

Exhibit 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE)	
INTEL CORPORATION)	
MICROPROCESSOR ANTITRUST	)	MDL No. 05-717-JJF
LITIGATION)	
<hr/>		
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.)	
<hr/>		
PHIL PAUL, on behalf of himself)	
and all others similarly situated,	)	C.A. No. 05-485-JJF
)	
Plaintiffs,	)	CONSOLIDATED ACTION
)	
v.)	
)	
INTEL CORPORATION,)	
)	
Defendants.)	

**STIPULATION AND ORDER BIFURCATING
DISCOVERY INTO INTEL'S EVIDENCE PRESERVATION ISSUES**

WHEREAS, on March 16, 2007, Special Master Poppiti entered an Order Regarding Intel's Evidence Preservation Issues (the "Special Master's Order");

WHEREAS, pursuant to Paragraph 11 of the Special Master's Order (as modified by an April 16, 2007 Order Modifying Order Regarding Intel's Evidence Preservation Issues), Intel filed and served its Proposed Plan of Remediation ("Intel's Remediation Plan") on April 23, 2007;

WHEREAS, Intel's Remediation Plan also contained, at pages 1-30 thereto, Intel's explanation of its evidence preservation program, and how its various evidence preservation lapses occurred;

WHEREAS, Intel's Remediation Plan also contained, at pages 30-39 thereto, Intel's proposals concerning evidence preservation and remediation and remedial approaches;

WHEREAS, AMD served a Notice of Taking Deposition of Intel Corporation and Intel Kabushiki Kaisha and Request for Production of Documents on April 10, 2007 and Class Plaintiffs served a parallel request on April 11, 2007 (the "Outstanding Discovery Requests");

WHEREAS, during a May 3, 2007 teleconference with the Special Master, Intel agreed that it would not oppose any changes or enhancements to Intel's Remediation Plan as may be proposed by Plaintiffs on the basis that such changes or enhancements are not justified by Intel's level of culpability in respect to its evidence preservation lapses;

WHEREAS, during the May 3, 2007 teleconference with the Special Master, Intel made certain representations to the Special Master and Plaintiffs (AMD and Class Plaintiffs are referred to hereafter collectively as "Plaintiffs") concerning a collection of Intel documents in the custody of Intel's outside counsel ("Investigation Documents"), and Intel has agreed that its outside counsel will maintain the integrity of the

Investigation Documents pending their ultimate production to Plaintiffs, subject to claims of privilege, or further order of the Court;

WHEREAS, in view of the foregoing, the Special Master indicated his intent to bifurcate discovery concerning Intel's evidence preservation issues such that discovery directed toward Intel's Remediation Plan is conducted in the first instance to enable Plaintiffs to respond to Intel's Remediation Plan ("Remediation Discovery"), while discovery as to other matters related to Intel's evidence preservation issues ("Causation/Culpability Discovery") will proceed after the Remediation Discovery has concluded;

WHEREAS, on May 15, 2007, AMD served its initial Remediation Discovery and Class Plaintiffs served parallel discovery on May 16, 2007; and

WHEREAS, the parties agree that discovery concerning Intel's evidence preservation issues should be bifurcated as set forth herein.

NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HERETO SUBJECT TO THE APPROVAL OF THE COURT, AS FOLLOWS:

1. Discovery concerning Intel's evidence preservation issues shall be bifurcated such that discovery directed toward Intel's Remediation Plan shall be conducted in the first instance to enable Plaintiffs to respond to the proposals set forth at pages 30-39 of Intel's Remediation Plan ("Remediation Discovery"), while discovery as to other matters related to Intel's evidence preservation issues, including that which will enable Plaintiffs to respond to the assertions made by Intel at pages 1-30 of its Remediation Plan, ("Causation/Culpability Discovery") will proceed after the

Remediation Discovery has concluded. Plaintiffs' Remediation Discovery may include inquiry into the nature and extent of Intel's loss of data, and the potential consequences of those losses with respect to Intel's ability to remediate same. Remediation Discovery will conclude no later than August 31, 2007.

2. The Special Master's Order is modified as follows: Plaintiffs shall submit their responses to the proposals set forth at pages 30-39 of Intel's Remediation Plan pursuant to Paragraph 12 of the Special Master's Order within fifteen (15) days following the conclusion of Remediation Discovery, and Intel shall submit its reply thereto pursuant to Paragraph 13 of the Special Master's Order within ten (10) days thereafter. Plaintiffs will not be required to respond to the assertions made by Intel at pages 1-30 of its Remediation Plan until completion of Causation/Culpability Discovery, or as otherwise ordered by the Special Master.

3. Following the Court's receipt of Plaintiffs' responses to the proposals set forth at pages 30-39 of Intel's Remediation Plan, and Intel's reply thereto, the Special Master will issue a Report and Recommendation regarding the remediation to be undertaken by Intel.

4. Intel served its written response to Plaintiffs' initial Remediation Discovery served on May 15, 2007 and May 16, 2007, respectively on May 21, 2007, and shall use reasonable efforts to comply with the discovery (including the scheduling of depositions) in advance of the timeframes otherwise called for in the Federal Rules of Civil Procedure. The parties shall promptly meet and confer to resolve Intel's objections, and failing resolution, promptly bring any issues to the Special Master for resolution.

5. Intel shall have until September 28, 2007 to complete its production of documents in response to the Outstanding Discovery Requests and shall meet and confer with Plaintiffs in good faith to discuss a rolling production of such documents. Causation/Culpability Discovery, including depositions and any additional document production, shall proceed expeditiously thereafter. Plaintiffs shall complete Causation/Culpability Discovery prior to responding to Intel's assertions as to its evidence preservation program, how its various evidence preservation lapses occurred, and Intel's culpability for those lapses, as discussed at pages 1-30 of Intel's Remediation Plan. The date for such response shall be established by the parties through stipulation, or by the Special Master in the event the parties are unable to reach agreement.

6. To the extent not superseded by this Order, the Special Master's Order and Amended Order remain in full force and effect.

7. Outside counsel for Intel shall maintain the integrity of the Investigation Documents pending their production to Plaintiffs, subject to claims of privilege, or further order of the Court.

8. Plaintiffs fully preserve the right to seek sanctions at a later point in this case with respect to Intel's evidence preservation lapses, and Intel fully reserves its rights to oppose such requests on any and all grounds, or to make any objections it has to Plaintiffs' discovery, including, but not limited to, on the basis of relevance, burden, attorney-client privilege or attorney work product.

9. In summary, the deadlines contemplated by this Stipulation and Order are as follows:

- No later than August 31, 2007 - Remediation Discovery Closes.

- No later than September 17, 2007 - Plaintiffs Submit Their Response to Pages 30-39 of Intel's Remediation Plan.
- No later than September 28, 2007 - Intel Completes Its Production of Documents in Response to the Outstanding Discovery Requests.
- No later than October 1, 2007 - Intel Submits Its Reply Regarding Pages 30-39 of Its Remediation Plan.
- No later than October 1, 2007 - Causation/Culpability Discovery Begins.

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Dated: June -, 2007

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Intel Corporation and Intel Kabushiki Kaisha*

ENTERED this 26 day of June, 2007



Vincent J. Poppiti, Special Master

Exhibit 2

From: Kochenderfer, Kay E. [KKochenderfer@gibsondunn.com]
Sent: Monday, March 24, 2008 6:02 PM
To: Pearl, James
Cc: Levy, Richard P.; Samuels, Mark; Herron, David
Subject: RE: Depositions Concerning Intel Preservation

Bo,

This is in response to your earlier request for proposed deposition dates for Curtis Smith -- and your request last Friday for proposed deposition dates for Dorr Clark as well. Intel believes that the discovery that already has been conducted on the ancillary retention issue in this case exceeds the bounds of what is appropriate for this satellite matter. Intel has produced multiple witnesses for six days of deposition on the retention issues now, including 30(b)(6) witnesses on an exhaustive list of retention related topics. Intel also has made a voluminous document production on the retention issues and has provided extensive information in informal exchanges. The time and resources that have been devoted to the retention issue alone in this matter over the course of the last year has surpassed those devoted to many cases in their entirety on the merits. Can you please let us know whether your request for the depositions of Mr. Smith and Mr. Dorr are intended to be your last deposition requests on the retention matter or whether you have additional depositions that you are planning to request as well. If these are not the last depositions you plan to request, can you please let us know how many more you plan to seek and the names of the prospective deponents. For the time being, even though Intel believes discovery on the retention issues should now be closed, I can provide you with proposed deposition dates for Curtis Smith of April 10, 11, 15, 16, 17, 18, 21, 22, 23, 24 or 25, but would like to receive your response on the parameters of AMD's plans before providing proposed dates for Mr. Clark.

Thank you very much.

Kay

From: Pearl, James [mailto:JPearl@OMM.com]
Sent: Friday, March 21, 2008 2:28 PM
To: Pearl, James; Kochenderfer, Kay E.
Cc: Levy, Richard P.; Samuels, Mark; Herron, David
Subject: RE: Depositions Concerning Intel Preservation

Kay -- can you let us know when you anticipate being able to provide available dates for Mr. Smith? Also, we are going to want to take the deposition of Dorr Clark so we will need available dates for him as well.

Thanks again and have a nice weekend.

Bo

From: Pearl, James
Sent: Tuesday, March 18, 2008 1:24 PM
To: Kochenderfer, Kay E.
Cc: Levy, Richard P.; Samuels, Mark; Herron, David
Subject: Depositions Concerning Intel Preservation

Kay -- can you provide us available dates for the deposition of Curtis Smith.

Thanks.

Bo

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Exhibit 3

From: Kochenderfer, Kay E. [mailto:KKochenderfer@gibsondunn.com]
Sent: Fri 5/2/2008 2:04 PM
To: Pearl, James
Subject: Michael O'Donnell

Bo,

This is in response to AMD's request for the deposition of Michael O'Donnell. As Intel has indicated previously, we believe that AMD already has conducted more than sufficient non-expert discovery, including depositions, in connection with the Intel retention issues -- and Intel will need to raise the issue of deposition limits before the

Special Master if there are additional non-expert deposition requests beyond the current request for Mr. O'Donnell's deposition.

Mr. O'Donnell, as you know, no longer works for Intel and lives in Virginia. Mr. O'Donnell has agreed to be represented by Intel in connection with the deposition and plans to provide dates of his availability on Monday. As soon as we have specific dates, I will provide proposed dates, as well as more specific information as to the location in Virginia where the deposition will need to take place.

Kay

"MMS <Gibsondunn.net>" made the following annotations.

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Exhibit 4

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE
INTEL CORPORATION
MICROPROCESSOR ANTITRUST
LITIGATION

MDL No. 05-1717-JJF

ADVANCED MICRO DEVICES, INC., a
Delaware corporation, and AMD
INTERNATIONAL SALES & SERVICES,
LTD., a Delaware corporation,

Plaintiffs,

v.

C.A. No. 05-441-JJF

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

CONSOLIDATED ACTION

v.

INTEL CORPORATION,

Defendants.

