

**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 DM No.
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.		

ORDER

WHEREAS, Plaintiffs Advanced Micro Devices, Inc. and AMD International Sales & Service, Ltd. (“AMD”) having moved this Court for an order imposing sanctions on Intel for failure to preserve evidence, and for good cause having been shown;

IT IS HEREBY ORDERED this _____ day of _____, 2009,
that:

(i) AMD’s request for an adverse inference instruction for the jury is GRANTED, and that the jury shall receive the following instruction:

The Court has found that Intel violated its legal duties and obligations in connection with this litigation by destroying hundreds of thousands of documents related to Intel's conduct in the x86 microprocessor market during the relevant time period. Intel was legally bound to preserve and produce these documents for use by AMD in this case. Therefore, you may presume these documents would have helped to establish AMD's claims.

(ii) AMD is permitted to present evidence of Intel's document destruction to the jury; and

(iii) Intel is ordered to pay AMD's reasonable attorneys' fees and costs associated with bringing the Motion for Sanctions and investigating and responding to Intel's misconduct.

Having read and considered the foregoing Motion and Proposed Order, the Special Master **HEREBY RECOMMENDS THAT THE COURT ADOPT THE SAME.**

ENTERED this _____ day of _____, 2009.

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

SO ORDERED this _____ day of _____, 2009.

United States District Court Judge