

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

ADVANCED MICRO DEVICES, INC., a)
Delaware corporation, and AMD)
INTERNATIONAL SALES & SERVICE,) Civil Action No. 05-441 JJF
LTD., a Delaware corporation,)

Plaintiffs,)

vs.)

INTEL CORPORATION, a Delaware)
corporation, and INTEL KABUSHIKI)
KAISHA, a Japanese corporation,)

Defendants.)

PUBLIC VERSION

IN RE:)
INTEL CORPORATION) Civil Action No. 05-MD-1717-JJF)

**DECLARATION OF YOJI MAEDA IN SUPPORT
OF AMD'S MOTION TO COMPEL**

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Service, Ltd.

Dated: January 7, 2009

DECLARATION OF YOJI MAEDA
IN SUPPORT OF AMD'S MOTION TO COMPEL

I, Yoji Maeda, declare:

1. I am a partner in the law firm of O'Melveny & Myers LLP. I am a member of the Japanese bar, have practiced litigation in Japan for 18 years, and work in the firm's Tokyo office, O'Melveny & Myers Gaikokuho Kyodojigyo Horitsujimusho. Based on my review of court pleadings filed in, and my personal knowledge of, the litigation brought by AMD's Japanese subsidiary ("AMD Japan") against Intel, if called as a witness, I could competently testify to the facts stated in this declaration.

2. Article 92 of the Japanese Code of Civil Procedure, Law 109 of 1996, as amended, permits parties to a lawsuit to request that the Court treat certain information as confidential and prevent it from being disclosed to any third parties other than the parties to the case. It is important to note, however, that Article 92 sets forth the scope of disclosure by the Court. Article 92 does not bind parties or impose any confidentiality obligation on the parties.

3. On or about October 13, 2005, as part of the lawsuit it filed against Intel following the finding by the Japan Fair Trade Commission ("JFTC") that Intel acted unlawfully to restrain competition in a manner that harmed its competitors, AMD Japan filed in the Tokyo District Court a Request for Production of Documents to the JFTC. AMD Japan specifically sought the production of "Documents that form the basis for the findings of fact" in the JFTC's finding that Intel had acted unlawfully. Intel responded to AMD Japan's request on or about October 25, 2005.

4. On or about December 16, 2005, the Tokyo District Court held hearings on AMD Japan's Request for Production. The Court sent AMD Japan's Request to the JFTC and set a deadline for the JFTC to respond. The JFTC produced documents to the Tokyo District Court in April 2006, on a voluntary basis.

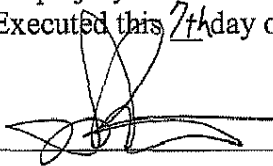
5. The JFTC cannot make a Request to the Court under Article 92 and, absent a request by a party under Article 92, the documents produced by the JFTC would become available to the public. To protect its confidentiality interests, therefore, the JFTC ordinarily would redact any information it wanted to maintain as confidential before producing documents to the District Court. Consistent with that practice, the JFTC did so in this instance, redacting certain information related to its investigation of Intel before producing the documents from that investigation to the District Court.

6. Subsequently, in November 2006, Intel filed a Petition under Article 92. On or about December 26, 2006, the Court determined that certain specific categories of documents Intel identified should be protected pursuant to Article 92 before being made available to the public. So that not only Intel confidential information was protected, AMD Japan subsequently also filed a Petition requesting that certain parallel AMD Japan information be kept confidential under Article 92. As a result, the public versions of the documents produced by the JFTC have

substantial redactions above and beyond the redactions that the JFTC itself made before producing the documents to the District Court. The public or non-confidential version of the documents produced by the JFTC to the District Court was made available in March 2007.

7. Nothing in Japanese law prevents Intel, or AMD Japan, or any party from disclosing documents containing its own trade secrets, such as the JFTC's production to the Tokyo District Court prior to the parties' additional redactions under Article 92.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct. Executed this 7th day of January, 2009 at Tokyo, Japan.

A handwritten signature in black ink, appearing to be 'Yoji Maeda', is written over a horizontal line. The signature is stylized and somewhat cursive.

Yoji Maeda

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

CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2009, I electronically filed the foregoing document with the Clerk of Court using CM/ECF and have sent by Hand Delivery to the following:

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I hereby certify that on January 7, 2009, I have sent by electronic mail the foregoing document to the following non-registered participants:

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CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2009, I electronically filed the foregoing document with the Clerk of Court using CM/ECF and have sent by Electronic Mail to the following:

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