout the garden, agitated, phone glued to his ear.

BILL GATES

I swear, if I could push a button and blow up the internet, I would. I don't know how to control it.

STEVE BALLMER (O.S.)

Why do you have to?

Bill shakes his head. Ballmer should know better.

BILL GATES

(muttering)

Poorly debugged set of device drivers...

STEVE BALLMER (O.S.)

A lion doesn't concern himself with the opinions of a sheep.

BILL GATES

This sheep is very successful.  
And very loud.

STEVE BALLMER (O.S.)

So shut him up.

TIGHT ON BILL, considering this.

**INT. STUDY, GATES MANSION - NIGHT**

Bill sits in front of his computer, fingers hovering over the keyboard. He exhales. Starts typing.

BILL GATES (V.O.)

To Executive Staff and direct reports.

**INT. BANQUET HALL - NIGHT**

A raucous Netscape holiday party. Drinks flow. Music blares. Marc and Elizabeth share a laugh with a few employees. Tonight, our team doesn't have a care in the world.

BILL GATES (V.O.)

Date, December 5th, 1995.

**INT. STUDY, GATES MANSION - NIGHT**

Back to Bill, who types intently.

BILL GATES (V.O.)

Perhaps you have already seen memos from me about the importance of the Internet. I have gone through several stages of increasing my views of its importance. Today, I assign the Internet the highest level of importance.

**INT. BANQUET HALL - NIGHT**

The team dances to the Macarena. Bark tries to keep up. Performs with Gatesian awkwardness, if not the comfort level. Marc looks over his shoulder and sees this. Smiles with glee.

BILL GATES (V.O.)

I want to make clear that our focus on the Internet is crucial to every single part of our business.

(MORE)



BILL GATES (V.O.) (CONT'D)  
The Internet is the most important  
development to come along since the  
IBM PC was introduced in 1981.

**INT. STUDY, GATES MANSION - NIGHT**

Bill's fingers assault the keyboard with fury. He's in a groove now. As angry as he is inspired.

BILL GATES (V.O.)  
Some competitors have a much deeper involvement in the Internet than Microsoft. Netscape's browser is dominant, with 85 percent usage share.

**INT. BANQUET HALL - NIGHT**

Marc speaks to the crowd. Nods toward a waiter at the exit. The waiter swings the door opens as --

-- SEVERAL ICE LUGES are wheeled inside. The Netscape logo is carved into the side of each.

BILL GATES (V.O.)  
We have to match and beat their offerings, working with all who are considering their product. As the leader in web browsing software, Netscape could set the technical rules for internet computing, and thus completely commoditize the underlying operating system.

Marc and Clark line up at a luge, mouths at the ready. A WAITER pours a very healthy dose of whiskey. A tsunami of liquor races toward our duo.

BILL GATES (V.O.)  
The Internet is a tidal wave.

**INT. STUDY, GATES MANSION - NIGHT**

Bill's finger hovers over his mouse.

BILL GATES (V.O.)  
It changes all the rules.

He eyes the 'SEND' button. Clicks it.

**CUT TO:**

The text of Bill's memo, as displayed on a computer screen. The website: HotWired. The headline: *LEAKED! Gates "Tidal Wave" has Silicon Valley buzzing.* We're in --

**INT. JOEL'S OFFICE - DAY**

-- where JOEL KLEIN, now 50, a no frills New Yorker with a filter as non-existent as his hairline, studies the memo. As he continues to read, his concern grows.

JOEL KLEIN

Fuck.

Joel grabs the phone, dials a number.

JOEL KLEIN (CONT'D)

Good morning. It's your friendly neighborhood Anti-Trust Division.

**INTERCUT:**

**INT. NETSCAPE OFFICE - DAY**

The atmosphere's muted. Colleagues whisper in hushed tones. Marc sits at his desk, types away. He appears unbothered. Bark, on the other hand, studies his colleagues with a hint of concern.

JAMES BARKSDALE

What can I do for ya?

JOEL KLEIN

I was gonna ask you the same thing. I have a memo in front of me...

JAMES BARKSDALE

We're aware of it. Look, our position is strong --

JOEL KLEIN

-- don't be naive. Gates is the most powerful industrialist since Rockefeller; your position's irrelevant. I'm here to offer you a hand.

Joel leans forward in his chair, hopeful. Then --

JAMES BARKSDALE

There's no need to panic. It's just a memo. We're not gon' make a federal case out of it.

JOEL KLEIN

You could. He's going to leverage every contract, product, and relationship he has to squash you. He'll break every anti-trust law in the book.

JAMES BARKSDALE

I appreciate the offer, but we're gon' keep our focus on the work. We... think we can win this thing.

**INT. AUDITORIUM, MICROSOFT CAMPUS - DAY**

Microsoft employees are packed in like sardines. The energy's frenetic. It's clear something momentous is about to take place. Steve Ballmer paces on stage, as Bill stands behind him.

STEVE BALLMER

There's a reason we're here today on the 7th of December. This is no average day. This is Pearl Harbor Day. We've been attacked by a small, but nimble foe, and we can no longer turn a blind eye to their aggression. So, today, of all days, is the day we go to war. Are you ready to do battle?

Cheers from the crowd.

STEVE BALLMER (CONT'D)

I need soldiers. I need warriors! Where are my warriors?

Louder now, but Ballmer wants more. He wants pandemonium.

STEVE BALLMER (CONT'D)

We will draw blood from our competitor. We will outsmart, outwork, and out-innovate them. Make no mistake, we will reign supreme because that's what we do.

Engineers rise to their feet and cheer. The crowd's humming. Bill steps to the front of the stage.

BILL GATES

Do you know what Admiral Yamamoto said as the bombs dropped on Pearl Harbor?

(a beat)

(MORE)

BILL GATES (CONT'D)

"I fear we have awakened a sleeping giant."

**INT. HALLWAY - DAY**

Eerily quiet. This isn't exactly a hub of activity. We linger outside a door, catch a glimpse of the nameplate on it: *Internet Research*.

**INT. INTERNET RESEARCH UNIT - MOMENTS LATER**

A meager lab manned by a half dozen lowly staffers. These aren't Microsoft's best and brightest; these are its most disposable. Engineers confined to a purgatory of inactivity.

A bespectacled staffer lounges at his desk, feet up. Another smokes a cigarette. A third listens to their walkman.

The group's startled when they hear A LOUD RUMBLE. Thunderous, like a train approaching.

The staffers exchanged glares of confusion. *What the hell is that?* The rumbling continues, grows louder.

Our bespectacled staffer rises from his desk. Moves to the door and peeks his head into the...

**INT. HALLWAY - CONTINUOUS**

As dozens, if not hundreds, of Microsoft employees march down the hallway, moving boxes in hand. The calvary has arrived. Off our staffer, stunned.

**INT. BILL'S OFFICE - DAY**

Rather sparse for a master of design. There are only two things on the wall: a diagram of the first Intel chip, and Bill's Economist cover stories.

Bill sits at his desk, mid-conference call, on speakerphone. Ballmer sits across from him, knees bouncing in anticipation.

BILL GATES

(into phone)

From this point on, Microsoft is an internet company. It is our primary focus, and we're confident we'll deliver a product whose performance is unparalleled.

REPORTER (O.S.)

Bill, Joel Brinkley from the Times.  
Will the browser remain fifty  
dollars a year?

BILL GATES

No, it will not.

Bill cuts himself off, smiles as he waits for the follow up.  
Ballmer motions as if to say *come on! Ask.*

JOEL BRINKLEY (O.S.)

What will it cost?

BILL GATES

Nothing.

A stunned silence. Ballmer punches the air.

BILL GATES (CONT'D)

We could charge forty dollars for  
the browser like some others, but  
that's not right. The internet is  
an important tool, and there should  
be no barrier to entry. Internet  
Explorer will be bundled with all  
Windows systems, and it will be  
offered free of charge.

Murmurs from the callers. This is a stunning development.

#### **INT. OFFICE - DAY**

The plethora of degrees on the wall indicate this is home  
to a remarkably intelligent and accomplished person.  
Harvard undergrad, Columbia Law...

The recipient of these degrees -- ALISON BARNES, 46, -- is  
asleep at her desk, head buried on the uncomfortable hardwood  
table. A TELEVISION BLARES in the background. A news report.

Alison snaps to, brushes the hair from her eyes.

BROADCASTER (O.S.)

-- it's a devastating blow to  
Netscape, who can't afford to offer  
their browser for free, whereas  
Microsoft has billions in cash  
reserves.

Alison studies the report with interest, if not concern.

BROADCASTER (O.S.) (CONT'D)  
 Bill Gates made one thing clear  
 today. He wants the browser market,  
 and he wants it badly.

A KNOCK on the door. A SECRETARY enters.

SECRETARY  
 Phone call. It's Klein again.

Alison shakes her head. The Secretary sighs, exits. Alison  
 grabs a remote, shuts the TV off, lays her head back down.

**INT. BILL'S OFFICE - NIGHT**

Bill remains at his computer, hard at work. Daniel Rosen,  
 the executive from the fateful Netscape meeting, enters.

DANIEL ROSEN  
 Netscape's stock is down thirty  
 dollars.

BILL GATES  
 Good. But not good enough.

Bill opens his email. Drafts a new one. The recipient: Steve  
 Case. AOL address. In the body of the email, Bill types:

*Today's your lucky day. How much do I have to pay you to  
 screw Netscape?*

Bill hits send. Turns back to Rosen.

BILL GATES (CONT'D)  
 Have a chat with our partners.  
 Make our priorities clear.

**INT. CONFERENCE ROOM, NETSCAPE OFFICE - DAY**

A war room now. A large whiteboard rests on the wall.  
 Names are crossed out: Compaq, AOL, Gateway, Intel.  
 There are numbers next to each carrier: 2m, 5m, etc.

Marc sits at the head of the table, surrounded by his team.  
 Clark studies the board, dejected.

The ticker's visible from the office. Netscape's stock has  
 plummeted to \$52 a share.

JAMES BARKSDALE  
 Maybe we launch an aggressive P&A  
 spend.

(MORE)

JAMES BARKSDALE (CONT'D)  
If we can't get to the carriers, we  
need to get to the people. We  
launch a major marketing campaign.  
Get folks excited, demanding the  
browser...

ERICA BINA  
It'd take an awful lot of demand  
for a carrier to change course and  
shun Microsoft.

JAMES BARKSDALE  
Ballpark it for me.

ERICA BINA  
At least thirty percent of their  
customer base.

JAMES BARKSDALE  
Can we get a million and a half AOL  
customers to --

Marc chimes in.

MARC ANDREESSEN  
-- we have to question our  
assumptions.

JIM CLARK  
Which are?

MARC ANDREESSEN  
That we have the best product.  
That our browser's superior to  
Explorer. What if it's not?

A confused silence.

MARC ANDREESSEN (CONT'D)  
What if the bugs are derailing the  
consumer experience? What if the  
reason we're losing is because  
folks are dissatisfied and --

ERICA BINA  
-- we don't get complaints.

MARC ANDREESSEN  
Then how is this happening?

JIM CLARK  
Because the best product doesn't  
always win.

Marc's utterly perplexed by this.

JIM CLARK (CONT'D)

The best deal does. What can we offer the carriers to jump ship?

Silence. It's clear the answer is nothing.

MARC ANDREESSEN

When are we meeting Lenny Hall?

JIM CLARK

Friday.

MARC ANDREESSEN

Think he's going to break up with us too?

Clark nods, grim.

**INT. BAR - NIGHT**

A dive. LENNY HALL, amiable 50something CEO, is several drinks deep, trying to ease the pain of this conversation. Marc, Bark, and Clark sit across from him.

LENNY HALL

Look, this wasn't an easy decision.

MARC ANDREESSEN

What did Microsoft offer?

LENNY HALL

Life. It was preferable to the alternative. We can't afford to piss them off.

MARC ANDREESSEN

Why?

LENNY HALL

They're leveraging the O.S.

JIM CLARK

The browser and the operating system are two different products.

LENNY HALL

Not in their eyes. It's a package deal. If you want one, you gotta take both. Otherwise, you're shit out of luck.



JAMES BARKSDALE

They said this to you. Explicitly.  
 (off Lenny's nod)  
 DOJ barred them from packaging in  
 ninety-four.

LENNY HALL

It sure hasn't stopped them.

The men exchange a look of bewilderment.

**EXT. PARKING LOT - NIGHT**

Cars zip by as the team strides toward theirs. Marc's contemplative, while Clark and Bark are positively chipper.

MARC ANDREESSEN

It's not just immoral; it's  
 criminal.

JIM CLARK

I'll call Reback. We have more than  
 enough ammo to take them to court.

JAMES BARKSDALE

Maybe we don't have to. Why should  
we sue?

A beat. Clark's eyes light up in recognition.

JIM CLARK

DOJ?

JAMES BARKSDALE

They already put 'em on probation.  
 Klein's been looking for a way to  
 send 'em to the clink. When he  
 hears about this...

MARC ANDREESSEN

It's going to look just like he  
 said... we couldn't hack it so we  
 ran to the government. Our work --

JIM CLARK

-- will cease to exist if we do  
 nothing. They'll bleed us dry.

JAMES BARKSDALE

We can't outlast 'em. But we can  
 damn sure fight 'em.

Off Marc, wavering...

**EXT. NETSCAPE OFFICE - NIGHT**

A trio of Microsoft employees scurry onto the property, invading rebels giggling like schoolchildren.

An object is hoisted over their shoulders. We can't quite see what it is, but it's clear this thing is heavy.

