

Message

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**From:** Jeff Shardell <sup>Redacted</sup>@google.com]  
**Sent:** 6/16/2009 5:42:25 AM  
**To:** Alan Eustace <sup>Redacted</sup>@google.com]  
**CC:** Joan Braddi <sup>Redacted</sup>@google.com]; Andrew Young <sup>Redacted</sup>@google.com]  
**Subject:** Fwd: Revised Draft of Amendment 5  
**Attachments:** Google-Apple ISA Amendment 5 061609 Appledraft.doc

Alan,

FYI, this afternoon we received the response (finally) from Apple. As expected, they kept the revenue share at <sup>Redacted</sup> except in cases where we are not set as default and it then drops to <sup>Redacted</sup> (this is actually worse than the way our contract is currently worded where we wouldn't pay any revenue share if Google is not set as default).

Jeff

----- Forwarded message -----

**From:** Leslie Fithian <sup>Redacted</sup>@apple.com>  
**Date:** Mon, Jun 15, 2009 at 6:36 PM  
**Subject:** Revised Draft of Amendment 5  
**To:** Andrew Young <sup>Redacted</sup>@google.com>  
**Cc:** Brian Croll <sup>Redacted</sup>@apple.com>, Jeff Shardell <sup>Redacted</sup>@google.com>

Hi Andrew,

Here is a revised version of Amendment 5 (redlined from the draft you sent previously) with our proposed changes based on the recent meeting with Phil and Alan. I believe a follow-up meeting is already being scheduled for later this week. Feel free to call me if you have questions in the meantime.

Ex. No.

UPX0615

1:20-cv-03010-APM