

Case No. **4:20-cv-05640-YGR**Case Title ***Epic Games, Inc. v. Apple, Inc.***Exhibit No. **DX-3427**

Date Entered

Susan Y. Soong, Clerk

By: _____, Deputy Clerk

From: Mike Schmid [REDACTED]
To: Mary Ann Brunson [REDACTED]
CC:
BCC:
Subject: Re: Fortnite Metadata Rejection
Attachments:
Sent: 03/27/2019 06:42:30 PM 0000 (GMT)

Hey Mary Ann,

Thanks so much. Do you have any time Tuesday morning (the 2nd) to grab a coffee at your office? Would love to catch up and chat in person.

Thanks,
 Schmid

Sent from my iPhone

On Mar 27, 2019, at 11:22 AM, Mary Ann Brunson [REDACTED] wrote:

Hi Mark,

Thank you so much for the update. It does seem like a very challenging position to be in! Let Anders and I know if there's anything we can do on our end to support you and Mike in your discussions.

Best,
 Mary Ann

On Mar 27, 2019, at 9:28 AM, Mark Grimm [REDACTED] wrote:

I couldn't agree more. Last night I had a stern conversation with our daily contact and told him this can't continue. I've also written an email to my management to ask for support as we draw a firmer line with Epic. Yesterday, they threatened to escalate to their CEO for a *metadata* rejection. That's ridiculous.

I will only request expedites on their behalf if a fast turnaround is critical to iOS players' experiences.

Again, sorry for the way my partner (Epic) has been acting. Mike and I are often put in the difficult position of representing the partner's interest while not agreeing with their perspective.

Mark Grimm | ☐ Partnership Manager, Games | [REDACTED] C: [REDACTED]

On Mar 27, 2019, at 7:42 AM, Mary Ann Brunson [REDACTED] wrote:

Hi Anders,

It looks like 3 of their last 4 versions (8.10.0, 8.11.0, 8.11.1) were expedited and a total of 5 versions in the last 6 weeks. They've had 34 (!) over the last year, so the pace is picking up.

Do you think it is possible to reset expectations WRT review time with their team? It almost feels like they're abusing expedite requests due to a systematic issue on their end in the development/QA/submission process.

Best,
Mary Ann

On Mar 26, 2019, at 10:15 PM, Anders Baecklund - [REDACTED] wrote:

Hi Mark,

The app was submitted at 11:15 AM today. At 4:30 PM the app was Metadata rejected for some necessary clarifications. The developer replied at 4: 50 PM and then again at 5:41 PM. As a result, the app was approved at 5:45 PM today. Less than seven hours after the initial submission.

It is interesting to note that the developer has yet to release this very, very urgent update. It is still pending developer release.

Best regards

Anders

On Mar 26, 2019, at 5:30 PM, Internal Escs [REDACTED] wrote:

+App Review

Puneet

Sent from my iPhone

On Mar 26, 2019, at 5:28 PM, Mark Grimm - [REDACTED] wrote:

Hi Folks,

The Fortnite team is pinging me relentlessly about their latest metadata rejection (use of the word "mini games"). They've changed it in game and are hoping the review can continue. Is there anything else holding them up?

(So sorry for the ping - I've held them off as long as I can without it being escalated to executives.)

Mark Grimm | ☐ Partnership Manager, Games | [REDACTED] C: [REDACTED]