

**If You Paid For an MSN Account Set Up At a Best Buy Store After The
Free-Trial Period Ended, And Never Logged On To The Account,
Please Read This Notice – Your Rights May Be Affected**

WHY DID I GET THIS NOTICE?

You received this Notice because your rights may be affected by a class action lawsuit against Microsoft and Best Buy by MSN subscribers who were charged for an MSN Internet access subscription that they never used. The Court has decided that a lawsuit, *Odom v. Microsoft and Best Buy* (Case No. 04-2-10618-4 SEA), in the Superior Court of the State of Washington, King County, can go forward as a class action on behalf of a certain group of people (the "Class Members") that could include you. If you are a Class Member, you have legal rights and choices to make, which are described in this Notice. This Notice is just a summary. For more complete information, you should see the full Notice at the Web site, or request a copy by calling the phone number or by writing to the address listed below.

WHAT IS THE LAWSUIT ABOUT?

This lawsuit is about whether Microsoft and Best Buy engaged in unfair business practices in connection with the promotion of MSN Internet access service subscriptions at Best Buy stores. From 2000 to 2004, Microsoft and Best Buy promoted Microsoft's MSN Internet access service at Best Buy stores by offering MSN subscriptions with free-trial periods. Unless a registered consumer cancelled the MSN subscription during the trial period, Microsoft would begin charging the consumer's credit or debit card after the trial period was over, even if the consumer had never logged on to or used the MSN account. Plaintiffs allege that requiring consumers to cancel subscriptions they never used to avoid being charged was unfair and deceptive and violated Washington State law. Microsoft and Best Buy deny that their business practices were unfair or deceptive, and also say that it was fair to ask Class Members to cancel their trial subscriptions to avoid being charged monthly fees. The Court has not decided who is right or wrong, but Class Members have to make a decision now whether to stay in the Class. In making that decision, Class Members may wish to consider the fact that the Court has required the Plaintiffs, as a condition of the Court's permitting the case to proceed as a class action, to concede that customers were informed that they were signing up for MSN and that they had to call to cancel in order to avoid charges after the free-trial period ended.

AM I A MEMBER OF THE CLASS?

You are a Class Member if:

- You are a person in the U.S. who, at any time from December 1, 1999 to the present, paid Microsoft after the free-trial ended for charges in connection with an MSN Internet access service account that was set up in your name with a free-trial period at a Best Buy store, and
- You never logged on to the MSN Internet access service, and
- You have not received a full refund of the charges you paid.

You are not a Class Member if you are an officer or employee of Microsoft or Best Buy, or if you are a family member of the judge hearing the lawsuit.

WHO REPRESENTS ME?

The Court has appointed the law firms of Girard Gibbs LLP (www.girardgibbs.com), Tousley Brain Stephens PLLC (www.tousley.com), and Anthony K. Lee of San Francisco, CA to represent you. You do not have to pay these lawyers to represent you. You can contact the lawyers appointed by the Court to represent the Class by calling 1-866-825-7953, or sending an e-mail to msnlawsuit@girardgibbs.com.

WHAT ARE MY CHOICES?

Stay in the Class. If you want to remain in the Class, you do not need to do anything. If you stay in the Class, all of the Court's orders will apply to you, and you will not be able to sue on your own about the claims in this lawsuit. But you keep the right to get your share of money or benefits, if any are ever awarded.

Exclude yourself from the Class. If you do not want to be a member of the Class and ask to be excluded, you cannot get any money or benefits from this lawsuit if any are ever awarded, but you keep any rights to sue Microsoft and Best Buy for these claims, now or in the future, and you will not be bound by any orders or judgments of the Court. To be excluded, you must mail a letter **postmarked no later than September 24, 2006** to: MSN Class Action, P.O. Box 91188, Seattle, WA, 98111-9288. Your signed letter must contain your name, address and phone number, the name of the lawsuit, and a statement that you want to be excluded from the Class.

Appear in the lawsuit. If you stay in the Class, you may – but are not required to – appear and speak in the lawsuit on your own or through your own attorney at your own expense. See the full Notice on how to do this.

GETTING MORE INFORMATION

To obtain the full Notice, or if you have questions: Visit www.msnclassaction.com, call toll free 1-866-825-7953, or write to MSN Class Action, P.O. Box 91188, Seattle, WA 98111-9288.