

## BROMWICH EXHIBIT AA

**From:** Michael Bromwich [michael.bromwich@bromwichgroup.com]  
**Sent:** Monday, November 11, 2013 11:34 AM  
**To:** Boutrous Jr., Theodore J.; Carroll, Sarah  
**Cc:** Nigro, Barry; Cirincione, Maria; Swanson, Daniel G.; Richman, Cynthia  
**Subject:** Re: Apple -- Expense Guidelines

Ted, let's see if we can make some progress on a phone call this afternoon rather than exchanging additional e-mails. We don't think a slate of interviews and meetings next week, almost a full month after we identified it as the time we would like to begin our on site work, is at all unreasonable, especially because we have made clear that we will understand if some of the people we want to meet are unavailable next week. I'm hopeful that we can work something out that isn't overly burdensome to the company but that doesn't cause us further delay. I think we can.

Please let us know what times this afternoon would work for you. Thanks.

**MRB**

On Mon, Nov 11, 2013 at 10:48 AM, Boutrous Jr., Theodore J. <[TBoutrous@gibsondunn.com](mailto:TBoutrous@gibsondunn.com)> wrote:

Dear Michael:

I am very surprised and disappointed in your email below. I thought that we had set things on a productive and collaborative path in our call last week and with my follow up list of potential interviewees (which was much broader and longer than the one I had suggested during the cordial November 6 call). During our call, I specifically noted that the week of November 18 might not be feasible or convenient and suggested that the week of December 2 (the week after the intervening Thanksgiving holiday week) might work well. When I then followed up and proposed December 2, you responded in your November 7 email that you would be in Europe the week of December 2 and had some other scheduling conflicts that week and the week of December 9. I then simply wrote back and asked if you could reshuffle your schedule so that we could make the December 9 timeframe work.

Your response below was not in the spirit of our efforts and offer to host you at Apple headquarters for a full slate of interviews and provide other information well in advance of the date on which your review of the new compliance and training programs is to commence under the Final Judgment (January 14). As set forth in my October 31 letter, Judge Cote and the Final Judgment could not have been clearer regarding the timing and scope of your review and the need to avoid unduly intruding on Apple's business operations. The Final Judgment is also clear that any "interview [is] to be subject to the reasonable convenience of such personnel...." Final Judgment at VI.G.1. Contrary to your suggestions below, and as Apple's General Counsel Bruce Sewell made clear in his letter to you and I emphasized when we spoke and in my letter to you and in my conversations with the Justice Department and States on these issues, Apple takes its obligations and responsibilities under the Final Judgment very seriously. To that end, and among the other things it is doing on this front, Apple has

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made a reasonable proposal regarding the requested interviews and for working collaboratively and productively with you. Under the circumstances, your demands and approach are unreasonable, unnecessary and unwarranted, and go well beyond the scope of the Final Judgment and Judge Cote's guidance.

Ted

Theodore J. Boutrous Jr.

### GIBSON DUNN

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**From:** Michael Bromwich [mailto:[michael.bromwich@bromwichgroup.com](mailto:michael.bromwich@bromwichgroup.com)]  
**Sent:** Saturday, November 09, 2013 2:48 PM  
**To:** Boutrous Jr., Theodore J.  
**Cc:** Nigro, Barry; Cirincione, Maria; Swanson, Daniel G.; Richman, Cynthia; [scarroll@robbinsrussell.com](mailto:scarroll@robbinsrussell.com)  
**Subject:** Re: Apple -- Expense Guidelines

Ted,

This is a very disappointing response, and very much at odds with what my understanding was during and after our call last Wednesday. The company was put on notice on October 22 that we intended to make our initial visit the week of November 18. Your response suggests that our request was not -- and is not -- taken seriously by the company. Apple is a can-do company, and I am confident that they can pull this together. If they maintain that they cannot, that suggests to me that they do not take its obligations and my responsibilities under the Final Judgment very seriously. The questions below need only be answered if the company maintains that that it unable to comply with our request for a series of interviews and meetings the week of November 18.

Please advise which of the 15 people (Sewell, Moyer, Levoff, Vetter, Andeer, Said, Persamperi, Moerer, McDonald, Cook, Schiller, Cue) identified in your e-mail and my response are unavailable for as little as an hour any day the week of November 18 (Monday through Friday). Be prepared to support any representations concerning their unavailability with detailed copies of their schedules for that entire week.

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Please confirm that contact has been made with the 2-3 Board members identified in my e-mail who appear to work in the vicinity of Apple's headquarters, and that they are also unavailable for a meeting/interview of similar length.

Please advise which of the subjects identified in my recent e-mail cannot be addressed in a presentation/discussion (with almost two weeks notice) and why that is the case.

I remain willing to upend my schedule and make the trip this coming week rather than the week of November 18 if that will mean the company is better able to comply with our quite reasonable requests. I am not prepared to drag things out any longer than that.

Thanks.

**MRB**

On Sat, Nov 9, 2013 at 4:01 PM, Boutrous Jr., Theodore J. <[TBoutrous@gibsondunn.com](mailto:TBoutrous@gibsondunn.com)> wrote:

Michael:

I have now heard back and, unfortunately, that week is very bad in terms of scheduling. I know you will be out of the country the week of December 2, but we would very much appreciate it if you could work on your scheduling conflicts the week of December 9 and make the trip that week. Apple will be able to have a full slate of interviewees for you to meet with that week along the lines of my prior email and the new ACO will have had time to get acclimated and up and running. This will get things off to a strong start and would be much better from the standpoints of efficiency and effectiveness. It doesn't make sense to have you fly all the way to California only to meet with a few people the week of November 18. In the meantime, we can start getting you some of the information you have requested. We are also working on a new confidentiality arrangement based on the protective order. Can we make this work?

**Theodore J. Boutrous Jr.**

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP  
333 South Grand Avenue, Los Angeles, CA 90071-3197

## BROMWICH EXHIBIT AA

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TBoutrous@gibsondunn.com • [www.gibsondunn.com](http://www.gibsondunn.com)

---

**From:** Michael R. Bromwich [<mailto:michael.bromwich@bromwichgroup.com>]  
**Sent:** Saturday, November 09, 2013 11:30 AM  
**To:** Boutrous Jr., Theodore J.  
**Cc:** Nigro, Barry; Cirincione, Maria; Swanson, Daniel G.; Richman, Cynthia; [scarroll@robbinsrussell.com](mailto:scarroll@robbinsrussell.com)  
**Subject:** Re: Apple -- Expense Guidelines

Thanks, Ted. We appreciate it. We will plan to fly in late Sunday and be ready to go first thing Monday morning unless a Tuesday start would be significantly better for the company.

Also, we would be grateful for any of the materials we originally requested October 22.

Best.

