

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

IN RE)	
INTEL CORPORATION)	MDL No. 05-1717-JJF
MICROPROCESSOR LITIGATION)	
)	
ADVANCED MICRO DEVICES, INC., a)	
Delaware corporation, and AMD)	
INTERNATIONAL SALES & SERVICES,)	
LTD., a Delaware corporation,)	
)	
Plaintiffs,)	C.A. No. 05-441-JJF
)	
v.)	
)	
INTEL CORPORATION, a Delaware)	
corporation, and INTEL KABUSHIKI)	
KAISHA, a Japanese corporation,)	
)	
Defendants.)	
)	
PHIL PAUL, on behalf of himself and all)	
others similarly situated,)	
)	
Plaintiffs,)	C.A. No. 05-485-JJF
)	
v.)	
)	CONSOLIDATED ACTION
INTEL CORPORATION,)	
)	
Defendant.)	

**STIPULATION AND ORDER REGARDING
ADMISSIBILITY OF INTEL AND AMD DATA**

WHEREAS, in response to requests for production served by plaintiff Advanced Micro Devices, Inc. and AMD International Sales & Service, Ltd. (hereafter jointly, “AMD”) and plaintiffs in coordinated class actions (“Class Plaintiffs”), defendants Intel Corporation and Intel Kabushiki Kaisha (hereafter jointly, “Intel”) have produced sales, cost, rebate, manufacturing and other data identified in Exhibit A (“Intel Financial Data”); and

WHEREAS, in response to requests for production served by Intel, AMD has produced sales, cost, rebate, manufacturing and other data identified in Exhibit B (“AMD Financial Data”); and

WHEREAS, the Intel and AMD Financial Data have been maintained by the respective producing-party in the ordinary course of its business and represent records of regularly conducted business activity within the meaning of Rule 803(6) of the Rule Federal Rules of Evidence.

NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE PARTIES, THROUGH THEIR RESPECTIVE COUNSEL AND SUBJECT TO THE APPROVAL OF THE COURT, AS FOLLOWS:

1. The databases, compilations and reports represented by the Intel Financial Data and AMD Financial Data identified in Exhibits A and B shall be deemed authentic records under Fed. R. Evid. 901 and 902 of those companies producing them.

2. The financial information contained in the Intel Financial Data and AMD Financial Data identified in Exhibits A and B shall not be inadmissible at trial or any pretrial proceedings on the grounds that such materials are hearsay.

3. Intel and AMD both anticipate producing additional Financial Data from their respective files and agree that they will engage in future good faith discussions regarding adding materials to the Exhibits A and B so the additional Financial Data will also be subject to this Stipulation and Order.

4. Nothing in this Stipulation and Order shall preclude Intel, AMD or Class Plaintiffs from offering into evidence non-financial information contained in the Intel Financial

Data or AMD Financial Data identified in Exhibits A and B, or have any effect on the admissibility of such evidence.

5. Nothing in this Stipulation and Order shall preclude Intel, AMD or Class Plaintiffs from offering into evidence data or other documents or testimony that contradict the Intel Financial Data or AMD Financial Data identified in Exhibits A and B or otherwise call into question their accuracy.

6. This Stipulation and Order shall not be admissible in evidence at trial.

Dated: June 23, 2009

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O R D E R

Having read and considered the foregoing Stipulation and Proposed Order Regarding Admissibility of Intel and AMD Data, the Special Master **HEREBY RECOMMENDS THAT THE COURT ADOPT THE SAME.**

ENTERED this 23rd day of June, 2009.



Vincent J. Poppiti (DSBA) No. 100614
Special Master

SO ORDERED this ____ day of June, 2009.

United States District Court Judge