The trio reaches a small pond outside the office. They dumps the object into it. Water flies as it lands with A THUD.

The employees exit, and WE HOLD ON THE POND.

Night turns to day. THE SUN RISES.

The object in the pond is now visible. What is it exactly? A nine foot large "e", the symbol of Microsoft's Internet Explorer.

Marc enters the frame. Studies the symbol. He pauses. Then, ambles past it, head down, increasingly weary.

**INT. MARC'S OFFICE - DAY**

THWACK! A thick legal document lands on Marc's desk with a thud. Clark and Bark hover over it while Erica lounges.

JIM CLARK

We're ready.

JAMES BARKSDALE

The brief lays out every gory detail. We can have it on Klein's desk by morning. All we need is a green light.

Marc doesn't bother to open it, rubs his forehead.

MARC ANDREESSEN

We lost another thirty thousand users today.

ERICA BINA

Last week was worse.

MARC ANDREESSEN

If that's supposed to comfort me, it doesn't. Rick and Jen gave notice today. They're off to IBM...

JIM CLARK

Defections are only natural at this stage.

MARC ANDREESSEN

What stage is that?

A silence. Nobody wants to answer the question. Marc shifts his gaze to THE BULLPEN. Home of the walking dead.

Marc's colleagues are distracted. Lifeless. Morale is low.  
The electronic ticker has been discarded in the trash.

JIM CLARK

We're still not going to be able  
to make payroll.

MARC ANDREESSEN

So we each sell a few thousand  
shares. That'll get us through the  
quarter, and then maybe --

JAMES BARKSDALE

-- not an option. We're not some  
no-name shareholders. If the folks  
on Wall Street learn that the  
founders and CEO are selling,  
we'll be in the toilet in no time.

JIM CLARK

If we want to remain solvent,  
we have to lay some folks off.

MARC ANDREESSEN

How many?

Clark, Bark, and Erica share a glance of dread. They *really*  
don't want to deliver this news.

ERICA BINA

A hundred and ten.  
(before Marc can finish  
calculating)  
Sixty percent of the staff.

This tears through Marc like a bullet. A beat.

MARC ANDREESSEN

It used to be so loud in here.  
The team. The cannon fire. Now  
there's nothing but silence.

JIM CLARK

Let's make some noise again.

Marc pauses. Frayed. Defeated. He seizes the brief.

Marc studies it, then extends it to Clark with a nod.

**CUT TO:**

An envelope, cradled in the hands of a COURIER outside --

**EXT. OFFICE OF THE DEPARTMENT OF JUSTICE - DAY**

The courier bounds towards its entrance.

**INT. MAILROOM, DOJ BUILDING - DAY**

The envelope is sorted onto a mail cart, alongside dozens of others parcels. A pair of hands push the cart forward.

**INT. ELEVATOR, DOJ BUILDING - MOMENTS LATER**

The cart lingers in the elevator. DING! We've reached the fifth floor. The doors open and the cart is propelled into...

**INT. ANTI-TRUST DIVISION, DOJ BUILDING - CONTINUOUS**

WE MOVE THROUGH THE OFFICE, past a myriad of employees, as mail is dispersed. The cart turns a corner. A hand reaches into frame, grabs our envelope, and drops it on --

-- A DESK. WE PAN UP to the face of the recipient. A SECRETARY, no more than thirty. He studies the package with curiosity. Grabs it. Rises from his desk. Turns and enters...

**INT. JOEL'S OFFICE - CONTINUOUS**

... where Joel's buried in a series of documents.

SECRETARY

Package for you, boss.

Joel examines the envelope. It's thick. Heavy. Bears an unfamiliar Silicon Valley address.

JOEL KLEIN

The fuck is this.

He opens it. Finds Netscape's brief. All 220 pages of it. As Joel flips through it, his eyes widen with wonder. He gazes at the brief like manna from heaven.

**INT. ATTORNEY GENERAL'S OFFICE - DAY**

Klein and Deputy ERIC HOLDER assemble around a desk. All eyes are on JANET RENO, 57, Church Lady aesthetic with the Devil's backbone, as she flips through the Netscape brief.

JANET RENO

My mother always said don't ask for permission, ask for forgiveness. Mr. Gates asks for neither.

ERIC HOLDER

He doesn't give a damn about the decree.

Reno lays the brief down, looks at Joel.

JANET RENO

There's a case here, yes?

JOEL KLEIN

Absolutely.

JANET RENO

How would you like to proceed?

JOEL KLEIN

Is that a legal question or a political one?

JANET RENO

Do you have a degree in law or political science?

JOEL KLEIN

Both, actually.

Joel can't help but smirk. Reno is less amused.

JANET RENO

That was rhetorical.

ERIC HOLDER

They'll deploy their usual argument, and they'll do so effectively. "Regulation kills innovation. Big government has no right to intervene..."

JANET RENO

I'm not as concerned with their argument as I am with ours. Can we prove he's a monopolist?

ERIC HOLDER

Even if we could, the case would consume the entire division. We're not equipped to fight a company with Microsoft's resources...

JOEL KLEIN

You're right...

(beat)

...but we have a responsibility. We have to step up to the plate.

JANET RENO

What do you need to get it done?

JOEL KLEIN

A miracle worker.

JANET RENO

Then find one.

**INT. WALKER'S TAVERN - NIGHT**

A hole in the wall. Alison sits alone, nose buried in a file as she munches on a cheeseburger. A SLEAZY GUY takes a seat in front of her.

ALISON BARNES

Not interested.

SLEAZY GUY

Married?

ALISON BARNES

A few times.

SLEAZY GUY

Huh. I've never been afraid of a challenge. I'm Bobby.

ALISON BARNES

Know who says something like that, Bobby? People who have never actually been challenged.

SLEAZY GUY

What are you reading?

ALISON BARNES

The fifth circuit's ruling on loco parentis in Scott v. Board of Ed. Care to discuss?

The sleaze, finally taking the hint, raises his hands in mock self defense and exits. A beat. Alison returns to her reading as Joel Klein takes his seat. Without looking up --

ALISON BARNES (CONT'D)  
Not you again.

JOEL KLEIN  
You didn't even hear my proposal,  
Counselor.

Alison looks up, sees Joel. Her surprise is palpable. Joel reaches for her plate, grabs a fry.

JOEL KLEIN (CONT'D)  
I've been trying to reach you.  
Wanted to catch up.

ALISON BARNES  
Are we going to pretend to be  
friends now?

JOEL KLEIN  
Let's pretend to be colleagues.  
Matter of fact, why even pretend?  
You're the best trial lawyer in the  
country. I happen to be in need of  
one of those.

Alison furrows her brow, guarded yet intrigued.

**INT. ANTI-TRUST DIVISION, DOJ BUILDING - DAY**

Joel leads Alison through the office, in full salesman mode.

ALISON BARNES  
I don't know how many times I have  
to say it... I can't do it.

JOEL KLEIN  
If you couldn't do it, you wouldn't  
be here. You're looking for is a  
reason to say yes, so I'll give ya  
one. Repping white collar crooks is  
about as fulfilling as a salad at a  
steakhouse. You're miserable, and I  
don't blame you.

ALISON BARNES  
You think I'm miserable now?

JOEL KLEIN

The IBM case was flimsy. This is rock solid. This is the winner.

ALISON BARNES

I wouldn't be so sure. I don't know if it's prosecutable, and I don't even know if they have a monopoly.

JOEL KLEIN

Don't be ridiculous.

ALISON BARNES

You got Standard Oil because there's a restriction on the product. There's only so much oil in the ground. There's no restriction on innovation. A kid sitting in his mother's basement could design a miracle product and own this market within a year.

JOEL KLEIN

Some kid already did. They're crushing him.

Alison considers this.

ALISON BARNES

What about Apple? They're a legitimate competitor with --

JOEL KLEIN

-- Apple? No.

Joel shakes his head with disgust. Turns away from Alison. Yells to the dozens in the bullpen.

JOEL KLEIN (CONT'D)

Everybody, quick poll. Who here uses an Apple product?

No hands raised.

JOEL KLEIN (CONT'D)

Who here uses Microsoft?

Slowly but surely, every single person in the room raises their hand.

JOEL KLEIN (CONT'D)

(sotto, to Alison)

That's a monopoly.



The duo keep walking, and enter --

**INT. JOEL'S OFFICE - CONTINUOUS**

Joel takes a seat. Alison remains standing, unyielding.

JOEL KLEIN

I know I'm asking a lot, but I need you. Somebody's gotta slay the giant. Somebody's gotta restore fairness and decency. Don't you want that somebody to be you?

ALISON BARNES

No. There's a reason I ran. The last one took thirteen years. I can't do it again... I can't give everything and lose.

JOEL KLEIN

We have more ammo than we ever had on IBM. We can make this right.

Klein extends a file. A beat. Alison seizes it, reads.

JOEL KLEIN (CONT'D)

We won't lose. Promise.

Alison studies the notes, tries to suppress her intrigue.

ALISON BARNES

I have cases pending...

JOEL KLEIN

I can give you a week to wrap 'em up. How much do you make an hour? Four fifty, five hundred --

ALISON BARNES

Six and a quarter.

JOEL KLEIN

I can offer you forty bucks and a desk with a view.

Alison exhales.

**INT. LIVING ROOM - NIGHT**

Alison studies her daughter, HALEY, 7, as she plays in an adjacent room. She smiles faintly before her gaze shifts back to CHARLES, 52, her bespectacled ex-husband.

CHARLES

I'm happy to take care of her,  
but I don't understand why.

ALISON BARNES

It's a job.

CHARLES

Exactly. You could have said no.  
You could have stayed at the firm  
and had as much time with her as  
you want.

ALISON BARNES

They need me.

CHARLES

So does she. It's selfish. You're  
chasing a ghost. I saw the toll IBM  
took. It nearly killed you. And us.

ALISON BARNES

You took care of that just fine.

Charles ignores the jab, presses on.

CHARLES

It took years for you to build  
yourself back up. To make a life.  
Are you willing to sacrifice it  
all for some revenge?

ALISON BARNES

Revenge, no. But justice... yes.  
I'm not just doing this for me.  
(looks to Haley)  
I don't want her growing up in a  
world where billionaires live by a  
different set of rules.

Charles considers this. He exhales, nods sympathetically.  
He and Alison look to Haley.

CHARLES

When do you start?

**INT. NETSCAPE OFFICE - DAY**

Alison sits outside Marc's office. Studies the bullpen.  
It's half empty. A shell of its former self. An employee  
packs up their desk. Another layoff. Several colleagues watch  
with a mixture of sadness and fear. Wonder: *am I next?*

Alison peers inside Marc's office as -- he delivers the bad news to Angie. Another layoff. Marc's gaunt. There are bags under his eyes. He struggles to get the words out.

A beat. Angie exits. She tries to keep it together, hold back the tears. Angie takes a seat at her desk, buries her head in her hands. Alison watches, considers this.

**INT. MARC'S OFFICE - DAY**

Alison sits across from Marc, notepad in hand.

ALISON BARNES  
He said those exact words?

MARC ANDREESSEN  
They're impossible to forget.

ALISON BARNES  
Hell of a first meeting.

MARC ANDREESSEN  
I dreamed of what it'd be like.  
Not just when I received the  
letter, but for a long, long time.  
Even had his picture on the wall of  
my dorm. My roommates laughed but  
to me he was... special.  
(beat)  
I shouldn't have antagonized him.  
We could have skated by. We could  
have avoided all of this.

Alison studies Marc, the pain on his face.

ALISON BARNES  
This may not be much of a comfort,  
but you're wrong. You could have  
been as quiet as a church mouse.  
It wouldn't have made a difference.  
Guys like Gates hate losing more  
than they love winning. If you were  
number one, he was always going to  
come after you.

Marc nods with reluctance, knows that Alison's right.

MARC ANDREESSEN  
Is he beatable?

ALISON BARNES  
We'll see. We have a strong case.

Not quite the answer Marc wanted, but it's all Alison is willing to give.

MARC ANDREESSEN

Why'd you upend your life if the answer isn't a resounding yes?

ALISON BARNES

Unfinished business.

**INT. BRIANA SULLIVAN'S OFFICE - DAY**

Meticulously organized and utterly professional. No degrees or commendations on the wall, though BRIANA SULLIVAN, 46, has quite a few.

It's the weekend and the cubicles outside are empty, yet, Briana sits at her desk in a designer suit. She flips through a brief as she pleads with her DAUGHTER on speakerphone.

BRIANA SULLIVAN

Twenty minutes then we're off to tap. I just need a little longer.

DAUGHTER (O.S.)

But it's Saturday! God, I never wanna be a lawyer.

BRIANA SULLIVAN

That is such a relief.

Briana's fax machine whirs to life. Spits out a piece of paper. Briana ambles over to it. Seizes the cover page. Sees the letterhead of THE DEPARTMENT OF JUSTICE.

Briana furrows her brow. Grabs the second page. The phrase: INVESTIGATIVE DEMANDS rests at the top.

Briana looks to the top right corner of the page. This is page one... of four hundred and thirty. Briana reads on, concern growing.

BRIANA SULLIVAN (CONT'D)

(toward phone)

Honey, you're gonna need a ride.

A VIOLENT THWACK carries us to --

**EXT. GOLF COURSE - DAY**

Ballmer, in a thicket of trees, is off the beaten path. His ball's surrounded by debris.

He picks it up, clears the brush, and places the ball back down. As he lines up a swing, Bill shakes his head.