CASE MANAGEMENT ORDER NO. 1

5. Discovery.

- a) Discovery in MDL 1717 common to both C.A. No. 05-441 and the consolidated class actions shall be coordinated to the maximum extent practicable to promote efficiency and eliminate any duplication.
- b) The parties, with Court approval, have implemented a process to obtain third party input on a Proposed Protective Order, and the Proposed Protective Order, as well as the positions of the Parties and third parties, will be provided to the Court on or before May 31, 2006.
- c) Documents required to be produced under Rule 34 requests propounded as of the date of this order or under any additional Rule 34 requests served by May 31, 2006, shall be exchanged by the parties on or before December 31, 2006. The Court will entertain one agreed-upon, reasonable extension of this deadline.
- d) Document production shall be governed by the Stipulation And Proposed Order Regarding Document Production and the Stipulation Between AMD And Intel Regarding Electronic Discovery And Format Of Document Production. Before they are effective, these Stipulations require that both Interim Class Counsel and Lead Class Counsel in the California Class Action subscribe. Accordingly, the parties shall report on the status of Class Counsel's consent on or before May 31, 2006, at which time the Court will either enter the proposed orders if Class Counsel have consented, or schedule a further conference to establish ground rules for document production and e-discovery.
- e) Prior to or shortly after the deadline for completing document production under subparagraph (c), Intel, AMD and class plaintiffs may depose the document custodian or custodians responsible for the

productions to them to inquire into the completeness of document production (including electronic discovery).

- f) The parties agree that the ten deposition limit of Fed. R. Civ. P. 30 should not apply to this case. The parties are directed to meet and confer concerning the number, time limits and timing of depositions.
- g) All parties will coordinate third-party discovery to the maximum extent possible to minimize the burden on third parties. Except for those requiring use of the Hague Convention, letters rogatory or similar process, all subpoenas *duces tecum* to corporate third parties requiring a comprehensive production of their relevant documents will be served on or before June 15, 2006.

6. **Class Certification.** Class and merits discovery shall proceed simultaneously in accordance with this Order and the other Stipulations and Orders referred to herein. Intel and Interim Class Counsel agree to the following target dates:

Plaintiffs' Class Certification Motion, Supporting Memorandum of Law and Class Expert Report	March 16, 2007
Intel's Opposition and Rebuttal Class Expert Report	May 18, 2007
Plaintiffs' Class Expert Reply Report	July 11, 2007
Plaintiffs' Reply Brief	July 18, 2007
Class Certification Hearing	July 25, 2007

Intel notes that the achievability of these target dates is dependent on the timing of the production of third party data and testimony that Intel believes is essential to its class certification defense.

7. **Federal/State Coordination.** In addition to this MDL proceeding, there is California Class Litigation which encompasses all actions filed by or on behalf of a putative California class of indirect purchasers of Intel microprocessors, including certain actions which

Exhibit 5

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

<p>IN RE INTEL CORPORATION MICROPROCESSOR ANTITRUST LITIGATION</p>	<p>MDL Docket No. 05-1717 (JJF)</p>
<p>ADVANCED MICRO DEVICES, INC., a Delaware corporation, and AMD INTERNATIONAL SALES & SERVICE, LTD., a Delaware corporation,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>INTEL CORPORATION, a Delaware corporation, and INTEL KABUSHIKI KAISHA, a Japanese corporation</p> <p style="text-align: center;">Defendants.</p>	<p>C.A. No. 05-441 (JJF)</p>
<p>PHIL PAUL, on behalf of himself and all others similarly situated,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>INTEL CORPORATION,</p> <p style="text-align: center;">Defendant.</p>	<p>C.A. No. 05-485-JJF</p> <p>CONSOLIDATED ACTION</p>

**INTEL CORPORATION AND INTEL KABUSHIKI KAISHA'S
RESPONSE TO NOTICE OF TAKING DEPOSITION OF INTEL CORPORATION
AND INTEL KABUSIDKI KAISHA CONCERNING EVIDENCE PRESERVATION
AND COMPLETENESS OF DOCUMENT PRODUCTION, AND
REQUEST FOR PRODUCTION OF DOCUMENTS**

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Kaisha*

Pursuant to Rule 30(b)(6) and Rule 34 of the Federal Rules of Civil Procedure, defendants INTEL CORPORATION and INTEL KABUSHIKI KAISHA (“collectively “Intel” or “defendants”) hereby respond to Plaintiffs’ Notices of Taking Deposition of Intel Corporation and Intel Kabushiki Kaisha concerning Evidence Preservation and Completeness of Document Production, and Request for Production of Documents, served on April 29, 2009.

GENERAL RESPONSE

1. Intel’s responses herein are not intended to, nor do they, constitute a waiver of the following rights, and are in fact intended to preserve and do preserve the following:

a. the right to object to the admissibility of any document produced pursuant to these Requests on grounds of authenticity, foundation, relevance, materiality, privilege, or any other objection which may arise in subsequent proceedings in, or trial of, this or any other action;

b. the right to object to plaintiffs’ use of any document produced pursuant to this set of Requests, including pursuant to the terms of the protective order that is or may be entered in this case, in any subsequent proceeding in, or trial of, this or any other action;

c. the right to object on any grounds at any time to any other discovery involving documents produced pursuant to this set of Requests; and

d. the right to amend these responses in the event that any documents are unintentionally omitted from production.

2. Nothing contained herein or provided in response to the Topics or Requests consists of, or should be construed as, an admission relating to the existence or nonexistence of any alleged facts or information referenced in any Topics or Request or that Intel is in agreement with plaintiffs’ characterization of the facts in any such Topic or Request. By indicating that Intel will produce any responsive documents, Intel does not represent that such documents exist

or are in its possession, custody, or control but only that it will conduct the searches indicated for the documents sought. Inadvertent identification or production of privileged documents or information by Intel pursuant to these Topics or Requests does not constitute a waiver of any applicable privilege.

3. Consistent with its obligation under the Federal Rules of Civil Procedure, Intel will make reasonable efforts to respond to each Topic or Request, to the extent that no objection is made, as Intel understands and interprets the Topic or Request. If plaintiffs subsequently assert an interpretation of any Topic or Request that differs from Intel's, Intel reserves the right to supplement its objections and responses and to produce and use additional documents.

4. Intel makes the following responses upon presently available information and without prejudice to Intel's right to utilize subsequently discovered facts or documents.

5. Intel intends its responses to be made pursuant to the Protective Order entered in this action.

GENERAL OBJECTIONS

1. Intel objects to each Request herein to the extent that it seeks documents or information protected from disclosure by the attorney-client privilege, work product doctrine, or any other applicable privilege.

2. Intel objects to AMD's "Definitions," "Instructions," "Subject Matter" Topics, and Document "Requests" to the extent that they impose or attempt to impose obligations beyond those required by the Federal Rules of Civil Procedure, the Local Rules of the District of Delaware, and any Order that is or may be entered in this action.

3. Intel objects to each Topic and Request herein to the extent that it is argumentative and/or calls upon Intel to interpret legal theories or to draw legal conclusions.

4. Intel objects to the definition of "Intel" as imposing obligations on Intel beyond those authorized by the Federal Rules of Civil Procedure and as purporting to require Intel to produce documents that are not within its possession, custody, or control. In this regard, Intel objects to the definition of "Intel" as including "past and present officers, directors, agents, attorneys, employees, consultants, or other persons acting on either of their behalf."

5. Intel objects to each and every request, with regard to Instructions 1-3 in that they purport to impose on Intel obligations that go beyond those authorized by the Federal Rules of Civil Procedure and/or are unduly burdensome. In this regard, Intel objects to AMD's demand that it produce "all responsive documents that are within the possession, custody or control of Intel, including its officers, directors, agents, attorneys employees and other persons acting on Intel' behalf" and will not construe these Requests as requiring the production of documents in the possession of outside counsel, specifically internal communications among outside counsel.

6. Each and all of the foregoing General Objections are hereby expressly incorporated into each and all of the following specific responses. For particular emphasis, one or more of these General Objections may be reiterated in a specific response. The absence of any reiteration in a given specific response is neither intended as, nor shall be construed as, a limitation or waiver of any General Objection made herein. Moreover, the inclusion of a specific objection to a specific response is neither intended as, nor shall be construed as, a limitation or waiver of a General Objection or any other specific objection.

GENERAL RESPONSE TO RULE 30(b)(6) DEPOSITION SUBJECT MATTERS

Plaintiffs' Notice contains ten separate Topics, many containing multiple subparts. Intel therefore objects on the basis that this discovery is unduly burdensome and duplicative of previous discovery with which AMD has already been provided in this case, including but not limited to, previous fact and 30(b)(6) depositions taken of Intel witnesses regarding

Causation/Culpability and Remediation issues, Intel's Remediation Report and subsequent findings related to Intel's remedial efforts, Intel's "Paragraph 8 Summaries," "Weil Interview Notes," and Intel's Response to Order of March 10, 2009 regarding individual preservation issues. Intel believes that 30(b)(6) deposition testimony on issues which have or could have been previously explored through a wide variety of discovery and prior disclosures is unwarranted, duplicative and unduly burdensome.

Intel further objects to the unreasonable tardiness of AMD's deposition notice and the Topics contained therein. Pursuant to the June 20, 2007 Stipulation and Order Bifurcating Discovery into Intel's Evidence Preservation Issues ("Bifurcation Order"), Remediation Discovery closed on August 31, 2007. The Court also ordered AMD to begin Causation/Culpability discovery no later than October 1, 2007, and that "Causation/Culpability Discovery, including depositions and any additional document production, *shall proceed expeditiously thereafter.*" See Bifurcation Order at ¶5.

To the extent AMD's Topics seek information related to Remediation Discovery, that phase of discovery closed on August 31, 2007 pursuant to the Court's Bifurcation Order. AMD's Topics regarding Causation/Culpability Discovery are not only duplicative of previous discovery, but have hardly been pursued "expeditiously" pursuant to the Bifurcation Order. This 30(b)(6) Notice comes approximately one year and seven months after Causation/Culpability Discovery began; after Intel put forth two 30(b)(6) witness for four days of depositions on Remediation and Causation/Culpability Topics; after AMD has taken no less than 45 hours of deposition testimony on Remediation and Causation/Culpability from at least seven different witnesses, including both 30(b)(6) and individual witnesses; and after AMD had ample and repeated opportunities to inquire into the Topics on which it now seeks testimony.

Notwithstanding these objections, Intel believes that part of Subject Matter Topic 7 and Subject Matter Topic 9 are appropriate for a Rule 30(b)(6) deposition, subject to the Specific Objections set forth below, and the General Response and General Objections above, including, but not limited to, attorney client and work product privileges.

GENERAL RESPONSE TO DOCUMENT REQUESTS

Intel objects to these Requests on the grounds that they are duplicative, untimely, unreasonable and unduly burdensome. Intel's objections are based on two overarching, related principles.

First, many of Plaintiffs' Requests are either duplicative of or subsumed within Plaintiff's prior discovery requests, to which Intel has already responded. Intel's review and production of retention and remediation documents has stretched the bounds of reasonableness, and Plaintiffs' Requests are an overbroad "fishing expedition" that would impose an undue burden on Intel.

Second, Plaintiffs' Requests are impermissibly tardy. The Court specifically cut off remediation discovery on August 31, 2007 and ordered retention discovery to be conducted "expeditiously" thereafter. Plaintiff's Requests, served some 19 months later, can hardly be deemed expeditious. Thus, to the extent that any of Plaintiff's Requests have not already been propounded, AMD is impermissibly late to propound them now.

SPECIFIC OBJECTIONS AND RESPONSES TO RULE 30(b)(6) SUBJECT MATTER TOPICS

TOPIC NO. 1:

The date on which Intel first reasonably anticipated this Litigation and any Intel evidence preservation activities undertaken by Intel before June 27, 2005.

