



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Bureau of Competition  
Mergers II Division

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May 15, 2008

Take-Two Interactive Software, Inc.  
c/o Stephen Axinn, Esquire  
Axinn, Veltrop & Harkrider LLP  
114 West 47<sup>th</sup> Street  
New York, NY 10036

Re: Subpoena *Duces Tecum* and Civil Investigative Demand Issued to Take-Two Interactive Software, Inc. in connection with Electronics Arts Inc. Proposed Acquisition of Take-Two Interactive Software, Inc., File No. 081-0138

Dear Mr. Axinn:

Pursuant to our phone call today, you proposed to narrow further the scope of the documents you previously agreed to provide to the following types of documents from the files of David Ismailer, COO and Senior VP Pub Ops; Sarah Anderson, SVP Marketing; and Bob Blau, SVP Sales:

1. Marketing and competition documents, including past and present product development plans, consumer research documents, and documents describing Metacritic ratings for the company's basketball and hockey titles;
2. Business and strategic plans for the company's basketball and hockey titles.

Moreover, you stated after conferring with the General Counsel of Take-Two that neither the CEO nor anyone else within Take-Two has, as of today, had any discussions with EA regarding EA's latest cash tender offer.

Although we have not extended the CID and Subpoena compliance deadline, we have agreed to forego filing a judicial enforcement action for the next seven days for purposes of evaluating the sufficiency of your compliance to date. We look forward to receiving documents and information pertaining to the above categories on a rolling basis over the next seven to ten days in a format consistent with instructions X of Y of the Subpoena *Duces Tecum* issued to Take-Two on April 21, 2008. If for any reason this letter does not accurately reflect our agreement and the representations that you made on behalf of Take-Two, please notify me immediately in writing.

Sincerely,