

2.

REDACTED

3. After AMD and Glover Park served their objections to Intel's May 30, 2007 Subpoena of Glover Park, I spoke to Intel counsel Dan Floyd of Gibson, Dunn and Crutcher LLP. I informed Mr. Floyd that although Glover Park had briefly done work for AMD, since January 2005 it had performed work as my consultant under contract with O'Melveny, and I asked him to withdraw the subpoena on privilege grounds. Mr. Floyd agreed to consider my request and asked that we identify the date ranges for which AMD was invoking privilege, the identity of the party retaining Glover Park and the general purpose and scope of Glover Park's engagement.

REDACTED

(Pickett Decl., Exh. F)

4. Intel took no further action to enforce the 2007 Subpoena. In August 2008 after Intel subpoenaed a second O'Melveny public affairs consultant (Waggener Edstrom Worldwide, Inc.), Mr. Floyd and I corresponded to piece together how we had initially resolved the Glover Park subpoena. Mr. Floyd concluded in an email to me on August 13, 2008 (and I agreed) that, "I don't seem to have a stip focused on Glover Park in particular, so it may very well have been since you had objections pending we just dropped it. . . . I can't be 100% sure, but that's the best I can piece together." Attached here as Exhibit A is a true and correct copy of the August 13, 2008 email correspondence. Intel did not further pursue the Waggener subpoena.

5. On or about September 27, 2007, other Intel counsel had served a round of subpoenas on several additional AMD consultants, who like Glover Park, had been retained to promote AMD's open-competition initiatives: Potomac Counsel, LLC, DC Navigators, LLC, and Public Strategies, Inc. I recall speaking with Mr. Floyd upon learning of these subpoenas, and expressing surprise since I had thought we reached agreement to keep our hands off one another's public affairs consultants. Mr. Floyd assured me that the subpoenas were served because Intel understood that AMD claimed as an antitrust violation Intel's efforts to convince public procurement officials to adopt bid standards that disfavored AMD, and that the subpoenas were directed at developing evidence that AMD similarly tried to influence government officials to take actions favorable to it. The subpoenas were withdrawn upon the filing of a Stipulation and Proposed Order on or about December 7, 2007 by which both sides agreed to stand down with respect to discovery "from any consulting firm . . . calling for the production of documents or testimony related to activities designed to influence government or agency action." (Exhibit L to the Pickett Decl. filed in support of Intel's motion). This stipulation was consistent with the understanding that I thought I had previously reached with Mr. Floyd in connection with Glover

Park. Because of it, AMD has refrained from initiating any discovery of Intel's public affairs consultants or others assisting Intel or its counsel in messaging relating to the parties' disputes, both here and before regulatory bodies around the world.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of June 2009 at Austin, Texas.

A handwritten signature in black ink, appearing to read "Charles P. Diamond". The signature is written in a cursive style with a large initial "C" and a prominent flourish at the end.

Charles P. Diamond