

WHEREAS, Dell having raised the issue of the jurisdiction of this Court to entertain disputes involving subpoenas for testimony issued to current and former Dell employees;

WHEREAS, the Court wishes to address in this Order the procedures for determining the jurisdiction of this Court to entertain disputes involving the subpoenas for testimony issued to current and former Dell employees as well as the dispute with respect to the duration of the depositions in question,

IT IS HEREBY ORDERED AS FOLLOWS:

1. On or before the close of business on November 21, 2008, Dell shall file its opening submission on the jurisdiction of this Court to entertain the disputes involving subpoenas for testimony issued to current and former Dell employees;

2. On or before the close of business on November 25, 2008, AMD shall file its response (and Intel and the Class shall file their responses, if desired); and

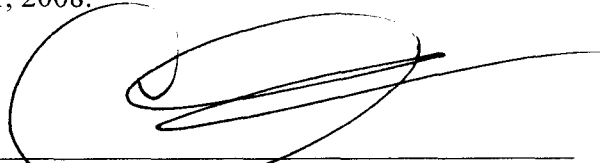
3. On or before the close of business on December 2, 2008, the Special Master expects to render a decision on the question of jurisdiction. To this end, the Special Master has scheduled a teleconference at 2:00 p.m. eastern time on that date among all interested parties;

4. If the Court rules that it does possess jurisdiction, all interested parties shall file simultaneous submissions on the dispute with respect to the duration of the depositions in question on or before the close of business on December 4, 2008; and

5. The Special Master shall hold a hearing on the dispute with respect to the duration of the depositions in question on December 8, 2008, at 2:00 p.m. eastern;

6. The briefing format and length for submissions under this Order shall be governed by the Procedures For The Handling Of Discovery Disputes (D.I. 178 in C.A. No. 05-441-JJF).

SO ORDERED this 19th day of November, 2008.

A handwritten signature in black ink, appearing to read 'Vincent J. Poppiti', written over a horizontal line.

Vincent J. Poppiti, Esq. (DE ID # 100614)
Special Master