

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

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IN RE)	
INTEL CORPORATION)	MDL No. 05-1717-JJF
MICROPROCESSOR ANTITRUST)	
LITIGATION)	
<hr/>)	
ADVANCED MICRO DEVICES, INC.,)	
a Delaware corporation, and AMD)	
INTERNATIONAL SALES & SERVICES, LTD.,)	
a Delaware corporation,)	
	Plaintiffs,)	
		)	C.A. No. 05-441-JJF
	v.)	
)	
INTEL CORPORATION, a Delaware corporation,)	
and INTEL KABUSHIKI KAISHA, a Japanese)	
corporation,)	
	Defendants.)	
<hr/>)	
PHIL PAUL, on behalf of himself)	
and all others similarly situated,		)	C.A. No. 05-485-JJF
	Plaintiffs,	)	CONSOLIDATED ACTION
)	
	v.	)	REDACTED PUBLIC VERSION
)	
INTEL CORPORATION,)	
	Defendant.)	
<hr/>)	

**STIPULATION AND [PROPOSED] ORDER WITH RESPECT TO CERTAIN
DATA PRODUCED BY STAPLES, INC.**

WHEREAS, in response to requests for production served by plaintiffs Advanced Micro Devices, Inc. and AMD International Sales & Service, Ltd. (hereafter jointly, "AMD"), plaintiffs in coordinated class actions ("Class Plaintiffs"), and defendants Intel

Corporation and Intel Kabushiki Kaisha (hereafter jointly, "Intel") (collectively, the "PARTIES"), Staples, Inc. ("STAPLES") has produced reports, records and data compilations reflecting purchase, sales, cost, rebate and other financial information maintained by STAPLES in its databases and other data systems or files ("STAPLES DATA"); and

WHEREAS, STAPLES DATA is identified in the Staples declarations attached hereto as Attachments 1-5 ("STAPLES DECLARATIONS"); and

WHEREAS, STAPLES submitted interpretive answers to questions posed by the PARTIES ("STAPLES ANSWERS"), which is identified in the STAPLES DECLARATIONS; and

WHEREAS, the Parties may seek to use the STAPLES DATA at trial, during other Court proceedings (including but not limited to summary judgment motions) and at depositions; and

WHEREAS, the Parties wish to reduce any potential burden on STAPLES to the greatest extent possible; and

WHEREAS, consistent with Federal Rule of Evidence 902(11), STAPLES has provided the STAPLES DECLARATIONS in lieu of sworn testimony from STAPLES authenticating the STAPLES DATA and STAPLES ANSWERS for admissibility at trial and other Court proceedings pursuant to Federal Rules of Evidence 901 and 803(6) and explaining certain aspects of the STAPLES DATA;

NOW, THEREFORE, IT IS HEREBY STIPULATED by Class Plaintiffs, AMD and Intel, subject to the approval of the Court, that the STAPLES DECLARATIONS

satisfy the requirements of Federal Rule of Evidence 902(11) and 803(6) and adequately establishes that:

1. Those recording the STAPLES DATA in STAPLES databases and other data systems or files had the knowledge to make accurate recording;
2. The STAPLES DATA was recorded at or near the time of the occurrence of the transactions contained therein;
3. The STAPLES DATA was created in the ordinary course of business and kept in the course of the regularly conducted business activity;
4. It was the regular practice of STAPLES to record the STAPLES DATA.
5. STAPLES interprets the STAPLES DATA in accordance with the STAPLES ANSWERS.
6. The STAPLES ANSWERS are accurate and based on the best information currently available to STAPLES.

IT IS FURTHER STIPULATED that, subject to the approval of the Court, the STAPLES DATA shall be deemed authentic records under Fed. R. Evid. 901 and 902.

IT IS FURTHER STIPULATED that STAPLES DATA and STAPLES ANSWERS shall not be inadmissible at trial or any pretrial proceedings on the grounds that such materials are hearsay.

Notwithstanding this Stipulation, any party may seek to challenge the admissibility of the STAPLES DATA or the STAPLES ANSWERS on any basis other

than hearsay and authenticity, or otherwise to offer other evidence that may contradict or otherwise call into question the accuracy of the STAPLES DATA or the STAPLES ANSWERS.

PRICKETT, JONES & ELLIOTT, P.A.