MRB

On Nov 9, 2013, at 2:13 PM, "Boutrous Jr., Theodore J." <[TBoutrous@gibsondunn.com](mailto:TBoutrous@gibsondunn.com)> wrote:

Checking to see what can be pulled together for that week Will report back

**Theodore J. Boutrous Jr.**

**GIBSON DUNN**

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TBoutrous@gibsondunn.com • [www.gibsondunn.com](http://www.gibsondunn.com)

**From:** Michael Bromwich [<mailto:michael.bromwich@bromwichgroup.com>]  
**Sent:** Thursday, November 07, 2013 12:58 PM  
**To:** Boutrous Jr., Theodore J.  
**Cc:** Nigro, Barry; Cirincione, Maria; Swanson, Daniel G.  
**Subject:** Re: Apple -- Expense Guidelines

Thanks, Ted. Let's keep trying for the week of November 18. The following two weeks are bad for me -- I'm out of the country and otherwise committed the week of December 2 and have some real scheduling difficulties the following week as well. And then we're

## BROMWICH EXHIBIT AA

into the holidays when we can expect people to be traveling everywhere.

We have always understood that we would not be able to grab everyone we would like to meet or interview the week of the 18th, but let's resolve to do the best we can. The list you have generated is an excellent start.

In addition to the people on this list, all of whom we want to meet/interview either the week of the 18th or at some point soon thereafter, we would like to interview/meet Tim Cook, Phil Schiller, and Eddie Cue. If there are other Senior VPs who touch antitrust-related issues in a meaningful way, we would like to add them to the list as well.

In addition, we would be very interested in gathering information while we are out there on the following.

1. A discussion of the overall compliance structure at Apple -- spheres of responsibility, reporting structure, and personnel involved in compliance.
2. Overview of the compliance activities that were commenced after the Final Judgment, as referred to in Bruce Sewell's November 4 letter.
3. Overview of the structure and operation of the Risk Management Committee.
4. Overview of the role of the Audit Committee in compliance
5. Overview of the evaluative tools -- e.g., outside audits and reviews -- currently used to review and monitor the compliance program.
6. Discussion of the tools and methods currently used within the company to promote compliance.
7. Structure for reporting and investigating suspected compliance violations (antitrust and other issues).
8. Existing system for imposing discipline on company personnel who violate compliance policies.
9. Mechanisms for reporting compliance violations and preventing retaliation.

These are just a few ideas about topics that I have found very worthwhile to explore at the outset of monitoring. I will leave to Apple which of these it wants to take up the week of 11/18 and which it would prefer to defer until our next trip -- realistically, probably in early January. I am open to interviewing people who are the most knowledgeable on these subjects, or receiving presentations, which can then be later followed up on with interviews. I want to be as flexible as possible about this, but I have no doubt we will be able to usefully fill 2-3 days the week of 11/18.

We would also very much ask for the company's assistance in arranging interviews with its Board members. In addition to Mr. Cook, I note that Mr. Levenson and Mr. Campbell, both of whom are members of the Audit Committee, are based in Mountain View (Campbell) and South San Francisco (Levenson). My understanding is that Mr.

## BROMWICH EXHIBIT AA

Gore either lives or frequently visits Northern California. If one or more of these outside directors are available the week of the 18th, we would very much like to meet with them.

Thanks very much for your continued assistance and cooperation on this.

Best.

*MRB*

On Thu, Nov 7, 2013 at 3:16 PM, Boutrous Jr., Theodore J. <[TBoutrous@gibsondunn.com](mailto:TBoutrous@gibsondunn.com)> wrote:

Thank you Michael. I look forward to reviewing this and very much appreciated our call yesterday. The week of November 18 is looking bad from a scheduling standpoint (including because the new Antitrust Compliance Officer will be officially starting work that week and a number of other folks will be traveling), so we would like to propose the week of December 2. I am still working to confirm, but interviewees could potentially include:

Bruce Sewell, Senior Vice President, General Counsel, and Secretary Member of Management Risk Oversight Committee

Tom Moyer, Chief Compliance Officer and Head of Global Security

Gene Levoff, Senior Director, Associate General Counsel - Corporate Law and Assistant Secretary, Legal Counsel to Audit and Nominating and Corporate Governance Committee, Liaison to Board of Directors, Counsel Risk Management Committee

Doug Vetter, Vice President, Associate General Counsel Product Law and Assistant Secretary.

Assumed responsibility in July 2013 for legal groups supporting hardware, software, and iTunes (including App Store and iBooks Store).

Kyle Andeer, Senior Director, Competition Law & Policy

Deena Said, Antitrust Compliance Officer

Annie Persamperi, Legal Counsel, iBooks Store

Keith Moerer, Director, iTunes content

Rob McDonald, Head of iBooks Store for the United States

I hope we can work together to make this a productive first trip for you to Apple and sets us on a joint path to achieving the objectives of this effort.

## BROMWICH EXHIBIT AA

Ted

Sent from my iPad

On Nov 7, 2013, at 1:00 PM, "Michael Bromwich" <[michael.bromwich@bromwichgroup.com](mailto:michael.bromwich@bromwichgroup.com)> wrote:

Dear Ted,

As promised during our call yesterday afternoon, attached please find a letter that sets forth the items included in Apple's expense policies that we feel comfortable signing on to. As you will see, we have no objection to agreeing to follow those policies that don't raise independence concerns or otherwise seem inappropriate. Please let us know if you have any questions or need to discuss any of the specific items.

Again, I want to thank you for the very productive discussion we had yesterday. We look forward to receiving the list of people and groups the company is proposing we meet and/or interview the week of November 18 so we can reach closure on the issue as soon as possible and schedule the trip.

Best regards.

***MRB***

<Apple -- Letter to Boutrous -- 11-7.PDF>

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**From:** Boutrous Jr., Theodore J. [TBoutrous@gibsondunn.com]  
**Sent:** Tuesday, November 12, 2013 4:55 PM  
**To:** Michael R. Bromwich (michael.bromwich@bromwichgroup.com)  
**Cc:** Nigro, Barry; Cirincione, Maria; Richman, Cynthia; Swanson, Daniel G.  
**Subject:** Apple

Dear Michael:

It was good speaking with you yesterday. I have confirmed that Apple would be able to make available for 1-hour interviews on Monday November 18 Tom Moyer, who is Chief Compliance Officer and Head of Global Security, and Gene Levoff, who serves as Senior Director, Associate General Counsel - Corporate Law - and Assistant Secretary, Legal Counsel to Audit and Nominating and Corporate Governance Committee, Liaison to Board of Directors, and Counsel to Risk Management Committee. While they would be able to cover many of the topics you have expressed interest in discussing at the outset of your work, we strongly encourage you to hold off and make the trip the week of December 2 or December 9, when Apple can make a fuller slate of folks available to you, including Bruce Sewell, who will be attending the Samsung trial next week, and Deena Said, the new Antitrust Compliance Officer, who will be starting her job at the company and attending new employee orientation next week, along with other relevant members of the legal and business teams mentioned in my prior correspondence. Apple respectfully submits that this will be more efficient and effective in getting you the information you seek and in working together to ensure that the company has comprehensive and effective antitrust compliance and training programs. Regards,

Ted

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**From:** Michael Bromwich [michael.bromwich@bromwichgroup.com]  
**Sent:** Tuesday, November 12, 2013 6:10 PM  
**To:** Boutrous Jr., Theodore J.  
**Cc:** Nigro, Barry; Cirincione, Maria; Richman, Cynthia; Swanson, Daniel G.  
**Subject:** Re: Apple

Ted,

Thanks very much for your timely response and the offer of interviews with Mr. Moyer and Mr. Levoff next Monday, November 18. We accept. We are hopeful that once you advise the company that we will be conducting these interviews on Monday, other people whom we have identified, or whom you have suggested, will become available on Monday, Tuesday, or even Wednesday. I think it is very much in the company's interests for us to meet, if only briefly, those people with whom we will be having the most contact over the next two years.