BILL GATES

Bad placement. You're six inches to the right.

Ballmer stops. Looks to the ball. Then Bill. Rolls his eyes.

STEVE BALLMER

We're two hundred and thirty yards from the hole.

BILL GATES

So surely you won't mind putting it back in the right place.

STEVE BALLMER

Actually, I would.

BILL GATES

If you want to ignore the rules and cut corners --

Ballmer's face flushes red as THE VROOM of A CART APPROACHING interrupts the men. Briana slams on the brakes. Approaches.

STEVE BALLMER

How'd you find us?

BRIANA SULLIVAN

I knew you were playing, so I checked the sand-traps first, here second.

Ballmer smirks. Bill, however, knows something's wrong.

BRIANA SULLIVAN (CONT'D)

Your pals at Netscape put together a white paper. It cries abuse of power, predatory behavior, monopoly. Klein's opening an investigation. He wants eighteen months of company wide emails.

BILL GATES

So? Give them to him.

Bill returns to the matter at hand, moves Ballmer's ball.

BRIANA SULLIVAN

It'll take my team a few weeks to vet it all, but we'll move quickly.

BILL GATES

No vetting necessary. I want complete transparency. We have nothing to hide.

BRIANA SULLIVAN

You're certain there's nothing I need to be concerned about?

BILL GATES

Absolutely.

Off Ballmer, as a hint of doubt creeps into his eyes.

STAFFER (PRE-LAP)

I got it!

**INT. CONFERENCE ROOM, ANTI-TRUST DIVISION - NIGHT**

Alison, Joel, and a half dozen staffers sort through mountains of Microsoft emails as they eat Chinese food.

IN THE BULLPEN -- two dozen more huddle together, sort through documents, work the phones. This place is rocking.

A STAFFER seizes a piece of paper with excitement.

STAFFER

Gates writes "the concept is that for twenty-four months, Netscape agrees to certain things in the browser space and we agree to help make their servers successful". He's trying to divide the markets. That's illegal.

ALISON BARNES

The language is too ambiguous, and there's no underlying threat. In Microsoft's eyes, it's a mutually beneficial arrangement.

The staffer sighs while ANOTHER fumbles her piece of paper. Reads it once. Twice. Can't believe what she's seeing...

JOEL KLEIN

There won't be a smoking gun here. They're too smart to put extortion on paper. We have to build an argument through subtext, looking at the margins of the page...

STAFFER 2

... no, I think we focus on what's in the body of it. Gates to Steve Case. December 7th. "How much do I have to pay you to screw Netscape?"

A stunned silence. Alison grabs the paper. She scans it. Smiles with amazement.

**INT. BILL'S OFFICE - NIGHT**

Bill and Ballmer sit across from their esteemed legal team. Briana looks to Bill. She's accompanied by JOHN WARDEN, 57, gravely voice and world-weary eyes.

BRIANA SULLIVAN

DOJ's offering us last rites. They want to meet next week. We're confident they'll think twice about moving forward once they hear our argument.

JOHN WARDEN

They want to say we engaged in monopolistic practices? Great. They have to prove that we've harmed consumers and engaged in predatory behavior. We didn't disadvantage a single customer, and predatory behavior presumes we preyed on the weak. Netscape was a legitimate threat.

BRIANA SULLIVAN

We killed them before they killed us. That's the argument.

BILL GATES

That's not going to work. Netscape was never a threat.

Warden can't help but scoff. Even Ballmer's taken aback. Briana recalibrates, takes a more measured approach.

BRIANA SULLIVAN

If that's true, why meet with Andreessen and make him the offer?

BILL GATES

We were interested in the web and needed to clear the runway. They were a nuisance. Nothing more.

BRIANA SULLIVAN

You may believe that, but DOJ won't. You can declare self defense and have a chance at getting off scot free... or you can allow yourself to be tried for murder.

BILL GATES

Murder it is.

Bill curls up, raises his knees to his chest.

BILL GATES (CONT'D)

They don't have a case here. The worst that could come of this is I fall down the steps of the DOJ building, hit my head, and kill myself.

JOHN WARDEN

They'll have a case if you allow them to. Bill, you have to let us do our jobs.

BILL GATES

I refuse to be penalized for my intelligence.

BRIANA SULLIVAN

The government's not coming after you because you're smart; they're coming after you because you're dominant.

BILL GATES

I don't see the distinction.

BRIANA SULLIVAN

It wouldn't kill you sometimes. To be modest. To acquiesce. You've already cost us once. The email exchange was disastrous. Please don't hurt us again. What means more to you -- your pride or the future of this company?

This lands. Bill's face betrays a hint of concern.

**INT. BILL'S BEDROOM - NIGHT**

Bill's wide awake, troubled. Melinda inspects him, concerned.



BILL GATES

I don't understand why this is happening.

MELINDA GATES

You're an easy target.

BILL GATES

All I've done is provide a service.

Melinda strokes Bill's face, tries to ease his worry.

BILL GATES (CONT'D)

In sixth grade, my teacher, Miss Jenkins, asked the class a series of questions about the Renaissance. I knew the answers, so I raised my hand. Once, twice, again and again. Five questions in, I'm batting a thousand, and Miss Jenkins tells me to stop. She says I'm showboating. She says it's not becoming. When she asked the sixth question, my classmates were dumbfounded. Not a single hand shot in the air. So, I raised mine. I answered the question. Correctly, by the way. Miss Jenkins sentenced me to a week of detention.

(beat)

I don't understand why people have such a problem with excellence. What am I doing wrong?

Bill stares at the ceiling, searching for answers.

**INT. CONFERENCE ROOM, DEPARTMENT OF JUSTICE - DAY**

The air's thick with tension. Bill and his legal team stare back at Alison, Joel, their colleagues, and THE WHITE HOUSE. The imposing structure's just a few hundred yards away, as revealed through the window behind Joel.

This intimidation tactic is not lost on Bill, yet he doesn't bat an eye.

JOEL KLEIN

Thanks for coming in. We appreciate your cooperation and hopefully your candor. I took a look at these...

Joel Klein holds up two disks. One reads "Windows 98", the other "Internet Explorer 3.0".

JOEL KLEIN (CONT'D)

It's awfully easy to separate them.

BRIANA SULLIVAN

Berkey v. Eastman. "Any firm may bring its products to market whenever and however it chooses." Is it easy? Sure. Practical? No.

JOEL KLEIN

US v. Microsoft. Remember that one? Three years ago, we sat at this table and you agreed to stop bundling products to kill competition.

BRIANA SULLIVAN

We've abided by the decree, even if the government's intrusion in the software business concerns us.

ALISON BARNES

We have concerns as well. Quite a few, in fact. We're here because we want to understand your position.

BRIANA SULLIVAN

Our position...

Briana looks to Bill, who's contemplative. A silence. He makes a decision, and shakes his head.

Bill won't allow Briana to proceed with her argument. She inhales, then pivots with ease if not satisfaction.

BRIANA SULLIVAN (CONT'D)

Our position's that not a single consumer was harmed by the integration. We made our customers lives easier. Why buy two pieces of software when you can get 'em as a package deal?

JOEL KLEIN

You didn't integrate for consumers sake.

JOHN WARDEN

I was unaware you were a clairvoyant, Joel. Tell me what else Mister Gates was thinking.

ALISON BARNES

He was thinking about leverage, leverage he used repeatedly to hurt Netscape. To obtain what is, in effect, a --

BILL GATES

-- I'm going to have to stop you there, Miss Barnes. I fear you were about to use that pesky 'm' word and I need to correct you. We don't have a monopoly because a monopoly cannot exist in the information age. There's nothing we have that guarantees our position in the market.

ALISON BARNES

You have the operating system.

BILL GATES

Someone can build a better one. You give me any seat at the table -- Linux, Java, Sun -- and I can blow away Microsoft.

JOEL KLEIN

Andreessen had a seat at the table and you killed him.

BILL GATES

Forgive me, I haven't checked the market this morning so my information may be faulty, but as of yesterday evening, Netscape's stock was selling at twenty-six dollars a share. How much damage did we actually do?

Briana can't help but smile.

ALISON BARNES

Let's stop living in the land of make believe. Netscape's on life support. Its value has been halved and continues to freefall. This was your intent.

BRIANA SULLIVAN

Our intent was to offer a great product at a low cost. Surely we can't be held accountable for the fact that Netscape's overpriced.

JOEL KLEIN

Everything's overpriced compared to a product that's free.

JOHN WARDEN

Would you rather us charge an arm and a leg?

ALISON BARNES

We'd rather you be honest. You offered Netscape a raw deal, and when they refused you, you leveraged the O.S. to destroy them.

JOEL KLEIN

You know, once the United States government files suit, everything changes. People will start to come forward and line up to testify against you. Others will start to question and resist you. The whole world will change.

BILL GATES

I didn't come here to be threatened.

JOEL KLEIN

Not so fun when the shoes on the other foot, huh? You're gonna stop the integration and offer a third-party browser to all your customers.

Bill can't help but laugh. Loudly.

BILL GATES

That's a non-starter. I thought you'd learn your lesson after IBM. If you want to devote another decade to a battle you can't -- and shouldn't -- win, be my guest. What we value at Microsoft is independence and innovation. Ridding us of that is shameful.

With that, Bill rises from the table. His team follows. While Alison's anxious, Klein steels himself. *Time for war.*

**INT. PRESS ROOM, DOJ BUILDING - DAY**

Reporters pack the place like sardines. CAMERAS FLASH.  
 JANET RENO holds court at the podium, an army behind her.  
 Joel, Alison, and 20 STATES ATTORNEY GENERALS linger.

JANET RENO

The lawsuit we have filed today  
 seeks to put an end to Microsoft's  
 unlawful campaign to restrict  
 innovation, deter competition, and  
 eliminate consumer choice.

**EXT. MICROSOFT CAMPUS - DAY**

Bill leads a hoard of reporters across a grassy knoll.

BILL GATES

The government's taken an  
 unprecedented step. They think it's  
 wise to intervene in America's most  
 successful and growing industry.

**INT. PRESS ROOM, DOJ BUILDING - SAME**

JANET RENO

Microsoft has been leveraging its  
 Windows operating system to force  
 its other products on consumers.

**INT. INTERNET RESEARCH UNIT - SAME**

Well mannered technicians tinker and nod hello as Bill leads  
 the reporters through the lab.

BILL GATES

They're trying to punish an  
 American company that has worked  
 hard to deliver innovative products  
 at an affordable price.

**INT. PRESS ROOM, DOJ BUILDING - SAME**

JANET RENO

Microsoft is in flagrant violation  
 of the decree it signed with this  
 Department, and, as a result, will  
 be fined one million dollars per  
day until changes are made.

**INT. FOYER, MICROSOFT BUILDING - SAME**

BILL GATES

I'll take the fine because what matters is the principle. Forcing Microsoft to include a third party browser, like Netscape, in our operating system is like forcing Coca Cola to include three cans of Pepsi in every six pack it sells.

**INT. PRESS ROOM, DOJ BUILDING - SAME**

JANET RENO

What we can't tolerate, and what antitrust laws forbid, are the barrage of illegal, anti-competitive practices Microsoft uses to destroy its rivals and to avoid competition.

**INT. MESS HALL, MICROSOFT BUILDING - SAME**

Bill sits across from the journalists, collegial. He leans over conspiratorially, as if he's sharing a secret.

BILL GATES

DOJ's not acting as an arbiter of the law; they're acting as a puppet of a failing company. Our friends at Netscape took a pitch high and inside, and instead of getting back in the batters box, they cried foul. I'm sorry, but that's life in the big leagues.

Several journalists nod. *That sounds reasonable.*

**INT. PRESS ROOM, DOJ BUILDING - SAME**

JANET RENO

Today, we take a major step toward the restoration of competitive balance in the computing industry.

Reno pauses for dramatic effect. Milks the silence.

**CUT TO:**

The same image, as projected on a television. We're in --

**INT. LIVING ROOM, MARC'S HOME - DAY**

The television is propped up against the wall. No stand yet. Barely any furniture, but plenty of unpacked moving boxes.

Marc studies the press conference, stoic. No triumphant smile. Elizabeth sits alongside him, grasping at straws.

ELIZABETH HORN

She was smart, rational, forceful.  
This is gonna be good for us.

MARC ANDREESSEN

Is it? The quarterly report came  
in today.

ELIZABETH HORN

How bad is it?

MARC ANDREESSEN

Clark's coming by in a bit.

ELIZABETH HORN

He better bring some wine.

MARC ANDREESSEN

He'll probably drink it all before  
the talk.

ELIZABETH HORN

What talk?

MARC ANDREESSEN

We're hemorrhaging cash. He's going  
to tell me we need to sell the  
company.

Off Elizabeth, shell-shocked. *How could this be happening?*

**INT. LIVING ROOM, MARC'S HOME - LATER**

Elizabeth pretends to read on the couch. Really, her interest is in the backyard where --

-- Marc and Clark huddle together, solemn. Clark gesticulates, rationalizes. Tries to soften the blow.

Marc shakes his head in disagreement, argues feverishly. Elizabeth studies Marc, his dream slipping away, heartbroken.

**INT. LIVING ROOM, GATES MANSION - NIGHT**

Bill lounges in his seat as Melinda huddles with Briana.

BILL GATES

I have to block out the entire day?

MELINDA GATES

Do you have a conflict?

BILL GATES

I'm supposed to meet the developers at five --

MELINDA GATES

-- I was being facetious.

