

# Antitrust Provision



by  
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"Calling to the stand, Edmund Darhenny."

Ed Darhenny stood briskly and patted his lead attorney on the shoulder before stepping toward the witness box. He wore no tie and left his jacket unbuttoned, yet his appearance was crisp and elegant--a testament not only to the cost and quality of his handmade casual attire, but to the easy confidence in his bearing. With his thick hair handsomely graying like burnished steel and his skin lightly, healthily tanned, he looked--as always--every inch the perfectly genial embodiment of the self-made trillionaire. He was

sworn in (his "I do" as rich and rounded as a cathedral bell), then took his seat, giving the grand jury a courteous nod.

The lead prosecutor for the United States Justice Department wasted no time.

"Mr. Darhenny, you have been called here today as part of a process to determine if you and your corporation, Macrodic, should be indicted on up to 14 counts of violations of U.S. Federal antitrust laws. If these indictments are, in fact, brought--and I see no reason why they will not be--"

"Objection! Presupposition of outcome!" blurted Darhenny's lawyer. The judge regarded him with a steely gaze for a moment, before pronouncing "Sustained." Darhenny simply wagged a finger, subtly but unmistakably commanding his counsel to remain henceforth in seated silence.

The prosecutor continued. "If these indictments are... eventually... handed down as formal charges, it is entirely possible that your company will be dismantled and you yourself may face serious penalties, perhaps even incarceration. Do you, Mr. Darhenny, fully understand the gravity of your situation."

"I do, counselor. But thank you for reminding me."

"Can you describe for the entire court the nature of your business?"

Darhenny brightened. "I would love to. May I start at the beginning?"

"As you wish," answered the prosecutor, with a dismissive wave.

Darhenny leaned forward in his seat, his hands gesturing intricately as he spoke. "The whole thing started when I was an engineering student in college. I was experimenting with remote power transference. Several people, such as Tesla and Brown, had demonstrated that electrical power could be transmitted safely without conducting wires, and I wanted to see

what I could do with that. After a few months of hit and miss, I came up with a method using a UHF microwave transmitter that could remotely induce a magnetic field in a special type of ceramic. As you may know, a simple electric motor is essentially just a magnet on a spindle inside of a wreath of copper wire. When current passes through the wire, a magnetic field is produced in which the magnet turns, thereby generating mechanical energy from an electrical input.

"The opposite also works. If a magnet is spun within a tube of copper wire, electricity is generated. Using microwaves to drive the magnetic ceramic, I was able to do just this. Remotely transmit a form of energy that could be converted to electricity by a receiving device."

"And what did you do after you made this discovery?"

Darhenny chuckled. "I did what any good future entrepreneur would do. I dropped out of school immediately, scrounged up as much venture capital as I could, and began trying to develop commercial applications as fast as possible. I didn't have too much success in the first couple years--just a few industrial contracts here or there--until I met up with a fellow who held several patents on a technique for transmitting digital data using the essentially the same microwave array I was using for energy transmission. I borrowed a few millions, bought up his patents, and now had a viable means to send power and data simultaneously. The rest, as they say, is history. The first really successful product was a battery-less cell phone linked to a global satellite network. I think I sold about 100 million or so in the third year. Then came everything else. Unwired computers, televisions, bank machines, medical devices, military hardware, and eventually buildings and vehicles. I think that by the end of year five, roughly 20% of the U.S. and Europe and almost 50% of the developing world were

completely off wired electrical and phone grids and converted to Macrodic power transmission. By the end of ten years, those numbers had doubled."

"And just how, Mr. Darhenny," began the prosecutor, pacing dramatically, "were you able to achieve such phenomenal growth in just a decade?"

Again, the famous Darhenny chuckle. "By pluck and luck, as they say, counselor. Seriously, though, I think we did so well because we offered a superior product that, quite frankly, the world was really ready for. Our civilization runs on energy. Our culture is fueled by data. I just found a new and better way to deliver both."

"Found? Interesting choice of words, Mr. Darhenny. Wouldn't you say that your company's success was due, in large part, to the discoveries of other companies which you strategically and systematically set about to acquire?"

"Oh, absolutely."

"So you don't deny that?"

"Deny what?" Darhenny replied. "That I sought to make acquisitions beneficial to my business? Of course I did. That's what smart businessmen do. History is littered with mad geniuses who invent one brilliant thing and die penniless. I set about to find those inventions, and provided more than one genius with quite a few pennies in the process. There are dozens of breakthroughs in microtransducers, superconductors, quantum memory, monopolar nanomaterials, space-borne solar collectors, maglev orbital launchers--you name it--without which Macrodic would never have achieved the kind of success it's reached. No one person, no one company, could invent all that. You go out and get what you need."

