

Exhibit 3
(Redacted)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:
INTEL CORP. MICROPROCESSOR
ANTITRUST LITIGATION

MDL No. 05-1717-JJF

v.
ADVANCED MICRO DEVICES, INC., ET AL.,

Plaintiffs,

Civil Action No. 05-441-JJF

v.
INTEL CORPORATION, ET AL.,

Defendants

PHIL PAUL, ET AL.,

Plaintiffs,

Civil Action No. 05-485-JJF

v.
INTEL CORPORATION,

Defendants

CONSOLIDATED ACTION

**DECLARATION OF
(TOSHIBA CORPORATION)**

I, _____ submit this declaration in connection with the above-referenced litigation.

1. I am the _____ of Toshiba Corporation ("Toshiba"). I have been working at Toshiba for the past _____ years and am familiar with Toshiba's structure and business operations. I am over the age of twenty-one and give this declaration on the basis of my personal knowledge, investigation and belief for use in the above-referenced litigation.

2. Toshiba is a Japanese corporation, organized under the laws of Japan, with its principal place of business in Tokyo, Japan. Toshiba manufactures and sells a wide range of products (from semiconductors to power plants) and services into a variety of markets, including automotive products, network services, digital media products (HDDs, DVDs, TVs, etc), mobile phones, personal computers, power systems, semiconductors, social infrastructure (building energy management systems, power supply systems, highway traffic control systems, radar systems, power distribution systems, railway station service systems, etc.), transmission distribution and industrial systems (switchgears, power transformers, industrial computers, instrumentation, etc.), among others.

3. Personal Computer and Network Company ("PC&NC"), a unit of Toshiba based in Tokyo, Japan, is responsible for all or substantially all Toshiba personal computers ("PCs") businesses. PC&NC oversees the manufacturing and sourcing of Toshiba PCs from China and elsewhere in Asia. PC&NC does not manufacture Toshiba PCs in the United States.

4. PC&NC has been responsible for all or substantially all purchases of CPUs, including CPU purchases from Intel and AMD. PC&NC has procured all or substantially all Intel CPUs from Intel Kabushiki Kaisha in Japan, and has procured all or substantially all AMD CPUs from AMD Japan Ltd. in Japan.

5. All or substantially all Toshiba PCs manufactured or sourced by PC&NC are sold by PC&NC to regional subsidiary companies owned directly or indirectly, wholly or in part, by Toshiba that operate around the world.

6. Toshiba does not do business in Delaware or the United States and has not had a business presence in Delaware or the United States to the best of my knowledge at any time. For example:

- a. Toshiba is not listed on any U.S. stock exchange.
- b. Toshiba is not registered with any Secretary of State to do business in any U.S. state.
- c. Toshiba is not licensed to sell products in Delaware or the United States.
- d. Toshiba has no registered agents, and has not authorized or appointed any entity to act as its general agent, in Delaware or the United States.
- e. Toshiba does not maintain any offices in Delaware or the United States.
- f. Toshiba does not own any real estate in Delaware or the United States.
- g. Toshiba does not maintain any telephone listings or mailing addresses in Delaware or the United States.

- h. Toshiba does not maintain bank accounts in Delaware or the United States.
- i. Toshiba has not filed or been obligated to file tax returns, or to pay taxes, in Delaware or the United States.

7. Toshiba has approximately 550 subsidiaries worldwide. Toshiba follows a corporate structure whereby wholly and partially owned subsidiary companies operate independently in the regions that they serve.

8. Toshiba America, Inc. ("TAF"), headquartered in New York City, is a holding company that wholly owns or owns the majority of the voting rights of certain operating corporations that serve the United States (collectively the "TAI subsidiary corporations").

9. TAI and the TAI subsidiary corporations maintain separate corporate identities from each other and from Toshiba. Toshiba does not direct or control the day-to-day management or operations of TAI or the TAI subsidiary corporations. TAI and the TAI subsidiary corporations each have their own separate and independent Boards or Directors which bear responsibility for the governance of each respective corporation. TAI and the TAI subsidiary corporations are each directed by their own separate management employees, not by Toshiba.

10. One of the TAI subsidiary corporations is Toshiba America Information Systems, Inc. ("TAIS"), a California corporation based in Irvine, California. TAIS sells all or substantially all Toshiba PCs in the United States. Toshiba does not direct or control TAIS's day-to-day management or operations, including its sales or marketing efforts.