BRIANA SULLIVAN

She'll depose you until you're blue in the face. She wants to see if you crack up. When she presses --

MELINDA GATES

-- respond with civility.

Melinda looks to Briana, nods. They've formed a united front.

BRIANA SULLIVAN

Answer each question as narrowly as possible. Don't offer more than what's been asked, and don't inject emotion into your responses. Be short and precise.

BILL GATES

That won't play well for the camera.

BRIANA SULLIVAN

Always the showman. The camera's strictly for transcription sake. The video's inadmissible at trial.

Melinda rubs Bill's knee, an attempt to comfort him.

MELINDA GATES

It'll be a walk in the park.

**INT. DEPOSITION ROOM - DAY**

A CAMERA looms in the corner of the room, red light blinking. Gates doesn't look at it, nor Alison and Briana, as he sips a Coke through a straw. He stares blankly past Alison.



ALISON BARNES

Which non-Microsoft browsers were you concerned about in December of 1995?

BILL GATES

I don't know what you mean. Concerned?

ALISON BARNES

What is it about the word concerned that you don't understand?

BILL GATES

I'm not sure what you mean by it.

ALISON BARNES

Is the term concerned a term you're familiar with in the English language?

BILL GATES

Yes.

ALISON BARNES

Does it have a meaning you're familiar with?

BILL GATES

Yes.

ALISON BARNES

Using the term concerned consistent with the normal meaning that it has in the English language, which browsers were you concerned about in December of 1995?

BILL GATES

Well I think I would have been concerned with internet explorer.

Briana smirks. Point, Gates.

ALISON BARNES

In 1995, did you believe that Netscape posed a serious threat to Microsoft?

BILL GATES

They were one of many competitors.

ALISON BARNES

Do you recall having concerns about Netscape's growing profitability?

BILL GATES

No.

ALISON BARNES

Let's take a look at Exhibit 41, a memo you wrote that December. You say "financial minded analysts will begin to consider how much of a revenue stream Netscape will be able to generate". Why was this important to you?

BILL GATES

Who said it was important?

ALISON BARNES

Is it your testimony that this is an unimportant sentence, sir?

BILL GATES

I don't think it's any more important than any other sentence in there.

ALISON BARNES

Is it any less important?

BILL GATES

Yes. It's not germane to the primary topic of the memo.

ALISON BARNES

If it wasn't germane to the primary topic, why include it?

BILL GATES

It was merely an observation.

Bill exhales, irritated. Briana shoots him a look: *relax*.

ALISON BARNES

Did you believe it was in Microsoft's interest to convince financial analysts Netscape was not going to be financially viable?

BILL GATES

I never had a goal to do that.

ALISON BARNES

Did you say to a Financial Times reporter in 1996, "our business model works, even if all internet software is free. We are still selling operating systems. What does Netscape's model look like if that happens? Not very good."

BILL GATES

I don't remember.

ALISON BARNES

You were speaking to Louise Kehoe. Do you have any reason to believe that Ms. Kehoe made that quote up?

Gates lifts his legs up and hugs his knees to his chest, in a defensive, child-like position.

BILL GATES

I don't know. I don't think reporters are infallible.

ALISON BARNES

If manipulating analysts was not a goal, sir, why did you later say that Microsoft's internet browser would be forever free?

BILL GATES

So customers could understand what our intent was.

ALISON BARNES

Is it your testimony that when Microsoft told the world its browser would be forever free, the desire to affect financial analysts' view of Netscape played no role in that decision?

BILL GATES

It's my testimony that the reason we told people the browser would be forever free is because that was the truth.

ALISON BARNES

You don't generally announce Microsoft products are forever free, do you?

BILL GATES

I have before. I've said that about the broad feature set that's in Windows. I remember an analyst talking to me about that once at an analyst meeting two years ago.

ALISON BARNES

Is there a transcript of that analyst meeting?

BILL GATES

Not...that conversation with that analyst, no.

ALISON BARNES

There generally are transcripts of analyst meetings, aren't there?

BILL GATES

Only of the formal q and a. This was... informal. Maybe during the cocktail hour. Or dinner. Or lunch.

ALISON BARNES

Well, which is it?

BILL GATES

It was in the informal part of the q&a. Whether it was on the way to the bathroom or the cookie table or the dinner or the cocktail hour, I can't say.

ALISON BARNES

Other than this conversation, which you say took place on the way to the bathroom or the cookie table or the dinner or the cocktail hour, was there any other time Microsoft publicly and explicitly asserted something would be forever free?

BILL GATES

I don't recall.

A loaded silence. Alison jots a note down. Bill bristles.

**MATCH CUT TO:**

That image of Bill, as projected on a TV screen. We're in --

**INT. JOEL'S OFFICE - NIGHT**

-- where Joel claps his hands with glee. Alison smirks.

JOEL KLEIN

Are you thinking what I'm thinking?

Before Alison can answer, Joel's Secretary enters.

SECRETARY

Armey again. He says it's urgent.

Joel shakes his head, shoos the Secretary away. He turns back to Alison with a grin.

JOEL KLEIN

Today's our lucky day.

**INT. AOL HEADQUARTERS - DAY**

Clark, Bark, Erica, and Marc sit across from STEVE CASE, 45, and a handful of AOL executives. They are suit-clad. Jovial. This is the antithesis of the Microsoft meeting. Marc, however, studies a proposal with disdain.

JIM CLARK

I'm glad we agree on the valuation.

JAMES BARKSDALE

The stock swap would be processed --

STEVE CASE

-- immediately. And we're not trying to hold ya hostage. There's no restriction on trades. You can hold on to your shares, or cash out at any time.

The team's more than satisfied. Marc keeps reading. A beat. Then -- he stops in his tracks. Looks to Steve.

MARC ANDREESSEN

What did he offer you?

STEVE CASE

I don't understand.

MARC ANDREESSEN

"Internet Explorer will remain AOL's default browser". You're giving us four billion dollars in AOL stock for... what exactly?

JIM CLARK

Forgive my colleague. We recognize there are a myriad of ways Netscape can add value to --

While the team recovers, Marc has no desire to play nice.

MARC ANDREESSEN

-- what did Gates say, I'll give you five bill to take Netscape off the table and hand me their code? I want to negotiate restrictions. How the code can be used and by whom.

JAMES BARKSDALE

When you sell a car, you don't tell the owner how to drive it. Come on now, Marc...

MARC ANDREESSEN

I'm not going to let you strip apart our creation --

JIM CLARK

-- would you mind if we took the night to think it over?

Case nods. The team shoots Marc a look of irritation.

**INT. BAR - NIGHT**

Dark and dingy. The team surrounds an argumentative Marc.

MARC ANDREESSEN

I'm not doing it, and I don't think we have to. The stock's rallying --

JIM CLARK

-- it's rallying because Wall Street's anticipating a sale. Case will find an application for the browser. He won't just destroy it.

JAMES BARKSDALE

And if he does, so what? The company's going belly up either way. We can either profit from the work we've done, or we can sit here and let it turn to ash.

JIM CLARK

This is a golden parachute. Take the deal and we all live to fight another day.

Marc looks to Erica, silently solicits her opinion.

ERICA BINA

I hate it as much as you do...

Marc brightens for a moment, buoyant...

ERICA BINA (CONT'D)

...but we can't say no to this. Forget us. If you take the deal, we can take care of our people. Make them whole. Something good can come from all this.

MARC ANDREESSEN

But it's our baby...

Clark, patience thin, butts in sharply.

JIM CLARK

You can't sink this. I won't allow it. I plucked you out of a dorm, handed you five million --

MARC ANDREESSEN

-- and you're happy to remind me every chance you get. You wrote a check, Jim; I wrote the code.

JIM CLARK

Do you know how much work it took so I could pick up a pen and give you everything you've dreamed of?

MARC ANDREESSEN

This is my creation.

JIM CLARK

And I own it. Since the moment we met, I've given you free rein to do whatever you wanted. I could have managed you. But, no. I let you create. I succumbed to your every whim and conceded every argument. I want something now. This one thing.

MARC ANDREESSEN

This one thing is our death.

JAMES BARKSDALE

Get your head outta your ass, son.  
We're already dead.

MARC ANDREESSEN

Then I'd rather be buried with my  
code intact.

JIM CLARK

We're taking the deal. If you  
refuse, we'll assemble the board,  
call a vote, and we will win.

MARC ANDREESSEN

You'd really do that...

Clark and Bark shrug. Erica doesn't know quite what to say,  
but she doesn't offer Marc support.

MARC ANDREESSEN (CONT'D)

I thought we were a team.

With that, Marc exits, deflated. His colleagues watch him go.

**INT. ANTI-TRUST DIVISION, DOJ BUILDING - NIGHT**

Dark. Empty. The entire staff's assembled in the conference  
room. We peer inside as Alison paces throughout it, legal pad  
in hand. She practices her opening as staffers consult.

**INT. AOL HEADQUARTERS - NIGHT**

Clark shakes hands with Steve Case. Bark and Erica watch,  
mournful yet relieved.

**INT. MARC'S HOME - NIGHT**

Marc trudges inside, with a moving box full of office gear.  
Elizabeth approaches. His face is a portrait of devastation.  
She wraps him in an embrace. Marc lets the box hit a floor  
with a THUD. Withers in her arms.

**INT. ALISON'S APARTMENT - NIGHT**

Well decorated, but not terribly lived in. Alison strides  
across her living room in her pajamas, steps over discarded  
sheets of paper as she continues to refine her opening.

She stops. Takes a seat. Rises with panic. Rushes into the  
bathroom. We hear the SPLASH of vomit hitting porcelain.



**EXT. FEDERAL COURTHOUSE - DAY**

A large line has formed outside the building. It's mayhem. We haven't seen this kind of fervor since the O.J. trial. Alison and Klein barrel past spectators and media alike. They clutch their briefcases tightly, ready for battle.

**INT. FEDERAL COURTROOM - DAY**

Dignified. Walnut benches. Stately, white marble walls. JUDGE THOMAS PENFIELD JACKSON, 61, rules this domain.

Marc sits in the gallery. Alone. Clark, Bark, and Erica are a few rows ahead. The distance is palpable.

Alison's gaunt. Sweaty. She rubs her hands together nervously. Joel senses this. He leans over, places a hand on her shoulder, and whispers --

JOEL KLEIN

You've got this. Give 'em hell.

Alison rises. Exhales.

ALISON BARNES

My name is Alison Barnes, and I represent the United States.

**EXT. MARC'S HOME - DAY**

Marc carries a trash bag to the curb. Dumps it in the bin. He walks back up the driveway. Nears his convertible. Stops. A beat. He stares long and hard at it.

**EXT. PORSCHE DEALERSHIP - DAY**

Our Salesman studies Marc's pristine vehicle, perplexed.

PORSCHE SALESMAN

Are you sure you want to do this?  
She's in great shape.

Off Marc's nod --

PORSCHE SALESMAN (CONT'D)

Mind if I ask why you're selling?

Marc gazes at the vehicle with contempt.

MARC ANDREESSEN

It reminds me of someone.

JUDGE JACKSON (PRE-LAP)  
Counsel, you may call your first  
witness.

**INT. FEDERAL COURTROOM - DAY**

Day Two. Judge Jackson studies Alison over his glasses.

ALISON BARNES  
The United States calls Bill Gates.

A stunned silence falls over the room.

ALISON BARNES (CONT'D)  
Your Honor, with permission, we'd  
like to play a series of excerpts  
from our deposition --

BRIANA SULLIVAN  
-- objection, Your Honor. This is  
outrageous. Mr. Gates voluntarily  
submitted to the deposition with an  
understanding that no footage would  
be played in Court.

ALISON BARNES  
We believe Mr. Gates perjured  
himself and this video stands as  
material evidence that speaks to  
the plaintiff's credibility.

JUDGE JACKSON  
Approach the bench, Counselors.

Alison, Joel, and Briana rush toward it with fury.

BRIANA SULLIVAN  
Your Honor, we had an  
understanding. If my client knew  
this would be admissible --

JUDGE JACKSON  
-- he would what?

BRIANA SULLIVAN  
He would have been more concerned  
with the optics of the recording.

JUDGE JACKSON  
Optics are irrelevant here,  
Counselor. Our concern here is the  
truth, and it appears there's a  
dispute over it. I'll allow it.

**MOMENTS LATER**

A TV blares as Briana shifts uncomfortably in her seat.  
(Note: Dialogue from the recording is italicized.)

ALISON BARNES

*Did you write Government Exhibit  
358 on or about December 5th, 1995?*

BILL GATES

*I don't remember doing so  
specifically, but it appears I did.*

ALISON BARNES

*It states "winning internet browser  
share is a very important goal for  
us". Do you remember writing that?*

BILL GATES

*Not specifically.*

ALISON BARNES

*When you're referring to internet  
browser share, which companies  
were included in that?*

BILL GATES

*No companies were included in that.*

ALISON BARNES

*If you're winning browser share,  
that must mean some other company  
is producing browsers and you're  
comparing your share of browsers  
with somebody else's browsers.*

BILL GATES

*I wasn't talking about any other  
companies.*

Judge Jackson chuckles, shakes his head. Alison pauses the  
tape, reads from the Exhibit.

ALISON BARNES

*A mere paragraph below, Gates  
writes "we have to surpass  
Netscape at every turn".*

**MOMENTS LATER**

BILL GATES

*I had no sense of what Netscape was  
doing at the time.*

Pause. Alison reads from a memo.

ALISON BARNES

Exhibit 268. "As the leader in web browsing software, Netscape could set the technical rules for internet computing."