"It's more than that, isn't it, Mr. Darhenny? Not only did you seek technologies useful to your business, but you frequently acquired and subsequently dismantled, companies that

might have competed with yours." The prosecutor whirled about thumped his fists on the witness box railing. "Isn't that true, Mr. Darhenny!"

"Sure."

The government's prosecutor blinked. His eyes wandered to the judge and jury uncertainly.

"You don't deny it?" he asked at last.

"Nope. I don't. I bought out and shut down many possible competitors."

"Including major oil and telecommunications companies--even municipal power utilities?"

"Of course. As you can imagine, they were the big obstacles to my moving into those marketplaces."

"And, for those companies you did not buy out, did you not pressure them to adopt pricing schemes that were in line with your planned business models?"

"I'm not sure what you mean by 'pressure'," Darhenny said, "But I certainly did negotiate pricing agreements across several industries with some prominent legacy corporations."

The prosecutor gasped histrionically. "And were you aware, when you did all this, that you were violating numerous antitrust provisions in the Sherman Act, the Clayton Act, the Hart-Scott-Rodino Act--not to mention dozens of related state and federal laws?"

"I don't specifically recall what I was or was not aware of during any particular negotiation, but I have no doubt my lawyers kept me fully informed at every step." Darhenny bowed slightly to the row of attorneys along the defendant's table, who, fascinatingly, managed to look utterly composed and terror-struck at the same time. "They've always been

very diligent about reminding me of my lapses. However, I generally didn't think most of their objections were relevant."

Again, the theatrical gasp. "You didn't think you were breaking the law?"

"No," mused Darhenny, "I figured I was probably breaking some laws somewhere. I just didn't think those laws applied to me."

This time, the prosecutor just stared in unfeigned, dumbfounded silence. He looked to the judge beseechingly, who looked every bit as baffled.

"Mr. Darhenny," began the judge, "You do realize that you are giving sworn testimony of record that may determine what formal charges will be brought against you?"

"I do, your honor. It's just--well... let me explain. Law, as I see it--and, again, this is just my interpretation--is about helping society function. It's a kind of imposed morality, if you will, that forces people to act in a certain way that ultimately benefits everyone. It is a good and necessary thing in most cases, I fully agree. However, what I was doing at the time--namely, promoting a new, cheap, efficient, non-polluting, global standard for energy and communications--was something that innately served the public good. As such, I saw it as beyond law, and certainly beyond U.S. law. In many ways, the U.S. government was the biggest hindrance to my company's growth. They were constantly trying to horn in on my patents for exclusive military applications, or trying to limit what technologies I could license internationally based on--quote-unquote--homeland security concerns. Heck, I've explained to several presidents on a dozen separate occasions that globalizing data and energy infrastructure independence can only serve to increase the security of any given nation. And they agreed with me! Call any of them to the stand and they'll tell you as much!"

Darhenny swiveled in his seat and raked his fingers through his thick, sterling hair as his agitation grew. "Doesn't anybody remember what it used to be like? Third World villages without the power to run a single water purifier. That jungle of cables behind your TV and stereo. People dying by the dozens if a hospital lost power in a storm. Your laptop battery would go dead halfway through a flight. Your car could run out of gas in the middle of nowhere. The entire world sucked at the teat of OPEC, belching filth into the sky and turning medieval Arab monarchies into insanely wealthy world powers. Do I have to remind everyone here what a mess that turned into? I put a stop to that. And did I get so much as a thank you from the U.S. government? No! Instead, I got slapped with fine after fine and lawsuit after lawsuit! So, yes. To answer your question you seem to want to ask, yes. While I was transforming that old order into something better--yes!--I considered myself way above the law of this land!"

The prosecutor shook his head in genuine amazement. "You seriously believe you are answerable to no one?"

"I didn't say that," replied Darhenny. He sat back and folded his fingers in Zen-like repose. He breathed deeply and slowly for a few moments. He asked for, and was given, a glass of water, which he sipped gingerly.

"Excuse me," he began, now calm and composed once more, "What I meant was that I considered my actions beneficial to America and all of humanity and, as such, did not deserve to be constrained by outdated laws. Do I think I have the right to steal or murder or willingly harm others? Of course not. Do I think I have the right to free the world from transmission wires and oil addiction, even if it makes some investment bankers a little antsy. Yes, I do. I have tried very hard to work within U.S. law--I've tried to change it where I could, through all

the appropriate channels--but sometimes I just had to go outside of it. Frankly, it's gotten so bad that I've had to move most of my operations overseas. We'll be fully starting up our Taiwan home office in just a few weeks."

