

# EXHIBIT B



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OUR FILE NUMBER  
008,346-163

January 5, 2008

**VIA E-MAIL AND U.S. MAIL**

Sogol K. Pirnazar, Esq.  
Gibson Dunn & Crutcher  
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WRITER'S E-MAIL ADDRESS  
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Re: **AMD v. Intel**

Dear Sogol:

Consistent with our agreed-upon protocols regarding deposition logistics, I am providing notice of the Intel and third party depositions that AMD and the Class intend to take in February. Additionally, I am providing notice of certain Intel depositions that we intend to take in March and April to give Intel ample time to make arrangements to make the witnesses available during the weeks requested.

These requested depositions are in addition to the Intel and third party witness depositions already noticed and/or confirmed for January, February, and March, including the depositions of Michael Bates (January 8), Robert Baker (January 8-9), Alan Luecke of Dell (January 13-14), Tom Lacey (January 15-16), Andy Grove (January 19), Jerele Neeld of Dell (January 21-22), Eric Mentzer (January 22), Christine Liang of ASI (January 26), Sean Maloney (January 27-30), Susan Whitney of IBM (January 28-29), Tammy Cyphert (January 28), Eric Kim (February 2-4), Louis Bums (February 4-6), Babak Sabi (February 6), Shmuel "Mooly" Eden (February 10-11), Michael Dell of Dell (February 11 and March 2), John Antone (February 12-13), Jeff Clarke of Dell (February 18-20), Navin Shenoy (February 18-20), Patrick Bliemer (February 20), Jeff McRea (February 23-26), Sophia Chew (February 23-24), Kevin Smith (February 24), Hiroki Ohinata (February 25-26), David Stitzenberg (March 2-4), Arthur Roehm (March 9-13), Kevin Rollins (March 24-25), and Dan Allen of Dell (date TBD).

In addition, AMD and Class are awaiting Intel's response to our requests in my letter dated December 5, 2008, to schedule the depositions of Shuichi Kako, Takehiro Yoshii, Erik Steeb, Abhi Talwalkar, Robert Adano, Greg O'Keefe, Jean-Marc Dubreuil, Ernst Kunerth, Jason Chen and the 30(b)(6) deposition of Intel regarding pricing and data related issues. We also had requested deposition dates for Terence Finley in February, but at this time we are withdrawing our request for Mr. Finley's deposition until further notice.

### A. Intel Witnesses

AMD and the Class intend to take the depositions of Charlotte Lamprecht, Jonathan Khazam, Kazuhiko Kitagawa, Masaaki Kinoshita, Matt Dunford, Sudeep Surrender, and Michael Stamps in February, Mike Splinter, Mike Fister, Tom Kilroy, Shunichi Takahashi and Kazumasa Yoshida in March, and Anand Chandrasekher, Craig Barrett and Paul Otellini in April.<sup>1</sup>

#### 1. February Depositions

- We would like to take Ms. Lamprecht's deposition in February. We estimate the examination will take approximately seven hours.
- We would like to take Mr. Khazam's deposition during the week of February 9, 2009. We estimate the examination will take approximately five hours.
- We would like to take Mr. Kitagawa's deposition during the week of February 9 or February 16, 2009. We estimate the examination will take approximately fourteen hours.
- We would like to take Mr. Kinoshita's deposition during the week of February 9 or February 16, 2009. We estimate the examination will take approximately fourteen hours.
- We would like to take Mr. Dunford's deposition during the week of February 16 or February 23, 2009. We estimate the examination will take approximately five hours.
- We would like to take Mr. Surrender's deposition during the week of February 16 or February 23, 2009, except on February 24. We estimate the examination will take approximately five hours.
- We would like to take Mr. Stamps's deposition between February 16 and 20. We estimate the examination will take approximately twenty-one hours.

#### 2. March Depositions

- We would like to take Mr. Splinter's and Mr. Fister's depositions during the weeks of March 2 or March 9, 2009, on dates that do not overlap and do not conflict with dates for Jason Chen. We estimate the examinations each will take approximately twenty-eight hours.