**MOMENTS LATER**

BILL GATES

*I didn't see an investment in Netscape as something that made sense.*

Pause, again. Alison reads an email this time.

ALISON BARNES

Exhibit 315. Mr. Gates writes "an alliance is crucial. We could pay them money as part of the deal."

(beat)

What you've seen here today is a witness who, to put it kindly, has an adverse relationship with truth. This is Microsoft in a nutshell. Duplicitous. Arrogant. Mr. Gates believe he can operate with impunity. That the world is his...

**INT. TELEVISION STUDIO - DAY**

The set of *The Martha Stewart show*. Bill's on stage, all smiles, alongside MARTHA and her mother, MARTHA SENIOR. They're glued to a computer as Martha Sr. opens an email.

MARTHA SENIOR

I swear I know how to do it.

Martha Sr. enters an email address. Types a few words in the body. Moves to 'SEND'.

BILL GATES

You forgot one pesky little thing.

Martha Sr. looks back at the screen. Subject heading's blank. She enters the word 'Test'. Hits send. *Mission accomplished*. SHRIEKS OF APPROVAL from the crowd.

BILL GATES (CONT'D)

I'm so proud of you!

Martha Sr. wraps Bill in an embrace. He grins as he holds her tight, the portrait of warmth. Martha looks to Bill.

MARTHA STEWART

Thank you so much for stopping by.

BILL GATES

There's nowhere I'd rather be.

MARTHA STEWART

The brilliant Bill Gates...

Bill looks to the crowd, ready for the adulation he deserves. Instead, he sees A PRODUCER waving at them with fury, imploring them to cheer.

He's certainly not getting the same response Martha Sr. did. Equal parts perplexed and troubled, he frowns as the sluggish crowd delivers A MANUFACTURED ROAR. It carries to --

**INT. FEDERAL COURTROOM - DAY**

-- as a bead of sweat drips down Marc's forehead. He's on the stand. Briana, ever poised, circles him like a vulture.

BRIANA SULLIVAN

Had you ever heard the phrase "cut off your air supply" before?

MARC ANDREESSEN

Uh, yes. I believe Larry Ellison used it in an issue of Wired.

BRIANA SULLIVAN

So it's not an uncommon expression in the world of technology.

MARC ANDREESSEN

Does two individuals using it make it common? Or less of a threat?

Briana remains mum. Produces a document.

BRIANA SULLIVAN

I have here an email from Jim Clark, dated December 29th, 1994. It's addressed to Dan Rosen at Microsoft. Are you familiar with this email?

MARC ANDREESSEN

...no.

BRIANA SULLIVAN  
 Mr. Clark writes "working together could be in our self interest as well as yours. Perhaps you could take an equity position in Netscape."

Marc blanches. It's clear this comes a complete shock.

BRIANA SULLIVAN (CONT'D)  
 Mr. Clark, in a sworn deposition, confirmed that he made the initial outreach to Microsoft. Do you regard Mr. Clark as a truthful man?

MARC ANDREESSEN  
 I regard him as a businessman.

BRIANA SULLIVAN  
 Could Mr. Clark, clearly the aggressor here, have been the one to propose a division of markets?

MARC ANDREESSEN  
 Absolutely not.

BRIANA SULLIVAN  
 Do you have anything to substantiate this assertion?

MARC ANDREESSEN  
 No. Do you have anything to substantiate yours?

Briana smirks. Marc is as unglued as he is shellshocked.

**INT. COURTHOUSE FOYER - MOMENTS LATER**

Marc barrels through the hallway with irritation until -- Clark stops him. Pulls him aside.

MARC ANDREESSEN  
 What.

JIM CLARK  
 We needed cash. You wouldn't go public and we were bleeding.

MARC ANDREESSEN  
 You demanded we take them to Court without telling us you'd already undermined our entire case.

JIM CLARK

An email doesn't change anything.  
 So what if I reached out. They made  
 the proposal. They threatened the  
 vendors. They broke the law.  
 (off Marc's grimace)  
 You'll be getting a visitor  
 tonight.

**INT. KITCHEN, MARC'S HOME - NIGHT**

Marc sits at the table alongside Elizabeth. He's antsy.  
 His knees bounce up and down. Then -- A FLASH OF LIGHT.  
 A pair of headlights beam through the curtains. Marc rises.

**INT. FOYER, MARC'S HOME - MOMENTS LATER**

A contract rests on a dresser. Marc flips through it,  
 signs with fury. He doesn't bother to read a single word.  
 Erica stands at his door, guilt ridden.

ERICA BINA

They wanted to send a courier, but  
 I volunteered.  
 (silence, Marc signs more)  
 We're gonna throw a farewell party  
 in a few weeks. You should come.

Marc scribbles one final signature. Hands the contract to  
 Erica. Nods farewell. Shuts the door. Elizabeth approaches.

ELIZABETH HORN

You've had a day. Come to bed.

MARC ANDREESSEN

I'll be up in a bit.

Marc, wounded, scurries away into the recesses of the house.

**INT. KITCHEN, GATES MANSION - NIGHT**

Bill washes the dishes, despite the fact that there's a  
 state of the art dishwasher several feet away.

He's at odds with a plate. There's a small red dot on it.  
 It's nearly imperceptible, but Bill's intent on erasing it.  
 He scrubs voraciously. The dot remains.

The SHRILL RING OF THE TELEPHONE interrupts him. Bill wipes  
 his hands. Answers. Listens intently. A smile crosses his  
 face. He hangs up. Returns to the sink.

He gives the plate another good scrub. Holds it to the light. The dot's gone. Bill, the conquering hero, hums a song as he continues his work.

**INT. LIVING ROOM, MARC'S HOME - SUNRISE**

Elizabeth stands in front of the television, pajama clad, coffee in hand. AOL and Netscape logo's grace the screen as A REPORTER drones on.

REPORTER

The landscape of the technology industry has changed overnight...

A LOUD SQUEAL from the other room. Elizabeth shuts the TV off, moves to investigate.

**INT. KITCHEN, MARC'S HOME - MOMENTS LATER**

Elizabeth enters to find Marc, drill in hand, hovering over a light switch. He's disheveled. Restless. Near manic.

MARC ANDREESSEN

Hi! I'm so glad you're here.

ELIZABETH HORN

You never came to bed.

MARC ANDREESSEN

I was thinking about the lights.

ELIZABETH HORN

...the lights?

MARC ANDREESSEN

There's no reason this switch shouldn't service both the overhead light and the lamp. So...

Marc hits the switch. The light and the lamp both shine bright. He cackles with joy.

ELIZABETH HORN

That's great. You should sleep now.

MARC ANDREESSEN

Oh no. This is just the kitchen. I made a list. Of projects. The wiring in this place is just pre-historic. I have to start there.

Off Elizabeth, face creased with worry. *Who is this man?*



**INT. HALLWAY, DOJ BUILDING - DAY**

Joel walks alongside Attorney General Reno and her staff.

JANET RENO

Armey's going to pay you a visit soon. He's all hot and bothered. The Carmichael merger --

JOEL KLEIN

-- will get handled. We have a pretty full plate right now.

JANET RENO

I know. You're doing well. You're confident the sale won't have a material affect on the case?

JOEL KLEIN

Jackson didn't appear particularly moved. Took him half a second to reject Sullivan's motion to dismiss.

JANET RENO

Who else are you calling?

JOEL KLEIN

Doctor Franklin Fisher. Expert from MIT with thirty years in anti-trust. The guy's spent more hours in a courtroom than I have.

JANET RENO

So he'll deliver?

JOEL KLEIN

He'll do more than that; he'll put the nail in their coffin.

**INT. FEDERAL COURTROOM - DAY**

Joel's on the edge of his seat, waiting for the kill, as Alison questions DOCTOR FRANKLIN FISHER, a white-haired economist in a wrinkled gray suit.

DOCTOR FISHER

Microsoft has a monopoly. It's clear that computer manufacturers do not believe they have any alternatives to the acquisition and installation of Windows.

ALISON BARNES

Why is that?

DOCTOR FISHER

The bundling of the operating system and the browser created a chilling effect. It is, in my view, classic predatory behavior.

ALISON BARNES

Why does this behavior concern you?

DOCTOR FISHER

Netscape isn't the only one affected by this. Consumers are, too. Without competition, Microsoft will be free to raise its prices as it pleases. Future consumers will be victimized.

**MOMENTS LATER**

Cross-examination. Briana saunters to the witness stand.

BRIANA SULLIVAN

Doctor Fisher, you hypothesized that future consumers will be victimized by my client.

DOCTOR FISHER

It's not a hypothesis as much as it is a certainty.

BRIANA SULLIVAN

Tell me this with certainty, sir. Are current consumers being victimized by Microsoft?

Fisher pauses, mumbles ever so softly.

BRIANA SULLIVAN (CONT'D)

Doctor Fisher, I can't hear you. Are consumers being victimized by Microsoft? Yes or no.

DOCTOR FISHER

On balance, I would think the answer is... no, up to this point.

Judge Jackson leans forward, intrigued. Alison's frozen as Klein mutters a curse under his breath. RAT-TAT-TAT. A VIOLENT BANGING carries us to --

**INT. BEDROOM, MARC'S HOME - NIGHT**

Elizabeth's in bed, in the midst of a crossword puzzle. The TV blares, and momentarily captures her attention.

REPORTER (O.S.)

-- it was a major blunder for the prosecution, giving Microsoft momentum as it mounts its defense on Monday.

Elizabeth sighs. RAT-TAT-TAT. The banging persists, grating. Elizabeth rubs her forehead. Tries to block it out.

RAT-TAT-TAT. Elizabeth looks to the clock on the dresser. It's 12:15 A.M. She shakes her head. Screams:

ELIZABETH HORN

No hammering after midnight.  
Your projects can wait.

MARC ANDREESSEN (O.S.)

Sorry.

The hammering stops. THE WHIR OF A DRILL takes its place. Marc's work continues. Elizabeth grabs Marc's pillow, places it over her head.

**INT. JOEL'S OFFICE - NIGHT**

Joel sits silently as he receives a verbal lashing from MAJORITY LEADER DICK ARMEY, 55, all powerful and mad as hell.

MAJORITY LEADER ARMEY

The merger's been sitting on your desk for six damn months.

JOEL KLEIN

I'm sorry. It's been busy --

MAJORITY LEADER ARMEY

-- does it look like I give a shit? Without approval, Carmichael had to lay folks off. Twelve-hundred of my constituents are outta work. They're angry, and so am I.

Joel flips through several papers on his desk.

JOEL KLEIN

We're working as hard as we can, Dick. Carmichael's in the queue.

MAJORITY LEADER ARMEY  
I want this settled by the end of  
the week.

JOEL KLEIN  
...it's Thursday.  
(silence)  
I want to get this done as much as  
you do, but we've got a backlog of  
eighty mergers, and I can't  
prioritize Carmichael just cause  
you asked me to. The deal will get  
reviewed as soon as we can get our  
heads above water, I promise.

A stony silence from the Majority Leader. He's unsatisfied.  
He rises. Nears the exit. Then --

MAJORITY LEADER ARMEY  
I got a bill on the Hill I need to  
whip votes for yet I'm here...  
doing... this. Maybe you should  
spend less time up Gates's ass and  
more doing your job.

**INT. MODEL HOME - DAY**

Marc, shirt stained, trudges inside this picturesque ranch.  
He studies the room. Elizabeth enters, a smile plastered  
across her face. She's expecting a client.

ELIZABETH HORN  
Hi... what are you doing here?

Marc takes a knee, studies the flooring.

MARC ANDREESSEN  
I'm finished with the house.

ELIZABETH HORN  
That's great.

MARC ANDREESSEN  
I figured I'd lend a hand here.  
Free of charge. With some work,  
you could bump the price up another  
three, maybe four percent.

ELIZABETH HORN  
I appreciate the offer, but you  
can't do this.

MARC ANDREESSEN  
Why not? This carpeting is --

ELIZABETH HORN  
-- since when are you a professional handyman? I've been patient, but this can't go on forever. You're avoiding the problem. You need to think about what's next. IBM called today. That's the twelfth offer --

MARC ANDREESSEN  
If you removed it and exposed the wood --

ELIZABETH HORN  
-- tell me. What do you want?

Marc shrugs. His face is awash with confusion. Vulnerability. Elizabeth sighs and softens when she sees it.

ELIZABETH HORN (CONT'D)  
I have a couple coming in ten minutes and I have to prepare. Let's go out on Friday. Just you and me.

MARC ANDREESSEN  
Like a date?

ELIZABETH HORN  
Like a date. I'll make a plan.

MARC ANDREESSEN  
Okay. Are you sure you don't want any help here?

ELIZABETH HORN  
I'm sure. Thank you, sweetie.

Marc, rudderless, nods and exits. Elizabeth moves to the window. Peers outside. Marc's studying the siding.

#### **INT. ELEMENTARY SCHOOL GYMNASIUM - NIGHT**

A post-performance mixer. Costumed children scurry about. Alison kneels before Haley, who dons a tutu and tap shoes.

ALISON BARNES  
Honey, you were amazing! Grab your coat and let's get some ice cream.

Haley smiles, rushes off. Alison rises to her feet, and stands alongside Charles.

CHARLES  
She's very happy you made it.

ALISON BARNES  
So am I. I'm --

Alison blanches when she sees a familiar face in the crowd.

CHARLES  
-- getting out of here before the brawl starts.

Briana sidles up alongside Alison. Charles exits.