Please let us know whether we should be prepared to conduct the interviews Monday morning or Monday afternoon. Also, we would very much appreciate obtaining the materials we originally requested on October 22, especially those most relevant to Mr. Moyer's and Mr. Levoff's responsibilities, as soon as possible.

Please let us know if the company has any suggestions on hotels where we should try to make reservations.

Again, thanks very much for your cooperation in this matter.

Best regards.

*MRB*

On Tue, Nov 12, 2013 at 4:55 PM, Boutrous Jr., Theodore J. <[TBoutrous@gibsondunn.com](mailto:TBoutrous@gibsondunn.com)> wrote:

Dear Michael:

It was good speaking with you yesterday. I have confirmed that Apple would be able to make available for 1-hour interviews on Monday November 18 Tom Moyer, who is Chief Compliance Officer and Head of Global Security, and Gene Levoff, who serves as Senior Director, Associate General Counsel - Corporate Law - and Assistant Secretary, Legal Counsel to Audit and Nominating and Corporate Governance Committee, Liaison to Board of Directors, and Counsel to Risk Management Committee. While they would be able to cover many of the topics you have expressed interest in discussing at the outset of your work, we strongly

## BROMWICH EXHIBIT CC

encourage you to hold off and make the trip the week of December 2 or December 9, when Apple can make a fuller slate of folks available to you, including Bruce Sewell, who will be attending the Samsung trial next week, and Deena Said, the new Antitrust Compliance Officer, who will be starting her job at the company and attending new employee orientation next week, along with other relevant members of the legal and business teams mentioned in my prior correspondence. Apple respectfully submits that this will be more efficient and effective in getting you the information you seek and in working together to ensure that the company has comprehensive and effective antitrust compliance and training programs. Regards,

Ted

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**From:** Boutrous Jr., Theodore J. [TBoutrous@gibsondunn.com]  
**Sent:** Wednesday, November 13, 2013 10:03 AM  
**To:** Michael Bromwich  
**Cc:** Nigro, Barry; Cirincione, Maria; Richman, Cynthia; Swanson, Daniel G.; Matthew J. Reilly (Matt.Reilly@stblaw.com)  
**Subject:** RE: Apple

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thanks Michael. Confirmed for Monday morning with Messrs. Moyer and Levoff. I am traveling today but we will get you logistical details (including hotel info) as soon as possible. Apple also plans to get you materials in response to your 10/22 request (adding Matt Reilly who will be coordinating that). Best,

Ted

Theodore J. Boutrous Jr.

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TBoutrous@gibsondunn.com • www.gibsondunn.com

**From:** Michael Bromwich [<mailto:michael.bromwich@bromwichgroup.com>]  
**Sent:** Tuesday, November 12, 2013 3:10 PM  
**To:** Boutrous Jr., Theodore J.  
**Cc:** Nigro, Barry ([Barry.Nigro@friedfrank.com](mailto:Barry.Nigro@friedfrank.com)); Cirincione, Maria ([Maria.Cirincione@friedfrank.com](mailto:Maria.Cirincione@friedfrank.com)); Richman, Cynthia; Swanson, Daniel G.  
**Subject:** Re: Apple

Ted,

Thanks very much for your timely response and the offer of interviews with Mr. Moyer and Mr. Levoff next Monday, November 18. We accept. We are hopeful that once you advise the company that we will be conducting these interviews on Monday, other people whom we have identified, or whom you have suggested, will become available on Monday, Tuesday, or even Wednesday. I think it is very much in the company's interests for us to meet, if only briefly, those people with whom we will be having the most contact over the next two years.

Please let us know whether we should be prepared to conduct the interviews Monday morning or Monday afternoon. Also, we would very much appreciate obtaining the materials we originally requested on October 22, especially those most relevant to Mr. Moyer's and Mr. Levoff's responsibilities, as soon as possible.

Please let us know if the company has any suggestions on hotels where we should try to make reservations.

Again, thanks very much for your cooperation in this matter.

Best regards.

*MRB*

On Tue, Nov 12, 2013 at 4:55 PM, Boutrous Jr., Theodore J. <[TBoutrous@gibsondunn.com](mailto:TBoutrous@gibsondunn.com)> wrote:

Dear Michael:

It was good speaking with you yesterday. I have confirmed that Apple would be able to make available for 1-hour interviews on Monday November 18 Tom Moyer, who is Chief Compliance Officer and Head of Global Security, and Gene Levoff, who serves as Senior Director, Associate General Counsel - Corporate Law - and Assistant Secretary, Legal Counsel to Audit and Nominating and Corporate Governance Committee, Liaison to Board of Directors, and Counsel to Risk Management Committee. While they would be able to cover many of the topics you have expressed interest in discussing at the outset of your work, we strongly encourage you to hold off and make the trip the week of December 2 or December 9, when Apple can make a fuller slate of folks available to you, including Bruce Sewell, who will be attending the Samsung trial next week, and Deena Said, the new Antitrust Compliance Officer, who will be starting her job at the company and attending new employee orientation next week, along with other relevant members of the legal and business teams mentioned in my prior correspondence. Apple respectfully submits that this will be more efficient and effective in getting you the information you seek and in working together to ensure that the company has comprehensive and effective antitrust compliance and training programs. Regards,

Ted

## **BROMWICH EXHIBIT DD**

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**From:** Michael Bromwich [michael.bromwich@bromwichgroup.com]  
**Sent:** Friday, November 15, 2013 12:51 PM  
**To:** Theodore J. Boutrous Jr.  
**Cc:** Swanson, Daniel G.; Richman, Cynthia; Nigro, Barry; Cirincione, Maria; Carroll, Sarah; Matthew J. Reilly  
**Subject:** Apple -- Trip to CA

Dear Ted,

1. The hotel you recommended was sold out. We're staying at the Sheraton in Sunnyvale.
2. Our return flight is late afternoon Tuesday. We remain hopeful that you will identify additional people for us to meet Monday or Tuesday.
3. We think it would be useful for us to meet Deena Said if only briefly during our visit.
4. You had mentioned that Bruce Sewell will be attending the Apple-Samsung trial next week. I would be happy to stop by the courthouse and meet him briefly over a cup of coffee at the courthouse on Monday or Tuesday if that's convenient for him. I think it's important that the two of us meet as soon as possible.
5. We were not planning to have a court reporter attend next week's interviews, unless that is your preference.
6. Please advise who, if anyone, will be attending the interviews along with the witnesses.
7. We still have not received any of the written materials we have been promised since October 22. We would appreciate receiving these as soon as possible.

