

Activision, EA settle lawsuit over execs' leaving

May 17 2012, By ANTHONY McCARTNEY , AP Entertainment Writer



This undated file photo of a video game image released by Activision shows a scene from "Call of Duty: Modern Warfare 2." Activision on Wednesday May 16, 2012 announced in a Los Angeles court that it had settled its claims against gaming rival Electronic Arts that alleged EA interfered with Activision contracts, engaged in unfair competition and aided and abetted the departure of top executives who oversaw the creation of "Modern Warfare 2." (AP Photo/Activision, File)

(AP) -- The legal battle between gaming giants Activision Blizzard Inc. and Electronic Arts Inc. is over, with the companies announcing they have settled a case that accused EA of improperly recruiting two executives who oversaw the creation of the smash videogame "Call of Duty: Modern Warfare 2."

The settlement announced Wednesday in Los Angeles does not end the war between Activision and dozens of former "Call of Duty" developers

who claim they have been cheated out of millions in bonuses for the game.

Activision had sought \$400 million from [Electronic Arts](#), claiming the company met secretly with Jason West and Vincent Zampella while they were still under contract to work on "Modern Warfare" projects.

No details on the settlement were revealed, with the companies releasing only a joint statement that they "have agreed to put this matter behind them."

Activision fired West and Zampella in January 2010 after the release of "Modern Warfare 2," and they formed a new company, Respawn Entertainment LLC, which is developing games for Electronic Arts. The pair sued Activision in March 2010 seeking more than \$36 million in bonuses, but the Santa Monica, Calif., [gaming company](#) said the pair were fired for insubordination and handed over company secrets to Electronic Arts.

West and Zampella were high-ranking executives at the [Infinity Ward](#) studio that produced several successful "Call of Duty" games.

Activision has sought access to details about Respawn's work for Electronic Arts on a new game that has not been revealed. Activision claimed the pair had discussed creating a science-fiction shooter intended to challenge the "Halo" franchise, but instead of delivering that game gave it to Redwood City-based Electronic Arts.

The settlement does not affect the upcoming trial over claims by West, Zampella and 40 other developers over the "Modern Warfare 2" bonuses. Activision has indicated the potential damages could exceed \$1 billion.

Robert M. Schwartz, an attorney for West and Zampella, said Activision's claims against Electronic Arts only comprised about 10 percent of the issues to be raised at trial.

Superior Court Judge Elihu Berle on Wednesday refused a request by Activision to delay the trial on the developers' claims, which is scheduled to begin May 29.

Attorney Beth Wilkinson, who was hired to lead Activision's case earlier this month, had requested a monthlong delay to prepare for the trial, which will feature dozens of witnesses and thousands of pieces of evidence.

Wilkinson told the court Tuesday that Activision has paid \$42 million in bonuses to "[Modern Warfare 2](#)" developers suing the company but that did not constitute a settlement.

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