BRIANA SULLIVAN  
Nice re-direct today.  
(beat, before Alison can respond)  
It's too bad you don't have a chance.

ALISON BARNES  
Did you see the look on Jackson's face when we played the depo? He sees Gates for what he is.

BRIANA SULLIVAN  
What's that exactly?

ALISON BARNES  
You work for the man. You know.

BRIANA SULLIVAN  
What I know is that you didn't have a case against IBM, and you don't have one now. Points for trying, but at the end of the day, this comes down to me against you. And I'm better.

Haley returns, a smile on her face. Alison looks to her, smiles back, and turns back to Briana.

ALISON BARNES  
If you think this is about us, you've already lost. IBM's CEO was too smart to blackmail over e-mail. Yours wasn't, and he's gonna pay for it.

With that, Alison takes Haley by the hand and strides away.

**INT. ANTI-TRUST DIVISION, DOJ BUILDING - DAY**

Alison strides inside, copy of the Washington Post in hand. We catch a glimpse of an article: *MAJORITY LEADER LASHES OUT AT ANTI-TRUST DIVISION*.

It's clear the overworked staffers are feeling the effects of this. It's graveyard quiet. Faces are full of misery. Alison looks to the team.

ALISON BARNES

Hey guys! Conference room in ten.  
We have to prep for Rosen.

Grumbling from the crowd.

**INT. FEDERAL COURTROOM - DAY**

Daniel Rosen sits in the witness stand. Alison circles him.

ALISON BARNES

Did you believe in the spring of '95 that Netscape was a competitive threat to Microsoft?

DANIEL ROSEN

No, ma'am.

Alison grabs some paper from her desk, marches over to Rosen.

ALISON BARNES

Would you care to tell the Court who wrote this email?

DANIEL ROSEN

I did, but this was a first draft --

ALISON BARNES

-- that was transmitted to twelve Microsoft executives on May 15th at 12:48 A.M. What does the second paragraph of the email say? Please, read it for us.

Rosen swallows. Hard.

DANIEL ROSEN

"The threat of another company -- Netscape has been mentioned by many -- to use the browser as an evolution base could threaten a considerable portion of Microsoft's future revenue."

ALISON BARNES

Here today, you say Netscape was never a threat. On May 15th, you said otherwise. Did you believe that then?

DANIEL ROSEN

No.

ALISON BARNES

You didn't believe that, yet you sent this email to the twelve most senior executives at your company.

DANIEL ROSEN

I was just fleshing out some ideas.

ALISON BARNES

And your idea was that Netscape was a threat. That "our goal should be to wrest leadership of the browser evolution from them".

DANIEL ROSEN

It was just a thought.

Alison lets that hang. Rosen is flustered, scrambling.

ALISON BARNES

Let's talk about the June 21st meeting. You recommended, per an email written to senior staff, that markets be divided, correct?

DANIEL ROSEN

No, ma'am. I suggested we partner with Netscape on the server side, but not the browser.

ALISON BARNES

Per Exhibit 73, an email Mister Gates wrote to you, "the concept is that for 24 months, Netscape agrees to do certain things in the browser space and we agree to help make their servers successful".

DANIEL ROSEN

That was Mister Gates' position.



ALISON BARNES

But not yours? One hour later, you replied "this is very much in line with what I've discussed with Clark".

DANIEL ROSEN

I transmitted our position. Microsoft's position. Not mine.

ALISON BARNES

Not yours. You didn't believe Netscape was a threat, and you didn't believe a division of market was in Microsoft's best interest?

DANIEL ROSEN

No, ma'am.

ALISON BARNES

But Mister Gates did.

Briana, distressed, leaps out of her seat.

BRIANA SULLIVAN

Objection. Speculation.

JUDGE JACKSON

Sustained.

ALISON BARNES

No further questions.

With a nearly imperceptible smile, Alison heads back toward her seat. Warden shuffles through his notes. Rises. A beat. As he approaches the witness and tries to salvage this --

JUDGE JACKSON

Mr. Warden, it's always inspiring to watch people embark on heroic endeavors.

A chuckle from the gallery. The Judge's position is clear. Warden's face flushes red with embarrassment.

**INT. FOYER, MICROSOFT BUILDING - SUNSET**

Bill rushes toward his office with unrelenting fury. Daniel Rosen approaches, shoulders slumped in guilt.

DANIEL ROSEN

I'm sorry, boss. She was badgering me and I don't know what I said --

BILL GATES  
 -- I suppose you were just  
 "fleshing out some ideas".

DANIEL ROSEN  
 I know it could have gone better.

BILL GATES  
 It couldn't have gone worse.

Bill speeds past a deflated Rosen, and enters --

**INT. BILL'S OFFICE - CONTINUOUS**

-- where Briana's already waiting for him. She's cool.  
 Composed.

BILL GATES  
 Give me a number.

BRIANA SULLIVAN  
 Rosen hurt us. They may have us  
 cornered on bundling but their  
 argument for consumer harm's  
 specious. Their own expert agrees  
 we haven't hurt a soul.  
 (off Bill's cold stare)  
 Sixty-forty we beat 'em.

BILL GATES  
 That's it? That's not a number  
 I'm comfortable with.

BRIANA SULLIVAN  
 It's a number I just invented.  
 It doesn't mean anything.

BILL GATES  
 Yes, it does. How do we increase  
 our probability?

BRIANA SULLIVAN  
 We have an economist waiting in the  
 wings. He'll make a strong witness.

BILL GATES  
 We can't leave this to chance.

BRIANA SULLIVAN  
 We're not.

Bill considers this, contemplative, the wheels turning...

BILL GATES  
No... we're not.

Briana sees a familiar, mischievous glint in his eyes.

BRIANA SULLIVAN  
What are you about to do?

**EXT. PRIVATE TARMAC - NIGHT**

Feet march across concrete. WE PAN UP TO REVEAL BILL, who strides toward an idling jet with purpose.

**INT. PRIVATE JET - SUNRISE**

A piece of paper rest on a table in front of Bill. He scribbles. Stops. Peers out the window.

The sun rises over THE WASHINGTON MONUMENT. Bill's reached his destination. He returns to his paper. Studies it. Its heading: *Legislative Goals*.

**INT. MAJORITY WHIP'S OFFICE - DAY**

MAJORITY LEADER ARMEY and a half dozen of his colleagues chat amongst themselves. They rise the moment Bill enters, as if he's a visiting dignitary. Bill greets them with a handshake and a smile.

**INT. JOEL'S OFFICE - DAY**

Joel paces around his desk, phone glued to his ear. He bubbles with rage, holds an unmarked envelope in hand. It contains a page of the 1999 Congressional budget, along with a post-it note that reads:

*Good luck getting your head above water - Dick.*

JOEL KLEIN  
They can't cut our funding like this. This Department's in the midst of its biggest case since 1909 --

JANET RENO (O.S.)  
-- and you're doing an excellent job. You have my full confidence.

JOEL KLEIN

With all due respect, Miss Attorney General, confidence doesn't keep this place intact.

JANET RENO (O.S.)

I tried to roll back the cuts, but our friends in the House won't budge.

JOEL KLEIN

How much did Gates contribute to 'em? Even the mob doesn't try to whack a prosecutor during a trial --

Joel, seized by a coughing fit, halts.

JANET RENO (O.S.)

I understand your frustration, but there's no need for hysterics --

JOEL KLEIN

-- there's plenty need. We're already behind the eight ball, fighting a multi-billion dollar corporation with an exponentially greater sum of resources. I found my miracle worker, but even she can't save us. My people are overworked. Buried in the muck. I can't even support half of them on this budget. This will destroy us.

A deafening silence. Reno offers nothing.

**MOMENTS LATER**

Joel's off the phone now. He rubs his temple, then motions for his SECRETARY, who enters.

JOEL KLEIN (CONT'D)

Get me a list of everyone who's been here less than ten years.

SECRETARY

Should I include myself?

Off Joel, uncertain, crushed under the weight of this.

**INT. ANTI-TRUST DIVISION, DOJ BUILDING - DAY**

Half-empty now. The staff's depleted, and those who remain are morose. Alison enters, surveys the barren cubicles. The long faces. She approaches Joel, perplexed.

ALISON BARNES  
Where is everyone?

JOEL KLEIN  
They're all here.

ALISON BARNES  
I don't understand. What's happening?

JOEL KLEIN  
He's winning.

**CUT TO:**

A marquee, towering above us. It reads: *FAREWELL, NETSCAPE.*

MARC ANDREESSEN (PRE-LAP)  
You said we were going on a date.

**INT. CAR - NIGHT**

Marc shifts in his seat, panicked, as Elizabeth pulls into the parking lot of a banquet hall.

ELIZABETH HORN  
I didn't say where.

MARC ANDREESSEN  
I'm not going in there.

ELIZABETH HORN  
Then I'll bring the party out here.  
It's a nice night. They'd be happy  
to get some fresh air.

MARC ANDREESSEN  
This isn't funny.

ELIZABETH HORN  
It's not meant to be.

MARC ANDREESSEN  
I'm not comfortable with this.

ELIZABETH HORN  
That's the idea. No more running.

Elizabeth parks. Exits the car. Marc remains seated for a moment, frozen in place. He sighs.

**INT. BANQUET HALL - NIGHT**

No dancing or ice luges. Colleagues converse over cocktails. Marc enters. Heads turn, and CHATTER fills the room.

Marc reluctantly greets fellow colleagues. Erica spots him, smiles wide. She grabs Clark and Bark. Approaches.

ERICA BINA  
I'm so glad you came!

JAMES BARKSDALE  
Wasn't the same without ya, pal.

JIM CLARK  
Yes. It's good to see you.

Marc nods meekly. He looks around, and sees a myriad of familiar faces. Together again. Enjoying each other's company one last time.

MARC ANDREESSEN  
This is nice.

ERICA BINA  
It was all Jim's idea.

Marc glances at Clark, nods his approval. It's as much as he's willing to offer his former friend. Clark looks to Marc.

JIM CLARK  
Can I show you something?

Clark doesn't wait for an answer. He saunters to a corner expectantly. Marc hesitates, then follows.

JIM CLARK (CONT'D)  
You see Megan over there? She's always dreamed of spending a summer in Italy. She's selling her shares and buying a villa in Rome. Jason's always wanted to own a farm. He just bought seventy acres in Grand Chute. Ronnie --

MARC ANDREESSEN  
-- I get it.

A tense silence. Marc considers his colleagues. They smile. Laugh. There's hope for them yet. He exhales.

MARC ANDREESSEN (CONT'D)  
 Maybe I was selfish. Maybe it was  
 the right thing to do. It just...  
 hurt.

JIM CLARK  
 I know.

MARC ANDREESSEN  
 What's this -- your third company  
 to shut its doors?  
 (Jim nods)  
 Does it get easier?

Jim smiles, shakes his head. Off Marc, considering this.

### **MOMENTS LATER**

Marc chats with ANGIE, the bright young woman he interviewed  
 at the beginning of our film.

ANGIE  
 The coding will be a cinch, and the  
 market's wide open.

MARC ANDREESSEN  
 It's a good idea.

ANGIE  
 If we can find enough cash to  
 finish the prototype, it could be  
 special.

MARC ANDREESSEN  
 (without thinking)  
 I have cash.

ANGIE  
 Oh no, I couldn't... better you  
 put it to use creating your next  
 technological marvel. You must be  
 raring to go.

Marc pauses, contemplative.

MARC ANDREESSEN  
 No, I don't think I am.  
 (beat)  
 But maybe I can help you.

Across the room -- ELIZABETH watches Marc and Angie converse.  
 A smile creases her face. Marc's engaged again. *He's alive.*

**INT. FEDERAL COURTROOM - DAY**

Spectators file into their seats. Alison's seated in hers, but she's alone at the table. Joel is nowhere to be found. She studies the incoming crowd breathlessly. Waiting...

Judge Jackson enters. She rises.

JUDGE JACKSON

Counselor, I see we're one short today. Are you ready to proceed?

Alison pauses. Looks back once more. The doors are shut. The calvary isn't coming.

ALISON BARNES

...yes, Your Honor.

**INT. ANTI-TRUST DIVISION, DOJ BUILDING - SUNSET**

Alison darts inside. Finds an employee, asleep at their desk. She looks to Joel's office. He's glued to the phone, face flush with anger. He gesticulates angrily as he argues.

Alison locks eyes with him. Shoots him a look of irritation. He moves to his window. Shuts the blinds. Still, we can hear MURMURS OF AN ARGUMENT amidst A COUGHING FIT.

**INT. JOEL'S OFFICE - NIGHT**

Joel rubs his temple, chugs the remainder of his coffee. He tosses it in the garbage, littered with bloody tissues. Alison sits across from him expectantly.

JOEL KLEIN

I'm calling Briana in the morning. We can't keep this up any longer.

ALISON BARNES

What are you talking about? Of course we can.

JOEL KLEIN

Have you looked around lately? The cuts have gutted us. Army got what he wanted. The department's barely functioning, our backlog's longer than the Torah. My staff's exhausted, working twenty hour days with no end in sight, and I got an ulcer the size of a golf ball.

(MORE)



JOEL KLEIN (CONT'D)

We have to settle. It's irresponsible not to.

ALISON BARNES

We can still win this.

JOEL KLEIN

I wish I shared your optimism.

ALISON BARNES

It's not optimism; it's realism.

JOEL KLEIN

You're responsible for this case; I'm responsible for this entire department. I have to look at the bigger picture.

Alison rises from her seat, incensed.