RESPONSE TO TOPIC NO. 1:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the grounds that it is not reasonably likely to lead to the discovery of admissible evidence. Intel also objects to this Topic on the ground that it is beyond the scope of discovery contemplated by the Special Master's March 16, 2007 Order concerning Intel's Report and Remediation Plan ("Special Master's Order"). Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege, or any other applicable protection.

Intel declines to provide a 30(b)(6) witness on this Topic.

TOPIC NO. 2:

Intel's knowledge of the nature and scope of issues being investigated by regulatory authorities in the United States and abroad prior to the commencement of this Litigation, and Intel's participation and involvement in those investigations.

RESPONSE TO TOPIC NO. 2:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the grounds that it is irrelevant, overbroad, unduly burdensome, vague, and ambiguous as to the undefined phrase, "Intel's participation and involvement in those investigations," and not reasonably likely to lead to the discovery of admissible evidence. Intel also objects to this Topic

on the ground that it is beyond the scope of discovery contemplated by the Special Master's Order. Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege, or any other applicable protection.

Intel declines to provide a 30(b)(6) witness on this Topic.

TOPIC NO. 3:

Configuration of Intel's email systems including, but not limited to:

a. Intel's efforts to change, monitor or prevent the use of Outlook settings that could adversely impact Intel Custodian preservation including, but not limited to, automatic emptying of deleted item folders;

b. Dumpster settings for individual Intel Custodians, dumpster settings on Exchange servers utilized by Intel Custodians, and any changes made by Intel to dumpster settings in connection with this Litigation;

c. Intel's efforts to change and monitor mailbox size limits or quotas for Intel Custodians' Outlook email accounts, and the effect of such limits or quotas on Intel Custodians' preservation of email; and

d. Loss or deletion of Intel Custodian email resulting from the configuration of Intel's email systems including, but not limited to, Intel Custodians' Outlook settings, dumpster settings, or mailbox size limits or quotas.

RESPONSE TO TOPIC NO. 3:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the

grounds that it is overbroad and unduly burdensome. Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege or work product doctrine.

Intel further objects to subpart (a) of this Topic on the ground that Intel previously designated two 30(b)(6) witnesses to testify on “The existence, details and application of all Intel corporate ‘auto-deletion’ policies and practices applied to email or other electronic data,” and “The nature and details of any Intel efforts to ensure that information relevant to this Litigation was not subject to, or being deleted by, the ‘auto-delete’ functions of any computer system.” Intel also provided AMD with non-30(b)(6) testimony related to the auto-delete policies at Intel.

Intel further objects to the remaining subparts of this Topic on the grounds that Intel previously provided AMD with a spreadsheet detailing the mailbox size limits for the Intel Custodians’ Outlook email accounts. Intel also provided AMD with deposition testimony from Intel IT employees about the configuration of Intel’s email systems, and AMD had ample and repeated opportunities to inquire into the topics on which it now seeks deposition testimony.

Intel declines to provide a 30(b)(6) witness on this Topic.

TOPIC NO. 4:

Intel’s implementation, use, and harvesting of data from Intel’s EMC Archive including, but not limited to:

- a. The original configuration of Intel’s EMC Archive, changes thereto, and Intel’s instructions to Intel Custodians regarding Intel’s EMC archive;
- b. Migration of deleted items, historic .psts, the contents of Intel Custodian mailboxes, and other data into Intel’s EMC Archive;
- c. Processes used to extract data from Intel’s EMC Archive;

d. Errors, malfunctions or data loss associated with Intel's EMC Archive including, but not limited to, data loss upon migration of Intel Custodians' email accounts to Intel's EMC Archive or upon harvesting from Intel's EMC archive; and

e. Quality control, auditing, and documentation related thereto.

RESPONSE TO TOPIC NO. 4:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the grounds that it is overbroad and unduly burdensome. Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege or work product doctrine.

Intel also objects to this Topic on the grounds that Intel previously provided AMD with deposition testimony from Intel IT employees about Intel's EMC archive, and AMD had ample and repeated opportunities to inquire into the topics on which it now seeks deposition testimony.

Intel also objects to this Request on the ground that the parties agreed to an informal exchange of information relating to each party's email archiving systems, and that such an exchange was completed. This informal exchange formed the basis of Stipulated Case Management Order No. 4, in which the parties agreed that "Intel and AMD have each implemented automated email retention systems as the primary means of preserving relevant emails sent to or from all custodians currently employed by that party, and the operation of those systems has been the subject of interviews and other formal and/or informal exchange. Each party believes and represents that its respective systems are successfully capturing emails as intended and described. In addition, Paragraph 4 of Stipulated Case Management Order No. 3

provides that any Deposition Reharvest productions will be limited to email files. Accordingly the parties now agree that as to custodian materials generated or received from and after January 1, 2008, AMD and Intel are relieved of any further retention obligations beyond the continued good faith operation and maintenance of their respective automated email retention systems.”

Subject to the objections above, Intel responds as follows to subpart (b): Intel did not migrate historic data into Intel’s EMC archive.

Intel declines to provide a 30(b)(6) witness on this Topic.

TOPIC NO. 5:

Intel’s harvests of electronic and hard copy (paper) data for this Litigation, including but not limited to:

- a. Protocols and processes used for Intel’s non-remedial, “organic” harvests conducted after May 2007;
- b. Gaps and deficiencies in Intel’s non-remedial, “organic” harvests conducted after May 2007;
- c. Live Exchange server mailbox harvesting of Intel Custodian data;
- d. Intel’s harvest of email deleted items including, but not limited to, Intel’s harvests of Exchange dumpsters;
- e. The completeness of Intel’s harvests of Intel Custodian data; and
- f. Quality control, auditing, and documentation related thereto.

RESPONSE TO TOPIC NO. 5:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is

untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the grounds that it is overbroad and unduly burdensome. Intel also objects to this Topic on the grounds that it is vague and ambiguous with respect to the undefined term “completeness,” and as to the undefined phrase “non-remedial, ‘organic’ harvests conducted after May 2007.” Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege or work product doctrine.

Intel further objects to subpart (a) of this Topic on the ground that Intel previously designated two 30(b)(6) witnesses to testify on “Intel’s harvest of Intel Custodians’ data in this Litigation,” and “Details concerning Intel’s harvest of Intel Custodians’ data.”

Intel also objects to this Topic on the grounds that Intel previously provided AMD with non-30(b)(6) deposition testimony about Intel’s harvesting process and protocols, and AMD had ample and repeated opportunities to inquire into the topics on which it now seeks deposition testimony.

Intel further objects to subparts (a) and (b) of this Topic on the ground that information regarding Intel’s harvests after May 2007 is beyond the scope of discovery contemplated by the Special Master’s Order.

Intel declines to provide a 30(b)(6) witness on this Topic.

TOPIC NO. 6:

Actions taken by Intel to preserve Intel Custodian data upon the discovery of preservation lapses in 2006 and 2007.

RESPONSE TO TOPIC NO. 6:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome. Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege or work product doctrine.

Intel also objects to this Topic on the ground that Intel previously designated two 30(b)(6) witnesses to testify on “The design and development of Intel’s Remediation Plan,” and “The implementation, execution and monitoring of Intel’s Remediation Plan.”

Intel further objects to this Topic on the grounds that Intel previously provided AMD with deposition testimony from Intel employees about this Topic, and AMD had ample and repeated opportunities to inquire into the topic on which it now seeks deposition testimony.

Intel declines to provide a 30(b)(6) witness on this Topic.

TOPIC NO. 7:

Intel’s processing and production of Intel Custodians’ electronic data, including but not limited to:

a. Intel’s discovery, collection, processing, and production of .psts for approximately 155 Intel Custodians, as referenced in Intel’s filing with the Special Master dated May 30, 2008;

b. Intel’s discovery, collection, processing and production of Intel Custodian data after production deadlines established by Court orders;

c. Methods of deduplication, and of processing and repair of .pst files used by Intel's vendors in this Litigation, and the results thereof; and

d. The completeness of Intel's production of organic and remedial electronic data, including Intel Custodian, backup tape, database and shared server data.

RESPONSE TO TOPIC NO. 7:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the grounds that it is overbroad, unduly burdensome, and not reasonably likely to lead to the discovery of admissible evidence. Intel also objects to this Topic on the ground that it is beyond the scope of discovery contemplated by the Special Master's Order. Intel also objects to this Topic on the grounds that it is vague and ambiguous with respect to the undefined term "completeness." Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege or work product doctrine, except to the extent that the parties negotiate a non-waiver agreement with respect to non-core work product, if any..

Subject to the foregoing, and to the extent the inquiry into this Topic is related to Topic 9, as specified below, Intel will designate a Rule 30(b)(6) witness on this Topic, and make the witness available for a maximum of seven hours (combined with Topic 9), subject to the following: Intel will produce a witness to testify about the creation and population of the Global Database and the creation of Intel's EED Report, including methods of deduplication, processing and repair of .pst files used by Intel's vendors in this Litigation, and the "completeness" of Intel's production of organic and remedial electronic data from the Global Database.

TOPIC NO. 8:

Backup tape policies and protocols , including:

a. Intel's pre-litigation disaster recovery backup tapes including, but not limited to, content of backup tapes, backup tape recycling and retention, data collected from such backups, and data loss; and

b. Preservation of backup tapes for this Litigation including, but not limited to, content of backup tapes, backup tape recycling and retention, data collected from such backups, and data loss.

RESPONSE TO TOPIC NO. 8:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the grounds that it is overbroad and unduly burdensome. Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege or work product doctrine.

Intel further objects to subpart (a) of this Topic on the ground that Intel previously designated a 30(b)(6) witness to testify on "The details of any disaster recovery backup systems, protocols or procedures in place at Intel since January 1, 2000."

Intel further objects to subpart (b) of this Topic on the ground that Intel previously designated two 30(b)(6) witnesses to testify on four separate topics regarding Backup Tapes, including: "The operation and content of Intel's Weekly Backup Tapes, including Intel's practices and procedures for cataloguing and preserving Weekly Backup Tapes"; "The facts and circumstances concerning Intel's European IT Department's recycling of Weekly Backup Tapes

. . . as well as any other known or suspected recycling of backup tapes containing any Intel Custodian data”; “The facts and timing surrounding Intel’s discovery of any actual or suspected recycling of Weekly Backup Tapes or other backup tapes containing any Intel Custodian data”; and “The operation, content, preservation, maintenance, and restoration of, and internal Intel operational management responsibility for, Complaint Freeze Tapes containing any Intel Custodian data.”

Intel further objects to subpart (b) of this Topic on the grounds that Intel previously provided AMD with deposition testimony from Intel IT employees about Intel’s Backup Tapes, and AMD had ample and repeated opportunities to inquire into the topics on which it now seeks deposition testimony.

Intel declines to provide a 30(b)(6) witness on this Topic.

TOPIC NO. 9:

Intel’s “Global Database” including, but not limited to:

- a. Methods, tools and protocols used to populate, search and extract data from Intel’s Global Database, and the content thereof;
- b. Reporting capabilities of, and errors, malfunctions or data loss associated with, Intel’s Global Database; and
- c. Quality control, auditing, and documentation related thereto including, but not limited to, chain of custody, tracking and validation of data inputs into and data extracts from Intel’s Global Database.

RESPONSE TO TOPIC NO. 9:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the grounds that it is

vague and ambiguous. Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege or work product doctrine, except to the extent that the parties negotiate a non-waiver agreement with respect to non-core work product, if any. Subject to the foregoing, Intel will designate a Rule 30(b)(6) witness on this Topic, and make him or her available for a maximum of seven hours (combined with Topic 7).

