Apple, Google, and the e-mail trail in the no-poaching case

CNET

Apple, Google, Intel, Adobe, and other companies had agreements in place during the mid-2000s not to steal employees from each other and other technology players, court documents suggest.

A series of e-mails posted today by The Verge point to a paper trail [1] of apparent non-poaching agreements among a variety of companies.

The revelation follows a civil lawsuit filed in 2011 [2] by five workers against Apple, Google, and others alleging that the companies purposely tried to keep down wages through non-poaching agreements.

The civil suit is being weighed by Judge Lucy Koh to determine if it can move forward as a class-action suit [3], says Reuters. If so, that could pave the way for a bigger settlement. Attorneys for the plaintiffs claim damages could reach hundreds of millions of dollars. But Koh said that analysis had "holes," Reuters added.

In one case made public yesterday, then Palm CEO Edward Colligan said in a sworn statement that he received a call from Apple CEO Steve Jobs in 2007 suggesting a non-poaching agreement [4] between the two companies. After pointing out that such an arrangement was "likely illegal," Colligan said Jobs suggested that if Palm didn't agree, Palm could face patent infringement lawsuits from Apple.

But the reported exchange between Jobs and Colligan seems to be the tip of the iceberg.

In one February 2006 e-mail displayed by The Verge, Jobs is shown to be asking Google CEO Eric Schmidt to stop recruiting people from Apple's iPod [5] group: "Eric, I am told that Googles new cell phone software group is relentlessly recruiting in our iPod group. If this is indeed true, can you put a stop to it? Thanks, Steve."

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