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<sup>1</sup> As you know, I notified you of our intent to depose Messrs. Kilroy, Chandrasekher, Barrett and Otellini, and proposed dates for their depositions, via email on December 10, 2008.

- We would like to take Mr. Kilroy's deposition during the week of March 16, 2009. We estimate the examination will take approximately twenty-eight hours.
- We would like to take Mr. Takahashi's deposition during the week of March 16 or March 23, 2009. We estimate the examination will take approximately twenty-eight hours.
- We would like to take Mr. Yoshida's deposition during March on dates that do not overlap the dates for Mr. Takahashi. We estimate the examination will take approximately twenty-eight hours.

### **3. April Depositions**

- We would like to take Mr. Chandrasekher's deposition during the week of April 6, 2009. We estimate the examination will take approximately twenty-eight hours.
- We would like to take Mr. Barrett's deposition during the week of April 13, 2009. We estimate the examination will take approximately twenty-eight hours.
- We would like to take Mr. Otellini's deposition during the week of April 20 or the week of April 27, 2009; We estimate the examination will take approximately thirty-five hours.

I assume that you will accept service of a subpoena for any of the foregoing deponents if any subpoena is required, but please let me know immediately if that is mistaken.

Please confirm the dates and appropriate locations for these depositions as soon as possible. Please bear in mind that the above estimates are good-faith estimates of the time we anticipate the examinations will require, but the actual time needed for the examinations may be greater, and the depositions will continue from day to day until completed. Thus, when providing dates for these depositions, please make sure you provide start dates on which the witnesses will be available the following day. Also, if the dates we propose are not acceptable, rather than proposing a single alternate date, please propose several alternate date ranges that work for Intel and the witness.

### **B. Third Party Witnesses**

We intend to take the depositions of the following third party witnesses in February; estimates of the length of our examination of each are in parentheses:

- David Schmoock of Lenovo (7 hours)
- Jeff Benck, formerly of IBM (7 hours)

- Joe Beyers (10 hours), Jeri Callaway (14 hours), James Mouton (8 hours) and Joe Lee (8 hours) of HP
- Stephen Ichinaga of Synnex (7 hours)
- Ed Kamins of Avnet (7 hours)
- Greg Memo and Chuck May of Gateway (7 hours each)
- Pete Manca and Ben Sprachman of Egenera (6 hours each)
- Rick Boyle and Chris Bennett of Network Appliances (3 hours each)

We intend to take the depositions of the following third party witnesses in February, March or April, during two blocks of dates we have reserved at the U.S. embassy in Tokyo (February 17 - March 4, or April 20 - April 30); estimates of the length of our examination of each are in parentheses:

- Rsa o Tanaka, Tsutomu Sanada, Yasuhisa Arabiki, Victor Hirashima, Hisatsugu Nonaka, and Atsutoshi Nishida of Toshiba (7 hours each)
- Chiaki Ito, Masami Yamamoto, Kazuhiro Igarashi and Hiroaki Kurokawa of Fujitsu (7 hours each)
- Hiroyuki Masuda and Yoshiaki Tsuda, formerly with NEC (7 hours each)
- Tadao Kondo, Nobuhiro Odake, and Kazuhiko Kobayashi of NEC (7 hours each)
- Bob Ishida and Keiji Kimura of Sony (7 hours each)
- Ryosuke Akahane of Sony (14 hours)

Finally, in addition to the foregoing depositions, we would like to schedule dates to conduct further examinations of Neil Green and Jeff Woogenboom in March or April. We estimate we will require an additional seven hours with each witness. Please provide dates on which they are available in those months.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard C. Barmann, Jr.", written in a cursive style.

Bernard C. Barmann, Jr.  
for O'MELVENY & MYERS LLP

cc: Daniel S. Floyd, Esq.  
Mindy G. Davis, Esq.  
Steve Fimmel, Esq.