TOPIC NO. 10:

The timing, scope and nature of problems and/or issues for the following Intel Custodians' data preservation, harvesting, processing and/or productions:

- a. Craig Barrett;
- b. CJ Bruno;
- c. Andy Bryant;
- d. Dianne Bryant;
- e. Louis Burns;
- f. Debbie Conrad;
- g. Kevin Corbett;
- h. Tammy Cyphert;
- i. David Hamilton;
- j. Shuichi Kako;
- k. Shervin Kheradpir;
- l. Tom Kilroy;
- m. Eric Kim;
- n. Charlotte Lamprecht;
- o. Sean Maloney;

- p. Jeff McCrea;
- q. Paul Otellini; ,/
- r. Josh Richmond;
- s. Satish Sangameswaran;
- t. Jake Smith;
- u. Tim Thraves; and
- v. Kazumasa Yoshida.

RESPONSE TO TOPIC NO. 10:

Intel incorporates its General Objections and General Responses to Rule 30(b)(6) Deposition Subject Matters by reference. Intel also objects to this Topic on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Topic on the grounds that it is duplicative of previous discovery which Intel has previously provided to AMD, including, but not limited to, prior deposition testimony, Intel's Remediation Report and subsequent findings related to Intel's remedial efforts, Intel's "Paragraph 8 Summaries," the "Weil Interview Notes," and Intel's Response to Order of March 10, 2009 regarding individual preservation issues. AMD has already deposed, or will depose, at least fifteen of these Custodians (some for multiple days), and therefore, has had or will have multiple opportunities to inquire into this Topic. For the other Custodians, AMD elected not to depose these witnesses, and declined such an opportunity. Intel also objects to this Topic on the ground that it is unduly burdensome and harassing. Intel also objects to this Topic to the extent it purports to seek testimony protected by the attorney-client privilege or work product doctrine.

Intel declines to provide a 30(b)(6) witness on this Topic.

SPECIFIC OBJECTIONS AND RESPONSES TO DOCUMENT REQUESTS

REQUEST FOR PRODUCTION NO. 1:

Documents sufficient to show and detail the evidence preservation activities undertaken by Intel in connection with this Litigation prior to June 27, 2005.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel further objects that it has already produced scores of documents sufficient to show the design and implementation of Intel's retention plan.

REQUEST FOR PRODUCTION NO. 2:

Documents sufficient to show and detail the changes Intel made to dumpster settings for individual Intel Custodians and on Exchange servers utilized by Intel Custodians in connection with this Litigation.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine. Intel also objects that Plaintiffs' Request is subsumed by their previous requests, and represents a

“fishing expedition” that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents.

Subject to, and without waiving any of its objections, Intel responds to this Request as follows:

There are no documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 3:

Documents sufficient to show and detail Intel’s monitoring of, and changes Intel made or enforced in regard to, Intel Custodians’ Outlook email account settings or configurations in connection with this Litigation.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Request on the grounds that it is unreasonable and unduly burdensome. In order to comply with this request, Intel would have to review many thousands of documents, in several cases for the second or third time. Intel also objects to this Request on the ground that it is vague and ambiguous as to meaning of the terms “Intel’s monitoring,” and “Outlook email account settings or configurations.” Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel further objects to this Request on the ground that Plaintiffs have previously requested documents relating to Intel’s monitoring of, and changes made to, its Custodians’ Outlook email settings and configurations, including requests for documents that: “evidence fully

any and all efforts by Intel to monitor, assure, and/or enforce compliance with Litigation Hold Notices, including without limitation the efforts referred to in Intel's March 5, 2007 letter to the Court and in the February 8, 2007 email of Intel attorney Robert E. Cooper"; "describe fully the operation, purpose and application on Intel's automatic deletion policies and practices applied to email or other electronic data"; and "describe fully how Intel's automatic deletion policies and practices have operated with respect to the email or other electronic data of each Intel Custodian, including the specific interval or period of time (whether 35 days, 45 days, 60 days, or another period) each Intel Custodian's email or other electronic data was subjected to such automatic deletion." Furthermore, in response to the Remediation Document Requests, served on May 15 and 16, 2007, Intel has already produced documents that "evidence the suspension of the auto-delete function on any servers hosting Intel's custodians." Therefore Plaintiffs' Request is subsumed within their previous requests, and represents a "fishing expedition" that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents.

Intel thus objects that this Request is untimely, duplicative of and subsumed within AMD's prior requests, and unreasonably burdensome.

REQUEST FOR PRODUCTION NO. 4:

Documents sufficient to show and detail the migration of Intel Custodians' deleted items, historic .pst, the contents of Intel Custodian mailboxes, and other data to Intel's EMC Archive.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued

expeditiously pursuant to the Bifurcation Order. Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel further objects to this Request on the ground that Plaintiffs have already requested, in Requests for Production 14 through 18, served on April 10 and 11 2007, documents sufficient to evidence the “operation, functionality, capabilities and implementation,” “beta testing,” “procurement” and “design, architecture, implementation and functionality” of Intel’s EMC archive.

Consequently, Intel has already produced documents sufficient to detail the migration of Intel *custodians* to the EMC system. Plaintiffs’ Request is therefore subsumed by their previous requests, and represents a “fishing expedition” that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents. To the extent that this Request asks for documents relating to the migration of *historic data*, subject to, and without waiving any of its objections, Intel responds to this Request as follows:

There are no documents responsive to this request.

REQUEST FOR PRODUCTION NO. 5:

Documents sufficient to show and detail the processes used by Intel to extract data from Intel’s EMC Archive.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel further objects to this Request on the ground that it is a subset of Plaintiffs' previous requests, and is subsumed therein. Plaintiffs have already requested, in Requests for Production 14 through 18, served on April 10 and 11 2007, documents sufficient to evidence the "operation, functionality, capabilities and implementation," "beta testing," "procurement" and "design, architecture, implementation and functionality" of Intel's EMC archive. Plaintiffs' Request is therefore subsumed by their previous requests, and represents a "fishing expedition" that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents.

Intel also objects to this Request on the grounds that the parties agreed to an informal exchange of information relating to each party's email archiving systems, and that such an exchange was completed. This informal exchange formed the basis of Stipulated Case Management Order No. 4, in which the parties agreed that "Intel and AMD have each implemented automated email retention systems as the primary means of preserving relevant emails sent to or from all custodians currently employed by that party, and the operation of those systems has been the subject of interviews and other formal and/or informal exchange. Each party believes and represents that its respective systems are successfully capturing emails as intended and described. In addition, Paragraph 4 of Stipulated Case Management Order No. 3 provides that any Deposition Reharvest productions will be limited to email files. Accordingly the parties now agree that as to custodian materials generated or received from and after January 1, 2008, AMD and Intel are relieved of any further retention obligations beyond the continued good faith operation and maintenance of their respective automated email retention systems."

REQUEST FOR PRODUCTION NO. 6:

Documents sufficient to show and detail Intel IT policies, procedures, instructions, guidelines or user guides related to Intel's EMC Archive including, but not limited to, any such materials provided to Intel Custodians.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Request on the grounds that it is unreasonable and unduly burdensome. In order to comply with this request, Intel would have to review many thousands of documents, in several cases for the second or third time. Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel further objects to this Request on the ground that it is a narrow subset of Plaintiffs' previous requests, and is subsumed therein. Plaintiffs have already requested, in Requests for Production 14 through 18, served on April 10 and 11 2007, documents sufficient to evidence the "operation, functionality, capabilities and implementation," "beta testing," "procurement" and "design, architecture, implementation and functionality" of Intel's EMC archive. Plaintiffs' Request is therefore subsumed by their previous requests, and represents a "fishing expedition" that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents.

Intel also objects to this Request on the ground that it is beyond the scope of discovery contemplated by the Special Master's Order.

Intel also objects to this Request on the grounds that the parties agreed to an informal exchange of information relating to each party's email archiving systems, and that such an exchange was completed. This informal exchange formed the basis of Stipulated Case Management Order No. 4, in which the parties agreed that "Intel and AMD have each implemented automated email retention systems as the primary means of preserving relevant emails sent to or from all custodians currently employed by that party, and the operation of those systems has been the subject of interviews and other formal and/or informal exchange. Each party believes and represents that its respective systems are successfully capturing emails as intended and described. In addition, Paragraph 4 of Stipulated Case Management Order No. 3 provides that any Deposition Reharvest productions will be limited to email files. Accordingly the parties now agree that as to custodian materials generated or received from and after January 1, 2008, AMD and Intel are relieved of any further retention obligations beyond the continued good faith operation and maintenance of their respective automated email retention systems."

REQUEST FOR PRODUCTION NO. 7:

Documents sufficient to show and detail the methods, protocols, and results of Intel's population, searching and extraction of data from Intel's Global Database.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel further objects that Plaintiffs' Request is subsumed by their previous requests, and represents a "fishing expedition" that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents. Intel also

objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel also objects that to the extent responsive documents exist, if any, they would be communications either among Intel's internal legal counsel, outside legal counsel and electronic discovery vendors (acting under the direction of outside counsel). These communications, if any, are protected from disclosure by the attorney-client privilege and work product doctrine.

Subject to, and without waiving any of its objections, Intel responds to this Request as follows:

There are no non-privileged documents responsive to this Request. However, Intel is willing to meet and confer with AMD regarding the production of a written summary of information.

REQUEST FOR PRODUCTION No. 8:

Documents sufficient to show and detail Intel's harvesting of Intel Custodians' dumpster deleted items.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel further objects to this Request on the ground that it is a subset of Plaintiffs' previous requests, and is subsumed therein. Intel has previously produced documents that "fully show and evidence Intel's data harvest instructions, protocols and electronic harvesting tools employed

[and] the type of data extracted or harvested”; documents that “evidence fully Intel’s protocols, instructions, systems and practices for harvesting Intel Custodian’s data”; as well as a “list of all document harvests that Intel has completed.” Plaintiffs’ Request is therefore subsumed by their previous requests, and represents a “fishing expedition” that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents.

REQUEST FOR PRODUCTION NO. 9:

Documents sufficient to show and detail the scope of Intel’s harvests of non-remedial Intel Custodian data.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel also objects to this Request on the ground that it is untimely as Remediation Discovery has closed, and Causation/Culpability Discovery was not pursued expeditiously pursuant to the Bifurcation Order. Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel further objects to this Request on the ground that it is duplicative of Plaintiffs’ previous requests. Plaintiffs have already requested, in Request for Production 13, served on April 10 and 11 2007, “[d]ocuments sufficient to evidence fully Intel’s protocols, instructions, systems and practices for harvesting Intel Custodians’ data.” Plaintiffs’ Request is therefore subsumed by their previous requests, and represents a “fishing expedition” that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents.

REQUEST FOR PRODUCTION NO. 10:

Documents sufficient to show and detail Intel's discovery, collection, processing, and production of .psts for approximately 155 Intel Custodians, as referenced in Intel's filing with the Special Master dated May 30, 2008.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Intel incorporates its General Objections and General Responses to the Document Requests by reference. Intel objects to this Request on the ground that it is vague and ambiguous as to the identities of the 155 custodians to which it refers. Intel further objects that Plaintiffs' Request is subsumed by their previous requests, and represents a "fishing expedition" that would impose an undue burden on Intel and is unlikely to produce any additional relevant documents. Intel also objects to this Request to the extent it purports to seek documents protected by the attorney-client privilege or work product doctrine.