Please let me know if you have any questions.

***MRB***

**From:** Swanson, Daniel G. <DSwanson@gibsondunn.com>  
**Sent:** Sunday, November 17, 2013 3:11 AM  
**To:** 'Michael Bromwich'  
**Cc:** Richman, Cynthia; Nigro, Barry; Cirincione, Maria; Carroll, Sarah; Matthew J. Reilly; Boutrous Jr., Theodore J.  
**Subject:** RE: Apple -- Trip to CA  
**Attachments:** AppleAgenda.docx; ECM Stipulated Protective Order.docx

Michael: Ted is out of pocket today but we wanted to get you a copy of Monday's agenda. Matt Reilly will be in attendance and Ted will dial in as soon as he gets out of a morning court hearing. Also attached is a draft protective order reflecting Apple's changes.

Daniel G. Swanson

## GIBSON DUNN

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---

**From:** Michael Bromwich [<mailto:michael.bromwich@bromwichgroup.com>]  
**Sent:** Friday, November 15, 2013 9:51 AM  
**To:** Boutrous Jr., Theodore J.  
**Cc:** Swanson, Daniel G.; Richman, Cynthia; Nigro, Barry; Cirincione, Maria; Carroll, Sarah; Matthew J. Reilly  
**Subject:** Apple -- Trip to CA

Dear Ted,

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2. Our return flight is late afternoon Tuesday. We remain hopeful that you will identify additional people for us to meet Monday or Tuesday.
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5. We were not planning to have a court reporter attend next week's interviews, unless that is your preference.
6. Please advise who, if anyone, will be attending the interviews along with the witnesses.

## BROMWICH EXHIBIT FF

7. We still have not received any of the written materials we have been promised since October
22. We would appreciate receiving these as soon as possible.

Please let me know if you have any questions.

***MRB***

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**AGENDA**

**9:00-9:40:** Noreen Krall, Apple Vice President Litigation

Confidentiality and Engagement Agreements

**10:15-11:15:** Tom Moyer, Chief Compliance Officer and Head of Global Security

Compliance Program Overview

**11:15-12:15:** Gene Levoff , Senior Director, Associate General Counsel - Corporate Law - and Assistant Secretary, Legal Counsel to Audit and Nominating and Corporate Governance Committee, Liaison to Board of Directors, and Counsel to Risk Management Committee.

Audit Committee Overview

## BROMWICH EXHIBIT GG

**From:** Michael R. Bromwich [michael.bromwich@bromwichgroup.com]  
**Sent:** Monday, November 18, 2013 4:30 PM  
**To:** nkrall@apple.com  
**Cc:** Matthew J. Reilly; Cirincione, Maria  
**Subject:** Interviews

Dear Noreen,

It was good to meet you this morning. As Matt will confirm, our interviews of Tom and Gene went very smoothly and were very informative. I am hopeful that you can help facilitate additional meetings/ interviews either this afternoon or tomorrow. Although we are scheduled to depart tomorrow afternoon, we could delay that until Wednesday morning if we are able to schedule some things for tomorrow afternoon.

I'm hopeful that we can work out a productive set of meetings and interviews for December 4-6.

Speak to you soon.

Best regards.

MRB

## BROMWICH EXHIBIT HH

**From:** Noreen Krall [nkrall@apple.com]  
**Sent:** Monday, November 18, 2013 7:08 PM  
**To:** Michael R. Bromwich  
**Cc:** Matthew J. Reilly; Cirincione, Maria  
**Subject:** Re: Interviews

Hi Michael,

It was nice to meet with you and Maria this morning, and I trust the meetings today have started us down a productive path. Due to preexisting schedule conflicts, I am unable to set up further meetings for tomorrow. However we have already started working on calendar holds for Dec. 4-6. A full agenda will be forthcoming.

Best regards,  
Noreen

Sent from my iPhone

> On Nov 18, 2013, at 1:30 PM, "Michael R. Bromwich" <[michael.bromwich@bromwichgroup.com](mailto:michael.bromwich@bromwichgroup.com)>  
wrote:

>

> Dear Noreen,

>

> It was good to meet you this morning. As Matt will confirm, our interviews of Tom and Gene went very smoothly and were very informative. I am hopeful that you can help facilitate additional meetings/ interviews either this afternoon or tomorrow. Although we are scheduled to depart tomorrow afternoon, we could delay that until Wednesday morning if we are able to schedule some things for tomorrow afternoon.

>

> I'm hopeful that we can work out a productive set of meetings and interviews for December 4-6.

>

> Speak to you soon.

>

> Best regards.

>

> MRB

## BROMWICH EXHIBIT II

**From:** Michael Bromwich [michael.bromwich@bromwichgroup.com]  
**Sent:** Tuesday, November 19, 2013 12:28 PM  
**To:** Matthew J. Reilly; nkrall@apple.com; Theodore J. Boutrous Jr.  
**Cc:** Cirincione, Maria; Nigro, Barry; Carroll, Sarah  
**Subject:** Interview Requests

I am going to be in New York on Thursday and Friday and would very much like to meet with Andrea Jung of the Apple Board. I am going to be in DC on Monday and would very much like to meet with Ronald Sugar, the Chair of the Audit and Finance Committee. I agree to limit the meetings to an hour so as not to impose on their time. I know they are busy. If they are unavailable those dates, please propose alternative dates.

Thanks very much.

***MRB***

## BROMWICH EXHIBIT JJ

**From:** Noreen Krall [nkrall@apple.com]  
**Sent:** Thursday, November 21, 2013 8:46 AM  
**To:** Michael Bromwich  
**Cc:** Matthew J. Reilly; Theodore J. Boutrous Jr.; Cirincione, Maria; Nigro, Barry; Carroll, Sarah  
**Subject:** Re: Interview Requests

Michael,

We are checking Mr. Sugar's availability to meet with you when you return to California for interviews Dec. 4 - 6. As I mentioned during our meeting on Monday, Nov. 18, and in my follow up email that same day, a full agenda of meetings and interviews will be forthcoming. Please be patient as we check schedules, we should have something to you by the end of this week.

Best regards,  
Noreen

On Nov 21, 2013, at 5:28 AM, Michael Bromwich <[michael.bromwich@bromwichgroup.com](mailto:michael.bromwich@bromwichgroup.com)> wrote:

I would appreciate a response.

Thank you.

