

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, AMD 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 AMD.

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EXHIBIT A

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DESCRIPTION OF MATTERS ON WHICH EXAMINATION IS REQUESTED

I. DEFINITIONS

1. "AMD" shall mean and refer collectively to plaintiffs Advanced Micro Devices, Inc. and AMD International Sales & Service, Ltd., including their respective past and present officers, directors, agents, attorneys, employees, consultants, or other persons acting on either of their behalf.

2. "AMD databases" means all databases, electronic tools, files, or other internal systems that contain, list, record, document, and/or process the sales and transactions of AMD's microprocessor products and rebates, discounts, marketing payments, or any other price adjustments related to the calculation of net price of sales and transactions of AMD's microprocessor products. Such databases encompass those already produced in this litigation or that are the subject of ongoing discussions between the parties, including but not limited to AMD's BAAN-based data warehouse, AMD's SAP-based data warehouse, and AMD's Market Price Agreement System and/or Market Price Tool.

II. SUBJECT MATTER

1. The origin, existence, location, and structure of AMD databases.

2. General knowledge of AMD's policies and/or procedures for entering, processing, recording, moving, and deleting data in or from AMD databases.

3. The definition and interpretation of data fields, values, abbreviations, and codes in AMD databases, including but not limited to AMD's BAAN-based data

warehouse, AMD's SAP-based data warehouse, and AMD's Market Price Agreement System and/or Market Price Tool.

4. Observations in AMD's databases that record, contain, or are related to the terms of proposals and agreements between AMD and its customers for the sale of CPUs and related products. "Terms" include sales prices, rebates, discounts, marketing payments, and other monetary payments associated with sales agreements or contracts.

5. Documents or databases maintained or recorded by AMD to inform, describe, or relate to entries made in AMD's transaction data systems, or to validate entries (particularly prices and rebates) for the purposes of an audit.

6. The business and operational practices employed by AMD to record sales transactions, including what information was used to determine the price, volume, and all subsequent adjustments.

7. The existence of automated or manual linking procedures and other possible interactions among AMD databases.

8. The identification of and means to identify rebates, price adjustments, credits, meet-competition payments/allowances, marketing payments/allowances, and any other monetary benefits provided to customers for individual sales transactions reflected in AMD databases, including but not limited to AMD's BAAN-based data warehouse, AMD's SAP-based data warehouse, and AMD's Market Price Agreement System and/or Market Price Tool.

9. The means to link rebates, price adjustments, credits, meet-competition payments/allowances, marketing payments/allowances, and any other monetary benefits provided to customers to sales transactions reflected in AMD databases, including but not

limited to AMD's BAAN-based data warehouse, AMD's SAP-based data warehouse, and AMD's Market Price Agreement System and/or Market Price Tool.

10. AMD's responses, including the interpretation and clarification of responses, previously provided in response to Intel's questions regarding AMD's transactions sales, rebate, and marketing data production.

11. The transactions sales, rebate, and marketing data AMD has produced to Intel in this case.

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

CERTIFICATE OF SERVICE

I, W. Harding Drane, Jr., hereby certify that on January 12, 2009, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

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