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June 23, 2014

Paolo Dobrowolny, CEO  
Monkey Parking  
Rome, Italy  
via email: info@monkeyparking.it

Re: Cease and Desist

Dear Mr. Dobrowolny:

Your company, Monkey Parking, is test marketing a software application for mobile electronic communication devices that purports to allow users to buy and sell the right to occupy public street parking spaces in the City and County of San Francisco (the "City"). The City regulates and establishes the rates to temporarily occupy public parking spaces. The use of those public parking spaces is not subject to any private auction scheme; accordingly, your application violates the law, including but not limited to, the laws that we describe below.

San Francisco Police Code Section 63(b) specifically prohibits the buying and selling of public street parking spaces. The San Francisco Police Code provides: "It shall be unlawful for any person, firm or corporation to enter into a lease, rental agreement or contract of any kind, written or oral, with or without compensation, for the use of any street or sidewalk." SFMPC §63(b). Any "person, firm or corporation who is in violation of this section shall be subject to an administrative penalty not to exceed \$300 for each violation." SFMPC §63(c).

Monkey Parking is facilitating and encouraging its users to enter unlawful agreements with each other, and misleading them into believing that their transactions are lawful. For each purchase and sale of a public parking space, Monkey Parking and each of its users may be subject to the \$300 administrative penalty authorized by San Francisco Municipal Police Code Section 63(c).

Also, Monkey Parking is facilitating and encouraging drivers to use cellphones and other wireless communication devices in a manner that distracts them, posing a safety hazard to the public and violating state laws that prohibit using cellphones and such other devices while driving.

Because Monkey Parking's business model is premised on unlawful transactions, Monkey Parking, with each transaction, is committing an unlawful or unfair business practice that violates California Business and Profession Code Section 17200, also known as the Unfair Competition Law ("UCL"). The UCL authorizes this office to file a lawsuit against violators, seeking injunctive relief, and an award of civil penalties of up to \$2,500 *per violation*. Each download, each purchase and each sale of a public street parking space may be considered a separate UCL violation.

**Monkey Parking must immediately cease and desist its unlawful business practices within the City and County of San Francisco, or face legal action by this office.** No later than the close of business on July 11, 2014, please confirm in writing that Monkey Parking has discontinued all of its operations in the City that are the subject of this letter.

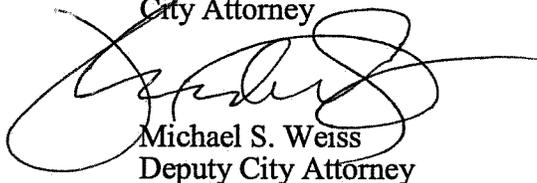
Letter to Paolo Dobrowolny, CEO  
Monkey Parking  
Page 2  
June 23, 2014

By a copy of this letter we are requesting Apple, Inc. to remove the Monkey Parking application from its App Store because it violates Apple's App Store guidelines, which provide, in relevant part: "Apps must comply with all legal requirements in any location where they are made available to users. It is the developer's obligation to understand and conform to all local laws." (See App Store Review Guidelines, Section 22.1) The App Store guidelines also provide, in relevant part: "Apps whose use may result in physical harm may be rejected." (See App Store Review Guidelines, Section 13.3)

If you have any questions, please contact me, or have your legal representative contact me directly. We look forward to a swift and amicable resolution.

Very truly yours,

DENNIS J. HERRERA  
City Attorney

A handwritten signature in black ink, appearing to read "Michael S. Weiss", is written over the typed name and title of the Deputy City Attorney.

Michael S. Weiss  
Deputy City Attorney

cc: Bruce Sewell, General Counsel, Apple, Inc.  
via email: bsewell@apple.com