PLAINTIFF 4:20-cv-05640-YGR-TSH Ex.No. PX-0371 Date Entered \_

Subject: Re: Fraudulent and Life Threatening App "Trystan Kosmynka" From:

Received(Date): Wed, 06 Feb 2019 19:58:16 +0000

To: "Philip Schiller" "Sean Cameron"

Ce: "Ron Okamoto" "C.K. Haun"

Date: Wed, 06 Feb 2019 19:58:16 +0000

## Privileged and Confidential

App was removed from sale. There is no evidence of fraudulent IAP, the IAP was setup to remove ads, and was clear to customers what they were getting. The app is still nonsense and should not be on the store, we are looking into whether this was human error during review or a bait and switch.

On Feb 6, 2019, at 8:34 AM, Philip Schiller wrote:

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FYI

Begin forwarded message:

Confidential From:

Subject: Fraudulent and Life Threatening App

Date: February 6, 2019 at 7:54:37 AM PST

To:

Resent-From: Office of the CEO Resent-To: Phil Schiller

Hi Eddy, Tim and Katherine,

Just as a preface, I'm sending this email in good faith in order to protect Apple and its users.

I had a user of one of my apps tell me about an app called BP Blood pressure monitor app (app id: 1439437436) that is blatantly lying and stealing money from users. The app claims to detect blood pressure using the camera from a finger tip. This is not possible at the moment. However, thousands of users have been deceived into thinking that it is (see attached reviews). It is currently ranked 12th in the Medical Category, meaning that it's already done significant harm.

This is a highly dangerous app that can lead users with high blood pressure to believing that the blood pressure readings from the app are accurate. The app always has blood pressure readings of roughly 120/80. I've attached some photos of the app and some negative reviews, reflecting

> Exhibit PX 371

how inaccurate and misleading the app is. This is life threatening.

I've been an iOS developer for nearly 10 years now and have worked on apps such as Tinder, Venmo, Prank Dial, Privacy, Cover, Bustle, and many more leading apps. I also have a couple of leading healthcare related apps such as Glucose. I'm an avid Apple fan and own every single Apple product. Seeing something like this in the App Store tarnishes Apple's brand equity and frankly makes me lose faith in Apple, both as a customer and as a developer in the ecosystem.

I'd like to see this App removed from the App Store immediately and this developer, Maksim Gudzik, banned from the App Store. Looking forward to hearing back from you. If there is anyone I should direct this inquiry to, please let me know.

Thanks,

Confidential

<image.jpg><IMG\_1289.jpeg><IMG\_1288.jpeg><IMG\_1287.jpeg>