11. TAI and the TAI subsidiary corporations conduct business separately from Toshiba. For example:

- a. All corporate formalities between and among the companies are maintained and observed.
- b. The companies conduct separate board meetings and maintain separate minutes of such meetings.
- c. The companies have separate day-to-day management.
- d. The companies are responsible for their own hiring and firing.
- e. The companies maintain their accounts as independent companies, including separate financial and accounting systems.
- f. The companies maintain separate corporate records, including, among other things, separate sales, personnel, and tax records.
- g. The companies do not commingle operating funds.

- h. The companies have their own headquarters and office space.
- i. The companies select their own advertising and marketing.
- j. The companies purchase products upon their own initiative and based upon need within their own operations.
- k. It is up to TAIS to sell or dispose of the PCs it purchases from PC&NC as it sees fit.

12. Toshiba is not responsible for paying the Delaware or United States taxes of TAI, TAIS or any of the other TAI operating corporations. Nor are TAI, TAIS or any of the other TAI operating corporations responsible for paying taxes owed by Toshiba in Japan.

13. I have reviewed the document subpoena purportedly served by AMD on Toshiba "c/o" TAI and TAIS. Neither TAI nor TAIS has the authority to demand or procure such Toshiba documents from Toshiba, nor are such Toshiba documents within TAI's or TAIS's possession, custody or control. Neither TAI nor TAIS has access to such Toshiba documents in the ordinary course of business, and neither TAI nor TAIS would be able to produce them for inspection. A request to Toshiba by TAI or TAIS for such Toshiba documents would be refused.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 2nd day of February 2009 in Tokyo, Japan.

Toshiba Corporation

Registered No. 0066

NOTARIAL CERTIFICATE

This is to certify that _____ has stated in my very presence that the signature on the attached document is his own.

Dated this 2nd day of February, 2009.



Takashi Kumazawa

TAKASHI KUMAZAWA

Notary

1-1-1 Shimbashi, Minato-ku, Tokyo, Japan

Tokyo Legal Affairs Bureau.



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: JAPAN

This public document

2. has been signed by **TAKASHI KUMAZAWA**

3. acting in the capacity of Notary of the Tokyo Legal Affairs Bureau

4. bears the seal/stamp of **TAKASHI KUMAZAWA, NOTARY**

Certified

5. at Tokyo

6. 2/2/2009

7. by the Ministry of Foreign Affairs

8. 09- NO 015451

9. Seal/stamp:

10. Signature



Kazutoyo OYABE

For the Minister for Foreign Affairs

Exhibit 4
(Redacted)

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INTEL CORPORATION,**

Defendants

CONSOLIDATED ACTION

**DECLARATION OF
(TOSHIBA AMERICA INFORMATION SYSTEMS, INC.)**

I, _____, submit this declaration in connection with the above-referenced litigation.

1. I am _____ of Toshiba America Information Systems, Inc. ("TAIS"). I have been working at TAIS for the past _____ years and am familiar with TAIS's business operations. I give this declaration on the basis of my personal knowledge, investigation and belief for use in the above-referenced litigation.

2. TAIS is a California corporation based in Irvine, California. TAIS is an independent subsidiary operating corporation of Toshiba America, Inc. ("TAP").

3. TAIS is an independent subsidiary operating corporation of TAI, and is identified as such in press releases and other information disseminated to the public. For example: Press Release, "Toshiba Adds Half-Terabyte Portable External HDD to Personal Storage Line" <http://www.toshibastorage.com/techdocs/PR2009-01b-500GBExternalHDD.pdf> (Exhibit A at 3) ("TAIS provides sales, marketing and services for its wide range of information products in the United States and Latin America. TAIS is an independent operating company owned by Toshiba America, Inc., a subsidiary of Toshiba Corporation..."); Companies & Businesses, www.toshiba.com/tai/about_us/about_oc.jsp (Exhibit B at 1) (describing TAIS and its four business units).

4. TAIS provides sales, marketing, and services for various products, including personal computers ("PCs"). TAIS sells all or virtually all Toshiba PCs in the United States. TAIS purchases Toshiba PCs in Japan from Personal Computer & Network Company ("PC&NC"), a Toshiba subsidiary corporation based in Tokyo, Japan. TAIS does not own or have any interests in any subsidiaries.

