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

IN RE INTEL CORPORATION MICROPROCESSOR ANTITRUST LITIGATION	) ) MDL No. 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,	) CONSOLIDATED ACTION
VS.	)
INTEL CORPORATION, Defendant.	/ ) )

### NOTICE OF TAKING DEPOSITION OF KEVIN J. SMITH

PLEASE TAKE NOTICE that plaintiffs Advanced Micro Devices, Inc. and AMD

International Sales & Service, Ltd. (collectively, "AMD") will take the deposition of Kevin J. Smith on July 24, 2008, beginning at 9:00 a.m., at the offices of O'Melveny & Myers LLP, 2765 Sand Hill Road, Room SV 102, Menlo Park, California, 94025-7019, or at such other time and place as the parties may agree. The deposition will be recorded by stenographic and sound-andvisual (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. So far as known to AMD, the deponent is a current employee of one or both of

defendants Intel Corporation and Intel Kabushiki Kaisha (collectively "Intel").

/s/ Chad M. Shandler

OF COUNSEL: Charles P. Diamond cdiamond@omm.com Linda J. Smith lsmith@omm.com O'Melveny & Myers LLP 1999 Avenue of the Stars, 7th Floor Los Angeles, CA 90067 (310) 246-6800

Mark A. Samuels msamuels@omm.com O'Melveny & Myers LLP 400 South Hope Street Los Angeles, CA 90071 213-430-6000

Dated: July 1, 2008

Frederick L. Cottrell, III (#2555) Chad M. Shandler (#3796) Steven J. Fineman (#4025) Richards, Layton & Finger, P.A. One Rodney Square P.O. Box 551 Wilmington, DE 19899 (302) 651-7700 cottrell@rlf.com shandler@rlf.com fineman@rlf.com Attorneys for Plaintiffs Advanced Micro Devices, Inc. and AMD International Sales & Service, Ltd.

# **CERTIFICATE OF SERVICE**

I hereby certify that on July 1, 2008, I electronically filed the foregoing document with the

Clerk of Court using CM/ECF and have sent by Hand Delivery to the following:

#### **BY HAND DELIVERY**

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

# **BY HAND DELIVERY**

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

I hereby certify that on July 1, 2008, I have sent by Electronic Mail 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

Daniel A. Small, Esquire Cohen Milstein, Hausfeld & Toll, L.L.C. 1100 New York Avenue, N.W. Suite 500 - West Tower Washington, DC 20005

> /s/ Chad M. Shandler Chad M. Shandler (#3796)