Intel also objects to this Request on the ground that it is untimely. Pursuant to the Court's Bifurcation Order, Plaintiffs had a duty to serve their discovery "expeditiously", and yet this Request asks for documents relating to a letter sent approximately 12 months ago. Plaintiffs had ample opportunity to request documents relating to this subject in the past year. Issuing this Request at this late stage is contrary to the Court's order.

Subject to, and without waiving any of its objections, Intel responds to this Request as follows:

There are no non-privileged documents responsive to this request.

Dated: May 23, 2009

POTTER ANDERSON & CORROON LLP

By: /s/ W. Harding Drane, Jr.
Richard L. Horwitz (#2246)
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Attorneys for Intel Corporation and
Intel Kabushiki Kaisha

EXHIBIT 6
REDACTED IN ITS ENTIRETY

Exhibit 7

From: Fowler, Jeffrey
To: Rocca, Brian
Cc: Pickett, Donn; Dillickrath, Thomas ; Herron, David ; Samuels, Mark ; Chan, Eric
Sent: Fri Jun 12 09:31:50 2009
Subject: AMD v. Intel

Brian,

We are in receipt of your June 9, 2009 letter. As confirmed in David Herron's June 5 letter, which I have attached for your reference, we asked Intel at the meet and confer to provide a list of deposition citations to support your contention that AMD's Rule 30(b)(6) notice seeks "duplicative information" because these topics were covered at prior depositions. Intel agreed to consider providing these cites. Your June 9 letter offers something completely different. Intel now offers to provide a list of deposition citations showing "prior opportunities" where AMD could have covered the topics in its Rule 30(b)(6) notice. We see no utility in that information. Accordingly, we consider the parties to be at impasse.

Jeff

<<Ltr to D. Pickett of 5 June 09.PDF>>

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213-430-6404
jfowler@omm.com

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6/24/2009

sender immediately by reply e-mail and then delete this message.

Exhibit 8

From: Welch, Susan J.
Sent: Friday, June 12, 2009 11:00 AM
To: 'JFowler@OMM.com'
Cc: Pickett, Donn; Rocca, Brian; 'DillickrathT@howrey.com'; 'DHerron@OMM.com'; 'MSamuels@OMM.com'; 'EChan@OMM.com'
Subject: RE: AMD v. Intel

Jeffrey,
Intel was preparing to send AMD a letter to provide further information, as outlined in Intel's letter of June 9, 2009. However, it will not do so now in light of AMD's position stated below.

Regards,
Susan

Susan J. Welch | Bingham McCutchen LLP
Three Embarcadero Center | San Francisco, CA 94111
Direct: 415.393.2762 | Fax: 415.393.2286
susan.welch@bingham.com

Print Less → *Go Green*

From: Fowler, Jeffrey
To: Rocca, Brian
Cc: Pickett, Donn; Dillickrath, Thomas ; Herron, David ; Samuels, Mark ; Chan, Eric
Sent: Fri Jun 12 09:31:50 2009
Subject: AMD v. Intel

Brian,

We are in receipt of your June 9, 2009 letter. As confirmed in David Herron's June 5 letter, which I have attached for your reference, we asked Intel at the meet and confer to provide a list of deposition citations to support your contention that AMD's Rule 30(b)(6) notice seeks "duplicative information" because these topics were covered at prior depositions. Intel agreed to consider providing these cites. Your June 9 letter offers something completely different. Intel now offers to provide a list of deposition citations showing "prior opportunities" where AMD could have covered the topics in its Rule 30(b)(6) notice. We see no utility in that information. Accordingly, we consider the parties to be at impasse.

Jeff
<<Ltr to D. Pickett of 5 June 09.PDF>>

Jeffrey J. Fowler
O'Melveny & Myers LLP
400 S. Hope Street, Los Angeles, CA 90071

213-430-6404

jfowler@omm.com

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Exhibit 9

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

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

**NOTICE OF TAKING DEPOSITION OF
INTEL CORPORATION AND INTEL KABUSHIKI KAISHA AND REQUEST FOR
PRODUCTION OF DOCUMENTS**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, plaintiffs Advanced Micro Devices, Inc. and AMD International Sales & Service, Ltd. (collectively, "AMD") will take the deposition of defendants Intel Corporation and Intel Kabushiki Kaisha (collectively, "Intel") on April 24, 2007, beginning at 9:30 a.m., at the offices of O'Melveny & Myers LLP, 400 South Hope Street, 18th Floor, Los Angeles, California, or at such other time and place as the parties may agree. The deposition will be recorded by stenographic and sound-and-visual (videographic) means, will be taken before a Notary Public or

other officer authorized to administer oaths, and will continue from day to day until completed, weekends and public holidays excepted.

Reference is made to the "Description of Matters on Which Examination is Requested" attached hereto as Exhibit A and incorporated herein by this reference. In accordance with Rule 30(b)(6) of the Federal Rules of Civil Procedure, Intel is hereby notified of its obligation to designate one or more officers, directors, or managing agents (or other persons who consent to do so) to testify on its behalf as to all matters embraced in the "Description of Matters on Which Examination is Requested" and known or reasonably available to Intel.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rules 35(b) and 34 of the Federal Rules of Civil Procedure, AMD requests that Intel produce for inspection, copying and use at the deposition all of the documents and other tangible things in their possession, custody, or control and responsive to the "Categories of Documents and Tangible Things Requested for Production" attached hereto as Exhibit B and incorporated herein by reference. Production shall take place at the time and place of the deposition (9:30 a.m. on April 24, 2007, at the offices of O'Melveny & Myers LLP, 400 South Hope Street, 18th Floor, Los Angeles, California) or at such other time and place as the parties may agree.

OF COUNSEL:

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213-430-6000

Dated: April 10, 2007

/s/ Chad M. Shandler

Jesse A. Finkelstein (#1090)
Frederick L. Cottrell, III (#2555)
Chad M. Shandler (#3796)
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Attorneys for Plaintiffs Advanced Micro
Devices, Inc. and AMD International Sales &
Service, Ltd.

CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2007, I electronically filed the foregoing document with the Clerk of Court using CM/ECF and have sent by Hand Delivery to the following:

Richard L. Horwitz, Esquire
Potter Anderson & Corroon, LLP
1313 North Market Street
P. O. Box 951
Wilmington, DE 19899

James L. Holzman, Esquire
Prickett, Jones & Elliott, P.A.
1310 King Street
P.O. Box 1328
Wilmington, DE 19899-1328

I hereby certify that on April 10, 2007, I have sent by Federal Express the foregoing document to the following non-registered participants

Darren B. Bernhard, Esquire
Howrey LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004-2402

Robert E. Cooper, Esquire
Daniel S. Floyd, Esquire
Gibson, Dunn & Crutcher LLP
333 South Grand Avenue
Los Angeles, California 90071-3197

/s/ Chad M. Shandler
Chad M. Shandler (#3796)
shandler@rlf.com

EXHIBIT A

EXHIBIT A

DESCRIPTION OF MATTERS ON WHICH EXAMINATION IS REQUESTED

I.

DEFINITIONS

1. "Intel" shall mean and refer collectively to defendants Intel Corporation and Intel Kabushiki Kaisha, including their respective past and present officers, directors, agents, attorneys, employees, consultants, or other persons acting on either of their behalf.
2. This "Litigation" means and refers to the litigation in which this Notice of Taking Deposition has been served.
3. "Intel Custodians" means and refers to the approximately 1,027 individuals identified by Intel on its Custodian List served on June 1, 2006, pursuant to the Stipulation and Order Regarding Document Production entered by the Court in this Litigation.
4. The "Special Master's Order" means and refers to the March 16, 2007 Order Regarding Intel's Evidence Preservation Issues entered by Special Master Vincent J. Poppiti.
5. "Litigation Hold Notices" means and refers to the means by which Intel communicated its preservation obligations to Intel employees, including all oral, written or electronic notices, reminders, or other communications by Intel to Intel Custodians or other Intel employees.
6. "Weekly Backup Tapes" means and refers to the backup tapes described by Intel in its March 5, 2007 Letter Brief filed with the Court.

7. "Complaint Freeze Tapes" means and refers to tapes generated by the "one time company-wide snapshot of email and other electronic documents that were stored on Intel's servers, including Exchange servers that store emails" as described by Intel in its March 5, 2007 Letter Brief filed with the Court.

8. "Intel's Remediation Plan" refers to the plan that Intel is required to submit on April 17, 2007, pursuant to the Special Master's Order.

II.

SUBJECT MATTER

1. The existence, nature and details of any standard Intel corporate evidence preservation policies and practices applied in connection with actual or threatened litigation, or governmental or internal investigations, including the development and implementation of such policies and practices, the identity of those persons involved in the creation of such policies and practices, the reasons and rationale for such policies and practices, and any suspension or deviation from such policies and practices in connection with this Litigation or other litigations, or governmental or internal investigations, over the past ten years.
2. The existence, details and application of all Intel corporate "auto-deletion" policies and practices applied to email or other electronic data, including the development and implementation of such policies and practices, the identity of those persons involved in the creation of such policies and practices, the reasons and rationale for such policies and practices, and any suspension or deviation from such policies and practices in connection with this Litigation or other litigations or investigations over the past ten years.
3. The development and details of the "tiered process to identify and preserve potentially relevant paper and electronic records" referred to in Intel's March 5, 2007 letter to the Court, and any other overall Intel plan to preserve electronic and other data and documents relevant to this Litigation, including the design, implementation and monitoring of that process or plan and its execution, and the identity of those persons involved in the design, development or monitoring of Intel's compliance with or execution of that process or plan.
4. The nature and details of any Intel efforts to ensure that information relevant to this Litigation was not subject to, or being deleted by, the "auto-delete" functions of any computer system or storage device operating with respect to or containing any Intel Custodian data, including the timing of those efforts and the persons involved in directing or carrying out those efforts.