ALISON BARNES

So look! Look at what happens when Gates gets off scot free. Look at what happens when you tell the world a billionaire can gut a government agency if he doesn't like the way it's treating him.

Klein clenches his jaw, unmoved and at wits' end.

ALISON BARNES (CONT'D)

You brought me here to try a case.

JOEL KLEIN

-- and you've done incredible work.

ALISON BARNES

You completely upended my career --

JOEL KLEIN

-- what career. You call that a job?

ALISON BARNES

What's your job, Joel? Please, explain it to me. You've spent the last twenty-five years between these walls. What is the worth of a regulatory body that lacks the ability to regulate?

JOEL KLEIN

Our worth's in the concessions they'll make.

ALISON BARNES

We won't break up the monopoly;  
that's the only concession that  
matters.

(beat)

You promised me we'd win. You  
promised this time would be  
different. I told you I couldn't --

JOEL KLEIN

-- I was wrong. I'm sorry.

Alison slumps back in her chair, near tears, devastated.  
A mournful beat. With resignation --

ALISON BARNES

Let me break it to Marc.

**INT. LIVING ROOM, MARC'S HOME - NIGHT**

Alison speaks softly, consoling Marc like a child.

ALISON BARNES

I know it's not ideal, but we'll  
make him feel the hurt.

Marc, however, isn't in the mood to be consoled. He's angry.

MARC ANDREESSEN

No, you won't. Money means nothing  
to him. Fine him a billion dollars,  
and he won't bat an eye. Nothing  
will change, and Microsoft will  
still behave like Microsoft.

ALISON BARNES

The Department will keep them on a  
very short leash.

MARC ANDREESSEN

I'm sure Klein said the same thing  
after they signed the consent  
decree in ninety-three.

ALISON BARNES

This wasn't my call. I don't want  
to be here. Doing this. But our  
resources are finite.

MARC ANDREESSEN

And so are his. For now. But if you  
let him off, they won't be. He'll  
own the browser market in a year.

(MORE)

MARC ANDREESSEN (CONT'D)  
 Acquire AOL within five. He will control everything. Information. Innovation. He'll have as much power as the President. This is the fork in the road. This is your last chance to stop him.

(beat)

You know why competition's good? Because it pushes us beyond the limits of our imagination. Because it inspires us to make the impossible possible. Don't let him stifle that.

Off Alison, considering this. *Can she really give up?*

**INT. ANTI-TRUST DIVISION, DOJ BUILDING - NIGHT**

Alison enters, lost in thought. Joel quickly approaches.

JOEL KLEIN  
 How'd he take it?

ALISON BARNES  
 About as well as you'd expect.  
 When are you meeting Briana?

JOEL KLEIN  
 Tomorrow.

ALISON BARNES  
 What time should I be there?

JOEL KLEIN  
 It's at noon but -- I'll take care of it. You've been through enough.

Joel expects a protest. Instead, Alison nods blankly, proceeds toward the conference room.

JOEL KLEIN (CONT'D)  
 I'm sorry about earlier.

ALISON BARNES  
 It's fine.

Alison enters the room, shuts the door.

**INT. CONFERENCE ROOM, ANTI-TRUST DIVISION - NIGHT**

Alison stews in her seat. She breathes heavily, as waves of coiled anxiety emanate from her body.

Alison shuts her eyes. Tries to block out the world. Unable to find peace, she rises in a fit of anger, seizes a moving box from the corner. Throws her belongings in it with haste.

**INT. BULLPEN, DOJ ANTI-TRUST DIVISION - MOMENTS LATER**

Alison marches past her colleagues, moving box in hand. Klein approaches her.

JOEL KLEIN

I wish it didn't have to end this way.

Alison brushes past him. Heads for the door. She's mere steps from the exit. She stops. Turns back to Joel.

ALISON BARNES

Maybe it doesn't.

Off Joel, as perplexed as he is suspicious.

**INT. CONFERENCE ROOM, ANTI-TRUST DIVISION - NIGHT**

Alison grips a mouse with anger. She's glued to her computer. Opens Internet Explorer. Then, a search engine. Types: *Dick Arme*y. PING! Results galore. Chief amongst them: an article from the Associated Press.

The headline? *ARMEY: "Crucial" House passes Energy Reauthorization Act.*

Alison clicks on the link. Phrases jumps out at us: *"an essential victory for Arme*y and the Texas oil industry... the bill, scheduled for a vote tomorrow...."

Alison considers this, a hint of light in her eyes.

**INT. MINORITY LEADER'S OFFICE - DAY**

Home to Minority Leader Tom Daschle. His office door's closed. The keeper of this lair, an ornery SECRETARY, stands firm as Alison badgers her.

SECRETARY

I told you on the phone, Senator Daschle isn't available today.

ALISON BARNES

This is time sensitive. Tell the Senator...

(raises voice so he hears)

(MORE)

ALISON BARNES (CONT'D)  
 ....it's about the Energy  
 Reauthorization Act.

SECRETARY  
 The Senator's out of the office.

ALISON BARNES  
 I need to speak with him before  
 the vote. It'll take two minutes.

SECRETARY  
 The Senator doesn't have two  
 minutes to spare, miss. He has a  
 very full day. He's with the  
 Committee of Agriculture --

ALISON BARNES  
 -- when's the Committee adjourn?

SECRETARY  
 That's irrelevant. You can't--

Alison races out of the room, leaves the Secretary in dismay.

**INT. FOYER, HART SENATE BUILDING - DAY**

Alison paces outside a Committee room, cell phone glued to  
 her ear. She checks her watch. It's almost noon.

ALISON BARNES  
 Postpone the meet. I have a plan.

**INTERCUT:**

**INT. JOEL'S OFFICE - DAY**

Joel's at his desk, as irritated as he is unsurprised.

JOEL KLEIN  
 Does that plan involve you  
 producing twelve million dollars  
 out of thin air so the Department --

ALISON BARNES  
 -- yes. I'll get you every penny.

JOEL KLEIN  
 Oh, Christ. I was being facetious.  
 Whatever you're doing, stop. Now.

ALISON BARNES  
 Just push the meeting a few hours.  
 Please. You owe me this.

Joel gazes out his office window. Briana strides toward him, briefcase in hand, ready to do business. Joel pauses. Makes a decision. He waves Briana in.

JOEL KLEIN  
 I can't. Go home, Alison.

Joel slams the phone down as Briana takes a seat.

BRIANA SULLIVAN  
 Shall we begin?

Joel exhales, looks to a checklist of issues in front of him.

**INT. FOYER, HART SENATE BUILDING - DAY**

Alison bubbles with rage, moves toward a Committee room. She presses her ear against the door. Tries to hear inside. Nothing. She checks her watch again. *Time is running out...*

JOEL KLEIN (PRE-LAP)  
 I want a clean split.

**INT. JOEL'S OFFICE - DAY**

Briana studies Joel with confusion.

JOEL KLEIN  
 Microsoft breaks off into two  
 distinct companies. One sells the  
 O.S., the other hawks the browser.

BRIANA SULLIVAN  
 That's a non-starter and you know  
 it. If you're gonna waste my time --

Briana rises to exit rather theatrically.

JOEL KLEIN  
 Give me your counter.

BRIANA SULLIVAN  
 We'll remove Internet Explorer from  
 initialization and create a ballot  
 screen that allows customers to  
 handpick their browser.

Joel considers this. A beat.

JOEL KLEIN

I want at least three options.

Briana nods, returns to her seat.

**INT. LIVING ROOM, MARC'S HOME - DAY**

Empty and eerily quiet. The view of the backyard reveals Marc sitting, phone at his side. He stares at it like a bomb. Watching. Waiting.

Elizabeth enters the frame. Studies him. She exits. Moments later, she enters the backyard. Says nothing. Simply takes a seat alongside him.

She places her hand over his. They wait.

**INT. FOYER, HART SENATE BUILDING - DAY**

Alison sits on the floor outside the Committee room. She bolts upright when THE DOORS SWING OPEN. A beat, then MINORITY LEADER TOM DASCHLE exits the room. Alison pounces.

ALISON BARNES

Senator Daschle. Alison Barnes,  
DOJ.

MINORITY LEADER DASCHLE

Hello, Ms. Barnes. I'm sorry, but I  
have a vote --

ALISON BARNES

-- I know. That's what I'm here to  
talk to you about.

MINORITY LEADER DASCHLE

It's a little too late.

ALISON BARNES

No, it isn't. How would you like to  
screw Dick Armey?

Daschle stops in his tracks, looks to Alison.

**INT. SENATE CHAMBER - DAY**

Packed. Alison watches from up high as Daschle and his colleagues huddle together, scribble furiously. Majority Leader Armey eyes the group with concern as he presides over the proceedings.

MAJORITY LEADER ARMEY  
 Pursuant to House Resolution 619,  
 we'll now vote on the Energy  
 Reauthorization Act --

MINORITY LEADER DASCHLE  
 -- just a moment, Senator. The  
 bill's text has been amended. The  
 Democratic caucus has attached an  
 additional provision here.

Daschle hands ArmeY a sheet of paper. ArmeY surveys it.  
 We take note of a phrase "*increase the budget of the Anti-  
 Trust division by the sum of fifteen million dollars...*"

ArmeY bites his lip, realizes he's been outmaneuvered.

TIGHT ON ALISON, watching ArmeY like a hawk, searching for a  
 reaction. *Did she pull this off?*

**INT. JOEL'S OFFICE - DAY**

The negotiations continue. Joel has a list in front of him. A  
 number of issues are checked off. They're making progress...

JOEL KLEIN  
 ... an independent commission that  
 studies the integration of all new  
 Windows features and ensures they  
 benefit the consumer.

BRIANA SULLIVAN  
 Five members, three in-house.

JOEL KLEIN  
 One in-house.

BRIANA SULLIVAN  
 Two and any dispute moves to  
 arbitration.

Joel nods. THE SHRILL RING of the telephone interrupts the  
 duo. Briana looks to it.

BRIANA SULLIVAN (CONT'D)  
 Want to take that?

JOEL KLEIN  
 (shakes head)  
 Let's talk information sharing...



**EXT. CONSTITUTION AVENUE - DAY**

Alison rushes onto the bustling boulevard. She flails her arm wildly, tries to hail a cab. There are none in sight. She waits. Seconds pass. Feels like an eternity. Desperate, she bolts down the block in search of a ride.

**INT. JOEL'S OFFICE - DAY**

JOEL KLEIN

Two billion in fines, to be payed within twelve months.

BRIANA SULLIVAN

Five hundred million over eighteen.

JOEL KLEIN

One point three over twelve, and I'm not going any lower. This is chump change to your boss.

**INT. CAB - DAY**

Alison leaps inside, panting. She extends a hundred dollar bill and a business card to the driver.

ALISON BARNES

This is an emergency. I work for the Department of Justice, and I don't care how many laws you break: I need you to take me to Two Constitution Square as quickly as humanly possible. Hit the gas and don't stop this car for any reason. If we get pulled over, I'll deal with it. Now I need you to drive and I need you to drive fast.

The driver considers this strange proposition. Shrugs. VROOM! He hits the gas with fury, as the cab rockets ahead.

**INT. JOEL'S OFFICE- DAY**

Briana taps her pen against her pad, contemplative.

BRIANA SULLIVAN

We can live with one point two.

JOEL KLEIN

Good. What else is on the docket?

The duo search their notes; it's clear we're almost finished.

**INT. LOBBY, DOJ BUILDING - DAY**

Alison darts across the foyer, proceeds toward the elevators. She presses the Up button. Waits. Nothing. Frantic, she heads for the stairwell instead.

**INT. JOEL'S OFFICE - DAY**

BRIANA SULLIVAN

That wasn't too painful, was it?

Joel shuffles a few papers. The negotiation's almost over.

JOEL KLEIN

I've had colonoscopies that were more enjoyable. Last outstanding issue --

Alison bursts through the door like the Tasmanian Devil, as exasperated as she is disheveled.

ALISON BARNES

Wait.

**INT. ANTI-TRUST DIVISION, DOJ BUILDING - MOMENTS LATER**

Alison and Joel huddle in a corner, whisper conspiratorially.

ALISON BARNES

I did it.

JOEL KLEIN

You got us twelve million dollars.

ALISON BARNES

No.

(beat)

I got us fifteen.

Joel's jaw hits the floor.

ALISON BARNES (CONT'D)

So why don't you go back in there and tell Briana the deal's off?

BRRR! BRRR! The RING OF A TELEPHONE carries us to --

**EXT. BACKYARD, MARC'S HOME - DAY**

Marc presses the phone to his ear, listens. Elizabeth studies him, prepares for the worst. Then, suddenly, Marc brightens.

MARC ANDREESSEN  
You're kidding...

Marc leaps out of his seat with excitement. Elizabeth follows, unsure of what's happening here. He listens... then, smiles wide. Wraps Elizabeth in a feverish hug.

MARC ANDREESSEN (CONT'D)  
Thank you. Thank you so much.

Marc hangs up.

ELIZABETH HORN  
What's going on?

MARC ANDREESSEN  
We still have a chance.

**CUT TO:**

**A MONTAGE:**

- **The Courtroom.** Alison cross-examines a witness with furor.
- **A boardroom.** Anxious coders deliver a presentation. Gates stares back at them blankly, his mind elsewhere.
- **The Courtroom.** Briana questions a witness. Alison leaps out of her seat, objects to a question.
- **Marc's backyard.** Angie and her partners deliver a pitch to Marc. He listens intently, chimes in with suggestions.
- **The Anti-Trust Division.** Employees comb over pages of testimony with excitement, argue amongst themselves. They're passionate. Re-energized. Joel and Alison look on with pride.