By: /s/ Laina M. Herbert

James L. Holzman (#663)
J. Clayton Athey (#4378)
Laina M. Herbert (#4717)
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Wilmington, DE 19899
(302) 888-6500
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jcathey@prickett.com
lmherbert@prickett.com

*Interim Liaison Counsel and Attorneys for
Phil Paul, on behalf of himself and all others
similarly situated*

RICHARDS, LAYTON & FINGER, P.A.

By: /s/ Frederick L. Cottrell, III

Frederick L. Cottrell, III (#2555)
Chad M. Shandler (#3796)
Steven J. Fineman (#4025)
One Rodney Square
920 N. King Street
Wilmington, DE 19801
(302) 651-7509
Cottrell@rlf.com

*Attorneys for Advanced Micro Devices, Inc. and
AMD International Sales and Service, Ltd.*

Dated: October 23, 2009

POTTER ANDERSON & CORROON LLP

By: /s/ W. Harding Drane, Jr.

Richard L. Horwitz (#2246)
W. Harding Drane, Jr. (#1023)
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P.O. Box 951
Wilmington, DE 19899
(302) 984-6027
rhorwitz@potteranderson.com
wdrane@potteranderson.com

*Attorneys for Intel Corporation and Intel
Kabushiki Kaisha*

SO APPROVED, this _____ day of _____, 2009.

Vincent J. Poppiti (DSBA No. 100614)
Special Master

SO ORDERED, this _____ day of _____, 2009.

The Honorable Joseph J. Farnan, Jr., U.S.D.J.

ATTACHMENT I

REDACTED

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


_____)	
IN RE)	
INTEL CORPORATION	)	MDL No. 05-1717-JJF
MICROPROCESSOR ANTITRUST)	
LITIGATION)	
_____)	
ADVANCED MICRO DEVICES, INC., a)	
Delaware corporation, and AMD)	
INTERNATIONAL SALES & SERVICES, LTD.,)	
a Delaware corporation,)	
)	
Plaintiffs,)	
	)	C.A. No. 05-441-JJF
v.)	
)	
INTEL CORPORATION, a Delaware corporation,)	
and INTEL KABUSHIKI KAISHA, a Japanese)	
corporation,)	
)	
Defendants.)	
_____)	
PHIL PAUL, on behalf of himself)	
and all others similarly situated,	)	C.A. No. 05-485-JJF
)	
Plaintiffs,	)	CONSOLIDATED ACTION
)	
v.)	
)	
INTEL CORPORATION,)	
)	
Defendants.)	
_____)	

**DECLARATION PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)
REGARDING STAPLES, INC.'S SALES DATA**

I, James McFall, formerly an IS Manager of Staples, Inc. ("Staples") and currently an IS Application Development Consultant for Staples, hereby declare under penalty of perjury:

REDACTED

SO DECLARED this 22nd day of July, 2009.


James McFall
IS Application Development
Consultant
Staples Corporate Systems
Enterprise Data Management

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

ATTACHMENT 2

REDACTED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

_____)	
IN RE)	
INTEL CORPORATION)	MDL No. 05-1717-JJF
MICROPROCESSOR ANTITRUST)	
LITIGATION)	
_____)	
ADVANCED MICRO DEVICES, INC., a)	
Delaware corporation, and AMD)	
INTERNATIONAL SALES & SERVICES, LTD.,)	
a Delaware corporation,)	
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Plaintiffs,)	
)	C.A. No. 05-441-JJF
v.)	
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INTEL CORPORATION, a Delaware corporation,)	
and INTEL KABUSHIKI KAISHA, a Japanese)	
corporation,)	
)	
Defendants.)	
_____)	
PHIL PAUL, on behalf of himself)	
and all others similarly situated,)	C.A. No. 05-485-JJF
)	
Plaintiffs,)	CONSOLIDATED ACTION
)	
v.)	
)	
INTEL CORPORATION,)	
)	
Defendants.)	
_____)	

DECLARATION PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)
REGARDING STAPLES, INC.'S COST DATA

I, Katharine MacArthur, Manager SKU Central of Staples, Inc. ("Staples"),
hereby declare under penalty of perjury:

REDACTED

SO DECLARED this 20th day of July, 2009.



Katharine MacArthur
Manager SKU Central
Staples, Inc.