5. The preparation, timing, contents, and distribution of all Litigation Hold Notices issued by Intel in connection with this Litigation, including the identity of those persons involved in preparing, communicating or distributing such Litigation Hold Notices.
6. Details concerning the discovery of any defects, deficiencies, errors or ambiguities in Litigation Hold Notices issued by Intel in connection with this Litigation, the identity of those persons discovering them, and the timing and nature of all steps taken following such discovery.
7. The facts surrounding Intel's failure to timely issue Litigation Hold Notices to any Intel Custodian, the facts surrounding and timing of Intel's discovery of such failure, the identity of those persons discovering such failure, and the timing and nature of all steps taken following such discovery.
8. The details and timing of all Intel efforts to monitor and ensure compliance with Litigation Hold Notices issued by Intel in connection with this Litigation, including the identity of those persons involved in such monitoring efforts.
9. The details and circumstances concerning any known or suspected non-compliance with Litigation Hold Notices issued by Intel in connection with this Litigation, the facts and timing of Intel's discovery of such non-compliance, the identity of those persons discovering such non-compliance, and the timing and nature of all steps taken following such discovery.
10. Any differences, deviations or discrepancies between Intel's Litigation Hold Notice activities and monitoring efforts in connection with this Litigation and its standard or customary practices and protocols.
11. The details of Intel's "\$10 million discovery management program" referenced in the March 16, 2007 article entitled *Intel Worker's Error Led to Lost E-Mail, Company Lawyer Says* (Bloomberg, New York, 2007-03-16 16:12), a copy of which is attached hereto as Attachment 1.
12. Intel's harvest of Intel Custodians' data in this Litigation, including the harvest instructions and protocols employed and the identity of those persons involved in developing and executing such instructions and protocols.
13. The operation, functionality, capabilities and implementation of Intel's Exchange journaling system and EMC-based archive, as described in letters dated March 20 and 28, 2007, from Intel attorney Robert E. Cooper.
14. The nature and timing of Intel's efforts to migrate Intel Custodians' email accounts to dedicated servers, including the IT protocols used to migrate the data, the existence of records reflecting those migration efforts, and the specific dates of migration.
15. The operation and functionality of, and internal Intel operational management responsibility for, dedicated servers operating with respect to or containing any Intel Custodian data.
16. The facts and circumstances of any failure by Intel to migrate Intel Custodians' electronic data to dedicated servers, including the failure to migrate Intel

- Custodians to dedicated servers in October or November 2005 as disclosed by Intel to the Court, AMD or Class Plaintiffs, the facts and timing surrounding Intel's discovery of such failures, the identity of those persons discovering such failures, and the timing and nature of all steps taken following such discovery.
17. The operation and content of Intel's Weekly Backup Tapes, including Intel's practices and procedures for cataloguing and preserving Weekly Backup Tapes.
 18. The facts and circumstances concerning Intel's European IT Department's recycling of Weekly Backup Tapes (as described in the February 8, 2007 email from Intel attorney Robert E. Cooper to AMD attorney Charles P. Diamond, and in Intel's March 5, 2007 letter to the Court at page 2, footnote 1), as well as any other known or suspected recycling of backup tapes containing any Intel Custodian data.
 19. The facts and timing surrounding Intel's discovery of any actual or suspected recycling of Weekly Backup Tapes or other backup tapes containing any Intel Custodian data, the identity of those persons discovering such recycling, and the timing and nature of all steps taken following such discovery.
 20. The facts and circumstances concerning the preparation and transmission of the Excel spreadsheet relating to migration of Intel Custodians and/or their electronic data to dedicated exchange servers as described in Intel's March 5, 2007 letter to the Court, including the identity of those persons involved the creation and transmission of the spreadsheet, the facts, circumstances and timing surrounding Intel's discovery of the failure to migrate Intel Custodians identified on such spreadsheet, and the timing and nature of all steps taken following such discovery.
 21. The operation, content, preservation, maintenance, and restoration of, and internal Intel operational management responsibility for, Complaint Freeze Tapes containing any Intel Custodian data.
 22. The details of any disaster recovery backup systems, protocols or procedures in place at Intel since January 1, 2000, including backup tape system structure and design, backup tape rotation schedules and protocols, backup tape retention policies and practices, and backup tape restoration protocols.
 23. The facts and timing surrounding Intel's discovery of any actual or suspected loss or recycling of Complaint Freeze Tapes containing any Intel Custodian data (including without limitation those relevant to Intel's Munich, Germany operations), the identity of those persons discovering such loss or recycling, and the timing and nature of all steps taken following such discovery.
 24. The details of any steps, policies, practices or other measures undertaken by Intel to preserve the electronic data and other documents of departing Intel Custodians, including the details and timing of any Intel efforts to monitor or otherwise ensure compliance with such steps, policies, practices or measures.
 25. The facts surrounding any Intel failure or suspected failure to preserve the electronic data or other documents of departing Intel Custodians, the facts and timing surrounding Intel's discovery of such failures or suspected failures, the

identity of those persons discovering such failures, and the timing and nature of all steps taken following such discovery.

26. The accuracy of, and basis for, the representations made by Intel attorney John Rosenthal in his October 14, 2005 letter to AMD concerning Intel's evidence preservation.
27. The facts and circumstances underlying the disclosures and representations made by Intel to the Court regarding Intel's evidence preservation issues, including those contained in Intel's March 5, 2007 letter to the Court.
28. The facts and circumstances underlying the disclosures and representations made in Intel's disclosures to AMD and Class Plaintiffs pursuant to the Special Master's Order, including without limitation Intel's March 16, March 20, March 28, March 29, April 5, April 17, and April 27, 2007 letters and disclosures.
29. Intel's Remediation Plan submitted pursuant to the Special Master's Order, including the basis, rationale, and justifications for, and assumptions underlying, the terms and proposals set forth in Intel's Remediation Plan.
30. Intel's IT infrastructure relevant to the support, storage (including email storage conventions), maintenance and backup of electronic data relevant to this Litigation, including data residing on hard drives or other off-network media.
31. Intel's remediation and backup data restoration efforts, including volumes and nature of data restored and vendors and processes used.

Attachment 1

ATTACHMENT 1

Intel Worker's Error Led to Lost E-Mail, Company Lawyer Says
2007-03-16 16:12 (New York)

By Phil Milford and Carlyn Kolker

March 16 (Bloomberg) -- Intel Corp. e-mail sought for an antitrust lawsuit with Advanced Micro Devices Inc. was wiped out because of a computer technician's error, Intel's top lawyer told a group of attorneys.

About 150 of 400 Intel employees who were supposed to be told to keep their e-mail didn't get the message, General Counsel D. Bruce Sewell told a March 14 gathering of corporate lawyers. Intel officials sent "a two-page spreadsheet" to information technology technicians, and one "didn't recognize the second tab" and omitted the 150 names, Sewell said.

"We've got a \$10 million discovery-management program, and yet that human interface can often be overlooked," Sewell told the lawyers. His advice: "Talk to your IT department."

The missing-mail problem arose during evidence-gathering in Advanced Micro's 2005 suit against Intel, the world's largest maker of microprocessors. Santa Clara, California-based Intel informed the trial judge this month that "human error" caused "some document retention lapses." Advanced Micro countered that "massive amounts" of e-mail "may be irretrievably lost."

Sewell didn't name Intel executives who didn't get the message to save the mail.

Antitrust Claim

Intel Chairman Craig Barrett and Chief Executive Officer Paul Otellini apparently weren't warned to retain documents, Advanced Micro lawyer Linda Smith said in a March 12 conference in Wilmington, Delaware. The meeting was before court Special Master Vincent Poppiti, who is investigating the document problem for U.S. District Judge Joseph J. Farnan Jr.

Advanced Micro, based in Sunnyvale, California, the second-largest microprocessor-maker, sued Intel in 2005 claiming the larger company created a monopoly by coercing computer-makers to buy its products.

Sewell talked to the lawyers at a meeting of the Argyle Executive Forum in New York.

"It's not accurate to say information is never destroyed" on a computer, Sewell told the lawyers' gathering. Data on a server can be overwritten, "and that data is gone," he said.

Each of Intel's 90,000 employees generates as many as 100 e-mail messages a day, "a staggering number of gigabytes," Sewell said. Intel is now going to "a fully automated system" to back up e-mail and avoid future losses, he said.

Chuck Mulloy, an Intel spokesman, declined to comment further. Drew Prairie, an Advanced Micro spokesman, didn't immediately return phone and e-mail messages.

Shares of Intel, with \$35.3 billion in 2006 sales, rose 1 cent to \$19.15 at 4 p.m. in Nasdaq Stock Market composite trading. Advanced Micro, with \$5.64 billion in sales last year, rose 8 cents to \$14.01 on the New York Stock Exchange.

The case is Advanced Micro Devices Inc. v. Intel Corp., CA 05CV441, U.S. District Court, District of Delaware (Wilmington).

--With reporting by Ian King in San Francisco. Editor: Carter.

Story illustration: For a Bloomberg link to the case docket and documents, see {NXTW BLS DD X1QVL4TDRRK <GO>}. For a graph of Intel's sales and earnings, see {INTC US <Equity> DES5 <GO>}. For a menu of Bloomberg legal resources, see {BLAW <GO>}. To read today's top legal news, see {TLAW <GO>}.

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LA3:1131706.1

RLF1-3137255-1

EXHIBIT B

EXHIBIT B

CATEGORIES OF DOCUMENTS AND TANGIBLE THINGS REQUESTED FOR PRODUCTION

DEFINITIONS

1. "Intel" shall mean and refer collectively to defendants Intel Corporation and Intel Kabushiki Kaisha, including their respective past and present officers, directors, agents, attorneys, employees, consultants, or other persons acting on either of their behalf.
2. This "Litigation" means and refers to the litigation in which this Notice of Taking Deposition and request for Production of Documents and Tangible Things has been served.
3. "Intel Custodians" means and refers to the approximately 1,027 individuals identified by Intel on its Custodian List served on June 1, 2006, pursuant to the Stipulation and Order Regarding Document Production entered by the Court in this Litigation.
4. The "Special Master's Order" means and refers to the March 16, 2007 Order Regarding Intel's Evidence Preservation Issues entered by Special Master Vincent J. Poppiti.
5. "Litigation Hold Notices" means and refers to the means by which Intel communicated its preservation obligations to Intel employees, including all oral or written notices, reminders, or other communications by Intel to Intel Custodians or other Intel employees.
6. "Weekly Backup Tapes" means and refers to the backup tapes described by Intel in its March 5, 2007 Letter Brief filed with the Court.

7. "Complaint Freeze Tapes" means and refers to tapes generated by the "one time company-wide snapshot of email and other electronic documents that were stored on Intel's servers, including Exchange servers that store e-mails" as described by Intel in its March 5, 2007 Letter Brief filed with the Court.

8. "Intel's Remediation Plan" refers to the plan that Intel is required to submit on April 17, 2007, pursuant to the Special Master's Order.

9. "Documents" shall mean and include all "writings," "recordings" or "photographs" as those terms are defined in Rule 1001 of the Federal Rules of Evidence. Without limiting the generality of the foregoing, the term "documents" includes both hard copy documents as well as electronically stored data-files including email, instant messaging, shared network files, and databases. With respect to electronically stored data, "documents" also includes, without limitation, any data on magnetic or optical storage media (e.g., servers, storage area networks, hard drives, backup tapes, CDs, DVDs, thumb/flash drives, floppy disks, or any other type of portable storage device, etc.) stored as an "active" or backup file, in its native format.

INSTRUCTIONS

1. These requests call for the production of all responsive documents that are within the possession, custody or control of Intel, including its officers, directors, agents, attorneys, employees, and other persons acting on Intel's behalf.

2. If any document covered by these requests is withheld by reason of a claim of attorney-client privilege, attorney work product protection, or any other privilege or protection, please furnish a log providing the following information with respect to each such withheld

document: date; author; recipients; general subject matter; and legal basis upon which the document has been withheld.

3. These requests shall be deemed continuing so as to require further and supplemental production in accordance with F.R.C.P. 26(e).

REQUESTS

1. Documents sufficient to describe fully any standard Intel corporate evidence preservation policies and practices applied in connection with actual or threatened litigation, and/or governmental or internal investigations.
2. Documents sufficient to describe fully the operation, purpose and application of Intel's automatic deletion policies and practices applied to email or other electronic data.
3. Documents sufficient to describe fully how Intel's automatic deletion policies and practices have operated with respect to the email or other electronic data of each Intel Custodian, including the specific interval or period of time (whether 35 days, 45 days, 60 days or another period) each Intel Custodian's email or other electronic data was subjected to such automatic deletion.
4. Documents sufficient to describe fully the "tiered process to identify and preserve potentially relevant paper and electronic records" developed by Intel and referred to on page 1 of Intel's March 5, 2007 letter to the Court.
5. Documents sufficient to evidence fully all efforts undertaken by Intel to ensure that information relevant to this Litigation was not subject to, or being deleted by, the "auto-delete" functions of any computer system or storage device operating with respect to or containing any Intel Custodian data.
6. All documents constituting or evidencing communications by Intel to any Intel Custodian informing them that if they did not act affirmatively to preserve their email and/or other electronic data, it would be automatically deleted pursuant to an "auto-delete" function.
7. Documents sufficient to evidence fully the timing, content, distribution and identity of the recipients of all Litigation Hold Notices issued by Intel in connection with this Litigation, including the "hundreds of employees" to whom Litigation Hold Notices were sent as described on page 2 of Intel's March 5, 2007 letter to the Court.
8. Documents sufficient to show the "basic form of notice that had been used in

previous Intel litigation,” as referenced on page 2 of Intel’s March 5, 2007 letter to the Court.

