PLAINTIFF
U.S. District Court - NDCAL
4:20-cv-05640-YGR-TSH
Epic Games, Inc. v. Apple Inc.
Ex.No. PX-0446

Date Entered
By

Subject: Re: App Review at Epic Meeting Wednesday (11/7)

From: "Bryan Johns"

Received(Date): Tue, 06 Nov 2018 19:47:00 +0000

To: "Mark Grimm"

Cc: "Paul Ramsbottom"

Date: Tue, 06 Nov 2018 19:47:00 +0000

I'm in the same three-day meeting with Trystan, and have had no luck getting him to budge on this.

I get your point about not wanting iOS to be the bottleneck for x-plat devs, but the reality of the situation is we sometimes are that bottleneck, and given the exchange with Trystan (and others on this topic) there really isn't anything we can do to change that.

What you should do (and this is brain-dead guidance) is have Epic let you know when they 're submitting an update, and immediately alert the same core folks in App Review we 'd normally contact for escalation. Epic isn't getting an App Review person assigned to them, but they do have you, and you have a measure of influence.

Bryan

Sent from my iPhone Xs Max

Bryan Johns

Sr. Manager, Worldwide Developer Relations

Apple Inc. | iPhone:

On Nov 6, 2018, at 10:06 AM, Mark Grimm wrote:

Just Bryan/Paul.

Shaan asked that I make sure future Fortnite escalations like last week don 't happen again. I'm doing everything I can, but I've literally gained no new knowledge and/or direction from App Review in this thread.

I'll continue to tell Epic to build more buffer into their schedule, but right now we are the slowest and most variable platform - so these escalations will continue to happen as updates come out and iOS is last to be approved. I just want to set expectations within our team. I have no problem taking Mark Rein's angry phone calls, but something has to give. This is the first of many crossplatform games trying to launch simultaneously across platforms. We don 't really want iOS to be the bottleneck for cross-platform developers.

Mark Grimm | Partnership Manager, Games | ___ | C: +

Exhibit PX 446 On Nov 6, 2018, at 10:01 AM, Trystan Kosmynka wrote: I believe they only once and it was escalated in less than 24 hours after submission. They should know that 90% of apps get reviewed with 48 hours. We do not assign a specialist to a single app/company. As always we appreciate the feedback so if they have specifics they share I'm happy to hear them. On Nov 6, 2018, at 9:51 AM, Mark Grimm wrote: Understood, I'll handle the meeting. In an effort to help them out and avoid future escalations (my directive from Shaan), is there anything they can do to help? For example, should I coach them to submit at exactly the same time each week? Is there any precedent for the same App Reviewer being assigned to future updates (I suspect not, but need to do my due diligence on their behalf)? Thanks for the dialog. Mark Grimm | Partnership Manager, Games | On Nov 6, 2018, at 9:47 AM, Trystan Kosmynka wrote: I don't think it makes sense for App Review to participate in this one. This shouldn 't turn into a negotiation about review times and policy. On Nov 6, 2018, at 9:29 AM, Mark Grimm wrote: Thanks, great info. I'm always happy to be the buffer between the developer and App Review, but in this case (such a high profile developer with frequent escalations), do you agree that it would be valuable to have someone meet them in person? Mark Grimm | Partnership Manager, Games On Nov 5, 2018, at 3:49 PM, Stoney Gamble wrote: History for 8/1-present. <Screen Shot 2018-11-05 at 15.47.09.png> On Nov 5, 2018, at 14:49, Trystan Kosmynka wrote: Stoney, can we take a look at historical review times for Fortnite. On Nov 5, 2018, at 2:14 PM, Mark Grimm wrote: Hi Trystan and Stoney, Epic will be here at Apple Park on Wednesday from 2-3:30pm. As you 're aware, they develop Fortnite, the biggest game on our store. With their frequent submissions and unique circumstances (i.e. cross-platform simultaneous releases), we 've had a few fire drills lately. I

think it would be beneficial for someone from the App Review team to meet with Epic in person. Their head of marketing, Marc Hutcheson and platform partner manager, Brad Cummings will be in attendance. They 've made several requests of us lately, almost all in the service of more predictable timelines after submission. Trystan, you probably remember this conversation that started with Tim Sweeney 's visit last year.

To be clear, I know we don't provide an SLA - we've made that very clear to Epic. I also know there will always be some level of variability in review times and propagation to our various stores. With that in mind, I'd like you to hear Epic's concerns and offer any potential solutions or mitigations you can think of. Also, if you have anything Epic could provide to make reviews more predictable (e.g. always submit on Tuesday at 8am), then please share that with them.

In the last few weeks, we 've had several executive escalations because Fortnite 's iOS version was about to fall out of sync with their other platforms (and therefore hurt iOS players). It's in all of our best interest to figure out a sustainable solution going forward. Thank you both for your time. Please let me know if anyone can participate in Wednesday 's meeting.