



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

Bureau of Competition
Mergers II Division

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May 8, 2008

Take-Two Interactive Software, Inc.
c/o Stephen Axinn, Esquire
Axinn, Veltrop & Harkrider LLP
114 West 47th 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:

Yesterday, in a meeting with staff that you requested on behalf of Take-Two Interactive Software, Inc. ("Take-Two" or "the company"), we discussed your request to extend the compliance deadline for both the Subpoena *Duces Tecum* and the Civil Investigative Demand issued on April 21, 2008, to Take-Two. Because any modifications to the Subpoena *Duces Tecum* and the Civil Investigative Demand must be memorialized in writing by the Federal Trade Commission, this letter responds to that request. We agree to extend the deadline one week from May 9, 2008 to May 16, 2008, for both the Subpoena *Duces Tecum* and the Civil Investigative Demand.¹

In addition, staff is prepared to extend Take-Two's compliance deadline further if the company demonstrates its good faith by starting this week and significantly expanding next week the production of documents and information that we discussed at yesterday's meeting.

Specifically, on behalf of Take-Two, you agreed to provide the following documents and information, which fall into nine categories:

¹ Please take note that this extension relates to Take-Two's response to the Subpoena and CID only. It does not modify the time period during which Take-Two may file a petition to modify or set aside the Subpoena and CID, which, pursuant to 15 U.S.C. § 57b-1(f)(1), must be filed within twenty days of service of the CID and/or Subpoena, or before the return date if it is less than twenty days.

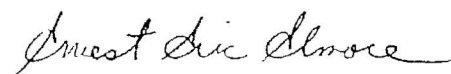
1. A full response to Specification 21 of the Civil Investigative Demand issued to Take-Two beginning with the immediate production of a description of the company's electronic databases that contain certain information detailed in the Specification, examples of all regularly prepared and ad hoc reports generated using information contained in the databases, and the answers to subparts (a) - (g);
2. Documents that describe Take-Two's pricing strategy during the 2004 to 2005 time period when it introduced certain sports titles at a recommended price point of \$19.99, an analysis of the effects of that strategy, and any decisions relating to whether the company would continue or alter that strategy;
3. Marketing and competition documents, including past, present and future product development plans, consumer research documents, and documents describing Metacritic ratings for the company's basketball, boxing, football, hockey, and tennis titles;
4. Retailer account files containing information on promotional activities, pricing plans and strategies, and actual price discounts granted for GameStop, Best Buy, and Circuit City;
5. Documents that discuss sports titles in the current development pipeline;
6. Consumer research studies for Take-Two's 2K Sports brand and any other company's sports brand;
7. Copies of the company's sports league licenses;
8. NPD studies prepared for Take-Two analyzing 2K Sports and any sports title; and
9. All other business and strategic plans for the company's basketball, boxing, football, hockey, and tennis titles.

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We are prepared to work with you on the production of documents and information responsive to the Subpoena *Duces Tecum* and Civil Investigative Demand consistent with our need to conduct a thorough investigation of this matter.

Sincerely,



E. Eric Elmore
Staff Attorney, Mergers II Division



Catharine M. Moscatelli
Assistant Director, Mergers II Division

cc: Michael L. Keeley, Esq.
Alicia J. Batts, Esq.