9. Documents sufficient to evidence fully the timing, content, distribution and identity of the recipients of the “retention notices” sent out “on a rolling basis, throughout 2005, 2006 and 2007,” as referenced on page 2 of Intel’s March 5, 2007 letter to the Court.
10. Documents sufficient to evidence fully any and all efforts by Intel to monitor, assure and/or enforce compliance with Litigation Hold Notices, including without limitation the efforts referred to in Intel’s March 5, 2007 letter to the Court and in the February 8, 2007 email of Intel attorney Robert E. Cooper.
11. All documents evidencing or concerning Intel’s discovery of any known or suspected defects, deficiencies, errors or ambiguities in Litigation Hold Notices issued by Intel in connection with this Litigation.
12. Documents sufficient to evidence fully the “additional follow-up program” Intel instituted in or after October 2006 to “make sure Intel custodians were complying with the retention instructions,” as referred to in the February 8, 2006 email of Intel attorney Robert E. Cooper.
13. Documents sufficient to evidence fully Intel’s protocols, instructions, systems and practices for harvesting Intel Custodians’ data.
14. Documents sufficient to show the operation, functionality, capabilities and implementation of Intel’s Exchange journaling system, as described in letters dated March 20 and 28, 2007, from Intel attorney Robert E. Cooper.
15. Documents sufficient to show the operation, functionality, capabilities, and implementation of the EMC-based product, “EmailXtender”, “DiskXtender” and “Centera,” as referenced at page 1 of the letter dated March 20, 2007, from Intel attorney Robert E. Cooper.
16. Documents sufficient to describe fully and show the results of the “beta testing” undertaken with respect to the “archiving system,” as described on page 6 of Intel’s March 5, 2007 letter to the Court, including documents sufficient to show the basis for the statement that “[v]endor testing at the time of installation validated that the Archive was properly capturing email from the Exchange journaling system according to the parameters and design of the EMC software/hardware,” as stated at page 1 of the letter dated March 20, 2007, from Intel attorney Robert E. Cooper.
17. All documents related to Intel’s procurement from EMC of the “archive system” as described on page 1 of the letter dated March 20, 2007, from Intel attorney Robert E. Cooper including, without limitation, any request for proposal by Intel and request for proposal response by EMC, and any contracts between Intel and EMC relating thereto.

18. Documents sufficient to show fully the design, architecture, implementation and functionality of the "archive system" system described on page 1 of the letter dated March 20, 2007, from Intel attorney Robert E. Cooper.
19. All documents constituting or reflecting communications with, or instructions to, Intel's IT group pertaining to the migration of, or failure to migrate, Intel employees to dedicated servers for purposes of this Litigation.
20. All documents evidencing or pertaining to the facts and circumstances under which some Intel Custodians "were inadvertently not migrated to the server in 2005 and some, who were late identified, were not migrated upon such identification," as referenced on page 2, footnote 1 of Intel's March 5, 2007 letter to the Court.
21. All documents evidencing or pertaining to the facts and circumstances under which "custodians added after the first 900 were not migrated to the [dedicated e-mail] servers," as referenced in the February 8, 2007 email from Intel attorney Robert E. Cooper.
22. Documents sufficient to show when and how Intel learned that some Intel Custodians "were not migrated to the server" as stated on page 2, footnote 1 of Intel's March 5, 2007 letter to the Court.
23. Documents sufficient to describe fully Intel's policies and practices with respect to the creation, preservation and cataloguing of Weekly Backup Tapes.
24. All documents constituting or reflecting communications with, or instructions to, Intel's IT group pertaining to the creation, preservation and cataloguing of Weekly Backup Tapes, including specifically the "instructions to [sic] the IT Department to back up these [dedicated] servers on a weekly basis going forward and retain the back up tapes for purposes of this case" as described in the February 8, 2007 email of Intel attorney Robert E. Cooper.
25. Documents sufficient to describe fully the "routine back-up recycling procedures" as set forth on page 2, footnote 1 of Intel's March 5, 2007 letter to the Court and in the email dated February 8, 2007, from Intel attorney Robert E. Cooper.
26. All documents evidencing or pertaining to the recycling of Weekly Backup Tapes by Europe Intel's IT department, and Intel's discovery thereof, as referenced in the email dated February 8, 2007, from Intel attorney Robert E. Cooper.
27. Documents sufficient to describe Intel's disaster recovery backup systems protocols or procedures in place since January 1, 2000, including backup tape system structure and design, backup tape rotation schedules and protocols, backup tape retention policies and practices, and backup tape restoration protocols.
28. Documents sufficient to show fully the timing, protocol, extent and methodology of Intel's creation, preservation and cataloguing of the Complaint Freeze Tapes,

including specifically the instructions to “preserve a one time company-wide snapshot of email and other electronic documents that were stored on Intel’s servers, including Exchange servers that store emails” as described in Intel’s March 5, 2007 letter to the Court.

29. A full inventory of all Intel Complaint Freeze Tapes, including the identity of the Intel Custodian’s data contained on each such tape.
30. All documents relating to any actual or suspected loss or recycling of Complaint Freeze Tapes containing any Intel Custodian data (including without limitation those relevant to Intel’s Munich, Germany operations), and Intel’s discovery thereof.
31. All documents relating to the failure to instruct certain Intel Custodians to preserve relevant data, and Intel’s discovery thereof, as described on pages 4 and 5 of Intel’s March 5, 2007 letter to the Court.
32. All documents relating to Intel’s failure to timely provide Litigation Hold Notices or retention notices, and Intel’s discovery thereof, as described in pages 4 and 5 of Intel’s March 5, 2007 letter to the Court.
33. All documents evidencing or relating to the steps taken by Intel following discovery of its failure to timely provide Litigation Hold Notices or retention notices to any Intel Custodian, and the timing of such steps.
34. All documents evidencing, referring or relating to the failure or suspected failure of any Intel Custodian to comply with a Litigation Hold Notice or retention instruction, including the timing and means by which it was discovered.
35. Documents sufficient to fully show Intel’s actions, plans, processes, procedures, and protocols for preventing the loss or destruction of Intel Custodian data belonging to terminated Intel employees, including “Intel’s policies requiring collection of electronic information from departing employees subject to litigation holds” as described at page 5 of Intel’s March 5, 2007 letter to the Court.
36. All documents evidencing or discussing Intel’s failure or suspected failure to preserve the data of Intel Custodians identified for lay-off, redeployment, separation or termination prior to the effective date of such lay-off, redeployment, separation or termination.
37. Documents sufficient to show when and how Intel learned that “terminated employees’ documents may not have been saved,” as set forth at page 3 of Intel’s March 5, 2007 letter to the Court, including documents evidencing what Intel Custodian data was lost or destroyed.

38. Documents sufficient to show when and how Intel learned of each of the “inadvertent mistakes in implementation” of its “tiered preservation process,” as stated on page 3 of Intel’s March 5, 2007 letter to the Court.
39. Documents sufficient to show when and how Intel “discovered further inadequacies in preserving emails,” as stated in the February 8, 2007 email from Intel attorney Robert E. Cooper.
40. Documents sufficient to fully show the nature, timing and details of Intel’s “preliminary review” as described on page 7 of Intel’s March 5, 2007 letter to the Court.
41. All documents evidencing or relating to the nature, purpose and timing of the investigation reflected in the draft spreadsheet provided by Intel counsel to AMD counsel on February 22, 2007.
42. All documents evidencing or reflecting any Intel Custodians’ mistaken belief that Intel’s IT group was retaining and preserving their email, and the timing and means by which such mistaken belief was discovered by Intel.
43. All documents that support or form the bases for the disclosures made and submitted by Intel pursuant to the Special Master’s Order.
44. All documents that support, form the basis for, or are cited or referred to in Intel’s Remediation Plan submitted pursuant to the Special Master’s Order, including all documents that show the basis, rationale, and justifications for, and assumptions underlying, the terms and proposals set forth in Intel’s Remediation Plan.
45. Documents sufficient to identify and describe Intel’s IT infrastructure relevant to the support, storage (including email storage conventions), maintenance and backup of electronic data relevant to this Litigation, including data residing on hard drives or other off-network media.
46. All documents that evidence or relate to Intel’s remediation and backup data restoration efforts, including all documents that show the volumes and nature of data restored and the vendors and processes used.

LA3:1131631.4

Exhibit 10

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

IN RE INTEL CORPORATION MICROPROCESSOR ANTITRUST LITIGATION	)	MDL No. 05-1717-JJF
<hr/>		
ADVANCED MICRO DEVICES, INC. and AMD INTERNATIONAL SALES & SERVICE, LTD.,	)	C. A. No. 05-441-JJF
Plaintiffs,)	
vs.)	
INTEL CORPORATION and INTEL KABUSHIKI KAISHA,)	
Defendants.)	
<hr/>		
PHIL PAUL, on behalf of himself and all others similarly situated,	)	C. A. No. 05-485-JJF
Plaintiffs,)	
vs.)	
INTEL CORPORATION,)	
Defendant.)	

**NOTICE OF TAKING DEPOSITION OF
INTEL CORPORATION AND INTEL KABUSHIKI KAISHA AND REQUEST FOR
PRODUCTION OF DOCUMENTS REGARDING REMEDIATION**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, plaintiffs Advanced Micro Devices, Inc. and AMD International Sales & Service, Ltd. (collectively, "AMD") will take the deposition of defendants Intel Corporation and Intel Kabushiki Kaisha (collectively, "Intel") on May 30, 2007, beginning at 9:30 a.m., at the offices of O'Melveny & Myers LLP, 400 South Hope Street, 18th Floor, Los Angeles, California, or at such other time and place as the parties may agree. The deposition will be recorded by stenographic and sound-and-visual (videographic) means, will be taken before a Notary Public or other officer authorized to administer oaths, and will continue from day to day until completed,

weekends and public holidays excepted.

Reference is made to the "Description of Matters on Which Examination is Requested" attached hereto as Exhibit A and incorporated herein by this reference. In accordance with Rule 30(b)(6) of the Federal Rules of Civil Procedure, Intel is hereby notified of its obligation to designate one or more officers, directors, or managing agents (or other persons who consent to do so) to testify on its behalf as to all matters embraced in the "Description of Matters on Which Examination is Requested" and known or reasonably available to Intel.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rules 35(b) and 34 of the Federal Rules of Civil Procedure, AMD requests that Intel produce for inspection, copying and use at the deposition all of the documents and other tangible things in their possession, custody, or control and responsive to the "Categories of Documents and Tangible Things Requested for Production" attached hereto as Exhibit B and incorporated herein by reference. Production shall take place at the time and place of the deposition (9:30 a.m. on May 30, 2007, at the offices of O'Melveny & Myers LLP, 400 South Hope Street, 18th Floor, Los Angeles, California) or at such other time and place as the parties may agree.