"Yes, and that's another thing, Mr. Darhenny," the prosecutor said. "Is it true you have purchased the island of Taiwan?"

"Well, not really. Over the last few years, I bought up most of the private real estate on the island and I just recently signed a 99-year lease with the Chinese government for the territory and surrounding straits. I figure we'll be able to renew that at end of term, assuming that China still exists as a nation by then, which seems like a good bet."

"Do you realize that transaction in itself could constitute treason against the United States?"

Darhenny shook his head. "Yes, I've heard that mentioned before, but I don't see how. To me, treason is an attempt to harm one's native country. I'm just trying to get out from under its oppressive business restrictions. The Chinese have been a lot more accommodating to my growth than the U.S. on many occasions. Furthermore, does anyone even recall the rather tense international debate over whether or not Taiwan was a nation independent from mainland China?" Darhenny blew on his hand and made his fingers flutter like an imaginary dandelion. He then tapped his chest twice with an index finger. "Problem solved. By me. Again, not so much as a thank you."

The government prosecutor spread his hands wide. "Your honor, ladies and gentlemen of the grand jury, I'm speechless. I knew the Justice Department had a strong case coming in, but Mr. Darhenny has absolutely given up everything on a silver platter. I really



have nothing further. Mr. Darhenny, as you so often seem to resent not hearing this let me say it now:: Thank you."

"You're quite welcome, counselor." Darhenny rose in the witness box. "Well, If we're all done here, I'll be on my way." He stepped out of the box.

"Mr. Darhenny, sit down!" roared the judge! "You have not been dismissed!"

"With all due respect, your honor--I have been dismissed many times over." He continued walking toward the window.

"Bailiff! Return, Mr. Darhenny to the witness stand."

Without a word, a hulking, armed officer walked up to Darhenny and clapped a hand on his shoulder. No sooner had he touched him than his eyes rolled back and his legs began to quiver like jelly. Darhenny spun around and caught him carefully under the armpits.

"Another truly beneficial application of some of our technologies," he commented as he gently lowered the big man down to the floor. "Non-lethal weaponry. Focused microwave beams can cause disruptions of electrical activity in the motor cortex of the brain. Quite painless and temporary, I assure you." The guard lay twitching on the linoleum.

The judge barked into a console on his desk. "Officers to the central court room immediately! Emergency! Repeat, emergency in the central court room!"

"Don't bother, your honor," Darhenny said. "It's not working." He took notice of several jury members fishing for mobile phones. "They won't either. Besides, the electromagnetic locks on the doors are sealed. Sorry for all this, everyone. It'll only be a for few minutes."

With an easy vault that belied his years, Darhenny bounded up to the wide window sill. He opened and swung out one of the small window panels, then put out a hand and

waved once. Two seconds later, a sleek black craft descended into view outside, barely a meter from the window. It hovered, bobbing ever so slightly, on four whisper-quiet turbines that twitched minutely like four horizontal wheels.

"It's really fascinating how my original discovery of microwave driven rotating magnets can be used to spin turbo props with astounding efficiency."

A grappling hook swung out from an armature on the side of the hovercraft. Darhenny caught it and wrapped it around the center support of the window frame. He gave an OK sign, then jumped back down from the window sill. The craft rose and banked away sharply, tearing the entire window frame from the wall with one titanic yank. Shards of glass and steel fell three stories to the parking lot below, where they landed softly on a large, inflatable pad bearing the MacroDic logo.

"Sorry about the window, your honor, " Darhenny said as the tinkle of falling glass still echoed outside. He reached into his pocket and took out a thick brown envelope. "This should more than take care of it," he added, as he set the envelope on the prosecutor's table, then once more, mounted the sill with a nimble leap.

On cue, the black hovercraft reappeared, this time dropping a rope ladder from its belly. Darhenny, stepped onto it, then turned back to the court room.

"Again, I'm sorry about all this. Granted, I like to be dramatic, but even I admit, this is a little over the top. It just seemed like the best place and time. Anyway, if anyone wants to reach me, I'll be in Taiwan.. I do answer my own e-mail, as much as possible, so feel free to contact me at [edarhenny@macrodic.com](mailto:edarhenny@macrodic.com). On a personal note, I just want say that I really felt privileged to be a part of this great country at this amazing time in history, and I will miss it very much. I hope someday I'll be able to accompany one of my ambassadors on a visit."

He clipped a latch hidden in his jacket onto a rung of the ladder, then raised a finger and made a single swirl in the air. The craft lifted away as swift and silent as a balloon.

"Good bye and thank you to everyone!" called Darhenny when he was little more than a speck receding into the sky.

**END**