**MRB**

On Tue, Nov 19, 2013 at 12:27 PM, Michael Bromwich <[michael.bromwich@bromwichgroup.com](mailto:michael.bromwich@bromwichgroup.com)> wrote:  
I am going to be in New York on Thursday and Friday and would very much like to meet with Andrea Jung of the Apple Board. I am going to be in DC on Monday and would very much like to meet with Ronald Sugar, the Chair of the Audit and Finance Committee. I agree to limit the meetings to an hour so as not to impose on their time. I know they are busy. If they are unavailable those dates, please propose alternative dates.

Thanks very much.

**MRB**

Noreen Krall  
[nkrall@apple.com](mailto:nkrall@apple.com)  
408-862-5159 Office  
408-203-1074 Cell

**From:** Cirincione, Maria <Maria.Cirincione@friedfrank.com>  
**Sent:** Friday, November 22, 2013 10:05 PM  
**To:** 'Noreen Krall'  
**Cc:** 'Michael Bromwich'; Nigro, Barry; Carroll, Sarah; 'Matt.Reilly@stblaw.com'; 'Boutrous Jr., Theodore J.'  
**Subject:** Apple - Letter to the Board  
**Attachments:** Apple -- Letter to Board of Directors -- 11-22-13.pdf

Dear Noreen,

Please see the attached letter from Mr. Bromwich to the Apple Board of Directors. We request that you circulate it to them as promptly as possible. We will separately send it to their business addresses. Please advise regarding hardcopy mailing procedures to avoid disclosure to anyone other than the intended Board member.

A response to your November 21 letter will be forthcoming.

Thank you,

Maria

Maria R. Cirincione  
[maria.cirincione@friedfrank.com](mailto:maria.cirincione@friedfrank.com) | Tel: +1.202.639.7044

Fried, Frank, Harris, Shriver & Jacobson LLP  
801 17th St., NW, Washington, DC 20006  
[friedfrank.com](http://friedfrank.com)

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The Bromwich Group LLC  
901 New York Avenue, NW, 5<sup>th</sup> Floor  
Washington, DC 20001

November 22, 2013

Mr. Arthur Levinson  
Chairman and former CEO  
Genentech, Inc.  
One DNA Way  
South San Francisco, CA 94080

Mr. Albert Gore, Jr.  
The Climate Reality Project  
901 E Street, N.W.  
Suite 610  
Washington, D.C. 20004

Mr. William Campbell  
Chairman and former CEO  
Intuit Inc.  
2700 Coast Avenue  
Mountain View, CA 94043

Mr. Robert Iger  
President and Chief Executive Officer  
The Walt Disney Company  
500 South Buena Vista Street  
Burbank, CA 91521

Mr. Timothy Cook  
CEO  
Apple Inc.  
One Infinite Loop  
Cupertino, CA 95014

Ms. Andrea Jung  
Senior Advisor to the Board of Directors  
Avon Products, Inc.  
777 Third Avenue  
New York, NY 10017

Mr. Millard Drexler  
Chairman and Chief Executive Officer  
J. Crew Group, Inc.  
770 Broadway  
New York, NY 10003

Mr. Ronald Sugar  
Former Chairman and CEO  
Northrop Grumman Corporation  
2980 Fairview Park Drive  
Falls Church, VA 22042

Re: Relationship between External Compliance Monitor and Apple

Dear Members of the Apple Inc. Board of Directors:

As you know, on September 5, 2013, the Honorable Denise L. Cote, United States District Judge for the Southern District of New York, issued a Final Judgment in *United States of America v. Apple, Inc., et al.*, Civil Action No. 1:12-CV-2826 and Order Entering



Members of the Apple Inc. Board of Directors  
November 22, 2013  
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Permanent Injunction in *The State of Texas, et al., v. Penguin Group (USA), Inc., et al.*, Civil Action No. 1:12-CV-3394 (collectively, the "Final Judgment").

Section VI of the Final Judgment established the position of External Compliance Monitor ("monitor") with "the power and authority to review and evaluate Apple's existing internal antitrust compliance policies and procedures," as well as the training program required by the Final Judgment. In addition, the monitor has the power and authority to recommend changes to "address any perceived deficiencies in those policies, procedures, and training." Section VI.B.

More specifically, the Final Judgment requires the monitor to "conduct a review to assess whether Apple's internal antitrust compliance policies and procedures, as they exist 90 days after his or her appointment, are reasonably designed to detect and prevent violations of the antitrust laws" and to "conduct a review to assess whether Apple's training program, required by the [Final Judgment], as it exists 90 days after his or her appointment, is sufficiently comprehensive and effective." Section VI.C. The monitor is required to provide an initial written report summarizing his findings, conclusions, and recommendations no later than April 14, 2014, and additional written reports at six-month intervals for a period of two years. The Court may extend the duration of the monitor's appointment beyond two years, and the monitor, at his discretion or at the request of the Department of Justice, State Attorneys General, or the Court, may file additional reports.

Consistent with a selection process set forth in the Final Judgment, I was selected by the Court, on October 16, 2013, to serve as the monitor. I have assembled a small team to work with me, led by Barry Nigro, the chair of the Antitrust Department at Fried, Frank, Harris, Shriver & Jacobson LLP.

I have been doing oversight and monitoring work of various kinds for the past twenty years - first, as the Inspector General for the Department of Justice during the Clinton Administration, and subsequently as a monitor of public agencies and private companies. This is the fourth time in the last eleven years I have been selected to serve as a monitor. I am familiar with the challenges and opportunities presented by serving as a monitor or otherwise engaging in oversight work. I have developed an approach of openness, engagement, and collaboration that has been successful for me and the organizations - both public and private - that I have monitored.

I regret to report that in the month since my appointment, I have experienced a surprising and disappointing lack of cooperation from Apple and its executives that is rare in my oversight experience. Within a week of my appointment, on October 22, Mr. Nigro and I met in New York with a senior lawyer for the company and three of the company's outside lawyers to discuss the monitor's role and my approach to the



Members of the Apple Inc. Board of Directors  
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responsibilities created by the Court's Final Judgment. I outlined my expectations for the relationship. As reflected in Judge Cote's observations during the trial, and in the post-trial conferences focused on appropriate remedies, senior executives and the Board have an important role to play in the fulfillment of Apple's obligations. At the October 22 meeting, I explained that, in my experience, the monitor and the company benefit from the monitor's direct and regular access to senior management of the company.

In that connection, I advised the company that I felt it was important to conduct a set of initial meetings and interviews with company executives and members of the Board to introduce myself, lay the foundation for our relationship, and learn some basic facts about the company's compliance framework. At the October 22 meeting, I proposed that my first visit to Cupertino for those initial meetings and interviews take place the week of November 18, a full month after my appointment. I expressed my willingness to advance the meetings by a week if that was more convenient for the company and its executives. I should note that the initial meetings for my other monitoring assignments generally occurred within two weeks of my appointment.