5. TAIS maintains a separate and independent corporate identity from Toshiba Corporation ("Toshiba"). TAIS maintains and observes all corporate formalities as a separate corporation from Toshiba. TAIS's business operations in the United States are independent of, and separate from, Toshiba. For example:

- a. TAIS has a separate and independent Board of Directors and management from Toshiba. None of these individuals is an employee of Toshiba. TAIS's Board of Directors bears overall responsibility for management and governance of TAIS;
- b. TAIS conducts board meetings separately and independently from Toshiba, and maintains separate minutes of such meetings;
- c. The day-to-day business management and operations of TAIS are directed by TAIS's own management employees. TAIS's day-to-day management is separate and independent from Toshiba. No employees work on the day-to-day business matters of both Toshiba and TAIS;
- d. TAIS is responsible for its own hiring and firing;
- e. TAIS maintains its accounts as an independent company, including separate accounting and financial systems;
- f. TAIS maintains separate corporate records, including, among other things, separate sales, personnel, and tax records;
- g. TAIS does not commingle funds with Toshiba;

- h. TAIS has its own headquarters and office space;
- i. TAIS selects its own advertising and marketing efforts. Toshiba does not direct or control the advertising or marketing activities of TAIS;
- j. TAIS makes its own day-to-day decisions on what, where, when and how to sell PCs in the United States. TAIS sets its own prices, and decides on which customers to target;
- k. TAIS purchases PCs upon its own initiative and based upon its own need within its own operations;
- l. When TAIS purchases PCs from PC&NC, TAIS bears responsibility for the shipment and insurance of the products and is liable for payment on the products;
- m. After TAIS has purchased PCs from PC&NC, it is up to TAIS to dispose of the PCs as it sees fit, without involvement by Toshiba; and,
- n. TAIS acts as an independent entity in its other dealings with Toshiba.

6. I have reviewed the document subpoena purportedly served by AMD on Toshiba "c/o" TAIS. TAIS has no authority to demand or procure such Toshiba documents from Toshiba, nor are such Toshiba documents within TAIS's possession, custody or control. TAIS does not have access to such Toshiba documents in the ordinary course of business, and TAIS would not be able to produce them for inspection.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of January 2009, in Irvine, California.

Toshiba America Information Systems, Inc.

SEE JURAT ON NEXT PAGE

JURAT

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on this 28th day of January, 2009, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Susan Chen



(Seal)

Exhibit A

TOSHIBA

Leading Innovation >>>

Media Inquiries:
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TOSHIBA ADDS HALF-TERABYTE PORTABLE EXTERNAL HDD TO PERSONAL STORAGE LINE

*Sleekly Designed, Easy-to-Use Portable Digital Library Stores
Up to 142,000 Digital Photos or 131,000 Digital Music Files*

IRVINE, Calif., January 6, 2009 – Toshiba Storage Device Division (SDD), the industry pioneer in small form factor hard disk drives (HDDs), today introduced a half-terabyte model to its personal storage line, providing consumers with a high-capacity warehouse and easy-to-use data backup solution for personal digital files, music libraries, home videos and other digital memories.

The new 500GB¹ Toshiba USB 2.0 Portable External Hard Drive comes with a glossy black finish and frost white contemporary graphics that will appeal to consumers looking for the latest must-haves in personal electronics for their home office or study – or to throw in their backpacks and travel cases, thanks to easy portability. An added bonus for home use is the new 500GB model's ultra-quiet operation, with improved acoustics in the hard drive.

Offering enough storage capacity for up to either 142,000 digital photos, 131,000 digital music files, 222 hours of DVD-quality video or 58 hours of high-definition videos, this new personal storage solution is ideal for consumers looking to centralize and store their favorite music, photo and video collections.

Toshiba's new 500GB model is the latest addition in a personal storage line that focuses on making digital storage and backup a snap for consumers. Toshiba storage products offer portability, ease-of-use and protection against wear and tear, enabling any user – regardless of

-more-

TOSHIBA ADDS HALF-TERABYTE PORTABLE EXTERNAL HDD TO PERSONAL STORAGE LINE

their technology proficiency – to easily back up digital data and create entertainment libraries. Featuring award-winning NTI Shadow™ software pre-loaded on the drive, this all-in-one solution enables consumers to set it and forget it in just a few simple steps.

