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April 21, 2009  
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**By Hand**

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

**Re: Advanced Micro Devices, Inc., et al. v. Intel Corporation, et al., C.A. No. 05-441-JJF; In re Intel Corporation, C.A. No. 05-MD-1717-JJF**

Dear Judge Poppiti:

The purpose of this letter is to advise the Court of a potential document production issue between the parties involving a document that AMD may claim is privileged. Intel believes that any privilege that may have attached (which Intel does not concede) was waived through disclosure to a third party.

Intel has advised AMD of its intention to submit this letter and will meet and confer with AMD promptly to attempt to resolve any disagreements. However, given the absence of any order explicitly governing the present circumstances and Intel's uncertainty regarding AMD's response under the document production Order's "clawback" provision, we believe it appropriate to advise the Court of the issue now and anticipate that the Court's assistance will be required to resolve the issue.

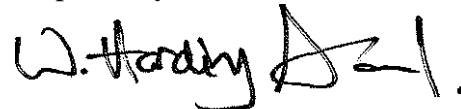
Attached hereto as Exhibit A is a cover email and two attachments produced by AMD to Intel during the course of this litigation. The cover email is dated [REDACTED] and has a subject line that reads [REDACTED]. The first attachment, dated [REDACTED] is a PowerPoint presentation entitled [REDACTED]. It has come to our attention that AMD, in January 2009, may have "clawed back" a document that is similar to this document in a number of respects, but given the clawback, we are not in a position to compare them. The second attachment, dated [REDACTED] is another PowerPoint presentation entitled [REDACTED]. [REDACTED] AMD has not attempted to claw back the email or either of the attachments included as Exhibit A.

As is apparent from the cover email in Exhibit A, the PowerPoint presentations were sent to, among other recipients, [REDACTED] of [REDACTED] a [REDACTED].

There is no indication in the email or on the face of the documents, nor any other evidence suggesting, that [REDACTED] was employed to assist AMD in the provision of professional legal services, nor that the transmission of the documents to [REDACTED] was related to the provision of professional legal services. As such, AMD's transmission of the documents to [REDACTED] would have resulted in a waiver of any attorney-client privilege that may have attached to the documents. Intel believes AMD may have clawed back the prior document in error, and that Exhibit A hereto – which has not been clawed back – should be available for use by Intel in this litigation.

In the meantime, because AMD has previously asserted a claim of privilege over a similar [REDACTED] PowerPoint presentation, Intel has taken the following steps: (1) Intel has asked its electronic discovery vendor to immediately deactivate Exhibit A from Intel's review database; and (2) Intel has sealed the only hard copy printouts of these two documents in envelopes and has stored them in locations that will not be accessed by members of Intel's legal team until the matter has been resolved.

Respectfully,



W. Harding Drane, Jr.

WHD:cet

Enclosures – Provided to Judge Poppiti and AMD Delaware counsel only

cc: Clerk of Court (via Hand Delivery)

Counsel of Record (via CM/ECF & Electronic Mail)