Apparently, my requests were inconsistent with the desires, and perhaps the expectations, of the company. Since the October 22 initial meeting until today, the company has not been responsive to our efforts to discharge the obligations the Court assigned to us. The company consistently opposed our requests to conduct interviews during the week of November 18. It originally took the position that we were not to begin our work until 90 days after my appointment, and later opposed the request on grounds that providing senior executive and Board member interviews was overly burdensome, and that *all* of the individuals with whom we had asked to meet were unavailable during the entire week of November 18.

When we made it clear that we intended to travel to California during the week of November 18 and expected to meet with as many of the fifteen individuals we had requested as possible, the company agreed to schedule interviews with only two individuals. We were told that the others were "unavailable," with a specific reason given only for Bruce Sewell. Despite repeated promises, we received not a single document from the company in advance of our trip to California in response to requests we initially made on October 22, and repeated thereafter.<sup>1</sup> Once we arrived in California, the company provided interviews only with the two individuals who had been identified in advance, but with no one else. The company gave no explanation for failing to be more responsive to our requests for other interviews, other than "unavailability."

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<sup>1</sup> After our November 18 trip to California, counsel for the company provided its first set of documents in response to our requests.



## BROMWICH EXHIBIT KK

Members of the Apple Inc. Board of Directors  
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In addition to requests for interviews with relevant executives, we also asked to meet with Board members who work and reside in and around Northern California. We repeated our request upon our arrival on Monday, November 18 but we never received a response. It is unclear to me whether these requests have been communicated to you, although they certainly should have been.

Our requests to meet with key Apple personnel have been largely ignored, and when not ignored the responses have been extremely slow in coming. The company has spent far more time challenging the terms of our compensation and raising other objections related to administrative matters, even though the Court's Order provided no role for Apple in setting the monitor's compensation.<sup>2</sup> Apple has sought for the past month to manage our relationship as though we are its outside counsel or consultant, to whom it can dictate terms and conditions, and whose approval is required before we can undertake our work. Despite Apple's failure to respond adequately to our reasonable requests, we will continue to "proceed with all reasonable diligence" in our duties, as instructed by Judge Cote's November 21, 2013 Order proposing an amendment to her original September 5 Order.

The company's approach to date is antithetical to the type of relationship that is required for the monitor and the company to work together in a constructive and collaborative manner. This approach has the potential to create a relationship fraught with friction and tension rather than the positive, collaborative relationship we can - and should - have.

We understand that Apple is appealing the antitrust verdict the Court rendered against the company. We further understand that the company strongly opposed the appointment of an external antitrust compliance monitor, and that Apple has never had a monitor of any kind. That may explain why, over the past month, Apple has taken an unfortunate and unproductive approach. But understanding the company's perspective does not excuse Apple's continuing failure to cooperate.

We are off to a slow, difficult, and unfortunate start, but I have no doubt that we can get our relationship back on track. It is very early in a long-term relationship. I have several suggestions for you as members of the Board in the exercise of your oversight responsibilities, which I believe could help the Company fulfill its obligations under the Final Judgment:

- Ensure that Apple personnel appointed to serve as liaisons to me and the other members of the monitoring team understand that a relationship

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<sup>2</sup> The latest of these challenges was in the form of a letter from Noreen Krall on November 21, 2013, demanding documentation and support for compensation.

## BROMWICH EXHIBIT KK

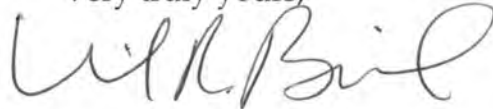
Members of the Apple Inc. Board of Directors  
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Page 5

with a court-appointed monitor is different from a relationship with counsel to the company, an adversary in litigation, or an outside counsel or consultant.

- Promote a positive, direct relationship between the company liaisons and the monitoring team that is unfiltered through outside counsel.
- Encourage senior management of the company to work with us to build a constructive relationship with a shared goal of creating a world-class antitrust compliance program at Apple. That can happen only if the company substitutes a new approach, based on collaboration and engagement, for the confrontational and obstructionist approach it has adopted in the first month of our relationship.

I very much regret that my first encounter with you has been under these circumstances. I look forward to meeting with you in the near future and working with you to ensure that Apple fully complies with the Court's Final Judgment in this matter and builds an antitrust compliance program that can serve as an industry leader.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael R. Bromwich". The signature is fluid and cursive, with the first name "Michael" and last name "Bromwich" clearly distinguishable.

Michael R. Bromwich

## BROMWICH EXHIBIT LL

**From:** Reilly, Matt <Matt.Reilly@stblaw.com>  
**Sent:** Friday, November 22, 2013 10:32 PM  
**To:** 'Michael Bromwich'  
**Cc:** Nigro, Barry; Carroll, Sarah; 'Boutrous Jr., Theodore J.'; 'Cirincione, Maria'; Arquit, Kevin; 'Noreen Krall'; Reilly, Matt  
**Subject:** Letter and Confidentiality Agreement  
**Attachments:** Letter from M. Reilly to M. Bromwich 11-22-13.pdf; Confidentiality Agreement.pdf

Michael,

Please see the attached letter and confidentiality agreement pursuant to our discussion at Monday's meeting.

Best,  
Matt

---

SIMPSON THACHER & BARTLETT LLP

1155 F STREET, N.W.  
WASHINGTON, DC 20004  
(202) 636-5500

FACSIMILE (202) 636-5502

DIRECT DIAL NUMBER  
(202) 636-5566

E-MAIL ADDRESS  
mreilly@stblaw.com

BY E-MAIL

November 22, 2013

Re: External Antitrust Compliance Monitoring

Michael R. Bromwich  
The Bromwich Group LLC  
901 New York Avenue, NW 5th Floor  
Washington, D.C. 20001

Dear Michael:

I write in regard to your repeated requests to interview additional Apple executives, board members, and other employees, and to attempt to agree more generally on a schedule moving forward. In the past few weeks, you have sent frequent and repetitive requests to speak with—among many others—at least five different board members and the entire Apple executive team (including Sir Jonathan Ive, whose sole and exclusive responsibility at Apple is to perfect elegant product designs), long before the Court contemplated that your review would begin. As explained below, these requests are inconsistent with Judge Cote's direction and counter-productive to Apple's extensive efforts to develop a comprehensive new antitrust training and monitoring program. Furthermore, cascades of emails and demands for immediate attention are incredibly disruptive.



Michael R. Bromwich

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November 22, 2013

First and most fundamentally, and as we explained to you previously, Judge Cote stated expressly that she expected your review to begin three months after your appointment, noting from the bench that “I don’t think that the [Monitor] should conduct a review or assessment of the current policies. I would expect that Apple would revise its current policy substantially . . . and create an effective training program. That will require some time. So I think this should be revised to have the [Monitor] *doing an assessment in three months from appointment and beginning to engage Apple in a discussion at that point.*” Transcript of Oral Argument at 20-21, Apple, Inc., No. 1:12-CV-2826 (Sept. 5, 2013) (emphasis added). Similarly, the Court amended the Final Judgment to require you to “conduct a review . . . [of] Apple’s internal antitrust compliance policies and procedures, *as they exist 90 days after his or her appointment*” and to “also conduct a review to assess whether Apple’s training program, required by Section V.C of this Final Judgment, *as it exists 90 days after his or her appointment*, is sufficiently comprehensive and effective.” Final Judgment § VI.C (emphasis added). Judge Cote also stated more generally that “I want this injunction to rest as lightly as possible on the way Apple runs its business.” Transcript of Oral Argument at 8-9, Apple, Inc., No. 1:12-CV-2826 (Sept. 5, 2013).

