

# EXHIBIT A

**Emanuelson, David**

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**From:** Emanuelson, David  
**Sent:** Saturday, May 22, 2010 2:49 PM  
**To:** 'Henning, Kristofor T.'; Meehan, Coleen M.  
**Subject:** FTC Docket No. 9341: HP Deposition Proposal

Kris and Coleen,

We are willing to offer a compromise to resolve all pending and future disputes regarding depositions of HP witnesses in the FTC matter. This is an offer to compromise, without prejudice to Intel's right to enforce the pending subpoenas, and it expires at the time of the Court's ruling on HP's pending motion to quash the Beyers, Groudan, and Lee subpoenas.

We are willing to forego the following depositions: Ted Clark, Adrian Crisan, David Donatelli, Kevin Frost, Jackie Gross, Todd Kruse, Robert Maus, Scott Stallard, and the Rule 3.33(c)(1) corporate deposition on HP's dual-source strategy.

This offer is subject to HP's agreement to produce the following witnesses before June 15 (unless Complaint Counsel otherwise agrees to later dates): Joe Beyers, Jeri Callaway, Dan Forlenza, Jeff Groudan, Louis Kim, Joe Lee, Robert Skitol, and the Rule 3.33(c)(1) corporate witness on HP's communications with the FTC. HP will also either agree to produce or not oppose the depositions of Mike Winkler and Margaret Franco. If HP cannot accept service for these two, it will provide Intel with the addresses for them to be served.

Intel's document subpoena and related Order are unaffected by this proposal. Please let us know whether you agree.

**David T. Emanuelson**  
Senior Associate

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5/26/2010

# EXHIBIT B

**Emanuelson, David**

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**From:** Henning, Kristofor T. [khenning@morganlewis.com]  
**Sent:** Sunday, May 23, 2010 9:26 PM  
**To:** Emanuelson, David  
**Cc:** Meehan, Coleen M.  
**Subject:** FW: Intel: Deposition Schedule for Intel Subpoenas

Per my prior e-mail.

**Kristofor T. Henning**

**Morgan, Lewis & Bockius LLP**  
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**From:** McNamara, Brendan [mailto:BMCNAMARA@ftc.gov]  
**Sent:** Sunday, May 23, 2010 3:41 PM  
**To:** Henning, Kristofor T.  
**Cc:** Andeer, Kyle; Robertson, J. Robert  
**Subject:** Intel: Deposition Schedule for Intel Subpoenas

I am writing to provide you with the Complaint Counsel's position on the scheduling of the depositions that Intel has issued to HP. Complaint Counsel will not oppose HP depositions held between June 15, 2010, and June 30, 2010, provided that HP makes every attempt to make its deponents available before June 15, 2010. Complaint Counsel will consider any request to schedule HP depositions after June 30, 2010, on a case by case basis, but will likely oppose it absent exceptional circumstances.

If you have any questions, please do not hesitate to contact me.

Thanks,

Brendan J. McNamara  
Attorney  
Bureau of Competition

Federal Trade Commission  
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# EXHIBIT C

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**From:** Emanuelson, David  
**Sent:** Tuesday, May 25, 2010 10:45 AM  
**To:** 'Henning, Kristofor T.'  
**Cc:** Ostoyich, Joseph; Meehan, Coleen M.  
**Subject:** RE: Graphics

Kris,

Attached, pursuant to our April 19 letter, is a list of search terms to be run against relevant custodians. They have been organized into three categories: (a) terms to be run against all custodians; (b) terms to be run against CPU-related custodians only; (b) terms to be run against graphics/chipsets custodians only.

Relating to the graphics and chipsets custodians, Intel maintains its request that HP identify relevant custodians. However, as a threshold matter, any custodian produced to the FTC should also be produced to Intel according to Intel's search terms. To avoid any potential reharvesting of new custodians, Intel proposes that the graphics and search terms be run against the five custodians listed in our April 19 letter, as well as any additional custodian produced to the FTC.

Finally, responding to your request to limit the production cut-off of Msrs. Hurd, Robison, Bradley, and Clark, our position is that documents from CPU-related custodians should be produced through the end of 2009 and that documents from graphics and chipsets custodians should be produced through May 15, 2010.

Please let us know your position on these terms as soon as possible.

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**From:** Henning, Kristofor T. [mailto:khenning@morganlewis.com]  
**Sent:** Monday, May 24, 2010 1:19 PM  
**To:** Emanuelson, David  
**Cc:** Ostoyich, Joseph; Meehan, Coleen M.  
**Subject:** RE: Graphics

Intel's April 19 letter proposed to use 6 HP custodians on chipsets and graphics issues (p. 2). Intel further proposed 5 potential custodians (p. 3). In an attempt to move as expeditiously as possible, we accepted Intel's proposal and used the 5 custodians Intel itself identified. In our discussion the day after the ALJ's order or after, you have not inquired about additional graphics/chip set custodians. If, based on Intel's discovery taken in the FTC v. Intel proceeding and otherwise, it has a proposal for a 6th HP custodian, please let us know right away. We are happy to discuss the matter further, but given the purported June 1, 2010 deadline in the ALJ's order, we are unable to delay further in our collection efforts. In addition, we still have not received proposed search terms from Intel.

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**From:** Emanuelson, David [mailto:EmanuelsonD@howrey.com]  
**Sent:** Monday, May 24, 2010 12:43 PM

**To:** Henning, Kristofor T.  
**Cc:** Ostoyich, Joseph; Meehan, Coleen M.  
**Subject:** RE: Graphics

The whole point of that section of the letter is that we wanted to discuss these custodians with HP based on the knowledge available to HP. We cannot state definitively which are the top six custodians. We have some limited knowledge based on people we know have dealt with Intel but there may be other custodians who have dealt with Nvidia, for example. That the was point of giving you categories, along with suggestions, for the graphics portion (as opposed to defined custodians and no categories for the CPU portion).

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**From:** Henning, Kristofor T. [mailto:khenning@morganlewis.com]  
**Sent:** Monday, May 24, 2010 12:24 PM  
**To:** Emanuelson, David  
**Cc:** Ostoyich, Joseph; Meehan, Coleen M.  
**Subject:** RE: Graphics

What other graphics custodian do you propose? We've already started collecting from your five.

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**From:** Emanuelson, David [mailto:EmanuelsonD@howrey.com]  
**Sent:** Monday, May 24, 2010 12:21 PM  
**To:** Henning, Kristofor T.  
**Cc:** Ostoyich, Joseph  
**Subject:** Graphics

Kris,

Just to follow up on our call, the graphics issues are still in flux. In our April 19 letter, which is now court order, we proposed six custodians and gave (five) examples of who may be relevant, but we still need to meet and confer based on who HP believes are the relevant custodians. From there, we can work on a deposition proposal.

Thanks,  
Dave

**David T. Emanuelson**  
Senior Associate

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