

Subject: Re: Big Fish Games
From: "Phillip Shoemaker" <[REDACTED]>
Received(Date): Wed, 23 Nov 2011 19:22:42 +0000
To: "Tom Neumayr" <[REDACTED]>
Cc: "Ted Miller" <[REDACTED]> Christine Monaghan"
<[REDACTED]> Anders Baecklund"
<[REDACTED]> Erik Lammerding" <[REDACTED]>
Date: Wed, 23 Nov 2011 19:22:42 +0000

Well, getting approved pretty much makes them think that this model is blessed by us, unfortunately.

On Nov 23, 2011, at 10:47 AM, Tom Neumayr wrote:

I guess the below is technically accurate since we let it on the store, but it sure sounds like we talked to them and said this new model is blessed by us.

Bloomberg reports that Big Fish Games, a Seattle-based game publisher, "won approval from Apple to become the first to offer users access to dozens of titles for \$6.99 a month." They point out that, until now, games have "only been available one at a time, requiring users to download individual applications."

Sent from my iPhone

On Nov 23, 2011, at 10:42 AM, Phillip Shoemaker <[REDACTED]> wrote:

what did they bullshit in the article.

On Nov 23, 2011, at 10:41 AM, Tom Neumayr wrote:

They also should cop up with press that they bullshitted/lie in the Bloomberg story.

I can't tell if they were trying to negotiate via press or if they are just idiots.

Sent from my iPhone

On Nov 23, 2011, at 10:30 AM, Phillip Shoemaker <[REDACTED]> wrote:

Yes, of course we are giving them a heads up. If Erik wants to be on the call with Anders, that'll be fine.

I honestly don't know what we're going to say to this developer other than "We don't allow App Stores within an app in our App Store"

Exhibit
PX 0113

PX-0113.1

APL-APPSTORE_05267651

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On Nov 23, 2011, at 10:28 AM, Ted Miller wrote:

Should we have somebody call them to give them a heads up and explain what happened prior to pulling it? Erik Lammerding is happy to make the call in Lucy and Paul Ramsbottom's absence. Lucy may be available, but I know Erik is for sure.

I'd hate for there to be a backlash against us for pulling the app before giving them a heads up.

Tom - without a guideline to reference, we might want to hold off on comment for now..... that being said, I'll start a statement draft just in case, if it is a confirmation that the app has been taken down

On Nov 23, 2011, at 10:24 AM, Phillip Shoemaker wrote:

I am removing their app immediately. I have no guideline to remove their app on, but have been asked by the ERB to hide it.

I will be doing so immediately.