Thus, Judge Cote clearly prescribed that your review would begin in substance on or around January 14, 2014, not almost immediately after your appointment. She also directed that you conduct your review in such a way as to disrupt Apple’s business operations as little as possible. The reason for this three-month window is of course to provide Apple and its counsel with time to develop new, comprehensive antitrust training and compliance materials in accordance with the Final Judgment, without hampering Apple’s business. Apple and its counsel have in fact already dedicated substantial internal

Michael R. Bromwich

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November 22, 2013

and external resources to developing Apple's new training and compliance program, which we intend to provide to you in draft form in the near future.

Second, *despite* the fact that the Court expected your engagement to begin substantively after this three-month window, Apple already has gone far beyond what the Final Judgment and Judge Cote require of it. Apple took the initiative to meet with you and your team on October 22, 2013, immediately after your appointment. We then agreed to schedule interviews of two senior Apple attorneys on November 18, 2013, despite the fact that the Final Judgment does not require Apple to do so. Most recently, we have proposed making several more Apple employees available to you in the first week of December for two-and-a-half full days of additional interviews. We have also provided you with a number of documents pursuant to your requests and will provide additional documents going forward.

Third, your continual requests for additional interviews and other information before January 14, 2014, affirmatively hamper Apple's efforts to develop a new antitrust training and compliance program as efficiently and effectively as possible within the deadline set by Judge Cote. Even after we have met and conferred with you in good faith regarding specific requests, you have regularly repackaged the same demands in different forms, through a variety of emails and telephonic and in-person meet and confers, and on a nearly daily or weekly basis. This constant stream of repetitive requests distracts the Apple in-house and outside counsel responsible for developing the new training program, thereby taking away time that would otherwise be devoted to completing the very antitrust program that is the centerpiece of Judge Cote's Order.

In short, we have gone far above and beyond that required of us by the Final Judgment in order to demonstrate our commitment to working with you in good faith and to complying with Judge Cote's instructions. We remain committed to doing so. In the spirit of cooperation, and to ensure that you obtain the information you need while minimizing any further disruption to the company, we propose the following schedule for additional interviews, generally to be conducted every two months or so beginning with the upcoming interviews in December:

**December 4:**

9:00 a.m.: Chris Keller, Vice President, Internal Audit

10:00 a.m.: Noreen Krall, Vice President and Chief Litigation Counsel

11:00 a.m.: Doug Vetter, Vice President and Associate General Counsel

1:00 p.m.: Kyle Andeer, Senior Director, Competition Law & Policy

2:00 p.m.: Annie Persampieri, Corporate Counsel, Internet Services & Software

3:00 p.m.: Deena Said, Antitrust Compliance Officer<sup>1</sup>

**December 5:**

11:00 a.m.: Ronald Sugar, Director and Chair of the Audit and Finance Committee

2:00 p.m.: Rob McDonald, Head, U.S. iBookstore

3:00 p.m.: Tom Moyer, Chief Compliance Officer (by phone, as Mr. Moyer will be traveling)

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<sup>1</sup> Please let me know what time you plan to begin interviewing each day. If any of the proposed times do not work for you, we will work with you in good faith to move specific interviews later in the afternoon on December 4 or to a mutually convenient time on December 6.



Michael R. Bromwich

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November 22, 2013

**December 6:**

9:00 a.m.: Gene Levoff, Associate General Counsel, Corporate Law

11:00 a.m.: Keith Moerer, Director, iBookstore

Please note that Bruce Sewell is unavailable December 4-6 due to prior commitments, but will be available for a telephonic interview the week of December 9. We will follow up with proposed dates and times for that call shortly. We will also provide you with any other logistical information shortly before the interviews.

Furthermore, we propose offering one or a small number of senior executives and content managers in early February. Any meeting between you and an Apple business executive or manager, or between you and Mr. Sugar, will be held in the presence of counsel so that we may appropriately protect Apple's attorney-client privilege.

In advance of the additional interviews set out above, we are happy to continue working with you in good faith to respond to any document requests that are reasonably related to your duties as monitor. To that end, enclosed please find a revised draft confidentiality agreement reflecting our discussions last week. Please let me know if you have any further changes to or comments regarding the agreement.

Feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt J. Reilly / SS".

Matthew J. Reilly

Encl.

From: **Bruce Sewell** <[bsewell@apple.com](mailto:bsewell@apple.com)>  
Date: Mon, Nov 25, 2013 at 3:32 PM  
Subject: Apple Board of Directors Notification  
To: [michael.bromwich@bromwichgroup.com](mailto:michael.bromwich@bromwichgroup.com)

By E-mail

November 25, 2013

Re: External Antitrust Compliance Monitoring

Michael R. Bromwich  
The Bromwich Group LLC  
901 New York Avenue, NW 5th Floor  
Washington, D.C. 20001

Dear Michael,

Thank you for your letter of November 22, 2013, to Apple's Board of Directors, which we have provided electronically to the entire Board. It appears that our letters may have crossed; as set out in our correspondence of November 22, we have now laid out in great detail proposed next steps, including confirming the interviews of approximately a dozen senior Apple witnesses over two-and-a-half days during the first week of December. I hope that we can continue to work cooperatively to conduct those interviews as efficiently and effectively as possible and to address any further requests that you may have.

Feel free to contact me with any questions.

Sincerely,

Bruce Sewell

From: **Michael Bromwich** <[michael.bromwich@bromwichgroup.com](mailto:michael.bromwich@bromwichgroup.com)>

Date: Mon, Nov 25, 2013 at 4:16 PM

Subject: Re: Apple Board of Directors Notification

To: Bruce Sewell <[bsewell@apple.com](mailto:bsewell@apple.com)>

Dear Bruce,

Thanks very much for your note. We are looking forward to meeting with the people identified in Matt Reilly's November 22 letter when we come out to California the week of December 2. Several of the names on the list are not familiar to me (Doug Vetter, Annie Pesampieri), and others on the list are people we've met with but did not request to interview (Kyle Andeer, Noreen Krall). I am hopeful that we will learn in advance the reasons that they are on the list so that we can prepare more efficiently and make the best use of our time with them. We have also asked whether these will be interviews or presentations because that will determine how we staff the trip.

I am very sorry that you will not be available to meet with us that week, but I understand we will be speaking with you by phone the week of December 9. I am very much looking forward to it. I'm also hopeful that you can help set up interviews with the other senior executives and Board members we have requested to interview. I think it's very much to the company's advantage to help facilitate those interviews as soon as reasonably possible.