“Consumers are looking for simple and hassle-free tools to organize and preserve their favorite digital content and ever-expanding entertainment libraries,” said Manuel Camarena, product manager for consumer storage at Toshiba Storage Device Division. “Toshiba’s new 500GB portable hard drive delivers a cost-effective and easy way to make data backup a regular practice, which is critical with the amount of personal digital content consumers are amassing. That amount of capacity packaged in an effortless, do-it-yourself solution enables consumers to easily archive digital photo and video memories, as well as create portable entertainment libraries of music, movies and more.”

Stylish Portable Storage for Work and Home

Toshiba’s new Frost White and Black 500GB portable hard drive joins the existing Electric Blue 400GB, Carbon Grey 320GB and Hot Rod Red 250GB models, providing consumers with a wide spectrum of choices in both design and capacity.

Powered via USB 2.0, these personal storage products are approximately the size of a postcard and weigh a mere six ounces for easy portability. The drives are built to withstand normal wear and tear, with special features such as an internal shock sensor, ramp-loading technology and anti-slip footpads to help anchor the drive in place.

Toshiba’s new 500GB USB 2.0 Portable External Hard Drive is priced at \$179.99 (MSRP) and available now at www.toshibadirect.com and through major retailers and online outlets. For a complete list of Toshiba’s personal storage retailers, please visit www.wheretobuy.toshibastorage.com.

Product Specifications

Product Name	Toshiba USB 2.0 Portable External Hard Drive
Capacity	500GB ¹
Color	Frost White and Black
Weight	6 ounces
Dimensions	0.65" (H) x 3.19" (W) x 5.0" (L) 16.6mm (H) x 81.0mm (W) x 127.0mm (L)

TOSHIBA ADDS HALF-TERABYTE PORTABLE EXTERNAL HDD TO PERSONAL STORAGE LINE

Interface	USB 2.0
Compatibility & System Requirements	Microsoft® Windows® 2000, Windows XP or Windows Vista® Macintosh® OS X 10.3.9 or later Available USB 2.0 Port
What's in the Box	Toshiba USB 2.0 Portable External Hard Drive USB 2.0 cable NTI Shadow™ software (pre-loaded) Quick install guide 3-year limited warranty
Certification	FCC/CE/UL approved RoHS compatible ² Designed for Windows® XP and works with Windows Vista® Mac® OS X 10.3.9 or later (Universal Application)

About Toshiba Storage Device Division

Toshiba SDD, a division of Toshiba America Information Systems, Inc., leads the market in the development, design and manufacturing of small form factor 2.5-inch and 1.8-inch hard disk drives for original equipment manufacturers, value-added resellers, value-added dealers, systems integrators, distributors and retailers in the United States. The company also offers a line of high-quality personal storage devices that enable consumers to quickly and easily back up personal digital content and entertainment libraries. Inherent in the Toshiba storage family are the high-quality engineering and manufacturing capabilities that have established Toshiba products as worldwide leaders. For more information, visit www.toshibastorage.com.

About Toshiba America Information Systems, Inc. (TAIS)

Headquartered in Irvine, Calif., TAIS is comprised of four business units: Digital Products Division, Imaging Systems Division, Storage Device Division and Telecommunication Systems Division. Together, these divisions provide mobile products and solutions, including industry-leading portable computers; projectors; imaging products for the security, medical and manufacturing markets; storage products for automotive, computer and consumer electronics applications; and telephony equipment and associated applications.

TAIS provides sales, marketing and services for its wide range of information products in the United States and Latin America. TAIS is an independent operating company owned by Toshiba America, Inc., a subsidiary of Toshiba Corporation, which is a global leader in high technology and integrated manufacturing of electrical and electronic components, products and systems, as well as major infrastructure systems. Toshiba has more than 198,000 employees worldwide and annual sales of surpassing U.S. \$76 billion (FY2007). For more information on Toshiba's leading innovations, visit the company's Web site at www.toshiba.com.

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1. One Gigabyte (1 GB) means $10^9 = 1,000,000,000$ bytes using powers of 10. A computer operating system, however, reports storage capacity using powers of 2 for the definition of 1 GB = $2^{30} = 1,073,741,824$ bytes, and therefore shows less storage capacity. Available storage capacity (including examples of various media files) will vary based on file size, formatting, settings, software and operating system.
2. RoHS Compatible: This product is compatible with European Union Directive 2002/95/EC. Restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS), which restricts use of lead, cadmium, mercury, hexavalent chromium, PBB and PBDE.

