
From: Steven Sinofsky [REDACTED]
Sent: Sunday, April 7, 2013 3:24 AM
To: Jeffrey Epstein
Subject: Re:

I agree.

Thank you.

Sent from Windows Mail

From: Jeffrey Epstein
Sent: Saturday, April 6, 2013 8:23 PM
To: Steven Sinofsky

sec disclosure will appear as if they are concerned about what you say, . seems very weak, . appears they are buying your silence. etc. it reads better this way as opposed to I wont disparage them until next summer,

On Sat, Apr 6, 2013 at 11:17 PM, Steven Sinofsky [REDACTED] wrote:

Exactly. I am just saying what you can say when brad notices it is one way. Since there is no remedy (essentially for either of us, though they have the paid-for counsel to sue out of pettiness anyway).

I know it isn't relevant. Just pointing out how the SEC disclosure works against me.

This is a guy who as CEO of the company and Forbes #19 had to have the VP of PR read my performance review to the NY Times after I saved the company simply because he felt he wasn't involved enough. Hard for me to model a human being like this so I assume the worst.

Sent from Windows Mail

From: Jeffrey Epstein
Sent: Saturday, April 6, 2013 8:16 PM
To: Steven Sinofsky

i htought you wanted them to look petty, we can keep disparagement in, but what is the remedy?

On Sat, Apr 6, 2013 at 11:12 PM, Steven Sinofsky [REDACTED] wrote:

steve will dispatch PR to point out how this is all about how big a fuck up Windows 8 was and so he isn't petty but just being clear about blame. he will demonize me.

just saying what is going to happen.

Sent from Windows Mail

From: Jeffrey Epstein
Sent: Saturday, April 6, 2013 8:11 PM
To: Steven Sinofsky

they look petty now. dates should be flexible, took out disapragement from their side, 8 should stay only again to make them look silly,

On Sat, Apr 6, 2013 at 10:44 PM, Steven Sinofsky [REDACTED]

> wrote:

It sure seems like a long time -- I haven't set foot on campus since November 2012 and so stretching this whole thing out until 2014 seems long to me. Everyone is human. As long as it is one-way since there is no way I am going to sue for this stuff. I want the SEC filing to make them look petty, not me.

Last real day:

11/12/12 closed at 28.22 (11/09/12 was 28.83, market was open when word got out)
12/31/12 (SEC date) closed at 26.71
4/5/12 (today) closed at 28.70

I am not sure what the vesting day has to do with anything except for the purposes of the last grant but that is based on the fiscal year not a vesting date.

Sent from Windows Mail

From: Jeffrey Epstein
Sent: Saturday, April 6, 2013 7:43 PM
To: Steven Sinofsky

Today's price is higher ? Mutual dates . You can't take money and then say i will disparage you in a year aug 18 is a vesting day

On Saturday, April 6, 2013, Steven Sinofsky wrote:

The effective date is 12/31 (that is how much I was paid) even though they turned off networking/email/cardkey in early December (which was earlier than we agreed -- retaliation from steve when he thought I made everyone ask him about their retention award).

Given it is public, I would much rather the opening read as a "we" rather than an "I".

Should the stock be today's value or December value? big difference as the stock is getting close to what it was back in November.

Why make this until August 18, 2014? That's 8 months longer than 12 months from when I left. For the purposes of accelerated vesting it doesn't matter. I would rather this all be 12 months from 12/31. Plus 12/31/13 is half the fiscal year that started July 1, 2013.

Confidentiality -- if this is filed with the SEC then this doesn't make sense.

6c...I don't care what they say about me since I will never sue them and there are a million ways they can use the press and agents to say stuff about me. I would rather this be one sided, no?

Why no disparaging until 2016--seems like a very long time.

8...sure seems petty. like I am going to sneak in the back door and work as a vendor or something? Then again for the press this seems pretty pathetic for them to ask for.

In terms of share math, I have attached a spreadsheet which is reproduced below. If we go with the 12/31/12 price (26.71) assuming 50% of the last grant we have this:

If we go with all outstanding shares:

The 528,680 number of shares is the same as the total at the end of the printout you had 1,522,713 granted and 994,033 vested leaving 528,680 remaining. The FY13 grant is number '375 and vests in 55,159 blocks through 2016.

26.71/share is near a low for quite some time. It is 28.50 or so now. Big difference. The stock dropped 4% on my announcement November 12. It hasn't reached the November 11 close yet (Dow up 13%, MSFT flat). I mention since that is \$1M for the 50% of the final grant.

Sent from Windows Mail

From: Jeffrey Epstein
Sent: Saturday, April 6, 2013 4:18 PM
To: Steven Sinofsky

before i send to jay , read and comment

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