Thanks again.

Best regards.

**MRB**

On Mon, Nov 25, 2013 at 3:32 PM, Bruce Sewell <[bsewell@apple.com](mailto:bsewell@apple.com)> wrote:  
By E-mail

November 25, 2013

Re: External Antitrust Compliance Monitoring

Michael R. Bromwich  
The Bromwich Group LLC  
901 New York Avenue, NW 5th Floor  
Washington, D.C. 20001

Dear Michael,

Thank you for your letter of November 22, 2013, to Apple's Board of Directors, which we have provided electronically to the entire Board. It appears that our letters may have crossed; as set out in our correspondence of November 22, we have now laid out in great detail proposed next steps, including confirming the interviews of approximately a dozen senior Apple witnesses over two-and-a-half days during the first week of December. I hope that we can continue to work cooperatively to conduct those interviews as efficiently and effectively as possible and to address any further requests that you may have.

Feel free to contact me with any questions.

Sincerely,

Bruce Sewell

## BROMWICH EXHIBIT OO

**From:** Cirincione, Maria <Maria.Cirincione@friedfrank.com>  
**Sent:** Sunday, December 01, 2013 6:52 PM  
**To:** Buterman, Lawrence; Kully, David; McCuaig, Daniel; Sutton, Nathan; gabriel.gervery@texasattorneygeneral.gov; eric.lipman@texasattorneygeneral.gov; joseph.nielsen@ct.gov; Gary.Becker@ct.gov; eric.stock@ag.ny.gov; Robert.Hubbard@ag.ny.gov; 'Noreen Krall'; 'TBoutrous@gibsondunn.com'; 'Matt.Reilly@stblaw.com'  
**Cc:** michael.bromwich@bromwichgroup.com; Nigro, Barry; Carroll, Sarah  
**Subject:** Apple  
**Attachments:** Emails.pdf

Attached are communications received by Mr. Bromwich following Apple's November 27 filing.

Maria R. Cirincione  
[maria.cirincione@friedfrank.com](mailto:maria.cirincione@friedfrank.com) | Tel: +1.202.639.7044

Fried, Frank, Harris, Shriver & Jacobson LLP  
801 17th St., NW, Washington, DC 20006  
friedfrank.com

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**Subject:** apple case

**Date:** Saturday, November 30, 2013 12:36:40 PM Eastern Standard Time

**From:** j

**To:** info@bromwichgroup.com

*WOW*

*Just saw you people want over \$1,000  
an hour.*

*How do I apply?*

*thanks*

*John*



**Subject:** Piece of Shit

**Date:** Saturday, November 30, 2013 12:17:54 PM Eastern Standard Time

**From:** My Site

**To:** info@bromwichgroup.com

Name: Steve

Email: [Blowme@gmail.com](mailto:Blowme@gmail.com)

Subject: Piece of Shit

Comments:

You are a thieving schiester piece of shit. There enough misery that beset you for the rest of your life.

Steve Jobs

**Subject:** You make your profession proud!

**Date:** Saturday, November 30, 2013 12:01:21 PM Eastern Standard Time

**From:** My Site

**To:** info@bromwichgroup.com

Name: Charles Rost

Email: [chuckrost@aol.com](mailto:chuckrost@aol.com)

Subject: You make your profession proud!

Comments:

From Bloomberg . . . \"Bromwichâs invoice for his first two weeks of work was \$138,432, the equivalent of 75 percent of a federal judgeâs annual salary . . . proposed hourly fee of \$1,100\"

Never has an \"officer of the court\" attempted to steal as much in \"one fell swoop\" as you.

HUGH BALLS! ABSOLUTELY HUMONGOUS!!!

Congratulations!

You have reaffirmed what everyone has always known.

Both about you, and your profession.

**Subject:** Would like to hire your firm

**Date:** Saturday, November 30, 2013 3:48:23 PM Eastern Standard Time

**From:** My Site

**To:** info@bromwichgroup.com

Name: Gary Whitley

Email: [gary.whitley@gmail.com](mailto:gary.whitley@gmail.com)

Subject: Would like to hire your firm

Comments:

...never. You arrogant pieces of shit. You think we're going to hire your slimy firm after what sort of character you're truly showing with the Apple \"victory\" you scored. Honestly. Pieces of shit.

**From:** Leslie Sun <[leslie.anoointedhope@me.com](mailto:leslie.anoointedhope@me.com)>

**Date:** November 30, 2013 at 2:59:48 AM GMT

**To:** "[mbromwich@goodwinprocter.com](mailto:mbromwich@goodwinprocter.com)" <[mbromwich@goodwinprocter.com](mailto:mbromwich@goodwinprocter.com)>

No matter how good your resume looks like. It is already tarnished by the back and forth statements you exchanged with Apple. You are just *another* greedy lawyer. Precisely the character of Dolores Umbridge in Harry Potter.

Best Regards,

Sun



**From:** Frank Osborn <[fosborn@windrunner.biz](mailto:fosborn@windrunner.biz)>

**Date:** November 29, 2013 at 5:56:56 PM GMT

**To:** "[mbromwich@goodwinprocter.com](mailto:mbromwich@goodwinprocter.com)" <[mbromwich@goodwinprocter.com](mailto:mbromwich@goodwinprocter.com)>

**Subject:** Racket

I'm shocked by your extortion racket at Apple.

Sent from my iPad

**From:** Michael R. Bromwich <michael.bromwich@bromwichgroup.com>  
**Sent:** Tuesday, December 10, 2013 1:30 PM  
**To:** Matt Reilly  
**Cc:** barry.nigro@friedfrank.com; maria.cirincione@friedfrank.com; Carroll, Sarah  
**Subject:** Apple

Dear Matt,

Thanks for your assistance in setting up the interviews we conducted last week. I thought they were constructive and very helpful in providing some of the necessary background to our work. They will serve as part of a strong foundation for the additional work we will be doing. We also very much appreciate the introduction to Deena Said and look forward to working with her.

In looking ahead to the next several weeks, I wanted to get the company's and your views on a schedule for the remainder of December and January that is most efficient and productive. The holiday season begins soon and will extend through the end of the year, and we are well aware that Apple's revised antitrust policies and procedures are due to be completed on January 14.

Please provide a proposal for when it would be convenient for us to schedule our next trip to Cupertino to conduct additional interviews; it may make sense to do so after January 14, but I wanted to give you the option of having some of them take place before that time. Whether or not you elect to have us conduct additional interviews between now and January 14, I suggest that we spend the some time between now and then focusing on some of the outstanding document issues we have discussed. If Apple wants, we are available to meet either in Washington or Cupertino before the 14th, and we certainly are amenable to discussing with you any issues or concerns Apple is encountering as it finalizes its antitrust policies.

Also, please advise the company that I would welcome the chance to discuss the fee-related issues at its earliest convenience to try to put those issues behind us.

Best regards.

MRB