REDACTED

REDACTED

ATTACHMENT 3

REDACTED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

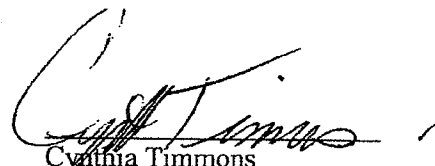
_____)	
IN RE)	
INTEL CORPORATION)	MDL No. 05-1717-JJF
MICROPROCESSOR ANTITRUST)	
LITIGATION)	
_____)	
ADVANCED MICRO DEVICES, INC., a)	
Delaware corporation, and AMD)	
INTERNATIONAL SALES & SERVICES, LTD.,)	
a Delaware corporation,)	
)	
Plaintiffs,)	
)	C.A. No. 05-441-JJF
v.)	
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INTEL CORPORATION, a Delaware corporation,)	
and INTEL KABUSHIKI KAISHA, a Japanese)	
corporation,)	
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Defendants.)	
_____)	
PHIL PAUL, on behalf of himself)	
and all others similarly situated,)	C.A. No. 05-485-JJF
)	
Plaintiffs,)	CONSOLIDATED ACTION
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v.)	
)	
INTEL CORPORATION,)	
)	
Defendants.)	
_____)	

DECLARATION PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)
REGARDING STAPLES, INC.'S VENDOR REBATE DATA

I, Cynthia Timmons, Director Contract Accounting of Staples, Inc. ("Staples"),
hereby declare under penalty of perjury:

REDACTED

SO DECLARED this 21st day of July, 2009.



Cynthia Timmons
Director Contract Accounting
Staples, Inc.

REDACTED

ATTACHMENT 4

REDACTED

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

IN RE)	
INTEL CORPORATION)	
MICROPROCESSOR ANTITRUST)	MDL No. 05-1717-JJF
LITIGATION)	
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ADVANCED MICRO DEVICES, INC., a)	
Delaware corporation, and AMD)	
INTERNATIONAL SALES & SERVICES, LTD.,)	
a Delaware corporation,)	
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Plaintiffs,)	
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v.)	
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INTEL CORPORATION, a Delaware corporation,)	
and INTEL KABUSHIKI KAISHA, a Japanese)	
corporation,)	
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Defendants.)	
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PHIL PAUL, on behalf of himself)	
and all others similarly situated,)	C.A. No. 05-485-JJF
)	
Plaintiffs,)	CONSOLIDATED ACTION
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v.)	
)	
INTEL CORPORATION,)	
)	
Defendants.)	
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**DECLARATION PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)
REGARDING STAPLES, INC.'S CONSUMER REBATE DATA**


I, James Sherlock, Director Sales & Merchandise of Staples, Inc. ("Staples"),

hereby declare under penalty of perjury:

REDACTED

REDACTED

SO DECLARED this 21st day of July, 2009.


James Sherlock
Director Sales & Merchandise
Staples, Inc.

REDACTED

REDACTED

REDACTED

ATTACHMENT 5

REDACTED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

<hr/>)	
IN RE)		
INTEL CORPORATION	)		MDL No. 05-1717-JJF
MICROPROCESSOR ANTITRUST)		
LITIGATION)		
<hr/>)	
ADVANCED MICRO DEVICES, INC., a)		
Delaware corporation, and AMD)		
INTERNATIONAL SALES & SERVICES, LTD.,)		
a Delaware corporation,)		
)		
	)	Plaintiffs,	
	)		C.A. No. 05-441-JJF
v.)		
)		
INTEL CORPORATION, a Delaware corporation,)		
and INTEL KABUSHIKI KAISHA, a Japanese)		
corporation,)		
)		
)	Defendants.	
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PHIL PAUL, on behalf of himself)		
and all others similarly situated,)		C.A. No. 05-485-JJF
)		
)	Plaintiffs,	
)		CONSOLIDATED ACTION
v.)		
)		
INTEL CORPORATION,)		
)		
)	Defendants.	
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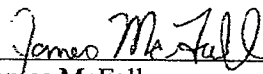
SUPPLEMENTAL DECLARATION PURSUANT TO
FEDERAL RULE OF EVIDENCE 902(11)
REGARDING STAPLES, INC.'S SALES DATA

I, James McFall, formerly an IS Manager of Staples, Inc. ("Staples") and currently an IS Application Development Consultant for Staples, hereby declare under penalty of perjury:

REDACTED

REDACTED

SO DECLARED this 7th day of October, 2009.


James McFall
IS Application Development
Consultant
Staples Corporate Systems
Enterprise Data Management

REDACTED

REDACTED