**THE MONTAGE ENDS and we...**

**CUT TO:**

**INT. FEDERAL COURTROOM - MOMENTS LATER**

Closing arguments. Alison stands in front of Judge Jackson and a spellbound gallery. She exhales softly. Then --

## ALISON BARNES

On June 21st, 1995, the executives of a thriving, revolutionary young business sat down for a meeting with Microsoft. That fateful meeting is a window into Microsoft's soul. Microsoft's business strategy was to stymie competition. To bribe and coerce its partners and competitors. It succeeded. That burgeoning young business, at the forefront of the technological revolution, is dead.

Alison pauses, milks the silence.

## ALISON BARNES (CONT'D)

The voluminous court record -- thousands of emails, internal Microsoft documents, and witness testimony -- proves that Microsoft was an arm-twisting monopolist whose behavior stifled competition and harmed consumers. But don't take my word for it. Look at the words of Mister Gates.

Alison moves to the prosecutors table. Retrieves a piece of paper. Holds it high for dramatic effect.

## ALISON BARNES (CONT'D)

After threatening to cut off Netscape's air supply, Gates asks Steve Case: "how much do I have to pay you to screw Netscape?". That's not tough language; that's collusion. That's monopolistic. It's simply impossible to conclude that Microsoft isn't in violation of the Sherman Anti-Trust Act. This Court must send a message here -- that innovation is valued, that competition is essential, and that billion dollar corporations are not above the law.

**MOMENTS LATER**

Briana rises from her seat. Straightens her skirt. She looks Judge Jackson square in the eye, and parries.

BRIANA SULLIVAN

Let me start with a correction.  
The tenor of the June 21st meeting  
was cordial. Strategic. To suggest  
otherwise, as Mister Andreessen  
has, is pure fantasy. It is  
imperative the Court ignore this  
melodrama and focus on the facts.

Briana twirls theatrically, looks back to the gallery.

BRIANA SULLIVAN (CONT'D)

Fact number one: in order to find  
my client guilty of violating the  
Sherman Anti-Trust Act, the  
government needs to have  
demonstrated that consumers were  
harmd as a result of its actions.

(beat)

Fact number two: consumers enjoy a  
free, technically superior browser  
thanks to my client.

(beat)

Last, but certainly not least,  
Fact number three: the government's  
own expert witness sat in this  
courtroom and told you that no  
consumer harm has occurred.

Briana saunters over to Alison, looks directly at her.

BRIANA SULLIVAN (CONT'D)

Your Honor, a lot of nothing  
doesn't add up to something.

**INT. DIVE BAR - NIGHT**

Joel sips a bourbon as Alison picks at a burger. She doesn't  
last more than a few seconds without glancing at her cell  
phone, situated on the table in plain sight.

JOEL KLEIN

You'll hear it ring.

ALISON BARNES

I'm aware. It's a habit.

JOEL KLEIN

You've developed a few of those  
lately, huh?

Joel nods at Alison's burger. She's barely made a dent.

JOEL KLEIN (CONT'D)  
If you want to live to see the  
decision, you're gonna have to eat.

ALISON BARNES  
I've lost eight pounds the last  
month.

JOEL KLEIN  
You have to take care of yourself.

ALISON BARNES  
Look who's talking. Bourbon good  
for the ulcer?

JOEL KLEIN  
It's good for the soul.

Alison can't help but smile. A beat.

JOEL KLEIN (CONT'D)  
I wouldn't hate to keep you around  
once this ends.

ALISON BARNES  
That might be the most eloquent job  
offer I've ever received.

JOEL KLEIN  
Don't run away again, no matter how  
this plays out.

Alison casts her eyes downward, defensive.

ALISON BARNES  
I haven't thought about anything --

JOEL KLEIN  
-- this is where you're meant to  
be. You know it as much as I do.  
We'll lose some tough ones, and  
it'll hurt. But we'll keep fighting  
because that's what we do.

Alison considers this.

**INT. BEDROOM, MARC'S HOME - NIGHT**

Elizabeth devours a crossword puzzle in bed. She scribbles  
with intensity, focused. Her concentration's interrupted by --

-- RAT-TAT-TAT, RAT-TAT-TAT. The familiar sound of  
construction downstairs. Elizabeth sinks. *Not again...*

**INT. OFFICE, MARC'S HOME - MOMENTS LATER**

Elizabeth enters warily to find -- a whiteboard hammered to the wall. Pages of a document are pinned to it. Marc studies them intently.

ELIZABETH HORN

What's this?

MARC ANDREESSEN

Angie's business proposal. Thought I could get a head start on it tonight, and see what's there. Is that okay?

Elizabeth smiles with relief. *It's more than okay.*

As Marc continues his work, the electric chords of *Santana's "Smooth"* carry us to --

**INT. TENT - DAY**

Another product launch. Another day of excitement. Bill stands in front of a massive screen adorned with the Windows logo. The text underneath reads -- *WINDOWS 2000: The Internet Starts Here.*

As the music blares, the crowd cheers in anticipation of another Gates performance. Bill forces a smile.

He bobs his head and claps weakly to the beat, but he simply can't muster the energy to perform. He's a shell of himself.

Sensing this, Ballmer approaches from the side of the stage. He takes centerstage. What Bill lacks in energy, Ballmer emanates tenfold. He dances like a wild man. **THE CROWD ROARS.**

Bill slowly shuffles off to the side.

**INT. CONFERENCE ROOM, ANTI-TRUST DIVISION - SUNSET**

Alison's asleep, head buried on the uncomfortable hardwood table. Joel enters. Alison snaps to. She studies her preoccupied colleague.

JOEL KLEIN

Jackson's made his decision. Tomorrow. 9 A.M.

ALISON BARNES

Finally!

Alison leaps out of her seat, smiles for a moment. Then, apprehension rises. Off Alison, as she poses the billion dollar question...

ALISON BARNES (CONT'D)  
What the hell does this mean?

**INT. BILL'S BEDROOM - SUNRISE**

An ALARM BLARES, but Bill's already wide awake. He stares at the ceiling, ridden with anxiety.

**CUT TO:**

Water rushing out of a showerhead. A plume of steam rises. We're in --

**INT. SHOWER - DAY**

Bill seizes a bottle of dandruff shampoo. Squeezes some into the palm of his hand. Lathers it deep into his scalp. Gently at first. Then, with increasing intensity. With fury.

The shampoo seeps deep into Bill's scalp. Yet, he doesn't care. He keeps going. Scratching. Clawing. Blood begins to leak onto his fingers.

**INT. BILL'S STUDY - DAY**

Bill checks his email. 8,500 new messages. Just this morning. Links to articles. Headlines like: *DECISION DAY: WHAT WILL HAPPEN IF MICROSOFT LOSES?* Bill stews, bites his lip.

**INT. BILL'S KITCHEN - DAY**

Breakfast. Melinda's already seated. Bill enters. Sits. He picks up his copy of the Wall Street Journal.

MELINDA GATES  
Don't.

**EXT. FEDERAL COURTHOUSE - DAY**

Cameras FLASH as Marc heads for the entrance. He spots Bark, Clark, and Erica. Nods hello. The group walk in together, prepared to see this battle to the end.



**INT. HALLWAY - MOMENTS LATER**

Marc and the team approach the double doors of the courtroom. Marc exhales. Adjusts his tie. Locks eyes with Clark. Nods. Bark opens the door.

**INT. FEDERAL COURTROOM - MOMENTS LATER**

Tense. Marc sits in the gallery, alongside his colleagues. Erica places a sympathetic hand on his shoulder.

A few rows away -- Bill Gates sits in waiting. He grinds his teeth as he stares straight ahead.

As Judge Jackson shuffles his notes, Alison taps her nails against her table. Klein coughs. Waits. It's excruciating. Alison exhales, leans over to Joel.

ALISON BARNES

I've been thinking about your offer. Maybe I will stick around a little while.

Joel smiles wide. A beat. Judge Jackson takes a deep breath, adjusts his glasses.

JUDGE JACKSON

In the matter of the United States vs. Microsoft, this Court concludes that Microsoft maintained its power by anti-competitive means and attempted to monopolize the browser market.

MARC bows his head, grateful. GATES remains stone-faced. Meanwhile, at the prosecutors table, Alison sinks in relief. A weight has been lifted. Joel can't contain his smile.

JUDGE JACKSON (CONT'D)

Microsoft's demonstrated that it will use its prodigious market power and immense profits to harm any firm pursuing initiatives that could intensify competition against one of Microsoft's core products. Most harmful of all is the message Microsoft's actions have conveyed to every enterprise with the potential to innovate --

With this, Marc's heard enough. He nods goodbye to his colleagues, slinks out of his seat. Alison watches him leave, triumphant. At peace.

**INT. ELEVATOR - CONTINUOUS**

Marc idles in an elevator, alone, face full of relief. A weight has been lifted off of his shoulders. For the first time in a very long time, he can breathe. Marc nearly smiles.

And then, a man enters the lift. It's Bill.

The gleaming elevator doors shut. A loaded silence. We can feel the tension in the air. It's fucking excruciating. A beat.

Bill chuckles to himself. Marc studies him, perplexed. Bill makes a decision. He moves to the elevator panel. Hits STOP. The lift comes to a halt. He turns. Faces Marc.

BILL GATES

Do you want to know where I'll be this evening?

MARC ANDREESSEN

I don't see how that's relevant.

BILL GATES

Of course you don't. You don't see because you have no vision. You never have.

MARC ANDREESSEN

I had enough vision to create the world's most popular browser. To make you feel threatened. To consume your every waking moment. I had enough vision to lead you here, right here. To this place. At this time.

BILL GATES

This was a happy accident. You didn't plan this. DOJ did. You stumbled ass backward into the suit, like you do everything else.

MARC ANDREESSEN

I can't believe I was naive enough to think that after all this, maybe, just maybe you'd give me some credit.

BILL GATES

For what?

MARC ANDREESSEN

Everything.

BILL GATES

We're competitors. There's no such thing as credit. There's only life and death.

MARC ANDREESSEN

The company may be dead, but I'm not.

BILL GATES

Does that make you feel better?

Marc nods.

BILL GATES (CONT'D)

Good. While you bask in that hollow victory tonight, I'll be at 4000 Campus Drive. Designing. Shaping the next five years. The next ten after that. The following twenty. And, in 2035, when we roll out our latest product, I'm going to stand on stage, with the music blaring, and the crowd cheering, and I'm not going to think of you for one fleeting moment.

(beat)

You think you're a chapter in the history of Microsoft? You're wrong. You're a footnote, an irrelevant, obtrusive gnat destined to be forgotten. So sip your champagne. Pat your lawyers on the back. This will be the last win you ever have.

Bill turns his back to Marc. Punches a button. The elevator resumes its duty. We plummet toward the ground. 5th floor. 4th. 3rd...Marc brushes past him. Hits the STOP button again.

MARC ANDREESSEN

You're an incredibly smart guy.

Bill's befuddled. Unsure how to react.

MARC ANDREESSEN (CONT'D)

You are... which is why it's so incredible that you can't see what's coming.

(beat)

It may take six months, or it may take six years, but there will be another Microsoft. They'll be bigger, faster, and stronger than you can ever imagine.

(MORE)

MARC ANDREESSEN (CONT'D)

Shit, they'll wipe your market share clean before you think to lift a finger. Your ship will sink and the rats will scatter. Your loyal employees -- including those you consider your dear friends -- will abandon you almost as quickly as your customers. Your stock will fall, your products will vanish, and your campus will empty. The only thing that'll remain standing... is you.

(beat)

It's in that moment -- that eerily silent moment of solitude-- that you'll finally have to take a long, hard look in the mirror. What do you think you'll see then?

Marc smashes a button. The elevator whirs to life, yet Bill is frozen in place. A moment later, its doors open.

Marc steps out. He doesn't look back at Bill. He moves forward, pep in his step, a man moving toward a brighter future, or at least the promise of one.

The doors slam shut. A silence.

Bill studies his reflection in them. A long beat.

As a frown creases his face, we...

**FADE TO BLACK.**

TEXT: In January of 2000, Bill relinquished his position as CEO of Microsoft. He remained a day to day presence and driving force at the company for six more years.

In June of 2006, he decided to devote his life to philanthropy, stepping down to run the Bill & Melinda Gates Foundation.

It quickly grew to become the largest private foundation in the United States, donating billions to the World Health Organization, UNICEF, and other global organizations.

Marc became an angel investor, supporting young entrepreneurs and nurturing their ideas...

...amongst the companies he invested in: Twitter, Facebook, Pinterest, Foursquare, and Skype.

Judge Jackson ordered that Microsoft be split into two halves, one dedicated to Windows and the other to all else Microsoft. While the Court of Appeals upheld Jackson's findings, it dismissed the punishment as too severe.

On November 2nd, 2001, the DOJ reached an agreement with Microsoft to settle the case.

The settlement required Microsoft to disclose information to competitors about its operating system and install a compliance committee. Microsoft was not prevented from bundling its software, nor did it have to change its code.

While many viewed the penalty as little more than a slap on the wrist, Microsoft's stock was in free-fall.

Within three weeks of Judge Jackson's decision, the company lost over \$213 billion in value.

Apple's stock quadrupled.

Today, two-thirds of all Americans own an Apple product. It's the highest valued company in the world.

Microsoft is third.

**END OF FILM.**