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Exhibit B

Companies & Businesses

Toshiba America Information Systems, Inc. (TAIS)

Headquarters: Irvine, CA

TAIS is comprised of four business units: Digital Products Division, Imaging Systems Division, Storage Device Division, and Telecommunication Systems Division. Together, these divisions provide mobile products and solutions, including industry leading portable computers, projectors, imaging products for the security, medical and manufacturing markets, storage products for automotive, computer and consumer electronics applications, and telephony equipment and associated applications.

Major Products:

Notebook Computers
Telecommunications Systems
Imaging systems
Hard Disk Drives

Toshiba America Consumer Products, L.L.C. (TACP)

Headquarters: Wayne, NJ

www.tacp.toshiba.com

TACP is a world leader in high technology products with subsidiaries worldwide. The company is a pioneer in DVD and DVD Recorder technology and a leading manufacturer of a full line of home entertainment products, including flat panel TV, rear and front projection and direct view televisions, home theater projectors, combination products and portable devices. TACP has two production facilities in North America, a Lebanon, TN plant that manufactures color television sets, and a facility in Ciudad Juarez, Mexico for manufacturing television chassis.

Major Products:

HDTVs
Digital Video Recorders
Home Theater Systems
Other Consumer Electronics

Toshiba America Electronic Components, Inc. (TAEC)

Headquarters: Irvine, CA

www.toshiba.com/taec/

Combining quality and flexibility with design engineering expertise, TAEC brings a breadth of advanced, next-generation technologies to its customers. This broad offering includes memory and flash memory-based storage solutions, a broad range of discrete devices, displays, medical tubes, ASICs, custom SOCs, microprocessors, microcontrollers and wireless components for the computing, wireless, networking, automotive and digital consumer markets. In the Silicon Valley area, TAEC researchers are working on LSIs at a facility in San Jose, California.

Major Products:

Semiconductors
Color Picture Tubes, Display Tubes and LCD
Other Electronics and Components

Toshiba America Medical Systems, Inc. (TAMS)

Headquarters: Tustin, CA

www.medical.toshiba.com

Toshiba America Medical Systems markets, sells, distributes and services diagnostic imaging systems, including CT scanners, Ultrasound, and MRI machines, and coordinates clinical diagnostic imaging research for all modalities in the United States. TAMS has an R&D center for Medical Equipment Systems at its facility in South San Francisco, CA.

Major Products:

MRI
Ultrasound
CT Scanners
X-Ray Equipment
Nuclear Medicine

Toshiba America Business Solutions, Inc. (TABS)

Headquarters: Irvine, CA

www.eid.toshiba.com

Toshiba America Business Solutions Inc. manages product planning, marketing, sales, service support and

distribution of copiers, facsimiles, multifunction printing products, network controllers, and toner products throughout the United States, Mexico, Latin America, and the Caribbean. TABS has four divisions: the Electronic Imaging Division; the Toner Products Division; the Document Solutions Engineering Division; and TOPAC U.S.A., Inc., dba Toshiba Business Solutions (TBS), a wholly-owned subsidiary corporation of TABS, that operates a network of wholly owned office equipment dealers throughout the United States. TABS has a production facility in Mitchell, SD, where it manufactures toner for photocopiers.

Major Products:

- Copiers
- Facsimiles
- Printers
- Document Management
- Toner Product

Toshiba International Corporation (TIC)

Headquarters: Houston, Texas

www.toshiba.com/Ind

Toshiba International Corporation is a leading manufacturer of power generation equipment and industrial motors. The company is comprised of two divisions and one marketing center: the Industrial Division headquartered in Houston, Texas, the Power Systems Division headquartered in San Francisco, California and the Network & Automation Systems Marketing Center also headquartered in San Francisco. For over 35 years, TIC has embodied the tradition and reputation of Toshiba Corporation.

Major Products:

- Power Generation Equipment
- Power Drive Apparatus
- Industrial Motors
- Other Industrial Equipment

Research & Development Company

Toshiba America Research, Inc. (TARI)

Headquarters: Piscataway, NJ

www.tari.toshiba.com

The mission of Toshiba America Research, Inc. is to create technologies necessary for the integration of wireless and Internet communication. The company's research aims to transform communication in the 21st century by providing users with convenient wireless access to voice, video, data and multimedia services. Current research project includes mobility with service quality, Internet Protocol (IP), security, network operation and management.