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Dated: May 15, 2007

/s/ Chad M. Shandler

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Devices, Inc. and AMD International Sales &
Service, Ltd.

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2007, I electronically filed the foregoing document with the Clerk of Court using CM/ECF and have sent by Hand Delivery to the following:

Richard L. Horwitz, Esquire
Potter Anderson & Corroon, LLP
1313 North Market Street
P. O. Box 951
Wilmington, DE 19899

James L. Holzman, Esquire
Prickett, Jones & Elliott, P.A.
1310 King Street
P.O. Box 1328
Wilmington, DE 19899-1328

I hereby certify that on May 15, 2007, I have sent by Federal Express the foregoing document to the following non-registered participants

Darren B. Bernhard, Esquire
Howrey LLP 1299 Pennsylvania Avenue, N.W.
Washington, DC 20004-2402

Robert E. Cooper, Esquire
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EXHIBIT A

EXHIBIT A

DESCRIPTION OF MATTERS ON WHICH EXAMINATION IS REQUESTED

I.

DEFINITIONS

1. "Intel" shall mean and refer collectively to defendants Intel Corporation and Intel Kabushiki Kaisha, including their respective past and present officers, directors, agents, attorneys, employees, consultants, or other persons acting on either of their behalf.

2. This "Litigation" means and refers to the litigation in which this Notice of Taking Deposition has been served.

3. "Intel Custodians" means and refers to the approximately 1,027 individuals identified by Intel on its Custodian List served on June 1, 2006, pursuant to the Stipulation and Order Regarding Document Production entered by the Court in this Litigation.

4. "Litigation Hold Notices" means and refers to the means by which Intel communicated its preservation obligations to Intel employees, including all oral, written or electronic notices, reminders, or other communications by Intel to Intel Custodians or other Intel employees.

5. "Weekly Backup Tapes" means and refers to the backup tapes described by Intel in its March 5, 2007 Letter Brief filed with the Court.

6. "Complaint Freeze Tapes" means and refers to tapes generated by the "one time company-wide snapshot of email and other electronic documents that were stored on Intel's servers, including Exchange servers that store emails" as described by Intel in its March 5, 2007 Letter Brief filed with the Court.

7. "Intel's Remediation Plan" refers to the plan that Intel submitted on April 23, 2007, pursuant to the Special Master's Modified Order, filed April 13, 2007.

II.

SUBJECT MATTER

1. The bases, rationale, and justifications for, and assumptions underlying, the terms and proposals set forth in Intel's Remediation Plan.

2. The design and development of Intel's Remediation Plan, including specifically and without limitation (i) the details, projected costs, and perceived benefits of all options, alternatives, suggestions or proposals received and/or considered, (ii) the identity of all persons involved in designing, developing, preparing, proposing or considering such options, alternatives, suggestions or proposals; and (iii) the specific considerations or reasons that led to the adoption or rejection of such options, alternatives, suggestions, or proposals.

3. The implementation, execution and monitoring of Intel's Remediation Plan, including specifically and without limitation (i) the identity of all persons involved in these activities; (ii) the nature of any technical problems, obstacles, or impediments encountered or anticipated in connection with these activities; (iii) the anticipated timing and costs associated with these activities; (iv) the nature of all audit steps or precautions being taken in connection with these activities; and (v) any procedures implemented or proposed for identifying problems, gaps, deficits, or lapses in Intel's Remediation Plan.

4. The nature of all evidence preservation efforts being undertaken by Intel related to or associated with its Remediation Plan, including specifically and without limitation: (i) the suspension of the email "auto-delete" function; (ii) migration of mailboxes to Exchange servers; (iii) settings used in migrating mailboxes to dedicated Exchange servers; (iv) details about Intel's Exchange environment and how .pst files are stored; (v) EMC's email archive system; (vi) efforts to recover deleted items from Exchange "Deleted Items" folders, hard drives, .pst files or any other sources; and (vii) details of the proposed backup and "complaint freeze" tape collection and restoration processes.

5. Details concerning the specific features of Intel's Remediation Plan, including specifically and without limitation Intel's re-issuance of Litigation Hold Notices, its follow-up with Intel Custodians regarding evidence preservation, its handling and preserving of the hard drives of departing Intel employees, and any information concerning individual Intel Custodians' document retention practices and/or data loss that Intel has discovered to date.

6. Details concerning any currently known or suspected data loss, deletion, corruption or gaps in Intel Custodian data, including specifically and without limitation (i) missing .pst files; (ii) missing emails; (iii) missing backup tapes; (iv) missing hard drives; (v) missing complaint freeze tapes, and (vi) missing disaster recovery tapes.

7. Intel's efforts to determine whether any data, tapes, email or .pst files proposed to be used or reviewed in connection with Intel's Remediation Plan are corrupted, unrecoverable, unreadable or otherwise unusable, and the results of those efforts.

8. Details concerning Intel's harvest of Intel Custodians' data, including the harvest instructions, protocols and electronic harvesting tools employed, the type of data extracted or harvested, the identity of those individuals principally involved in developing and executing such instructions, protocols and data harvesting, the preservation of hard drives post-harvest and any hard drive imaging performed as part of Intel's data collection.

9. The schedule for completion of Intel's Remediation Plan.

EXHIBIT B

EXHIBIT B

CATEGORIES OF DOCUMENTS AND TANGIBLE THINGS REQUESTED FOR PRODUCTION DEFINITIONS

1. "Intel" shall mean and refer collectively to defendants Intel Corporation and Intel Kabushiki Kaisha, including their respective past and present officers, directors, agents, attorneys, employees, consultants, or other persons acting on either of their behalf.

2. This "Litigation" means and refers to the litigation in which this Notice of Taking Deposition and request for Production of Documents and Tangible Things has been served.

3. "Intel Custodians" means and refers to the approximately 1,027 individuals identified by Intel on its Custodian List served on June 1, 2006, pursuant to the Stipulation and Order Regarding Document Production entered by the Court in this Litigation.

4. "Litigation Hold Notices" means and refers to the means by which Intel communicated its preservation obligations to Intel employees, including all oral or written notices, reminders, or other communications by Intel to Intel Custodians or other Intel employees.

5. "Weekly Backup Tapes" means and refers to the backup tapes described by Intel in its March 5, 2007 Letter Brief filed with the Court.

6. "Complaint Freeze Tapes" means and refers to tapes generated by the "one time company-wide snapshot of email and other electronic documents that were stored on Intel's servers, including Exchange servers that store e-mails" as described by Intel in its March 5, 2007 Letter Brief filed with the Court.

7. "Intel's Remediation Plan" refers to the plan that Intel submitted on April 23, 2007, pursuant to the Special Master's Modified Order, filed April 13, 2007.

8. "Documents" shall mean and include all "writings," "recordings" or "photographs" as those terms are defined in Rule 1001 of the Federal Rules of Evidence.

Without limiting the generality of the foregoing, the term "documents" includes both hard copy documents as well as electronically stored data-files including email, instant messaging, shared network files, and databases. With respect to electronically stored data, "documents" also includes, without limitation, any data on magnetic or optical storage media (e.g., servers, storage area networks, hard drives, backup tapes, CDs, DVDs, thumb/flash drives, floppy disks, or any other type of portable storage device, etc.) stored as an "active" or backup file, in its native format.

INSTRUCTIONS

1. These requests call for the production of all responsive documents that are within the possession, custody or control of Intel, including its officers, directors, agents, attorneys, employees, and other persons acting on Intel's behalf.

2. If any document covered by these requests is withheld by reason of a claim of attorney-client privilege, attorney work product protection, or any other privilege or protection, please furnish a log providing the following information with respect to each such withheld document: date; author; recipients; general subject matter; and legal basis upon which the document has been withheld.

3. These requests shall be deemed continuing so as to require further and supplemental production in accordance with F.R.C.P. 26(e).

REQUESTS

1. All documents that support, form the bases of, or are cited or referred to in Intel's Remediation Plan, including specifically and without limitation, all documents that concern the bases, rationale and justifications for, and assumptions underlying, the terms and proposals set forth in Intel's Remediation Plan. This request shall not include documents relating solely to when and how Intel learned of preservation issues.

2. Intel's Litigation Hold Notices.

3. All documents that evidence, discuss, identify or concern the preservation lapses or document losses that the Remediation Plan is intended to remediate.

4. All documents concerning the design and development of Intel's Remediation Plan, including specifically and without limitation, all documents concerning or relating to the details, projected costs, and perceived benefits of all remediation options, alternatives, suggestions or proposals received and/or considered and the specific considerations or reasons that led to their adoption or rejection.

5. Documents sufficient to fully show and evidence the identity of those persons involved in designing, developing, preparing, proposing or considering remediation options, alternatives, suggestions or proposals.

6. All documents concerning the implementation, execution and monitoring of Intel's Remediation Plan. This request includes specifically and without limitation all documents concerning or reflecting all audit steps or precautions being taken in connection with these activities and any procedures implemented or proposed for identifying problems, gaps, deficits, or lapses in Intel's Remediation Plan.

7. All documents concerning or relating to any evidence preservation efforts being undertaken by Intel related to or associated with its Remediation Plan, including specifically and without limitation, (i) the suspension of the email "auto-delete" function; (ii) migration of mailboxes to Exchange servers; (iii) EMC's email archive system; and (iv) details of the proposed backup and "complaint freeze" tape collection and restoration processes.

8. Documents sufficient to fully show or evidence the costs of each specific component of Intel's Remediation Plan, including specifically and without limitation, the costs of suspending the email "auto-delete" function, costs of migrating Intel employees' mailboxes to "a set of consolidated Exchange servers ("Storage Group 3" or "SG3" servers)," costs of acquiring and implementing the EMC e-mail archiving system or "the Archive," costs of restoring the "Complaint Freeze Tapes" and the "Weekly Backup Tapes," and any other remediation-related cost Intel believes or contends is material.

9. All documents concerning the specific features of Intel's Remediation Plan, including specifically and without limitation Intel's re-issuance of Litigation Hold Notices, its follow-up with Intel Custodians regarding evidence preservation, Intel's processes for handling and preserving the hard drives of departing Intel employees, and individual Intel Custodians' document retention practices and/or data loss that Intel has discovered to date.

10. All documents concerning, recording or reflecting information provided by individual Intel Custodians to Intel, or otherwise discovered by Intel, concerning evidence retention problems, preservation practices, preservation lapses and/or preservation deficiencies.

11. All documents that reflect or catalog the nature and known or estimated volume of lost or missing data for an Intel Custodian, including specifically and without limitation documents reflecting any estimates of volumes of lost or missing data on an individual custodian basis and/or any estimates of total lost or missing data to be recovered under the Intel Remediation Plan for an Intel Custodian.

12. All documents evidencing, referring, cataloging or relating to any known or suspected data loss, deletion, corruption or gaps in Intel Custodian data. This request includes, without limitation, all documents evidencing referring, cataloging or relating to any corrupted, unreadable or unusable data, and to any: (i) missing .pst files; (ii) missing emails; (iii) missing backup tapes; (iv) missing hard drives; (v) missing complaint freeze tapes, and (vi) missing disaster recovery tapes.

13. Documents sufficient to fully show and evidence Intel's data harvest instructions, protocols and electronic harvesting tools employed; the type of data extracted or harvested; the identity of those individuals principally responsible for developing and executing such instructions, protocols and data harvesting; and Intel's efforts, if any, to preserve hard drives post-harvest.