

December 22, 2008

Sidney Balick

Adam Balick

Joanne Ceballos

James Drnec

BY ELECTRONIC MAIL

The Honorable Vincent J. Poppiti
Special Master
Blank Rome LLP
Chase Manhattan Centre, Suite 800
1201 North Market Street
Wilmington, DE 19801-4226

Re: *In re Intel Corporation Microprocessor Antitrust Litigation*

Dear Judge Poppiti:

With apologies for having to involve Your Honor once again in a disagreement over the Dell depositions, AMD, Class Plaintiffs and Dell have been unable to work out agreeable dates for the deposition of Dan Allen. This latest dispute started when counsel for Dell gave AMD and Class Plaintiffs two weeks notice that Mr. Allen was available for deposition on December 29 and 30, 2008, right in the middle of the holidays and when the AMD attorney responsible for Mr. Allen's deposition (Linda Smith) will be out of the country. We used our best efforts to explain why those dates are unsuitable and expressed concern that the two dates proffered for Mr. Allen were inadequate to allow for all 22.5 hours that this Court allotted for Mr. Allen's deposition. Dell provided no other dates to complete Mr. Allen's deposition and no dates whatsoever for the other five witnesses. We were concerned that Dell would continue to dribble out dates for all six depositions with little notice and without clearing those dates with the subpoenaing parties. (Counsel for Intel informed us that Dell pre-cleared December 29 and 30 with Intel, but Dell has sought to unilaterally impose those dates on AMD and Class Plaintiffs.)

It was only after counsel for AMD and Class Plaintiffs sent numerous and unnecessary emails that counsel for Dell finally provided a third date for Mr. Allen (January 5, 2008) and a "complete" schedule for all six witnesses. We immediately accepted all of the proposed dates. But we have been met with refusal in response to our request for different dates for Mr. Allen. As we have told counsel for Dell numerous times, Linda Smith has prepared to depose Mr. Allen, but she had previously planned a vacation with her family out of the country during the Christmas vacation. She is now out of the country and will not return until January 2, 2009. She has offered to be available on the following day. Class Plaintiffs have also objected to having to fly back and forth to Texas twice in two weeks for the same deposition.

I see that Dell has requested a teleconference with Your Honor to discuss this conflict. We agree that a teleconference is necessary.

Honorable Vincent J. Poppiti

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Attached to this letter are examples of correspondence exchanged with Dell's counsel on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Adam Balick". The signature is fluid and cursive, with a long horizontal stroke at the end.

Adam Balick
(Bar ID#2718)

cc: Clerk of the Court
Richard L. Horwitz, Esq.
James L. Holzman, Esq.
Thomas R. Jackson, Esq.
Michael D. Mann, Esq.
Lauren E. Maguire, Esq.